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Newton Abbot  
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20 July 2018

## PLANNING COMMITTEE

Dear Councillor

You are invited to a meeting of the above Committee which will take place on **Tuesday, 31st July, 2018** in the Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at **10.00 am**

Yours sincerely

PHIL SHEASRS  
Managing Director

Distribution: Councillors Smith (Chairman), Clarence (Vice-Chairman), Austen, Bullivant, Colclough, Dennis, Fusco, Hayes, J Hook (was Brodie), Jones, Keeling, Mayne, Kerswell, Nutley, Orme, Parker, Pilkington, Prowse, Rollason and Winsor

Substitutes: Councillors Connett, Dewhirst, Golder, Haines, Hocking, Russell and Thorne

A link to the agenda on the Council's website is emailed to:

- (1) All other Members of the Council
- (2) Representatives of the Press
- (3) Requesting Town and Parish Councils

**If Councillors have any questions relating to predetermination or interests in items on this Agenda, please contact the Monitoring Officer in advance of the meeting**

## **Public Access Statement**

### **Information for the Public**

**Health and safety during the meeting.** In the event the fire alarm sounds please evacuate the building calmly but quickly using the nearest exit available, do not stop to collect personal or other belongings and do not use the lift. Fire Wardens will assist you to safety and 'safety in case of fire instructions' are prominently displayed in the Council buildings and should be followed. Should an escape route be compromised the nearest alternative escape route should be used. Proceed quickly to the assembly point in the very far overflow car park. Report to the person taking the roll-call at the assembly point if you have evacuated without being accounted for by a member of staff.

There is an opportunity for members of the public to speak on planning applications at this meeting. Full details are available online at [www.teignbridge.gov.uk/planningcommittee](http://www.teignbridge.gov.uk/planningcommittee).

Please email [comsec@teignbridge.gov.uk](mailto:comsec@teignbridge.gov.uk) or phone 01626 215112 to request to speak by **12 Noon** on the **Thursday prior to the Committee meeting**.

This agenda is available online at [www.teignbridge.gov.uk/agendas](http://www.teignbridge.gov.uk/agendas) five working days prior to the meeting. If you would like to receive an e-mail which contains a link to the website for all forthcoming meetings, please e-mail [comsec@teignbridge.gov.uk](mailto:comsec@teignbridge.gov.uk)

General information about Planning Committee, delegated decisions, dates of future committees, public participation in committees as well as links to agendas and minutes are available at [www.teignbridge.gov.uk/planningcommittee](http://www.teignbridge.gov.uk/planningcommittee)

Any representations or information received after the preparation of the reports and by noon on the Friday before the planning committee will be included in the late updates sheet.

All documents relating to planning applications can be viewed online at [www.teignbridge.gov.uk/planningonline](http://www.teignbridge.gov.uk/planningonline). In the case of sensitive applications representations are not placed on the website All representations are read by the case officer and a summary of the planning matters raised is placed online instead.

## **AGENDA**

### **PART I**

**(Open to the Public)**

1. Minutes (Pages 1 - 4)  
To confirm the minutes of the last meeting.
2. Apologies for absence.
3. Agreement of the Meeting between Parts I and II.

4. Matters of urgency/report especially brought forward with the permission of the Chairman.
5. Declarations of Interest.
6. Public Participation  
The Chairman to advise the Committee on any requests received from members of the public to address the Committee.
7. Planning applications for consideration - to consider applications for planning permission as set out below.
  - a) TEIGNMOUTH - 18/00659/FUL and 18/00660/LBC - Lifeboat House, Lifeboat Lane - Installation of kerbstone barrier with fence\_(Pages 5 - 10)
  - b) BISHOPSTEIGNTON - 18/00548/FUL - Teignmouth Golf Club, Teignmouth - Erection of indoor practice building\_(Pages 11 - 16)
  - c) TEIGNMOUTH - 18/00916/FUL - First Aid Hut, Promenade - Change of use to Use Classes A3 (cafe/restaurants) and A5 (hot food takeaway), replacement window and external seating\_(Pages 17 - 22)
  - d) BOVEY TRACEY - 17/01821/MAJ - Land At NGR 280887 78068, to West of Monks Way - Detailed application for initial phase of residential development of 156 dwellings including access, associated infrastructure and landscaping; outline application for 12 self build housing plots and employment use site (B1/B2/B8) \_(Pages 23 - 50)
  - e) TRUSHAM - 18/00856/FUL - Overdale, Trusham Hill - Raising roof to form additional accommodation, single storey rear extension, new garage and alterations for access and parking\_(Pages 51 - 58)
  - f) BOVEY TRACEY - 17/02593/FUL - Unit 9, Station Park, Haytor View, Heathfield - Retention of building and change of use from B8 to mixed Use Classes B1, B2, B8 and Sui Generis (display and selling of vehicles)\_(Pages 59 - 66)

Any representations or information received after the preparation of the reports and by noon on the Friday before the planning committee will be included in the late updates sheet.

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8. Breaches of Planning Control
  - a) The Buntings, Higher Woodway Road, Teignmouth\_(Pages 67 - 70)
  - b) Land at Bakers Yard, Forders Lane, Bishopsteignton\_(Pages 71 - 74)

9. Appeal Decisions - to note appeal decisions made by the Planning Inspectorate.
10. NA3 Wolborough, Newton Abbot, Draft Development Framework Plan  
(Pages 75 - 220)

## **PART II (Private)**

Items which may be taken in the absence of the Public and Press on grounds that Exempt Information may be disclosed.

Local Government Act 1972 (Section 100 and Schedule 12A).

## **FURTHER INFORMATION:**

### **Future meetings of the Committee**

29 August, 26 September, 23 October 2018.

### **Dates of site inspections**

#### **Team 1** –6 September 2018

Chairman, Vice Chairman and Cllrs: Bullivant, Colclough, Fusco, Hayes, Nutley, and Rollason

#### **Team 2** -, 12 July, 5 October 2018,

Chairman, Vice Chairman and Cllrs: J. Hook, Dennis, Jones, Mayne, Orme, Parker

#### **Team 3** - 9 August 2018

Chairman, Vice Chairman and Cllrs: Austen, Clarence, Keeling, Pilkington, Prowse and Winsor

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## **Public Access Statement Information for the Public**

### **Notes for Planning Committee members on determining applications**

Members are reminded of their legal responsibilities when determining planning applications as set out in the planning practice guidance on the government website Gov.UK.

*“Local authority members are involved in planning matters to represent the interests of the whole community and must maintain an open mind when considering planning applications. Where members take decisions on planning applications they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid material planning reasons.”*

S70 (2) of the Town and Country Planning Act 1990 and S38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be taken in accordance with the Council's development plan unless there are material planning considerations that indicate otherwise.

[Article 32 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) provides that, subject to additional publicity requirements, a local planning authority may depart from development plan policy where material considerations indicate that the plan should not be followed.

The development plan consists of the Teignbridge Local Plan and the Neighbourhood Plans.

The National Planning Policy Framework and National Planning Practice Guidance must also be taken into account.

S70 (2) of the Town and Country Planning Act 1990 provides that a local planning authority must have regard to a local finance consideration as far as it is material. A local finance consideration is defined as a grant or other financial assistance that has been, will or could be provided to a relevant authority by a Minister of the Crown Court (such as a New Homes Bonus payments) or sums that a relevant authority has, will or could receive, in payment of the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular development will depend on whether it could help to make the development acceptable in planning terms.

## **APPENDIX 1**

### **THE LOCAL GOVERNMENT ACT 1972**

#### **(Local Government (Access to Information) Act 1985)**

#### **List of Background Papers relating to the various items of reports as set out in Part I of the Agenda**

##### ***As relevant or appropriate:***

1. Applications, Forms and Plans.
2. Correspondence/Consultation with interested parties.
3. Structure Plan Documents.
4. Local Plan Documents.
5. Local/Topic Reports.
6. Central Government Legislation.

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## **PLANNING COMMITTEE**

**TUESDAY, 3 JULY 2018**

Present:

Councillors Smith (Chairman), Clarence (Vice-Chairman), Bullivant, Colclough, Dennis, Fusco, J Hook (was Brodie), Mayne, Kerswell, Nutley, Pilkington, Prowse, Rollason, Winsor, Dewhirst (Reserve) and Hocking (Reserve)

Members in Attendance:

Councillors Clemens, Goodey and Gribble

Apologies:

Councillors Austen, Hayes, Jones, Keeling, Orme and Parker

Officers in Attendance:

Ian Perry, Principal Planning Officer  
Trish Corns, Democratic Services Officer  
Angharad Williams, Senior Planning Officer  
Justin Price-Jones, Solicitor

### **73. MINUTES**

The Minutes of the meeting held on 5 June 2018 were approved as a correct record and signed by the Chairman. (15 votes for 0 against and 1 abstention).

### **74. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reminded Members that they should not vote on an application if they are not present at the meeting to hear the entire debate on the application. The Chairman also welcomed public speakers to the meeting.

### **75. DECLARATIONS OF INTEREST.**

There were no declarations of interest.

### **76. PLANNING APPLICATIONS FOR CONSIDERATION**

The Committee considered the reports of the Business Manager – Strategic Place, together with comments of public speakers, additional information reported by the officers and information detailed in the late representations updates document previously circulated.

- a) **NEWTON ABBOT - 18/01054/FUL - The Minerva Building, Minerva Way - Construct portal framed extension including demolition of small loading bay section and new 2.4 metres high palisade fence around office car park**

It was noted that a satisfactory scheme of on and/or off-site landscaping has been submitted.

It was proposed by Councillor J Hook, seconded by Councillor Prowse and

Resolved

Permission be granted subject to the following conditions:

1. Standard three year time-limit for commencement.
2. Development to be carried out in accordance with the approved plans.
3. Parking to be provided and retained in accordance with the approved plans.

(15 votes for and 0 against)

- b) **BOVEY TRACEY - 18/00826/VAR - Rosemount - Variation of condition 2 on planning permission 16/01720/FUL to vary internal floor plan and elevations and include a new sunroom extension to the east elevation.**

It was noted that the principle of a dwelling on this site had been given.

Public Speaker, Objector – Objected on the grounds of overbearing, overlooking and loss of privacy; the principle of a dwelling on the site was granted on appeal and to be limited in size; the proposed structure would be closer to the boundary fence with additional fully glazed windows; and very visible in the street scene.

Public Speaker, Supporter – The additional internal floor space is required for added natural light and adaptations; the roof height would be unchanged; the added floor space of just 17 square meters would provide much needed benefit to the occupiers; and would protrude just 2.4 metres from the originally approved footprint and design.

*Note: The Committee unanimously agreed to waiver normal speaking procedure and allow the supporter to be assisted by another person in addressing the Committee given the supporter's personal circumstances.*

Comments made by Members included: the Town Council does not support the application on the grounds of overdevelopment, and a dominating effect on the amenities of neighbours; the principle of development was allowed on appeal; no one has a right to a view; the internal changes are not of a concern; the proposed extension and increase in footprint is not a significant area; and the ridge height is not affected.



It was proposed by Councillor Bullivant, seconded by Councillor Dennis and Resolved

Permission be granted subject to the following conditions:

1. Standard three year time limit for commencement.
2. Development to be carried out in accordance with the approved plans.
3. Removal of Permitted Development Rights.
4. Obscure glazing condition (bathroom windows to south elevation).
5. Development to accord with recommendations of Ecology Survey.
6. Notwithstanding the approved plans, details/sample of cladding materials to be approved by Local Planning Authority.

(10 votes for and 5 against)

c) **NEWTON ABBOT - 18/00465/FUL - 8 Ashmill Court - Bungalow in the grounds of 8 Ashmill Court including associated garden, parking and vehicular access**

The Principal Planning Officer advised that a further condition was recommended to those detailed in the report circulated with the agenda as follows: *Boundary treatments to be agreed.*

Comments made by Councillors included: a corner plot development would be overdevelopment; not in keeping with the street scene; surface water issues; unsuitable access with poor visibility; the previous application was refused on surface water drainage issues and these issues have not been addressed.

It was proposed by Councillor Hocking, seconded by Councillor J Hook and

Resolved

Permission be refused for the following reasons:

1. Overdevelopment.
2. Detrimental to the amenities of neighbours and out of keeping with the street scene.
3. Surface water drainage.
4. Unsuitable access.

(13 votes for and 3 against)

**77. APPEAL DECISIONS**

The Committee noted appeal decisions made by the Planning Inspectorate on appeals against refusal of planning permission as set out in the report circulated.

DENNIS SMITH  
Chairman

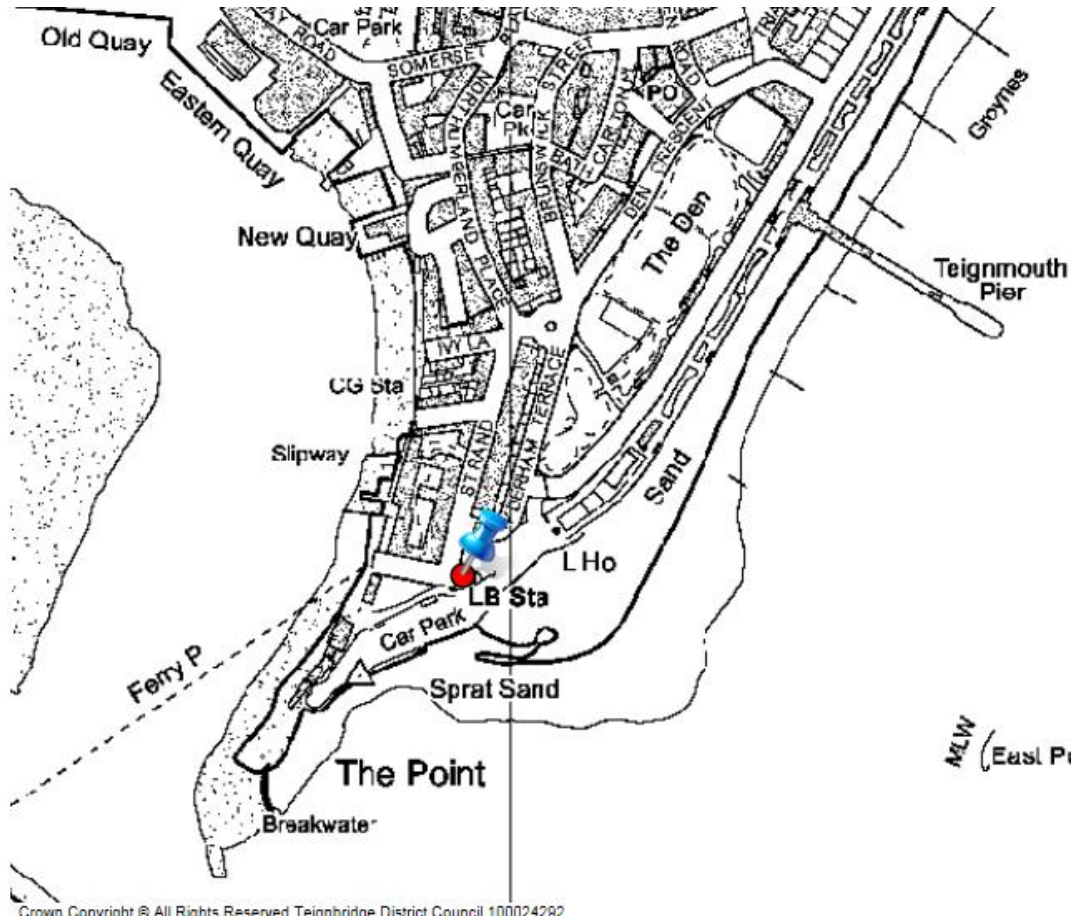


# PLANNING COMMITTEE REPORT 31 JULY 2018

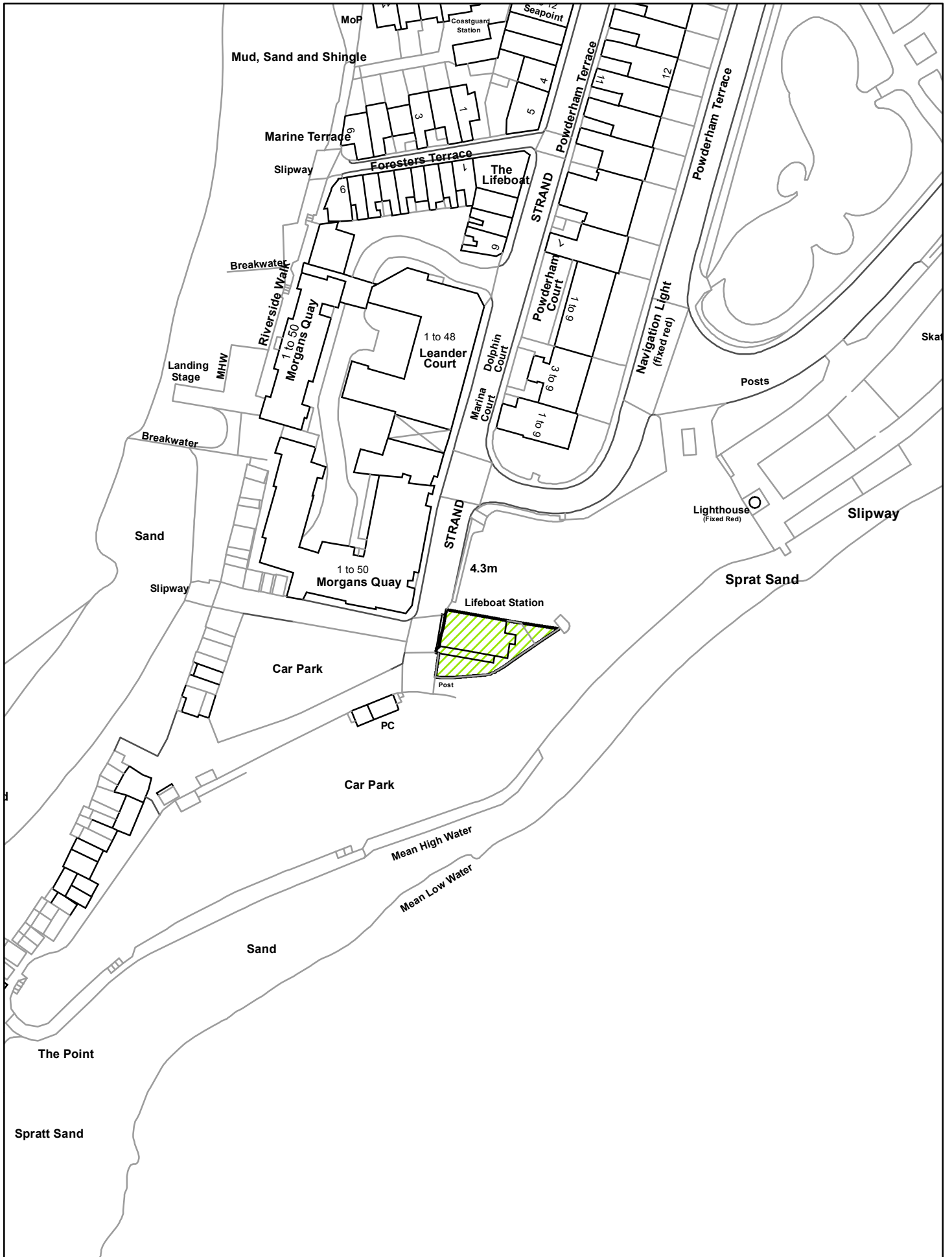
CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>TEIGNMOUTH - 18/00659/FUL - Lifeboat House, Lifeboat Lane - Installation of kerbstone barrier with fence</b>	
	<b>TEIGNMOUTH - 18/00660/LBC - Lifeboat House, Lifeboat Lane - Installation of kerbstone barrier with fence</b>	
<b>APPLICANT:</b>	<b>RNLI Teignmouth</b>	
<b>CASE OFFICER</b>	<b>Estelle Smith</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Mrs Russell Councillor Fusco</b>	<b>Teignmouth East</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00659/FUL&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00659/FUL&amp;MN</a>	



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## **1. REASON FOR REPORT**

Teignbridge District Council is the landowner.

## **2. RECOMMENDATION**

PLANNING PERMISSION and LISTED BUILDING CONSENT BE REFUSED for the following reasons:

A kerbstone barrier with timber palisade fence would not be appropriate here as it would not provide a sympathetic boundary treatment worthy of a Grade II listed building and the provision of such structures would detrimentally affect the architectural integrity and setting of the listed building and consequently adversely affect the character and appearance of the Conservation Area.

## **3. DESCRIPTION**

- 3.1 For consistency the Listed Building and planning application reports have been combined.
- 3.2 The application site is the RNLI Lifeboat House in Teignmouth which is in the ownership of Teignbridge District Council. It is a Grade II listed building, sited within the Teignmouth Conservation Area (revised boundary adopted 7 September 2009) and is surrounded by a public car park, which is also within the revised Conservation Area boundary and is also owned and operated by Teignbridge District Council.
- 3.3 To the rear (east) elevation of the building is an open section of land, part of which is currently part of the car park with one space demarcated.
- 3.4 The proposal seeks to enclose a section of this land by providing a low kerb and wooden picket (palisade) fence (maximum height 1.2 metres) above it with a narrow access gate at the easternmost point.
- 3.5 The submission states that the boundary fence was recently removed by an out-of-control Nissan Micra and that heavy duty kerbstones capped with concrete would provide a solid vehicle stop.
- 3.6 The submission is accompanied by a Heritage Statement which includes a photograph of the rear of the Lifeboat Station circa 1900 and prior to the construction of the Point Car Park when the building directly abutted the beach. It shows a timber picket fence above a stone wall.
- 3.7 Both the Conservation Officer and the Estates Officer have stated that their pre-application discussions for this scheme (several years ago) consisted of their requirement for a stone wall with railings atop to match in with the surrounding walls/railings to be more in keeping with the site and its surroundings. This requirement has been reiterated to the Agent but no comment/revisions to the current application have been received
- 3.8 The Estates Officer has advised that the lease the client holds does not extend to the part where the parking space is, or the triangular section immediately between

the parking space and the back of the Lifeboat House building. He has suggested that the Applicant should contact him to discuss this matter before the Committee meeting. It was unclear at the time of writing this report whether this discussion had taken place.

3.9 Teignbridge Local Plan Policy S1A (Presumption in Favour of Sustainable Development) sets the criteria against which all proposals will be expected to perform well. It advises that the Local Planning Authority should take into account whether the adverse impacts of granting permission would outweigh the benefits of the development. In this case it is considered that, whilst the principle of the development is acceptable, the design, materials and appearance of the proposal is not sustainable.

3.10 Policy S1 (Sustainable Development Criteria) of the Teignbridge Local Plan 2013–2033 advises that subject to other Development Plan policies which may determine the suitability of the location for the proposed development and provide more specific or overriding requirements in a particular case, proposals will be required to perform well against the following criteria, taking account of the social, economic and environmental benefits of the proposal, its scale and magnitude of impact, the status of any legally protected features affected and any associated mitigation:

*“g) maintenance or enhancement of the character, appearance and historic interest of affected landscapes, seascapes, settlements, street scenes, buildings, open spaces, trees and other environmental assets.”*

3.11 Policy S2 (Quality Development) of the Teignbridge Local Plan 2013–2033 states that new development will be of high quality design, which will support the creation of attractive, vibrant places. Designs will be specific to the place, based on a clear process which analyses and responds to the characteristics of the site, its wider context and the surrounding area, creating a place with a distinctive character and taking account of the following objectives:

*“a) integrating with and, where possible, enhancing the character of the adjoining built and natural environment, particularly affected heritage assets;*

*c) create clearly distinguishable, well defined and designed public and private spaces which are attractive, accessible and safe and provide a stimulating environment;*

*g) the buildings exhibit design quality using materials appropriate to the area, locally sourced if feasible;*

*k) respect the distinctive character of the local landscape, seascape, protecting and incorporating key environmental assets of the area, including topography, landmarks, views, trees, hedgerows, wildlife habitats, heritage assets and skylines.”*

3.12 Policy EN5 (Heritage Assets) of the Teignbridge Local Plan 2013-2033 advises that to protect and enhance the area’s heritage, consideration of development proposals will take account of the significance, character, setting and local distinctiveness of any affected heritage asset, including Scheduled Monuments, Listed Buildings, Conservation Areas, Historic Parks and Gardens, other archaeological sites and other assets on the Register of Local Assets, particularly those of national importance.

3.13 Development should respect and draw inspiration from the local historic environment

responding positively to the character and distinctiveness of the area, important historic features, their settings and street patterns. Where appropriate development should include proposals for enhancement of the historic environment including key views and actions identified in Conservation Area Character Appraisals and Management Plans.

- 3.14 The Teignmouth Town Centre Conservation Area Character Appraisal and Management Plans advise that it is the insensitive treatment of existing, historic buildings that has most eroded the area's distinctive architectural and historic qualities. These changes seriously threaten the value and integrity of the 'conservation resource' and, if repeated, will cause additional harm unless a more conservative approach is adopted. In accordance with its adopted policies and practices, therefore, the Council will seek to encourage such a conservative approach in relation to changes in the area (whether proposed or already carried out) with a view to: resisting proposals that do not strengthen and reinforce the established character and identity of the area and that new developments should be carried out in a manner that maintains and respects existing characteristics.
- 3.15 It is considered that the proposals are contrary to the above Policies as, despite evidence that a wooden fence once surrounded the land, this was long before listing of the building took place. Furthermore, the kerb and picket fence proposed do not provide a sympathetic boundary treatment worthy of a Grade II listed building and their provision would detrimentally affect the architectural integrity and setting of the listed building and consequently adversely affect the character and appearance of the Teignmouth Town Centre Conservation Area.

#### **4. POLICY DOCUMENTS**

Teignbridge Local Plan 2013–2033

S1A (Presumption in Favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

EN5 (Heritage Assets)

Teignmouth Conservation Area Character Appraisal and Management Plans

National Planning Policy Framework

National Planning Practice Guidance

#### **5. CONSULTEES**

Conservation Officer - Further to our discussion in the office, at the pre-application stage approximately 4 years ago, I agreed with the agent on site that a stone wall to match the existing stone wall adjacent to the site, topped with railings to match those used on top of the stone wall adjacent to the site, would be the most appropriate means of enclosure here in order to sit comfortably with the existing boundary treatment in the vicinity.

A kerbstone barrier with timber palisade fence would not be appropriate here. I would be grateful if amended plans could be submitted, in accordance with what was discussed in 2014.

Assuming revised plans are received: I suggest that a stonework sample panel condition (can be inspection of first two running metres of wall constructed provided that the applicant accepts that if the sample is unacceptable it will need to be taken down and re-done).

Estates Officer - Informally advised that they have no recollection of an incident with a car taking out any previous fencing on the site, he has stated that the lease the client holds does not extend to the part where the parking space is, nor the triangular section immediately between the parking space and the back of the Lifeboat House building. He suggests that the client should contact him about this fact, hopefully before the Committee meeting.

Parking Services - Advised informally by Estates Officer that they have no objections.

South West Water - Our records show pipes that are owned by Wales & West Utilities (WWU) in its role as a Licensed Gas Transporter (GT). Service pipes, valves, syphons, stub connections, etc., may not be shown but their presence should be anticipated. No warranties are therefore given. They also provide indications of gas pipes owned by other GTs, or otherwise privately owned, which may be present in this area. This information is not information of WWU and WWU is unable to verify this information or to confirm whether it is accurate or complete.

They enclose an extract from their records and advise that should planning approval be given they require the promoter of the works to contact them directly to discuss SWW's requirements in detail before any works commence on site. Diversions if required will be fully chargeable

## **6. REPRESENTATIONS**

To date there have been no representations.

## **7. TOWN COUNCIL'S COMMENTS**

For both applications, no objections in principle, but Members query the possible inclusion of a Teignbridge District Council pay and display car parking bay within the boundary of the application

## **8. COMMUNITY INFRASTRUCTURE LEVY**

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

**Business Manager – Strategic Place**



# PLANNING COMMITTEE REPORT 31 JULY 2018

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>BISHOPSTEIGNTON - 18/00548/FUL - Teignmouth Golf Club, Teignmouth - Erection of indoor practice building</b>	
<b>APPLICANT:</b>	<b>Teignmouth Golf Club</b>	
<b>CASE OFFICER</b>	<b>Anna Mooney</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Golder</b>	<b>Bishopsteignton</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00548/FUL&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00548/FUL&amp;MN</a>	





## 1. REASON FOR REPORT

The site is owned by Teignbridge District Council.

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement
2. Development to be carried out in accordance with approved plans
3. Tree planting to be carried out in accordance with the approved plans in first planting season following completion of the building. Any plants that fail within the first 5 years to be replaced
4. The works shall proceed in strict accordance with the precautions and measures described in section 7 of the Preliminary Ecological Appraisal
5. External lighting restrictions

## 3. DESCRIPTION

- 3.1 The application site is Teignmouth Golf Club which is accessed off Higher Exeter Road. The site is owned by Teignbridge District Council and is on land designated as Undeveloped Coast in the adopted Teignbridge Local Plan 2013-2033 (TLP).
- 3.2 Permission is sought for a single storey indoor golf practice building located to the north east of the existing golf club building. Materials for the proposed building are specified as metal cladding and timber to walls (dark green in colour) and dark green metal cladding to the roof.
- 3.3 The site is within the Undeveloped Coast. Policy EN2 of the TLP sets out that new development in the Undeveloped Coast will be regarded as inappropriate except where it *“is required for the purposes of agriculture or forestry or involves a use that requires a coastal location and by virtue of its scale, nature and location does not detract from the undeveloped character of the coast.”* The proposed building is not for agricultural or forestry purposes and does not require a coastal location and to that extent the proposal must be considered as “inappropriate” under the terms of Policy EN2. However the proposed building will be located in relatively close proximity to the main club house building complex, and in conjunction with the additional tree planting proposed, it is not considered that it would detract from the undeveloped character of the coast. On balance, therefore, it is considered that the proposal complies with the purpose of Policy EN2.
- 3.4 The Council’s Tree Officer supports the proposals following receipt of a landscape plan showing the planting of 4 container grown oak trees approximately 1.5 metres in height.
- 3.5 The Council’s Biodiversity Officer supports the proposals (with conditions imposed for lighting and adhering to the precautions and measures in the Ecological Survey) following receipt of an Ecological Survey.
- 3.6 In view of the lack of any adverse impact on the undeveloped character of the coast it is recommended that planning permission is granted subject to conditions as set out above.

#### 4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S2 (Quality Development)

S22 (Countryside)

EN8 (Biodiversity Protection and Enhancement)

EN9 (Important Habitats and Features)

EN11 (Legally Protected and Priority Species)

EN12 (Woodlands, Trees and Hedgerows)

National Planning Policy Framework

National Planning Practice Guidance

#### 5. CONSULTEES

Tree Officer 24 April 2018 - A number of trees appear to have been felled prior to the submission of this application.

Owing to the above a landscape plan is required showing replacement planting using container grown stock, to compensate for the above tree loss and to restore the visual amenity of the area.

Tree Officer - 24 May 2018 - The previous arboricultural objection is now withdrawn.

Biodiversity Officer - 2 May 2018 - There is a biodiversity holding objection to the proposal, pending submission of details showing how the damage to the County Wildlife Site (CWS) will be mitigated and compensated.

#### DESIGNATIONS/ISSUES

##### SSSI and Protected Species

The site is very close to a heathland SSSI. Legally protected species may also be present. The most likely impact on the SSSI/protected species is from light spill. It is unclear from the submitted documents whether any external lighting is proposed.

##### CWS

The application site is within a scrubby or wooded area within a CWS. Of special interest may be the nationally rare species, Devon Whitebeam, which occurs on the golf course. The footprint takes up a substantial proportion of this compartment of the CWS. The Tree Officer says the trees may already have been felled in this area, so harm to the CWS may already have occurred. It is unclear from the submitted documents where the access route to the building will be. It is possible that further damage will occur to finish clearing the footprint and access route.

An ecological consultant should be engaged to assess the impact of the existing clearance on the CWS, what habitat/species remain that will also be impacted, to propose a mitigation measures to avoid further harm and to propose a measures to compensate for the existing and further harm to the CWS and to provide further biodiversity enhancements. This information should be submitted to permit further

consideration of the biodiversity impact. Compensation and enhancement should concentrate on Devon Whitebeam and heathland /scrub mosaic measures.

Biodiversity Officer 3 July 2018 - The biodiversity objection to this proposal is removed, provided the following conditions are applied.

The works shall proceed in strict accordance with the precautions and measures described in section 7 of the Preliminary Ecological Appraisal (by Ecologic, dated June 2018). Photographs showing each of the measures provided in situ shall be submitted as evidence to enable discharge of this condition.

REASON: For the benefit of legally protected bats and bat roosts.

No external lighting shall be installed on, or in association with, the new building, except for low-intensity, PIR motion-activated lights on a short timer (maximum 2 minutes), mounted on the southern elevation of the building, producing low-intensity, warm wavelength light only and directed/cowled away from the retained woodland strips to the northwest and northeast and away from the Site of Special Scientific Interest to the east.

REASON: To avoid impacts on an SSSI and legally protected light-sensitive species, including bats.

## **6. REPRESENTATIONS**

None.

## **7. PARISH COUNCIL'S COMMENTS**

No objections.

## **8. COMMUNITY INFRASTRUCTURE LEVY**

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

**Business Manager – Strategic Place**

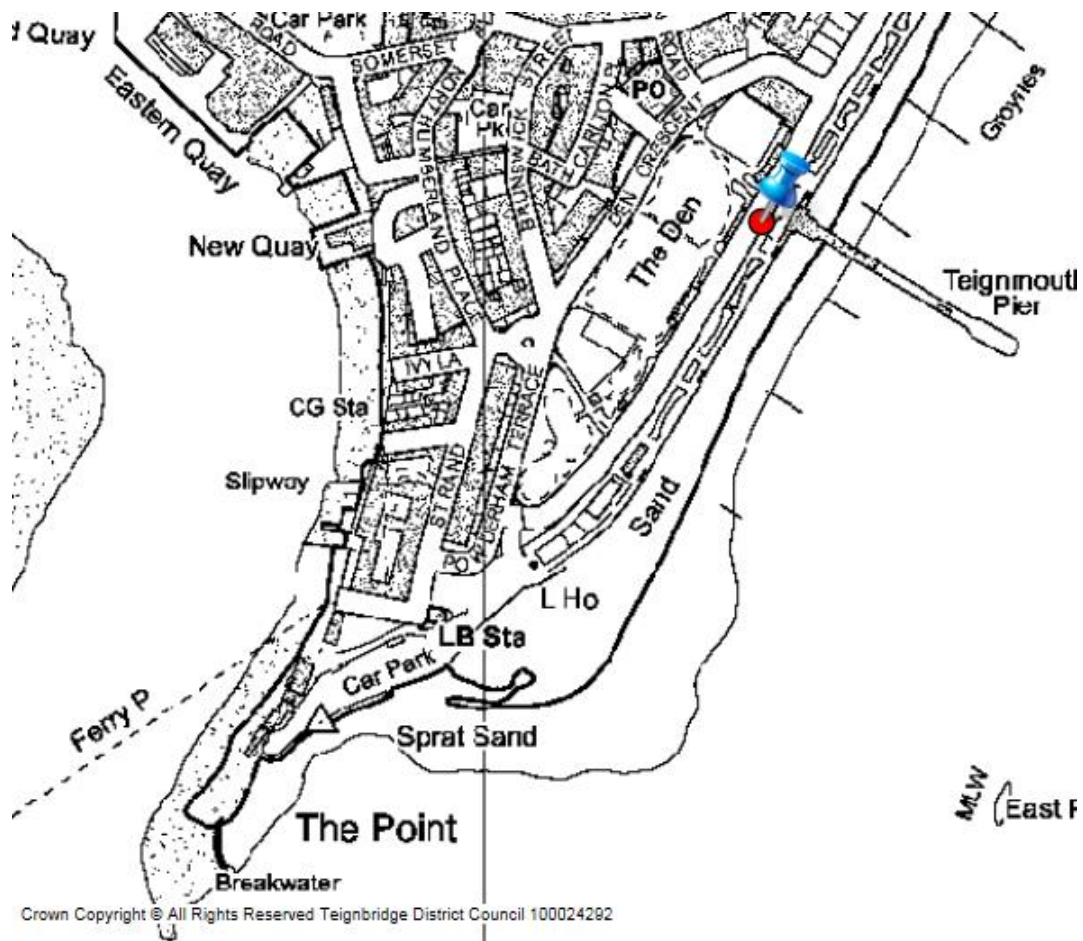
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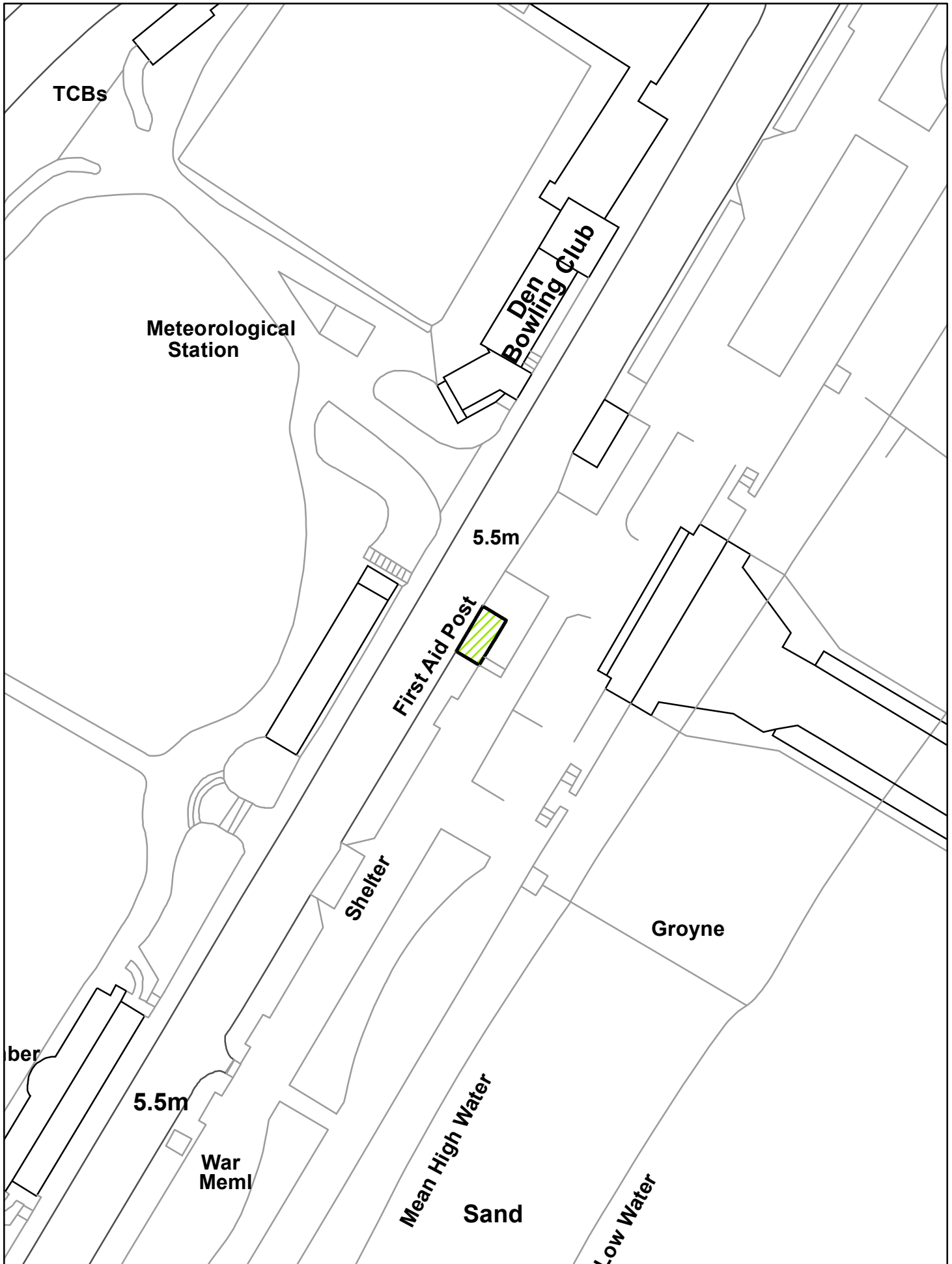
# PLANNING COMMITTEE REPORT 31 JULY 2018

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>TEIGNMOUTH - 18/00916/FUL - First Aid Hut, Promenade - Change of use to Use Classes A3 (cafe/restaurants) and A5 (hot food takeaway), replacement window and external seating</b>	
<b>APPLICANT:</b>	<b>Mr &amp; Mrs McHugh</b>	
<b>CASE OFFICER</b>	<b>Estelle Smith</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Mrs Russell Councillor Fusco</b>	<b>Teignmouth East</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00916/FUL&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00916/FUL&amp;MN</a>	







## **1. REASON FOR REPORT**

Teignbridge District Council is the landowner

## **2. RECOMMENDATION**

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement
2. Development to be carried out in accordance with the approved plans
3. Should any extract vent flue be required, precise details to be submitted to and agreed in writing by the Local Planning Authority.
4. Hours of operation 09:00 – 18:00 daily

INFORMATIVE - Advertisements may need a separate advertisement application the applicant is advised to contact the Local Planning Authority for guidance

## **3. DESCRIPTION**

- 3.1 The application site is the now disused first aid hut situated opposite the pier entrance on the promenade in Teignmouth. It is located just outside the Town Centre boundary
- 3.2 It is a small building, single storey, measuring 6.3 metres by 3.3 metres and its appearance is mainly rendered with some stone facing and with a hipped roof.
- 3.3 There are several steps leading down from the Promenade to a paved area, sited and abutting the south-east (front) and north-east (side) elevations. The rear elevation of the structure abuts the road.
- 3.4 The proposal seeks planning permission to change the use of this building to a Class A3 (cafe/restaurants) and A5 (hot food takeaway) with a small food preparation area at one end with a servery area/hatch formed by a replacement window in the north-eastern end, and another servery area and public area with seating and art display at the south-eastern end accessed through existing double doors. Some external seating is shown to be located on the paved area.
- 3.5 Re-rendering of the external surfaces are proposed and repainting in cream, replacement guttering, repairing and repainting the door and frames plus the window cills in duck egg blue including the new window and proposed shutters.
- 3.6 The site lies within the Teignmouth Conservation Area, and there are listed buildings in the vicinity (Den Crescent), however it is not considered that the proposal would affect the setting of those listed buildings. The Conservation Officer has raised no objections, however she did point out that, although the windows are currently UPVC, timber or metal would be preferable for the proposed replacement. She also pointed out that there are no details of any flue for the kitchen.
- 3.7 Upon requesting a timber/metal window, the applicant in response advised that “all the windows in the first aid building are PVC, including the patio doors, as we are only replacing the side window we feel, to keep the building uniform, that it would

be best to continue with PVC, however the shutter to protect this window would be a bespoke wooden shutter.”

- 3.8 The Conservation Officer has accepted that, in view of the other windows being UPVC, the Local Planning Authority would be unlikely to be successful at appeal, should the application be refused on these grounds.
- 3.9 No particular hours of opening are identified on planning application form. The applicant has subsequently advised that expected opening hours will be up to 7 days a week 10 a.m. to 5 p.m. However, she has added that, as hours and days are dependent on season and weather, flexibility would be greatly appreciated for less or a little more. It is therefore recommended that a condition be added restricting opening times to only be between the hours of 9 a.m. to 6 p.m.. Whilst there will be no requirement to be open for all of those hours on a daily basis, at slack times for example, there should be no opening before or after those hours on any given day.
- 3.10 The applicants advise us that they already run The Shellfish Pot on the Promenade and already hire deckchairs and this activity will continue from the building. They will also be selling local produce, food and gifts, and feel that this unit will provide a year-round facility serving takeaway food and drink plus seafood salads, sandwiches, cakes, hot takeaway seafood broths, pasta, hot and cold drinks and a Special Menu of the Day and theme days, as the current Shellfish Pot is on a seasonal license only. No alcohol will be served.
- 3.11 The applicants also advise that they have a contract with Devon Contract Waste and rubbish is removed each day.
- 3.12 An Informative is recommended about the possible need for Advertisement Consent for proposed signage mentioned in the submitted heritage statement but for which no visual details have been supplied.

#### **4. POLICY DOCUMENTS**

Teignbridge Local Plan 2013–2033

S1A (Presumption in Favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

EN5 (Heritage Assets)

Teignmouth Conservation Area Character Appraisal

National Planning Policy Framework

National Planning Practice Guidance

#### **5. CONSULTEES**

Conservation Officer - I have no objections to the change of use and will accept the Case Officer's decision on the alterations.

The windows are currently UPVC – if there was any chance of changing to timber or metal it would be preferable but they are only replacing one window. There are no details of any flue for the kitchen.

Devon County Council (Highways) - Recommends that the Standing Advice issued to Teignbridge District Council is used to assess the highway impacts on the above application.

Environmental Health - Awaited

## **6. REPRESENTATIONS**

One letter of objection has been received raising the following points:

1. The last thing Teignmouth needs on the seafront is another cafe/restaurant, we need something different, innovative, fresh and new.
2. There is already the Seafood Deli, the View Cafe (Pavilions) and the Pier offering food and drink.
3. The land outside is used by the public to walk on all the time.
4. It will not bring new people or tourism.
5. A prime building being used for just another cafe.

## **7. TOWN COUNCIL'S COMMENTS**

No objections in principle, though Members raised concerns about the external seating detailed in the application, and that this would be another food business in an already oversubscribed seafront area. Members recommend that external seating be dealt with under licence rather than as part of a lease, and that Teignbridge District Council's Environmental Health ensure that adequate provision is made for ventilation and litter disposal at the site.

## **8. COMMUNITY INFRASTRUCTURE LEVY**

The proposed gross internal area is 16.31 m<sup>2</sup>. The existing gross internal area in lawful use for a continuous period of at least six months within the three years immediately preceding this grant of planning permission is 16.31 m<sup>2</sup>. The CIL liability for this development is therefore NIL. This is based on NIL net m<sup>2</sup> at £150 per m<sup>2</sup> and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

**Business Manager – Strategic Place**

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TEIGNBRIDGE DISTRICT COUNCIL

**PLANNING COMMITTEE**

CHAIRMAN: Cllr Dennis Smith

**DATE:** 31 July 2018

**REPORT OF:** Site Inspection Team – Councillors Smith (Chairman),  
Kerswell, Mayne and Prowse,

**DATE OF SITE INSPECTION:** 12 July 2018

**17/01821/MAJ - Land At NGR 280887 78068, To West Of Monks Way, Bovey Tracey,** - Detailed application for initial phase of residential development of 156 dwellings including access, associated infrastructure and landscaping; outline application for 12 self build housing plots and employment use site (B1/B2/B8)

Also present: Councillor Morgan, two representatives of the Parish/Town Council, the County Highway Engineer's representative.

Apologies: Councillor Clarence, Dennis and J Hook

Purpose of Site Inspection:

In accordance with the procedure relating to major applications, the application below was the subject of a site inspection prior to being considered by the Committee. All members of the Committee were invited to attend the site inspection. The purpose of the inspection was to enable Members to familiarise themselves with the site. Members were unable to form an opinion on the applications without having first considered the detailed reports of the Business Manager which will be included in the Committee agenda for a future meeting.

The Planning Officer reported on the allocation in the Local Plan, site layout plans, affordable housing allocation, surface water drainage and flood alleviation proposals.

The Site Inspection Team noted: the boundary of the site and the surrounding area; internal road layout, access arrangements, temporary construction access arrangements, pedestrian crossings, and speed control proposals for Monks Way; the Parish Council's initial views; and that of the County Highway Engineer.

DENNIS SMITH  
Chairman

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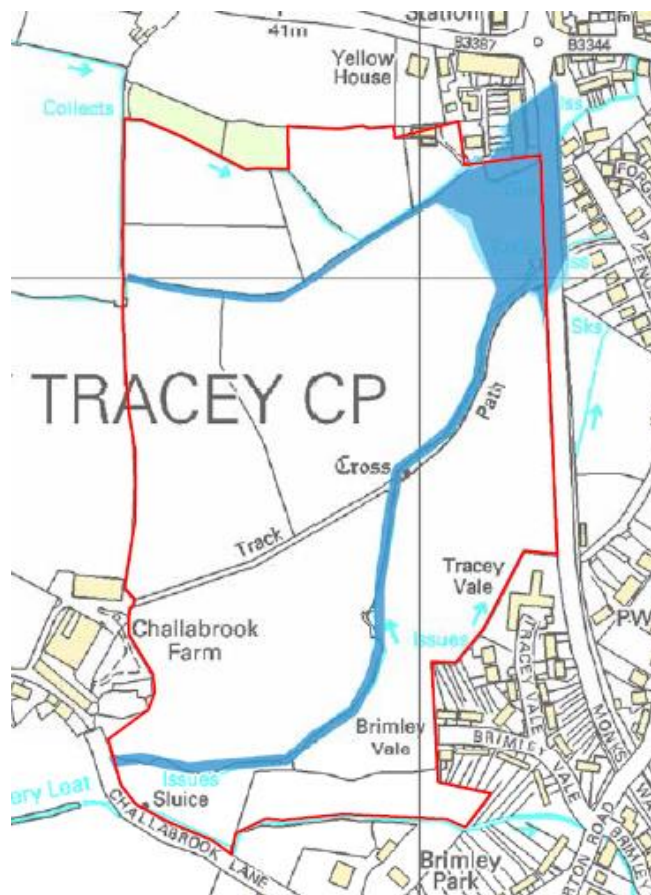
# PLANNING COMMITTEE REPORT

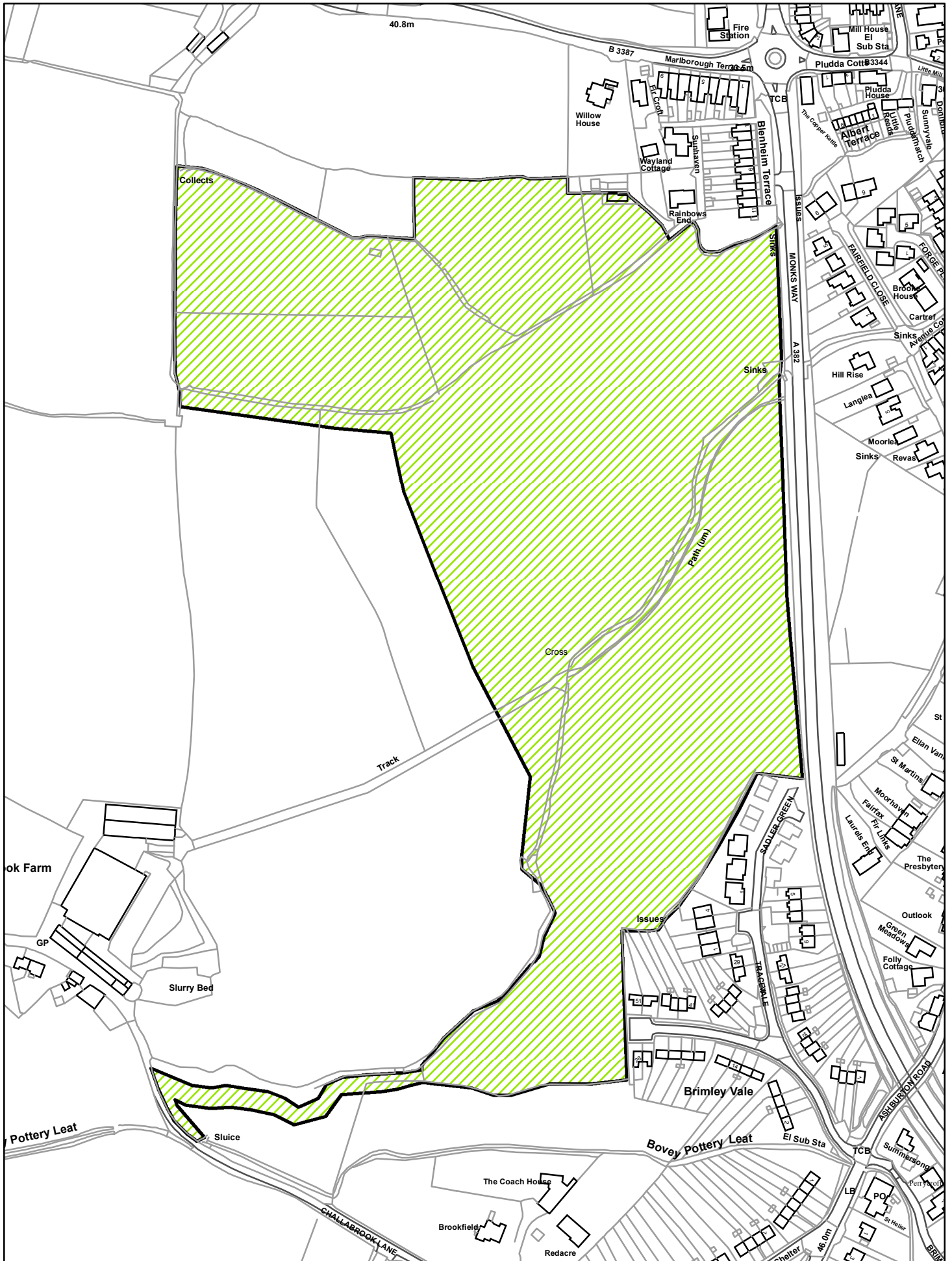
## 31 JULY 2018

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>BOVEY TRACEY - 17/01821/MAJ - Land At NGR 280887 78068, to west of Monks Way - Detailed application for initial phase of residential development of 156 dwellings including access, associated infrastructure and landscaping; outline application for 12 self-build housing plots and employment use site (B1/B2/B8)</b>	
<b>APPLICANT:</b>	Rule 5 Land Ltd	
<b>CASE OFFICER</b>	Donna Crabtree	
<b>WARD MEMBERS:</b>	<b>Councillor Gribble Councillor Kerswell Councillor Morgan</b>	<b>Bovey Tracey</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=17/01821/MAJ">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=17/01821/MAJ</a>	







## 1. REASON FOR REPORT

The application is a Major application and has been called in to the Planning Committee in accordance with the Council's Scheme of Delegation at the request of Councillor Kerswell for the following reasons:

- Highway safety (infrastructure being inadequate)
- Housing types not satisfying local needs
- Drainage concerns

## 2. RECOMMENDATION

SUBJECT TO:

1. The completion of an Appropriate Assessment and agreement (in consultation with Natural England) on mitigating measures to off-set any identified adverse impact upon biodiversity to be reflected in appropriately worded conditions in addition to those set out below;
2. The agreement that the additional drainage information satisfactorily addresses the requirements of the Environment Agency and any additional conditions recommended by the Environment Agency are imposed in addition to those set out below;

And subject to the applicant entering into a Section 106 Agreement to secure:

- Delivery of a controlled crossing, footpath, and introduction of a 40 m.p.h. speed limit on Monks Way;
- Delivery of Affordable Housing to meet local needs at 30% with a tenure mix of 70:30 rented (subject to a reduction in quantum according to provision of wheelchair accessible dwellings, Part M4(3))
- £75,382 (or other such amount agreed with Devon County Council) towards secondary school transport;
- 12 Custom Build Plots and marketing strategy;
- Provision of serviced employment site comprising a minimum of 3,500m<sup>2</sup> of gross floor space and agreement of marketing strategy for the site;
- Travel Packs (including £300 sustainable travel voucher) provided prior to first occupation of each dwelling and employment building;

THE BUSINESS MANAGER BE AUTHORISED TO GRANT PLANNING PERMISSION subject to the following conditions (unless additional information is submitted prior to the decision which addresses the requirements of the conditions/and in addition, any other conditions which may be considered necessary under 1-2 above):

To apply to the outline consent (Custom Build/Employment) only

1. Submission of a reserved matters application within 5 years for Custom Build Plots/ 7 years for the employment building;
2. Development shall commence before the expiry of 2 years from the date of final approval of reserved matters
3. Submission of a Design Code (in respect of the Custom Build Dwellings) to be approved by the Local Planning Authority prior to submission of first reserved matters relating to custom build plots;

To apply to the full planning permission

1. Development to be commenced before the expiry of three years;
2. Implementation of a programme of archaeological work and palaeo-environmental investigation and analysis in accordance with a written scheme of investigation which shall be submitted to and approved by the Local Planning Authority;
3. Details of equipment and future maintenance/management strategy for the Public Open Space and formal play areas to be submitted and approved by the Local Planning Authority (to include details of remediation following any greater return flood event);
4. Detailed design of the bridge crossing of Challabrook Stream to be submitted to and approved in writing by the Local Planning Authority;
5. Notwithstanding the approved plans, details of the substation building shall be submitted to and approved by the Local Planning Authority;
6. New trees shall not be planted until written approval has been obtained by the Council that they meet British Standards;
7. Tree protection fencing shall be erected around trees to be retained, in accordance with plans to be approved;
8. No materials shall be brought onto site until a programme of arboricultural supervision is agreed;
9. Details/samples of external surfacing materials/hard landscaping shall be submitted to and approved by the Local Planning Authority;
10. Notwithstanding the submitted plans, architectural detailing of the proposed dwellings shall be submitted to and approved by the Local Planning Authority;
11. Notwithstanding the submitted plans, samples and/or details of the materials to be used on the external surfaces of the dwellings shall be submitted to and approved by the Local Planning Authority;
12. Notwithstanding the submitted plans, details of boundary treatments shall be submitted to and approved by the Local Planning Authority;
13. Details of external lighting to be submitted to and approved in writing by the Local Planning Authority;
14. Highways details to be submitted to and approved in writing by the Local Planning Authority;

To apply to both the outline (custom Build/Employment) and the full

15. Development to be carried out in accordance with the approved plans;
16. Phasing plan/details to be submitted (to include construction access, estate roads, drainage works and landscaping);
17. Restriction on hours of works generating significant noise and deliveries to the site;
18. Development to be carried out in accordance with Construction Impact Assessment;
19. Waste removed from the site by alternative means other than burning;
20. Details of security lighting during the construction period to be submitted to and approved;
21. Construction Management Plan (CMP) to be submitted to and approved by the Local Planning Authority;
22. Off-site highways works shall take place prior to commencement on site;
23. The Brimley Vale access shall only be used in connection with the construction of the Custom Build units and shall be bollarded and used as an emergency access only thereafter;
24. Detailed drainage design for the permanent surface water management drainage system to be submitted to and approved by the Local Planning Authority;

25. Detailed drainage design for the construction phase surface water management drainage system to be submitted to and approved by the Local Planning Authority;
26. Full adoption and management details to be submitted to and approved by the Local Planning Authority;

### **3. DESCRIPTION**

- 3.1. The application site is approximately 11 hectares in total and is located to the west of Monks Way. The site is on the western edge of the settlement of Bovey Tracey, to the south-east fringes of Dartmoor National Park. The site forms part of the wider BT3 (Challabrook) site allocation.
- 3.2. The application site comprises parcels of agricultural land, divided by well-established hedgerows and mature trees, and watercourses Five Wyches Stream and Challabrook Stream, and currently farmed by Challabrook Farm. The land falls from a gently sloping hillside down from the west, to a low point at the north-eastern corner of the site.
- 3.3. The application site is bounded to the east by Monks Way (A382) with residential development beyond; to the northern boundary lies a section of woodland and a number of residential properties including Blenheim Terrace; to the south-eastern boundary of the site lies existing residential development at Brimley Vale and Tracey Vale; to the south the application site is bounded by hedgerow and beyond is agricultural land which forms part of the wider site allocation for BT3; to the western boundary there is farmed agricultural land. The agricultural land to the west forms part of the wider site allocation for BT3. To the south-west lies the main farmstead of Challabrook Farm.
- 3.4. Land adjacent to the watercourse is in flood zones 2 and 3 of Five Wyches Stream and Challabrook Stream which drain an area of Dartmoor to the West. The site also lies within the Critical Drainage Area of Bovey Tracey.
- 3.5. A Public Right of Way (PROW) runs through the site connecting Monks Way and Challabrook Farm. This PROW runs parallel to the banks of the Challabrook Stream.
- 3.6. Land outside the application site to the north is classified as an Area of Great Landscape Value (AGLV) and the Bovey Tracey Conservation Area lies to the north of the application site.

#### Planning History

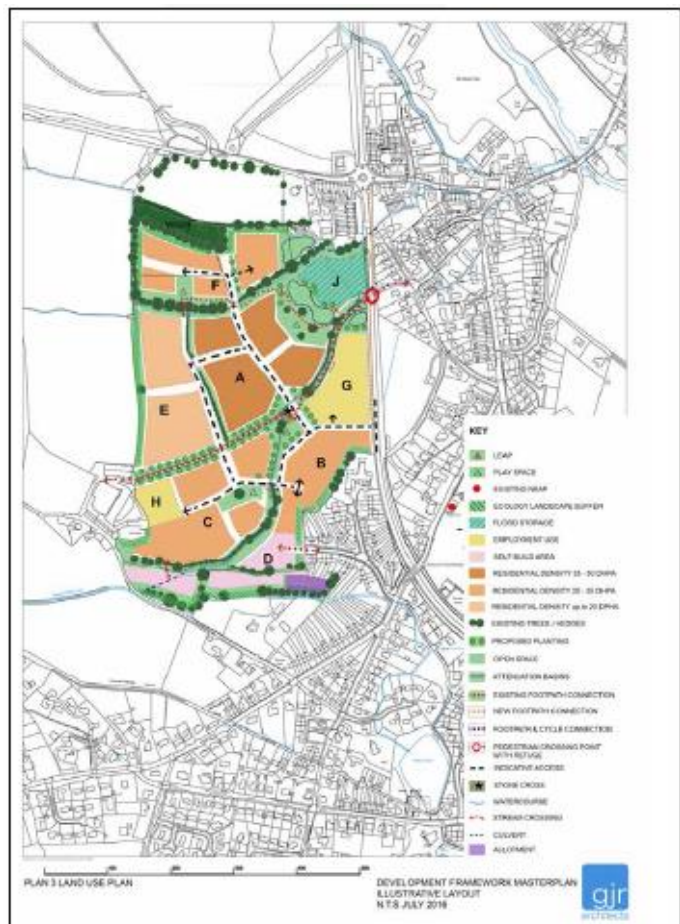
- 3.7. The application site extends to 11.4 hectares and forms part of the wider BT3 (Challabrook) site allocation. The wider site allocation covers 19 hectares.
- 3.8. The BT3 site allocation policy as set out in the Teignbridge Local Plan 2013-2033, allocates land for a residential led mixed use site. The site allocation policy reads:

*A site of approximately 19 hectares is allocated for mixed use development at Challabrook including:*

- a) a comprehensive landscape and design-led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders including measures to mitigate and overcome flood risk;
- b) delivery of at least 1.2 hectares of land for office, general industrial or storage and distribution as appropriate to the site and its wider context, ensuring that there is a mix of unit size to enable businesses to start up and expand; support will also be given to employment generating uses provided that they are compatible with the immediate surroundings and do not conflict with town centre uses;
- c) delivery of up to 270 homes with a target of 30% affordable homes;
- d) green infrastructure and on-site open space incorporating appropriate buffering, landscaping, retention of existing trees and hedgerows and other mitigation measures to address any ecological impacts relating to Greater Horseshoe Bats or landscape impacts relating to the site's sensitive setting adjoining Dartmoor National Park;
- e) pedestrian and cycle footpath provision to ensure permeability through the site including towards the town centre, and to local facilities on Ashburton Road; and
- f) a bespoke Greater Horseshoe Bat mitigation plan for Challabrook must be submitted to and approved before planning permission will be granted. The plan must demonstrate how the site will be developed in order to sustain an adequate area of non-developed land as a functional part of the foraging area within the SAC sustenance zone and as a part of the nearby strategic flyway used by commuting Greater Horseshoe Bats associated with the South Hams SAC. The plan must demonstrate that there will be no adverse effect on the SAC alone or in combination with other plans or projects.

3.9. In accordance with criterion a) of the above policy, a 'developer-led' Development Framework Plan (DFP) has been produced and this document was presented to and approved by the Planning Committee on 20 September 2016.

3.10. The DFP is not a supplementary planning document, but it is a material consideration in determining this planning application. The DFP includes an illustrative masterplan to guide the layout of the site as shown (right);



### Proposed development

- 3.11. This application is a hybrid application which seeks full consent for development of the site for 156 dwellings, together with access, associated infrastructure and landscaping. Outline consent is sought for 12 custom build units and 0.95 hectares of employment land.
- 3.12. The application forms Phase 1 of the proposed development of BT3 site allocation, with submitted plans indicating where the internal road network would link with Phase 2, comprising the remainder of the site allocation in the future.
- 3.13. The layout of the proposed dwellings are mainly located across the western part of the application site, with the eastern part of the application site designated to provide flood storage, public open space and land for use as an employment site.
- 3.14. The proposed dwellings are a mix of 2, 2½ and 3 storey terraced, semi-detached and detached dwellings including some flats.
- 3.15. The dwellings would be finished externally in render, brick or stone. Windows and fascias would be uPVC and the proposed roofing materials comprise a mix of natural slate, and a fibre cement and 'Forticrete' roofing tile.
- 3.16. The properties would be arranged around the new road network, with dwellings fronting the new road network and areas of green infrastructure. The vehicular access would be via a new junction connected to the Monks Way link road to the eastern boundary of the application site.

### Principle of Development

- 3.17. The application site comprises part of the wider BT3 strategic site allocation. The site BT3 site area is allocated for a residential-led, mixed use development, including at least 270 homes and 1.2 hectares of employment land and associated infrastructure, and therefore the principle for development of the site for residential use and for delivery of employment use, in locations broadly consistent with the illustrative masterplan included within the DFP, is acceptable.
- 3.18. A number of the public representations received in respect of this application raise concern about pressure on existing services and facilities/infrastructure and consider the development of this site is coming forward too early in the plan period.
- 3.19. Policy S4 (Land for New Homes) of the Teignbridge Local Plan includes a housing trajectory which has assumed the delivery of the housing allocated by Policy BT3 Challabrook from 2023 onwards. However, the assumed trajectory as set out in the Local Plan does not preclude developers from coming forward at an earlier time in the plan period with proposals. The trajectory is reviewed annually and published in the Council's monitoring reports. Paragraph 2.14 of the supporting text to this housing trajectory states;

*The table is purely an assessment of when the Council considers sites are deliverable; it is not a phasing policy and is not designed to delay the commencement of sites which seek to develop in advance of the year indicated.*

- 3.20. Therefore, having regard to the aim of this policy, it is not considered that the delivery of the site at Challabrook, ahead of assumed housing targets at the time of producing the Local Plan, would be a material consideration weighing against the proposed development.

#### Highway Safety

- 3.21. This application proposes access to the development from Monks Road via a new right hand turn lane into the development site and creation of visibility splays. It is proposed that the existing speed limit along Monks Way will be reduced from 60 m.p.h. to 40 m.p.h. along part its length, in conjunction with a controlled crossing point proposed on Monks Way, directly adjacent to the exit/entrance of the PROW.
- 3.22. A new pedestrian footpath link would be created to the west side of Monks Way, between the proposed vehicular access and the proposed controlled crossing; at this point the pedestrian footpath would continue on the eastern side of Monks Way, linking in with the existing footpath at the Newton Road roundabout, outside The Copper Kettle, which leads into town via Station Road.
- 3.23. A construction access for the Custom Build plots to the south of the application site is proposed from Brimley Vale to allow early delivery of those plots. It is proposed that this access will be solely as a construction access for the Custom Build Plots only and will revert to use as a footpath and cycle link and emergency access, at such a time as the main vehicular access becomes available.
- 3.24. Vehicular access to future phases of housing delivery for the wider allocation are shown at three locations to the western boundary of the current application and one location to the southern boundary.
- 3.25. Within the site, parking provision would be delivered on plot or through rear parking courtyards. The main route through the development is designed for a 20 m.p.h. speed limit.
- 3.26. The Devon County Council Highways Officer has no objections to the proposed development, subject to the completion of a Section 106 Agreement securing the off-site works including the right hand turn lane and controlled crossing on Monks Way, the reduction of the speed limit to 40 m.p.h, and to secure travel packs to be provided to the first occupant of any dwelling or employment building.
- 3.27. In addition, the Devon County Council Highways Officer has requested that conditions are attached to any consent requiring the off-site highways works to be completed prior to commencement of development on site, submission of highways details and a Construction Management Plan (CMP).
- 3.28. The Section 106 requirements and conditions which are requested by the Devon County Council Highways Officer are considered to be reasonable, and therefore it

is recommended that if consent is granted, that a Section 106 is required to comply with these requirements and that suitably worded conditions are attached.

### Ecology

- 3.29. A strategic bat flyway associated with the South Hams SAC is located approximately 2 km to the north-west of the application site and the entire application site lies within a 4km Sustenance Zone associated with the South Hams SAC.
- 3.30. By virtue of the proximity of the application site to the South Hams SAC, as well as Dartmoor SAC and South Dartmoor Woods SAC, an Appropriate Assessment under the Habitat Regulations must be undertaken in respect of the application.
- 3.31. This is currently being undertaken by Devon Wildlife Consultants as instructed by Teignbridge District Council, and the conclusions of the Appropriate Assessment are awaited.
- 3.32. Where an Appropriate Assessment cannot arrive at a conclusion of No Likely Significant Effects, or has not been completed, under the Habitat Regulations it would be unlawful to grant consent to the proposals.
- 3.33. Therefore, in the absence the completion of an Appropriate Assessment under the Habitat Regulations in respect of this application, it is not possible to conclude that the proposed development would not result in adverse impacts on Greater Horseshoe Bats or the integrity South Hams SAC, Dartmoor SAC and South Dartmoor Woods SAC, and therefore the proposed development would not comply with Policies EN8 (Biodiversity Protection and Enhancement), E9 (Important Habitats and Features), EN10 (European Wildlife Sites) and EN11 (Legally Protected and Priority Species) of the Teignbridge Local Plan and the Habitat Regulations.

### Flood Risk and Surface Water Flooding

The majority of the site, as identified on Environment Agency Maps, lies within Flood Zone 1 (land assessed as having a less than 1 in 1,000 annual probability of river flooding), however, there are lower lying areas of the site along Five Wyches Stream and Challabrook Stream which lie in Flood Zone 2 (land assessed as having between a 1 in 1,000 and 1 in 100 annual probability of river flooding) and Flood Zone 3 (land assessed as having a greater than 1 in 100 annual probability of flooding). The proposed development also falls within the Bovey Tracey Critical Drainage Area (CDA).

- 3.34. Five Wyches Stream and Challabrook Stream which drain an area of Dartmoor to the west, are designated as main river and are known to have caused flooding to properties downstream.
- 3.35. A Flood Risk Assessment has been submitted in support of this application which explains the drainage strategy for the site.

- 3.36. A series of proposed re-profiling works and the construction of a bund along part of the northern and eastern boundaries are being proposed to provide a Flood Storage Area capable of increased volume of storage of floodwaters within the lowest (north-eastern) part of the site adjacent to the A382 and to reduce the frequency of flooding to Blenheim Terrace, the A382 and downstream properties.
- 3.37. Proposed attenuation basins would be located either side of the LEAP. These have been sized to safely manage run-off from the development catchment, throughout its 100 year lifetime, with allowance for climate change. The basins include surplus capacity to serve future upstream development opportunities and to assist in the management of exceedance run-off, from events that exceed the 100 year design storm.
- 3.38. The surface water from the site will discharge to the naturally-receiving stream, be it the Five Wyches or the Challabrook.
- 3.39. Devon County Council Lead Flood Risk Authority has confirmed that they have no in-principle objections to the proposed development, providing pre-commencement conditions are imposed on any permission requiring detailed design of the permanent surface water drainage management system, detailed design of the construction phase surface water drainage management system and details of full adoption and maintenance arrangements. It is considered reasonable to impose these conditions as requested.
- 3.40. The Council is awaiting a formal consultation response from the Environment Agency to confirm that they too, are satisfied that the proposed drainage strategy for the site is acceptable.

#### Green Infrastructure/Sustainable Movement

- 3.41. Policy WE11 (Green Infrastructure) of the Teignbridge Local Plan sets out a policy requirement for formal play at a rate of 10 square metres per dwelling. Across the wider BT3 allocation this equates to 2,700 square metres.
- 3.42. The DFP (paragraph 4.16) states that this requirement will be met through one large play area of at least 1,500 square metres and three smaller areas of at least 400 square metres each. Appropriate locations for these play areas were identified on the DFP illustrative masterplan. The DFP also specified a trim trail to accompany the formal play.
- 3.43. The DFP also sets out that the requirement for formal green space (17 square metres per dwelling) will be met by the provision of a central green and land adjacent to the public footpath leading to Challabrook Farm, and natural green space (50 square metres per dwelling) will be provided in areas throughout the site allocation but substantial amounts would be provided in flood storage areas also intended to provide enhanced wildlife habitat.
- 3.44. This current application includes the larger area of play (LEAP) and two of the smaller areas of play (LAP), formal green space and natural green space at



amounts and locations consistent with the DFP. The application also includes trim trail equipment along pedestrian movement routes.

- 3.45. The Teignbridge District Council Play Area Project Officer has concerns about the proposals for formal play and open space. Her primary concerns are the proximity of the main area of formal play to the proposed attenuation features, in addition, she is concerned about the accessibility of the central green area which has the Challabrook Stream running through the centre.
- 3.46. As set out above, the proposed SUDs scheme comprises a flood storage area and attenuation basins to the north-eastern corner of the site. The proposed attenuation basins would be located either side of the LEAP; the Flood Risk Assessment submitted in support of this application states that these would include drainage channels to convey day to day flows, with the basins being used as attenuation storage during greater return period events. The applicant's drainage consultants have advised that the basins either side of the LEAP are predicted to fill to a depth of 150mm in a one in five year + 40% event, meaning that these areas can be used as kick-about areas at the day to day flows.
- 3.47. The level within the Flood Storage Area is predicted to reach 33.15 metres AOD (same level as the proposed LEAP) in one in ten years + 40% flooding events. Therefore, in these greater return events, the LEAP will be at risk of fluvial flooding (from the Five Wyches and Challabrook streams), with an annual probability of 10%, meaning theoretically the LEAP could flood, on average, once every 10 years. The depth of flooding will increase up to a maximum of approximately 0.9 metres within the 1,000 year return period, which has 0.1% annual probability of occurrence.
- 3.48. In accordance with Table 2 of the 'Planning Practice Guidance – Flood Risk and Coastal Change', LEAPs are classified as water compatible development and are therefore considered appropriate for areas at risk of flooding. Therefore, whilst the LEAP has been set above the maximum water level within the attenuation basins and is not at risk of flooding due to development run-off, it has been located within the proposed Flood Storage Area, to maximise downstream relief from fluvial flooding, where 'more vulnerable' development (i.e. residential dwellings) are at risk.
- 3.49. Therefore, as set out above, the LEAP is at risk of fluvial flooding (from the Five Wyches and Challabrook streams), with an annual probability of 10%, meaning theoretically the LEAP could flood, on average, once every 10 years. The depth of flooding will increase up to a maximum of approximately 0.9 metres within the 1,000 year return period, which has 0.1% annual probability of occurrence.
- 3.50. The Teignbridge District Council Play Area Project Officer has raised concerns about this predicted flooding of the LEAP, and whether the surfacing and play equipment, would deteriorate as a result.
- 3.51. Having regard to the concerns of the Teignbridge District Council Play Area Project Officer, for the development to be supported in accordance with the proposed SUDs scheme, then it is considered that it would be necessary to impose a condition to the consent, requiring details of the management of the formal play areas and

Public Open Space to demonstrate how these areas would be maintained, including approach to remediation works after greater return flooding events.

- 3.52. The location of the central green, with the Challabrook Stream running through, is consistent with the location set out in the DFP and the green area and formal play would remain suitable walking distances from the properties which it is intended to serve.
- 3.53. As set out above, an existing PROW runs through the site connecting Monks Way and Challabrook Farm. This PROW runs parallel to the banks of the Challabrook Stream.
- 3.54. As part of this application, it is proposed to divert the existing PROW for part of its length; the proposed route would enter the site at its existing location before crossing the Challabrook Stream via a new bridge. The new route would then follow the northern side of the stream adjacent to the open green space, and frontages of proposed dwellings (rather than following the boundary of the future employment land to the south if it remained on its current alignment). A ramped/level route is proposed as well as a shorter stepped route.
- 3.55. The Devon County Council PROW Officer has advised that there is no objection to the diversion of the PROW subject to a formal diversion order being obtained by the applicant. Devon County Council has advised that nothing should be done to divert or stop up a public right of way without following the due legal process including confirmation of any order and the provision of any new path.
- 3.56. The proposed new route for the initial section of the PROW is considered to be acceptable, and it is considered that an informative should be attached to any decision notice to remind the applicant/developer of their legal duties in respect of obtaining a formal diversion order.

#### Impact upon the Character and Visual Amenity of the Area/Open Countryside

- 3.57. A number of public representations have been received which object to the proposed development due to its impact on the landscape, and in particular the landscape impacts on Dartmoor National Park.
- 3.58. Paragraph 115 of the National Planning Policy Framework gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.
- 3.59. The proposed development will result in a change to the existing landscape character of the site, from undeveloped agricultural land to a housing-led mixed use scheme.
- 3.60. This application proposes a mix of 2, 2½ and 3 storey dwellings and proposes to retain the majority of the existing hedgerows and trees which would provide some screening for the development. The north-eastern part of the site would serve as a

flood storage and wider Public Open Space providing for recreation and formal play and would serve to soften the eastern edge of the development.

- 3.61. To the north-east the elevated area of Bovey Tracey, including Whitstone Farm, gains views across the rooftops of Bovey Tracey and the site would be viewed in this context. To the south the distant hills more than 3km away gain views to the site with the backdrop of Bovey Tracey. Similarly the ridgeline formed by Haytor and Dartmoor more than 4km to the west would gain distant views of the site with the backdrop of Bovey Tracey on an equal elevation in the low lying land.
- 3.62. Dartmoor National Park have been consulted about this application and they have responded confirming that the proposed development is not considered to have an adverse impact on National Park interests and therefore they raise no objection to the proposed scheme.
- 3.63. As set out above, the properties would be arranged around the new road network, with dwellings fronting the new road network and areas of green infrastructure. The dwellings would be finished externally in render, brick or stone. Conditions are recommended relating to architectural detailing, external materials of dwellings and hard landscaping, and boundary treatments to ensure that such materials and details are of a high quality and reflect the local character of Bovey Tracey in accordance with Policy S2 (Quality Development) of the Teignbridge Local Plan and the design objectives set out within the DFP.
- 3.64. As set out above, the site is allocated for housing-led development under Policy BT3 of the Teignbridge Local Plan and therefore the principle of mixed use development at this site, and the resultant impact of such a scheme on the surrounding landscape has been accepted, subject to a suitably designed scheme coming forward as part of a planning application.
- 3.65. Having regard to the above and taking into account Policy EN2A (Landscape Protection and Enhancement) of the Teignbridge Local Plan and paragraphs 115 and 116 of the NPPF, and subject to conditions requiring details of the materials to be used in the development, it is considered that the impacts on landscape and local character and visual impacts are acceptable.

#### Impact on setting of Listed Buildings/Character and Appearance of Conservation Areas

- 3.66. The Conservation Area of Bovey Tracey includes the terraces at Marlborough Terrace and Blenheim Terrace, which lie to the western extent of the Conservation Area. In context of the application site, these properties and the western extent of the Conservation Area, are located adjacent to the site at its north-eastern corner.
- 3.67. The part of the application site adjacent to these dwellings is proposed as flood storage and public open space and it is considered that this will serve as a suitable buffer between the Conservation Area and built development. Therefore, it is not considered that the development proposed by this application would result in an adverse impact on the character or appearance of the Conservation Area.

- 3.68. A Heritage Appraisal and Impact Assessment has been submitted in support of this application. The Assessment concludes no intervisibility between listed buildings identified in the DFP (Park Lodge, Former Railway Station, Pludda Thatch, Little Reeds, Dolphin Hotel, 1-6 St Johns Cottages, Church of St John the Evangelist, St Marys and Five Wyches Farmhouse and Barn) and the application site, and no intervisibility between the application site and Scheduled Ancient Monuments (Bovey Potteries and Cromwells Arch) due to existing built development obstructing visibility.
- 3.69. The Assessment determines that one designated heritage asset would be affected by the proposed development, this being Challabrook Cross.
- 3.70. Challabrook Cross is a designated heritage asset which will be affected by the proposed development. It is proposed to retain this granite cross as a feature of the scheme in a relocated position within the Public Open Space and outside any areas of flood risk. It is considered that less than significant harm would result from the proposed relocation, and having regard to paragraph 134 of the NPPF, the public benefits of proposed development (provision of housing and employment) would outweigh the limited impacts in this case.
- 3.71. The Teignbridge District Council Conservation Officer has been consulted in respect of this application and has no objections to the proposed development.
- 3.72. The Heritage Appraisal and Impact Assessment is considered to provide an acceptable analysis of the heritage impacts for the site. For the reasons set out above, the proposed development is considered to conserve the character and appearance of the Bovey Tracey Conservation Area and is not considered to result in any adverse impact on the setting of listed buildings, having regard to the requirements of Policy EN5 (Heritage Assets) of the Teignbridge Local Plan and the statutory duty of the Council as set out under Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed development would result in less than substantial harm to a designated heritage asset which would be outweighed by the public benefits of the delivery of this mixed use development.

#### Trees

- 3.73. The Teignbridge District Council Arboricultural Officer has no objections to the proposed development and has offered guidance on conditions which should be applied to ensure that retained trees are protected and new trees meet British Standards.
- 3.74. There are a number of mature trees on the site and at the time of drafting the report, the Teignbridge District Council Arboricultural Officer intends to progress Tree Preservation Orders for those trees that warrant such protection.

#### Affordable/Accessible Housing

- 3.75. The BT3 allocation requires provision for residential development of up to 270 dwellings, with affordable housing provision at 30%. The total number of dwellings

proposed by this application is 168, which generates an affordable housing requirement of 51 (rounded up from 50.4).

- 3.76. As a result of discussions with the Teignbridge District Council Housing Enabling Officer, the applicant has proposed the provision of 50 affordable housing units. The quantum has been rounded down to take account of the enhanced wheelchair accessible housing provision of 3 dwellings which has been included in the affordable housing mix.
- 3.77. The Council's Strategy contains a proposed action to "Make sure our plans take full account of all housing needs including those of older people, vulnerable people, self-build, travelling and rural housing". However, one area in which the current Local Plan does not contain any specific provision is in relation to accessible housing requirements.
- 3.78. To address this policy void, an Executive Report was taken to Committee on 6 September 2016, proposing an interim policy approach which would allow, for every four wheelchair accessible affordable homes provided on site, one fewer affordable home would be sought (to take into account the higher costs associated with providing wheelchair accessible units).
- 3.79. In this case, 3 wheelchair accessible properties, rather than the 4 required to justify a rounding down of the affordable housing requirement has been proposed. Given that in this case 30% of the total number of dwellings proposed equals 50.4, it is considered reasonable to allow affordable housing numbers to be rounded down to 50.
- 3.80. The proposed development also proposes 3 of the affordable housing provision as custom build units. The Teignbridge District Council Housing Enabling Officer has confirmed support for this small number of affordable dwellings to be delivered as Custom Build.
- 3.81. The Teignbridge District Council Housing Enabling Officer has confirmed that the proposed development would provide a suitable mix of affordable housing types and sizes with an appropriate proportion of rented to intermediate properties, which would be acceptably intermixed within the site in accordance with the requirements of Policy WE4 (Inclusive Design and Layout) and the guidance set out in the DFP.
- 3.82. Therefore, providing a Section 106 Agreement is entered into to ensure that the proposed affordable housing details and wheelchair accessible housing are secured as a baseline, the Teignbridge District Council Housing Enabling Officer supports the proposals, and it is considered that the approach to affordable and wheelchair accessible housing is acceptable.

#### Custom Build

- 3.83. Policy WE7 requires 5% of the total number of dwellings to be provided as Custom Build units. As set out above, the total number of dwellings proposed by this application is 168, which generates a requirement of 8 Custom Build dwellings (rounded down from 8.4).

- 3.84. This application seeks outline planning consent for 12 Custom Build Units, with 3 of these being affordable Custom Build, located towards the southern extent of the site.
- 3.85. Whilst the number of custom build units proposed as part of this current application is in excess of the policy requirement, it should be noted that this application represents phase 1 of the wider site allocation. Therefore, having regard to the excess proposed in phase 1, an application for the second phase of the site allocation may include Custom Build at below the 5% policy requirement, and the BT3 site allocation could still be compliant as a whole.
- 3.86. The Teignbridge District Council Custom Build Officer supports the delivery of 12 Custom Build units and for 3 to be delivered as affordable units, subject to suitable clauses to be contained in a Section 106 agreement to secure the delivery of these units.
- 3.87. The indicative masterplan, included in the DFP, sets the location for Custom Build at the southern extent of the site. The southern part of the site has been identified for Custom Build units, to allow early delivery through the use of Brimley Vale as a construction access, therefore, the location of the Custom Build units proposed under this application is consistent with the location set out in the DFP.
- 3.88. The Teignbridge District Council Custom Build Officer has requested that a Design Code for the Custom Build dwellings is submitted to and approved by the Council, prior to any reserved matters applications being submitted for the units. It is considered reasonable to impose such a condition if planning permission is granted.
- 3.89. For the reasons set out above, and subject to suitably worded conditions and Section 106 clauses, the proposed development is considered to accord with the Custom Build requirements of Policy WE7 (Custom Build Dwellings), BT3 (Challabrook) and the DFP.

#### Employment

- 3.90. Policy BT3 b) of the Teignbridge Local Plan requires the delivery of at least 1.2 hectares of land for office, general industrial or storage and distribution as appropriate to the site.
- 3.91. The DFP identifies two separate areas for location of employment uses which would provide a combined 1.3 hectares. An area of approximately 1 hectare to come forward in phase 1 of the development and the remaining 0.35 in phase 2.
- 3.92. The DFP (para 4.5) states that development proposals will be expected to deliver the accessed and serviced employment land on site at a jobs density of 100 jobs per hectare.
- 3.93. This application seeks outline planning permission for 0.95 hectares of employment land (B1/B2/B8) to the eastern edge of the application site, which is consistent with

the uses specified in the BT3 site allocation policy and the location as set out in the DFP illustrative layout.

- 3.94. The Teignbridge District Council Economy Manager has advised that a gross floorspace of 3,500 square metres would be required to achieve 100 jobs per hectare (based on 1 job per 35 square metres).
- 3.95. It is considered that the proposals are acceptable in terms of the provision of serviced employment land and it is recommended that a Section 106 agreement should secure a minimum floor area of 3,500 square metres to be marketed and delivered.
- 3.96. A condition requiring a noise assessment to be submitted as part of the reserved matters application(s) for the employment site should be attached, to ensure compatibility with residential uses.

#### Education

- 3.97. Devon County Council Education Authority has requested financial contributions towards the cost of Special Education and Primary School Provision. It has been confirmed that there is currently capacity at South Dartmoor College for the number of secondary school pupils likely to be generated by the proposed development. The cost of providing the additional Special Education and Primary School Provision falls to CIL.
- 3.98. Due to the proposal being located further than 2.25 miles from South Dartmoor College, a Section 106 contribution is required towards secondary school transport which is calculated as follows:  $\text{£}3.45 \text{ per day} \times 23 \text{ secondary pupils} \times 190 \text{ academic days} \times 5 \text{ years} = \text{£}75,382$ .
- 3.99. The applicant has questioned this contribution as it was not identified within the DFP process and considers that this should also fall to CIL. It has been confirmed that the Council do not consider the amount would be dealt with under the CIL regulations and the Council is awaiting further information from the Devon County Council Education Authority to justify the level of the contribution.
- 3.100. Unless discussions between the applicant and Devon County Council Education Authority result in a lesser amount being agreed, it is considered that the sum of £75,382 should be secured by a Section 106 agreement.

#### Archaeology

- 3.101. A programme of archaeological work has been undertaken within the proposed development site, which has demonstrated the presence of regionally-significant waterlogged palaeo-environmental deposits.
- 3.102. The Devon County Council Archaeologist has advised that the proposed development will have an impact upon the waterlogged deposits that will result in their loss or degradation. In addition, it has been advised that groundworks will have an impact upon any features containing deposits of local pottery waste.

3.103. Subject to a condition to secure the implementation of a programme of archaeological work and palaeo-environmental investigation and analysis in accordance with a written scheme of investigation, the Devon County Council Archaeologist has no objections to the proposed development.

#### Impact on Residential Amenity of the Occupiers of Surrounding Properties

- 3.104. Dwellings located directly adjacent to the northern application site boundary are number 11 Blenheim Terrace, Rainbow End, and Wayland Cottage, to the south-eastern boundary, are numbers 28, 41, 43, 45, 47, 49 and 51 Brimley Vale, and numbers 3 and 4 Tracey Vale. The former Tracey Vale Care Home adjacent to the south-eastern boundary of the application site has recently been developed for 10 houses (under application reference 17/00452/MAJ) therefore some of these houses will share a boundary with the application site.
- 3.105. In relation to the dwellings located adjacent to the northern application site boundary, the area alongside is proposed as flood storage and Public Open Space and therefore any new dwellings would be sited at such a distance that they would not result in any adverse impacts on neighbouring amenity.
- 3.106. The proposed dwellings to the south-eastern corner of the site, adjacent to existing residential uses, would be two storey and include Custom Build units. The submitted plans show a proposed boundary treatment to the south-east of the site adjacent to the existing properties as hedgerow and 1.8 metres high timber close boarded fencing. The proposed properties would be sited on similar ground levels to existing residential dwellings.
- 3.107. Taking into account the relative site levels, separation distances between the existing residential dwellings adjacent to the site, and the scale and height of proposed dwellings, it is not considered that any unacceptable impacts on neighbouring amenity would result. The relationships are considered to be acceptable and are consistent with that which would generally be expected in a medium density residential development.
- 3.108. A number of concerns have been raised by the residents of Brimley Vale and Tracey Vale about the level of disruption as well as safety concerns resulting from the creation of a construction access by continuation of the existing cul-de-sac at Brimley Vale.
- 3.109. It is proposed that this access will be solely as a construction access for the Custom Build Plots and will revert to use as a footpath and cycle link and emergency access at such a time as the main vehicular access becomes available. The Devon County Council Highways Officer has confirmed that this access would not be suitable as a construction access serving the wider site, nor as a permanent access for the development, and therefore it is recommended that a condition is attached restricting the use of this access. This approach is consistent with that as set out at paragraph 4.34 of the DFP.
- 3.110. Whilst a certain level of disruption during construction phase is inevitable, Devon



County Council Highways Authority has requested a condition requiring the submission and approval of a Construction Management Plan (CMP) prior to the commencement of the development, in the interests of local amenity.

- 3.111. In addition to the above, the Teignbridge District Council Environmental Health Officers requested a condition requiring a scheme of works designed to prevent/mitigate fugitive dust and mud emissions beyond the boundary of the site arising from construction and demolition activities.
- 3.112. In response to the above request, the applicant has submitted a Construction Management Plan, which has been reviewed by the Teignbridge District Council Environmental Health Officers and they are satisfied that the detail is acceptable. Therefore a condition should be attached to the decision notice to ensure that the development takes place in accordance with the detail contained within the document in relation to the control of fugitive noise and dust/mud beyond the boundary of the site.

#### Minerals and Waste

- 3.113. A Waste Management Statement covering both construction and occupancy stages has been submitted as part of the consideration of this application and confirmed as acceptable by Devon County Council.

#### Conclusions

- 3.114. As set out in the report, the proposed development as per the revised plans submitted as part of this application, in respect of landscape impacts, design, trees, green infrastructure and connectivity, listed buildings and conservation areas, affordable and custom build housing, archaeology and neighbouring amenity, are considered acceptable, subject to suitably worded conditions being imposed as discussed in the report.
- 3.115. Whilst there are concerns about the flooding of the play equipment in one in ten year + 40% events, taking into account the drainage strategy for the site would benefit downstream areas which are prone to flooding by increasing the flood storage on site and subject to conditions requiring details of maintenance to include how the Public Open Space will be maintained following the greater return events, it is considered that the balance of considerations falls in favour of the application proposals.
- 3.116. There are other matters set out in this report, including matters of flood risk and surface water drainage and particularly impacts on protected species and European Designated sites, which, at the time of drafting this report, have not been satisfactorily addressed.
- 3.117. In respect of the flood risk and drainage matters, the applicant has submitted additional information and the Council is currently awaiting the revised consultation response of the Environment Agency

- 3.118. In relation to the impacts on protected species and European Designated sites, discussions between the applicant, Natural England and the Teignbridge District Council Biodiversity Officer are ongoing.
- 3.119. Therefore, it is considered that, subject to agreement being reached between the applicant, Natural England and the Teignbridge District Council Biodiversity Officer, and providing a Habitat Regulations Assessment is completed by the Local Planning Authority, and providing that the revised drainage information satisfactorily addresses the requirements of the Environment Agency, Officers would be in a position to make a positive recommendation for approval of the application.
- 3.120. Therefore, it is requested that Planning Committee provide delegated authority to the Business Manager to determine the application as set out above (subject to prior completion of a Section 106 agreement to secure financial contributions and obligations, together with attaching specified conditions to the decision notice), providing matters of impacts on protected species and European Designated sites, in addition to flood risk and drainage matters, are addressed to the satisfaction of the relevant technical consultees.

#### **4. POLICY DOCUMENTS**

##### Teignbridge Local Plan

S1A (Presumption in Favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S5 (Infrastructure)

S7 (Carbon Emission Targets)

S9 (Sustainable Transport)

S1 (Transport Networks)

S19 (Bovey Tracey)

S21A (Settlement Limits)

WE4 (Inclusive Design and Layout)

WE7 (Custom Build Dwellings)

WE11 (Green Infrastructure)

EN2A (Landscape protection and Enhancement)

EN3 (Carbon Reduction Plans)

EN4 (Flood Risk)

EN5 (Heritage Assets)

EN8 (Biodiversity Protection and Enhancement)

EN9 (Important Habitats and Features)

EN10 (European Wildlife Sites)

EN11 (Legally Protected and Priority Species)

EN12 (Woodlands, Trees and Hedgerows)

BT3 (Challabrook)

Planning for Affordable Housing - Interim Policies (Executive Report to Committee dated 6 September 2016)

Devon Waste Plan

Custom and Self Build Housing Supplementary Planning Document

National Planning Policy Framework

National Planning Practice Guidance

**5. CONSULTEES**

Teignbridge District Council Biodiversity Officer (23 August 2017) - An ecological report has been submitted, which states that further surveys, including surveys for European Protected Species, are to be carried out or are ongoing, but these apparently are not yet completed. (It is noted there are surveys from 2014-15 for a previous pre-application stage). Local Plan Policy BT3, in order to meet its own Habitat Regulations Assessment requirements, necessitates preparation of a bespoke Greater Horseshoe Bat mitigation plan for Challabrook (BT3f); at present there does not appear to be further information for this.

Teignbridge District Council Environmental Health Officer - Contaminated Land (24 August 2017) - No objections

Natural England (7 September 2018) - Natural England standing advice is applicable to this application.

Teignbridge District Council Custom Build Officer (14 September 2017) - The proposal for 156 dwellings in total should deliver at least 8 Custom Build plots. Whilst the inclusion of affordable housing custom build plots is encouraged, the implication should be considered by colleagues in Housing to ensure overall affordable housing percentages are sufficient, when considered against the custom build policy requirement of 5% (8 plots). Design code should be submitted prior to submission of first reserved matters and Custom Build plots must be secured by Section 106 with suitable clauses.

Devon Wildlife Trust (21 September 2017, and 9 December 2017) - Objection to the application on the grounds that it fails to comply with the requirements of Local Plan Policy BT3 Challabrook paragraphs d) and f), by reason of insufficient/out of date survey information. Significant loss of foraging land for bats, and loss of flight paths by severing existing hedgerows. No biodiversity gain.

Devon County Council (Education) (22 September 2017) - The proposed development would generate additional pupils at primary level. A financial contribution has been set out which would be sought from CIL. A request for a payment towards secondary education transport provision has been requested as follows;

Due to the proposal being located further than 2.25 miles from South Dartmoor College, a Section 106 contribution is required towards secondary school transport which is calculated as follows: £3.45 per day x 23 secondary pupils x 190 academic days x 5 years = £75,382

Wales and West Utilities (23 October 2017) - Service pipes, valves, syphons, stub connections, etc., may not be shown but their presence should be anticipated.

Teignbridge District Council Play Area Project Officer (21 November 2017) - Concerns about the amount and quality of play provision and the predicted flooding of the LEAP in greater return events.

Devon County Council (Archaeology) (8 May 2018) - The proposed development will have an impact upon the waterlogged deposits that will result in their loss or degradation. In addition, groundworks will have an impact upon any features containing deposits of local pottery waste, therefore a condition is recommended to secure the implementation of a programme of archaeological work and palaeo-environmental investigation and analysis in accordance with a written scheme of investigation.

Teignbridge District Council Technical Officer – Waste and Cleansing Services (10 May 2018) - Concerns about the locations that bins will be placed for collection in the areas with un-adopted roads or car parking as their only access. Collections cannot be made from private land and so containers will need to be taken to the public highway for collection.

Teignbridge District Council Arboricultural Officer (11 May 2018) - No arboricultural objections to the proposal as the spatial relationship between the proposed dwellings and existing trees is considered to be satisfactory.

Dartmoor National Park (23 May 2018) - The proposed development is not considered to have an adverse impact on National Park interests and therefore this Authority raises no objection.

Please ensure that the potential indirect impact on the Dartmoor SAC, the South Dartmoor Woods SAC as well as the South Hams SAC is considered as part of the Habitat Regulations Assessment so that the cumulative impact of developments and the recreational pressures that they present are considered.

Teignbridge District Council Environmental Health Officer – Noise and Air Quality (25 May 2018) - Due to the close proximity of residential dwellings to this proposal complaints of noise nuisance are likely to be received.

Therefore works likely to give rise to significant levels of noise which will include vehicle movements and deliveries to the site should be restricted to the following times.

Monday - Friday 0800 - 1800  
Saturdays 0800 - 1300

There should be no works carried out likely to give rise to significant levels of noise outside of these times, on Sundays or on Bank Holidays.

A scheme of works as part of construction impact assessment should be submitted to the Local Planning Authority for the mitigation of both noise and fugitive dust and

mud beyond the boundary of the site and should be in accordance with the Institute of Air Quality Managements "Guidance on the assessment of dust from demolition and Construction"

Consideration should be given to the construction of those homes in closest proximity to high sensitivity receptors in order to maximise acoustic shadow available and further protect residential amenity.

This will be relevant with regard to both site noise and dust generated during the earthwork stage of the proposed development when dust levels are typically at their worst.

The construction impact assessment should also provide details of any proposed mechanical power generation which should be adequately shrouded to prevent noise nuisance occurring to the occupiers of nearby residential dwellings.

Waste should be removed from the site by alternative means other than by burning.

Security lighting should be situated in such a way and be of such intensity so as to not to cause a nuisance to the occupiers of nearby residential dwellings.

Devon County Council (Highways) (7 June 2018) - The crossing point north of Monks Way has been agreed to be a controlled crossing which will include the introduction of a 40 m.p.h. speed limit, and these both are to be secured through a Section 106 Agreement. Highways layout is acceptable and suitable conditions should be applied to secure Brimley Vale access as an emergency access and bollarded together with conditions requiring a Construction Management Plan; completion of off-site highways works prior to commencement on site; requirement for travel/welcome packs.

South West Water (7 June 2018) - No comments on amended plans, previous comments in respect of foul drainage withdrawn and no planning conditions required.

Teignbridge District Council Housing Enabling Officer (8 June 2018) - On balance, the Housing Enabling Officer supports the revised proposal subject to the baseline details being fixed in the Section 106 agreement by a schedule and specific approved plan or similar.

Devon County Council (Waste) (11 June 2018) - The submitted statement is suitably detailed and thorough, covering both construction and occupancy stages, so I can confirm that it is sufficient and meets the requirements of our request.

Environment Agency (22 June 2018) - Recommend that the application should not be determined until further information is submitted to demonstrate:

- how the discrepancy between the Soft Landscape Plan and the Flood Compensation Storage will be resolved to show that there will be no loss of flood storage;
- any new crossings over the Avenue Stream (aka Challabrook Stream) will be acceptable; and the Lead Local Flood Authority are satisfied with the design of the

SuDS basins.

Teignbridge District Council Landscape Officer (9 July 2018) - Various comments made about site layout, boundary treatments, building scale, landscaping and how the development may be improved in respect of these elements.

Devon County Council (Public Rights of Way Officer) (12 July 2018) - No objections subject to the applicant making an application to Teignbridge District Council for a diversion order. General advice that the grant of planning permission does not grant the right to close, alter or build over a right of way in any way, even temporarily, this includes, for example, a change in the surface, width or location. Nothing should be done to divert or stop up a public right of way without following the due legal process including confirmation of any order and the provision of any new path.

Devon County Council (Lead Flood Risk Authority) (16 July 2018) - No in-principle objections to the proposed development, providing pre-commencement conditions are imposed on any approved permission requiring detailed design of the permanent surface water drainage management system, detailed design of the construction phase surface water drainage management system, details of full adoption and maintenance arrangements.

## **6. REPRESENTATIONS**

56 letters of objection and 5 of comment have been received together with several public petitions raising the following planning issues:

1. Lack of infrastructure in Bovey Tracey for more residential development (doctors' surgeries, schools, dentists, leisure facilities, public transport, sewerage, care for vulnerable people)/too much residential development coming forward too quickly/overdevelopment of Bovey Tracey
2. Layout is too dense
3. Inadequate landscaping/landscape impact on the National Park/loss of countryside
4. Highway safety, inadequate junction for proposed housing numbers
5. Increased vehicle traffic/pressure on transport infrastructure/increase congestion in Town Centre
6. Inaccuracy in submitted transport assessment (Monks Way is 60 m.p.h. road)
7. Impacts on flood risk/concerns that the SuDS will not be maintained
8. Impacts on existing archaeological deposits
9. Impacts on ecology (bats, swifts, herons, kingfishers, dormice, great crested newts) and insufficient mitigation and enhancement
10. Concerns about the use of Brimley Vale as a permanent and/or construction access to the development in the interests of safety of existing residents
11. Sustainability of the site
12. Lack of safe pedestrian/cycle connectivity to the Town Centre
13. Lack of parking for proposed dwellings
14. Proposed dwellings likely to be too expensive for local people
15. Increased traffic/footfall on Fairfield Close and Avenue Road which are private roads
16. Inappropriate location for development next to bypass/lack of integration with Bovey Tracey Town
17. Lack of affordable housing/housing for local people

18. Quality/design of the proposed homes
19. Proximity of proposed housing and employment land
20. Increased light/air pollution and noise disturbance
21. Increased pressure on reservoirs and waste disposal
22. Not enough employment in local area for additional residents/ existing town centre requires regeneration before new houses
23. Impact on the character of Bovey Tracey
24. More development contributing to climate change

Campaign for Protection of Rural England objects to the proposal for the following reasons; unacceptable impact on wildlife, landscape character; increased flood risks; development is coming forward too soon with strain on local services and infrastructure; inadequate access; unsustainable location; Brimley Vale unsuitable for through traffic; size of proposed housing is too large; housing does not meet local housing needs for younger people or older people with limited mobility; adverse setting on Dartmoor National Park, impacts on the South Hams SAC with unacceptable pressure placed on the sustenance zones and flyways of the Greater Horseshoe Bats; in combination impacts; proposed attenuation measures will be inadequate to cope with regular flooding; increased car journeys around Bovey Tracey.

## **7. TOWN COUNCIL'S COMMENTS**

Bovey Tracey Town Council (7 September 2017) - Bovey Tracey Town Council are opposed to the proposed development for the following reasons;

- Concerns about the flooding implications of the proposed development
- Development of the site too soon in the plan period
- Proposed vehicular access is inappropriate
- Provision of safe pedestrian access across Monks Way (footbridge required)
- Concerns that difficulties may be experienced in attracting businesses to the employment site
- Custom Build dwellings must come forward early
- Planning conditions must be imposed to protect hedgerows
- There should be a reduction in the number of larger 3/4 bed homes and increase in smaller 1/2 bed market homes
- Planning conditions must be imposed to deliver safe sustainable transport links to the town centre

## **8. COMMUNITY INFRASTRUCTURE LEVY**

In respect of the full part of the hybrid application;

The CIL liability will be calculated and provided by way of separate update.

In respect of the outline part of this application;

This is an outline application. CIL liability will be calculated when the reserved matters application(s) are submitted.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development. A Screening Opinion was issued to the applicant under application reference number 17/01821/MAJ on 12 December 2017.

**Business Manager - Strategic Place**

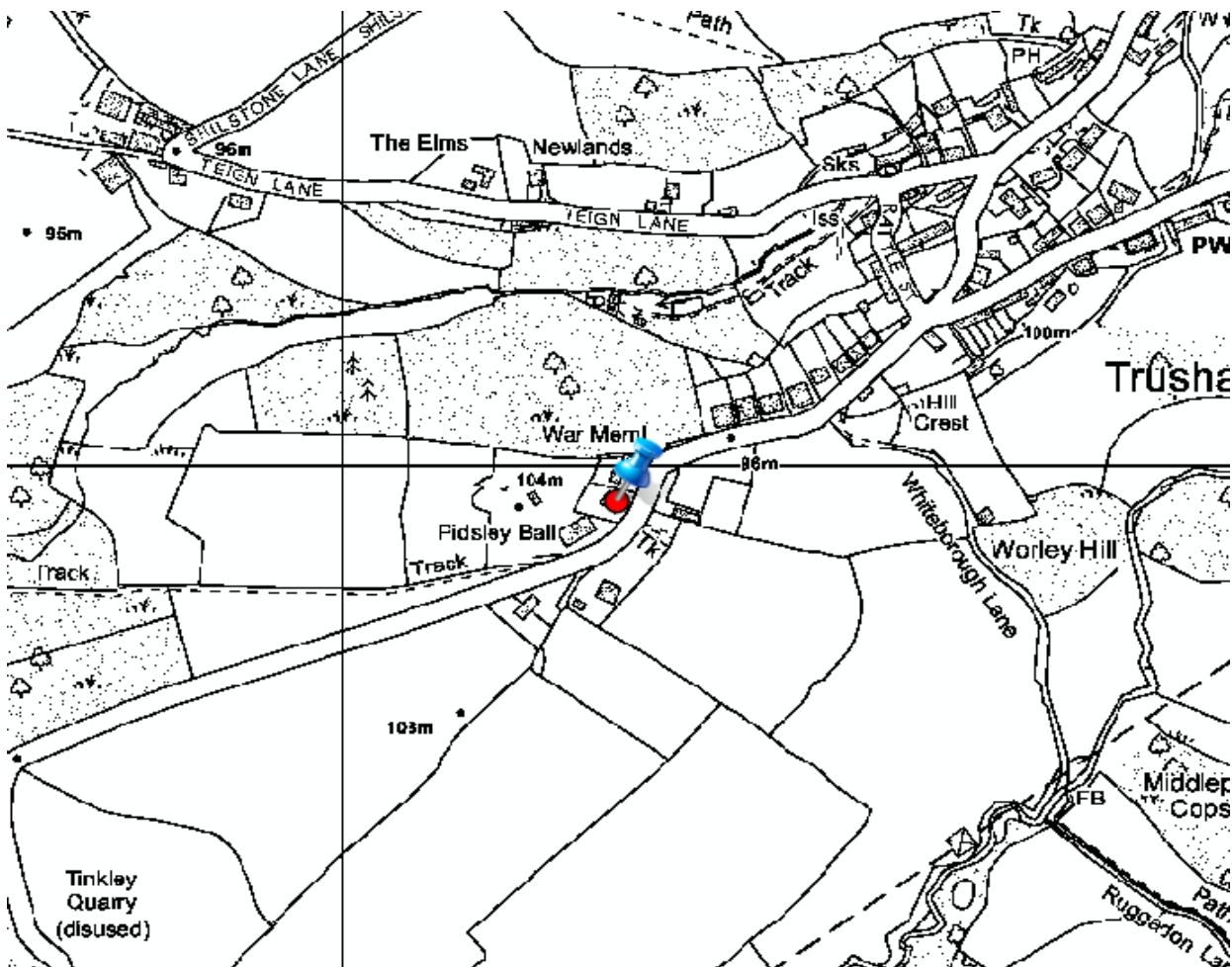


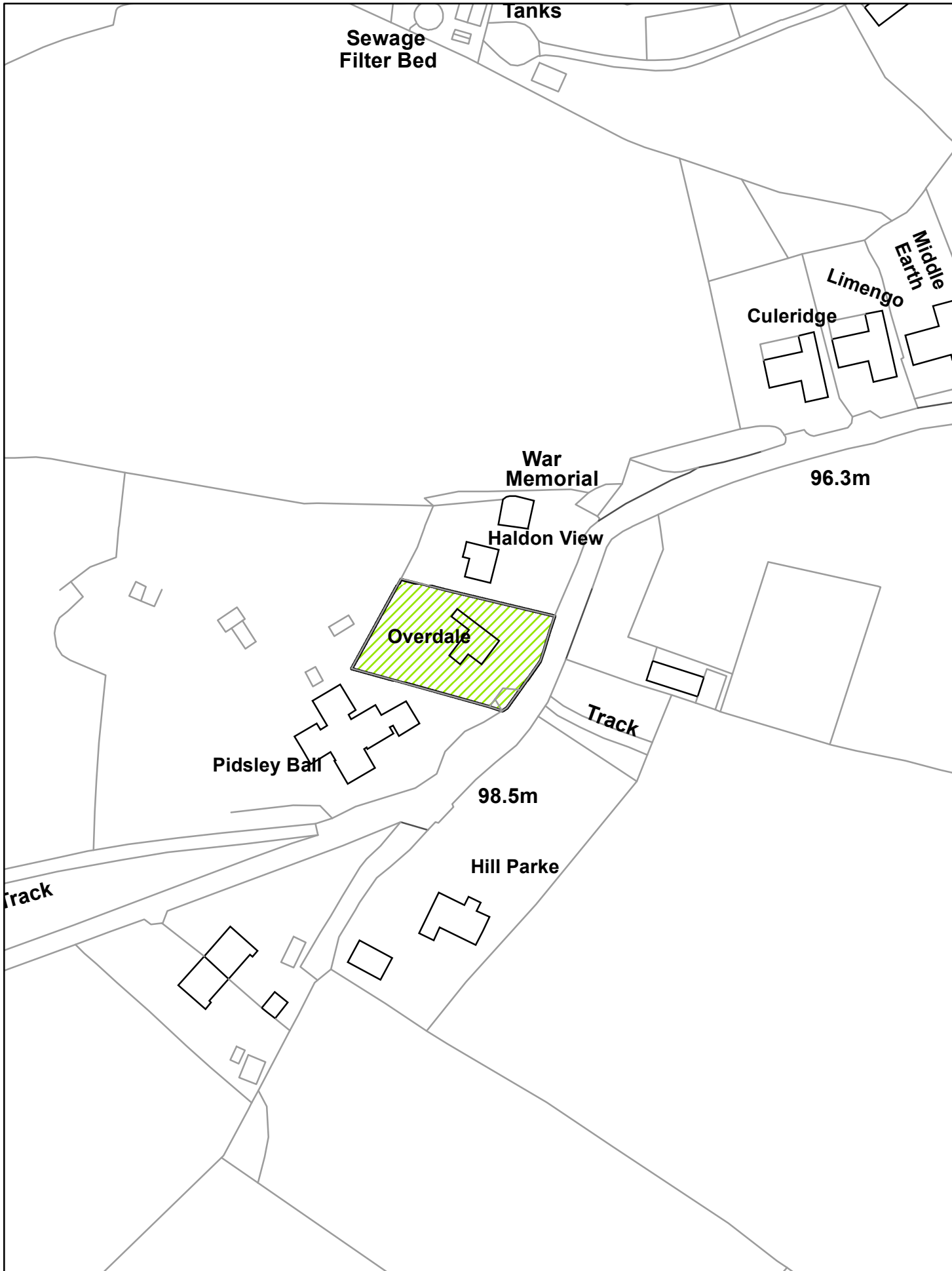
# PLANNING COMMITTEE REPORT 31 JULY 2018

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>TRUSHAM - 18/00856/FUL - Overdale, Trusham Hill - Raising roof to form additional accommodation, single storey rear extension, new garage and alterations for access and parking</b>	
<b>APPLICANT:</b>	<b>Mr &amp; Mrs Slatcher</b>	
<b>CASE OFFICER</b>	<b>Eve Somerville</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Ford</b>	<b>Teign Valley</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00856/FUL&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/00856/FUL&amp;MN</a>	





## 1. REASON FOR REPORT

Councillor Ford has requested that this application be decided at Committee if the Officer recommendation is approval for the following reasons:

- Overbearing nature and lack of privacy this plan will have on the two neighbouring residences
- Scale and height is not representative of the existing dwellings
- Does not meet policy WE8 and S1
- Impact on the amenity for neighbouring properties

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3-year time limit for commencement
2. Development to be carried out in accordance with the approved plans
3. Details of external materials to be submitted for approval

## 3. DESCRIPTION

- 3.1 The application site consists of a single storey residential property with generous garden space surrounding the property, and associated off-street parking. There is a range of outbuildings to the rear of the dwelling.
- 3.2 The boundary is constructed of hedging and a metal fence to the front of the property forming the access, along with a low-rise stone garden wall.
- 3.3 The site lies in the Countryside as defined by the Teignbridge Local Plan (TLP), but there is a loose scatter of dwellings in the locality with a mix of architectural designs of single and two storey, both modern and traditional.
- 3.4 The nearest neighbours are Haldon View and Pidsley Ball, which would be approximately 5.4 metres and 13.4 metres respectively from the dwelling as extended, when measured on the proposed plans from building to building. The properties are at angles to each other fronting the highway which leads through Trusham where there is a mix of two storey and single storey buildings such as the neighbouring properties, Coleridge and Limengo, which are both set over two levels and are larger properties. There is no clear architectural design style in this part of Trusham.

### The Proposal

- 3.5 The application seeks permission to raise the ridge line of the roof from 5.7 metres to 7 metres to include dormer windows to form additional living accommodation; a single-storey rear extension; a new garage and alterations to the existing access and parking.
- 3.6 No window openings are proposed to the flanks of the proposed roof or dormers, with all first floor openings being directed to the rear and front of the building.

### Sustainability/Principle of the Development

- 3.7 The application site is located within the open countryside and outside any defined settlement limit as depicted in the Teignbridge Local Plan 2013-2033. Policies S1A, S1, S22 and WE8 of the Local Plan are permissive of extensions and alterations to existing residential properties, subject to policy criteria being met. Thus, the principle of development can be acceptable, subject to compliance with policy.

#### Design and visual impact

- 3.8 The site lies within an Area of Great Landscape Value (AGLV) and open countryside, therefore the design and visual impact of the development needs to be carefully considered. In assessing the design of the proposal, the existing street and area character and materials should be taken into consideration to ensure that the proposal harmonises with that of the existing development.
- 3.9 The property is set back from the highway behind a natural boundary, with the area being predominantly characterised by residential development set within a rural context, which comprises a mixture of bungalow and two storey properties. Development is a mixture of modern and traditional build, with new housing reflecting the scale and design of older buildings. Render is used widely in the area, with stone and natural planting also featuring on boundary treatments. The surrounding area is predominately characterised by residential development, with housing generally laid out in a sporadic linear formation, with pockets of open space lying amongst development, with open countryside extending beyond.
- 3.10 The entrance to the site falls between two existing properties: to the north, land is occupied by a bungalow property (Haldon View) which is rendered and which makes use of the roof space through the addition of dormer windows, whilst a detached single storey property (Pidsley Ball) featuring the characteristic stone occupies the land to the south west, which is taller than a typical single storey dwelling. The design of these properties is characteristic of the area, with the majority of properties typically featuring prominent dormer windows and or additions and being two storey.
- 3.11 The proposed development comprises a single storey extension to the north west of the existing property and a raise of the ridge line by 1.3m. The design of the proposed extension is considered to be sympathetic to the existing character of the property, with materials proposed to match the existing. The vertical extension as proposed will elevate the roof in order to allow for two dormer windows to the front and one longer dormer to the rear. The angle of the elevated roof is a little steeper than the angle of the existing roof, although going from hipped to gable, and is not considered to have a harmful impact on the overall design and appearance of the existing property. The flat roofed extension will be set back at a distance from the principal elevation of the property, and will not therefore be a prominent feature in the street scene.
- 3.12 As discussed above there is no uniform architectural design style for this part of Trusham, with development being organically progressing and changing. The proposed design uses a gable end roof design with rendered and timber elevations, which can be found within the wider area.

- 3.13 The site is considered to be of sufficient size to accommodate the alterations and the development is not considered to result in overdevelopment of the site, leaving sufficient amenity space for the occupiers.
- 3.14 The design and scale of the proposed development is therefore considered to be appropriate and will not cause a significant impact on the appearance or character of the immediate or wider area. The proposed development is therefore considered to be in accordance with Policies S2 and EN2A.
- 3.15 The proposed garage will replace the existing garage, although there is sufficient off-street parking provision through a driveway. The proposed sewage treatment plant replaces an existing septic tank within the same location, and is therefore not deemed to raise any concerns.
- 3.16 At the time of the site visit, it was noted that the access is tight and requires the user to inch forward for a safe egress. The widened access is therefore welcomed and, along with the additional hardstanding, will provide an area for the user to turn, leaving the site in a forward gear. Highway safety will therefore be improved through the proposed scheme.

#### Impact on neighbouring amenity

- 3.17 Comments received by neighbouring residents have been taken into consideration in preparing the recommendation on this application. The ridge line will be raised, which will have a visual impact upon the occupiers of those neighbouring properties, in particular Haldon View, which sits closer to the subject site than Pidsley Ball does. The proposal is larger than the existing dwelling, but this is a large plot that is clearly capable of accommodating a larger dwelling than the existing modest bungalow.
- 3.18 The rear dormer is to be set away from the side flanks by 1.3 metres, and will be at an angle to the neighbouring properties, and some 12 metres to the nearest south elevation of Haldon View. Two of the three windows in the dormer will serve bathrooms and are therefore likely to be obscure glazed. The bedroom window will be 20 metres from Haldon View. The nearest dormer window will be 10 metres away from the boundary of Pidsley Ball and 15 metres from the dwelling and a very acute angle. Thus the proposed rear dormer windows, are not considered to result in significant overlooking to neighbouring properties in the context of Policy WE8 of the Local Plan. It should also be noted that the remaining works are single storey, set behind existing boundary treatments, and no additional first floor openings are proposed to the gable ends of the proposal.
- 3.19 Once again, due to the distance, height, design and siting of the proposal, this is not considered to result in an overbearing presence to neighbouring properties in the context of Policy WE8 of the Local Plan. The existing plot size is deemed to be significant, given the modest scale of the existing dwelling, and sufficient to carry a larger dwelling leaving sufficient amenity space for the occupiers whilst respecting the residential amenity of adjacent properties.
- 3.20 The design and scale of the proposed development is therefore considered to be appropriate and will not cause a detrimental impact on the amenity of the immediate area or neighbouring residents. It is recognised that the proposal will result in a change to the site and, will convert the single storey dwelling to a 1.5 storey

property. However, the proposed development can be satisfactorily accommodated within the plot and will not be significantly harmful to the residential amenity of adjacent properties. It is therefore considered to be in accordance with Policy WE8 of the TLP.

#### Ecology

- 3.21 No evidence of bats was recorded within the ecological survey, with the buildings offering negligible bat roosting potential.

#### Conclusion

- 3.22 The proposal does not materially affect the amenities of neighbouring occupiers or the character and visual amenities of the locality. The proposal is considered to represent an appropriate form of development and the balance of considerations weighs in favour of granting planning permission. There is therefore a recommendation to approve subject to conditions.

### **4. POLICY DOCUMENTS**

#### Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S22 (Countryside)

EN2A (Landscape Protection and Enhancement)

WE8 (Domestic Extensions)

#### National Planning Policy Framework

#### National Planning Practice Guidance

### **5. CONSULTEES**

None.

### **6. REPRESENTATIONS**

Three letters of objection have been received raising the following planning issues:

1. Loss of light, outlook and privacy
2. Not in scale with the existing property
3. Not in-keeping with the wider area

### **7. PARISH COUNCIL'S COMMENTS**

No comments have been made.

### **8. COMMUNITY INFRASTRUCTURE LEVY**

This development is not liable for CIL because it is less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling.

### **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

**Business Manager – Strategic Place**

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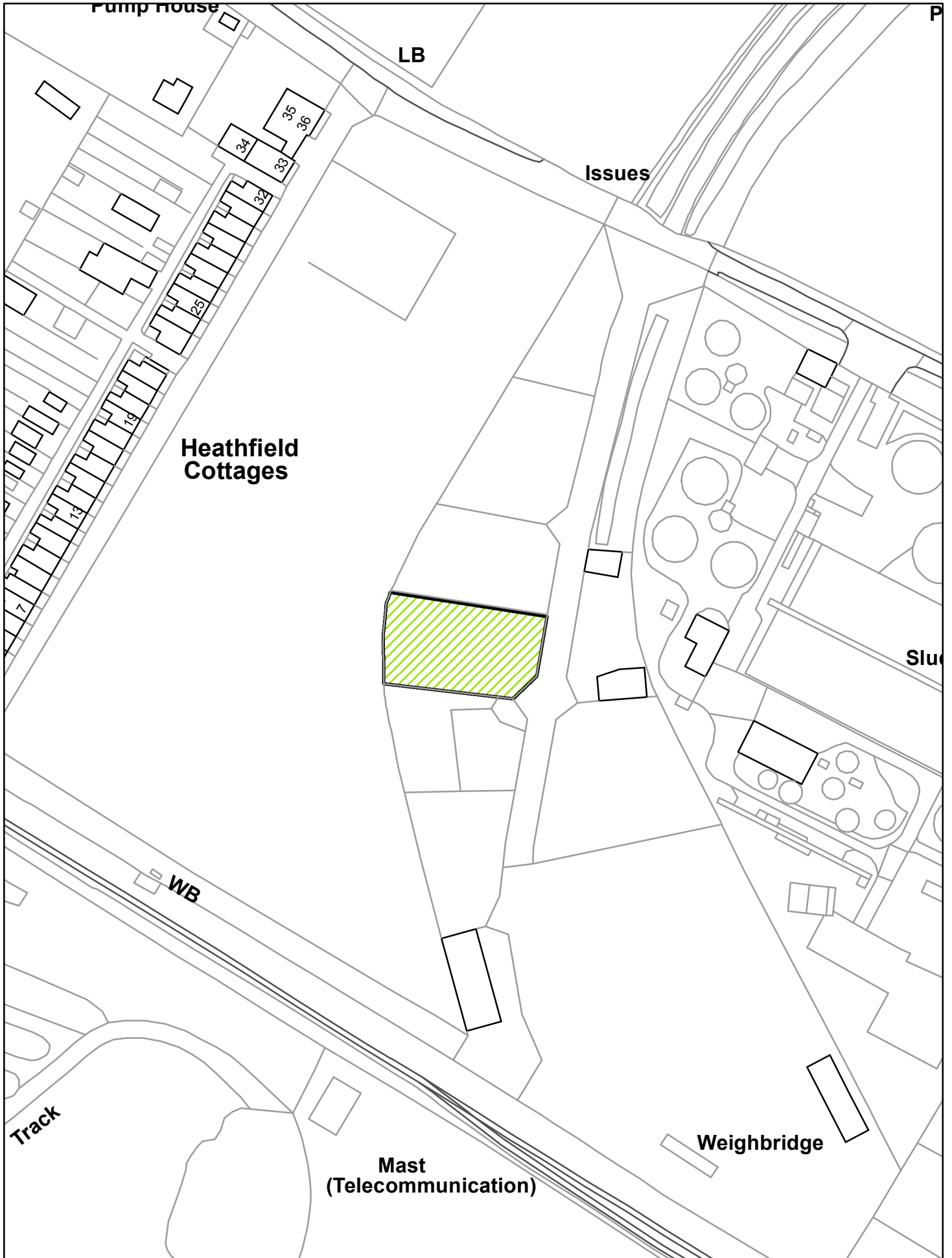
# PLANNING COMMITTEE REPORT 31 JULY 2018

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>BOVEY TRACEY - 17/02593/FUL - Unit 9, Station Park, Haytor View, Heathfield - Retention of building and change of use from B8 to mixed Use Classes B1, B2, B8 and Sui Generis (display and selling of vehicles)</b>	
<b>APPLICANT:</b>	<b>Mr D Pope</b>	
<b>CASE OFFICER</b>	<b>Ian Perry</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Gribble Councillor Kerswell Councillor Morgan</b>	<b>Bovey</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=17/02593/FUL&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=17/02593/FUL&amp;MN</a>	





## 1. REASON FOR REPORT

This application has been called to Committee by Councillor Kerswell for the following reason:

The impact of noise and artificial light would be detrimental to the residents of Haytor View. It is understood that current operating hours have been breached on many occasions.

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Development to proceed in accordance with the approved plans
2. Use restricted to the purposes set out in supporting documents or Class B8 only
3. Noise levels arising from works should not exceed the background noise by more than LAeq 5 dB.
4. Within 1 month from date of decision a landscaping scheme shall be submitted for approval and work shall be carried out within 6 months regarding screening to the rear to mitigate the impact of lighting on the site
5. Operating hours including deliveries limited to Monday–Friday 07:00 to 19:00, Saturdays 07:00 to 13:00 and not at all on Sundays or Bank Holidays
6. The polythene-clad building shall be clad in metal sheeting within 6 months of approval, full details of which, including colour and manner of fixing, shall be first approved in writing by the Local Planning Authority
7. No external lighting to be installed unless first approved - full details of already installed lighting to be submitted for approval in writing within 1 month of approval. Any existing lighting that is not approved to be removed.

## 3. DESCRIPTION

### The Site

- 3.1 The site comprises a fenced compound measuring approximately 40 metres x 23 metres within an established and authorised industrial park within the settlement limit for Heathfield.
- 3.2 The particular unit is on the western side of the park and is bounded to the rear (west) by a thick belt of woodland which separates the site from the residential street of Haytor View. At its narrowest the belt is 70 metres in depth and it is covered by an area Tree Preservation Order.
- 3.3 The site has planning permission for B8 (Storage and Distribution Use) as permitted under application 09/02546/MAJ which was considered and approved by Planning Committee on 11 April 2011.

### The Proposal

- 3.5 This application seeks a retrospective change of use of Unit 9 to allow for a mixed use of B1, B2, B8 and sale of motor vehicles. The proposal also includes the retention of 3 portable buildings, 2 shipping containers and a building which measures 10 metres x 8 metres x 5.1 metres tall. All these structures are sited towards the rear of the site.

- 3.6 The uses proposed are to cover the operation of an existing business on the site.
- 3.7 MZM Automotive are a growing business which centres primarily around the sale of used motor vehicles. As the business has grown there became the need to be able service or repair vehicles prior to sale as well as sale of used car parts.
- 3.8 This has led to the application for a mixed use as set out in the description of development.
- 3.9 In terms of the building on site; this is a metal framed structure finished in polythene at present. This is not, as it stands, appropriate as a permanent solution to the business needs and is visually inappropriate. The applicant has noted in the supporting information that the building would be clad in green metal cladding within six months of any approval. If approved, it would be appropriate to condition the finish of the cladding as green, which is suggested will blend into the trees behind, may not be suitable.

3.10 Relevant site history

07/02508/CLDE - Certificate of Lawfulness for existing use of land for general storage – Refused

09/02546/MAJ - Retention of existing use of site for B8 (storage and distribution) use and retention of existing structures – Approved

12/01290/DCC - County Matter Planning Application (MD/DCC/3368/2012) for change of use from B8 and distribution to metal recycling facility – Approved

16/01731/COU - Change of use from B8 to mixed use classes B1, B2, B8 and Sui Generis (display and selling of vehicles) and a change of working hours to 7 a.m. - 9:30 p.m. Monday to Friday and 7 a.m. to 7 p.m. Saturdays - Withdrawn

3.11 Noise and Light

- 3.12 Environmental Health have been consulted on the application due to the existence of the nearby residential properties at Haytor View. There is no resultant objection but there are a number of recommendations made in terms of minimising disturbance to those residents. In summary it is suggested that works giving rise to significant noise and vehicle movements should be limited to 07:00-19:00 Monday to Friday and 07:00-13:00 on Saturday only. There is no suggested restriction on non-noisy works. Given that the hours recommended are consistent with the remainder of the site and are shown on the application forms, it would be appropriate to use these times.

- 3.13 In terms of lighting, it is recommended that details are submitted which show that lighting eliminates glare and sky glow as well as limiting light spill to neighbouring properties. This can be secured through condition if approved.

3.14 Ecology

3.15 The application has been considered by the Council's Biodiversity Officer and on the basis that there is no light spill into the woodland and no pollution risk to the watercourse within the woodland no objections are raised.

3.16 It is therefore considered that the proposed condition relating to lighting and the supporting information which details how the site would operate and how spillages would be dealt with would satisfy the concerns here.

### 3.17 Highways

3.18 Given that this is an existing and authorised employment site the number of trips the proposal would generate is no more than from those uses already on site. There is therefore no objection to the continued use from a highway perspective.

### 3.19 Employment

3.20 The Economy and Regeneration team has been working with the business operator in support the growth of his business. This has included the potential to take on an apprentice in the future, which is an important part of improving local skill levels in automotive engineering.

3.21 The proposal will see the creation of 3 new jobs and supports a local small business, which is in line with the Council's ambitions for the growth of the local economy.

3.22 Furthermore there is a shortage of employment land across the district for all types of uses. Land for uses as proposed here are even harder to find.

### 3.23 Representations

3.24 There have been a number of objections to the proposals; focusing mainly on residential amenity but also covering matters such as highways and biodiversity.

3.25 The site is a pre-existing employment site with a B8 use. It is acknowledged that the proposals will shift the use away from this and introduce uses that have potential for greater impact.

3.26 The Council's Environmental Health team have considered the potential environmental impacts of the development upon the nearby residents and do not raise objection overall subject to conditions relating to light, noise and operating times.

### 3.27 Conclusion

3.28 In conclusion the proposed use is considered to be reasonable with no demonstrable loss in amenity or detrimental impact upon the wider or immediate area. Mitigation measures can be secured through planning conditions and it is recommended that approval is granted.

## **4. POLICY DOCUMENTS**

Teignbridge Local Plan 2013-2033  
S1 (Sustainable Development Criteria)

S1A (Presumption in favour of Sustainable Development)  
S19 (Bovey Tracey)  
S21A (Settlement Limits)  
EC1 (Business Development)  
EN8 (Biodiversity Protection and Enhancement)  
EN11 (Legally Protected and Priority Species)  
EN12 (Woodlands, Trees and Hedgerows)

National Planning Policy Framework

National Planning Policy Guidance

## 5. **CONSULTEES**

Environmental Health - Hours of work, noise and lighting restrictions recommended

Contaminated Land – No objections

Biodiversity Officer – No objections subject to lighting being directed away from woodland and pollutants not entering the stream

Devon County Council (Highways) – No objections

Economy and Regeneration - Supports the application

## 6. **REPRESENTATIONS**

52 letters of support raising the following:

1. Supported by local and national policy
2. There's a shortage of this type of property in Teignbridge and Devon
3. Offers a good value service
4. Do not penalise honest, hardworking people
5. Modest in scale
6. Lighting will face away from properties
7. Residents live in an area surrounded by business so changes should be expected
8. Excellent access to A38
9. Will maintain employment for individuals

11 letters of objection raising the following concerns:

1. Additional hours and use would be detrimental to residents of Haytor View
2. Additional vehicle movements would lead to danger to road users including walkers and horse riders
3. No proper application for the building has been submitted
4. Visually intrusive due to elevation over Haytor View (approximately 1.5-2 metres)
5. No requirement in the area for industrial uses
6. Business has little benefit to Heathfield
7. Site has caused flooding issues
8. Pollution should be properly managed
9. Will lead to increase in highway danger
10. Generates noise, dust and light pollution
11. Hours of work have been breached

- 12. Impacts upon wildlife
- 13. Loss of property value
- 14. Lack of privacy in winter due to leafless trees

## **7. TOWN COUNCIL'S COMMENTS**

The Town Council does not support this application and wishes to highlight the operator's non-compliance with working hours set out previously. The Town Council requests that this application is referred to Teignbridge's Planning Committee for determination.

## **8. COMMUNITY INFRASTRUCTURE LEVY**

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

**Business Manager – Strategic Place**

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TEIGNBRIDGE DISTRICT COUNCIL

**PLANNING COMMITTEE**

CHAIRMAN: Cllr Dennis Smith

**DATE:** 31 July 2018

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

**ENFORCEMENT REPORT**

**REFERENCE NO:** 17/00397/ENF

**DESCRIPTION OF DEVELOPMENT**

**TEIGNMOUTH:** Land at the Buntings, Higher Woodway Road, Teignmouth

**OBSERVATIONS**

1. On 26 September 2017 an Enforcement Report was placed before the Planning Committee regarding the land at The Buntings, Higher Woodway Road, Teignmouth. At the meeting the Members resolved:
  1. That an Enforcement Notice be served to cease the unauthorised use of the land for the siting of residential caravans with a compliance period of six months.
  2. That a notice under section 215 Town and Country Planning Act 1990 be served for:
    - a) The removal of all the bags of logs, timber, rubble, building materials, etc. currently located near the southern boundary of the site and in the open elsewhere within the site.
    - b) Removal of all building materials and machinery and all other items currently stored in the open fields, other than materials or machinery that are reasonably required for regular agricultural purposes within the unit.
    - c) Removal of any items stored in the yard area that are not reasonably necessary for agricultural purposes taking place on the site.
  3. That an Enforcement Notice be served to cease the unauthorised use of the barn for residential purposes. The Business Manager is granted delegated owners to determine the period for compliance.
2. Subsequently on 23 November 2017 the Enforcement Notice was issued for the unauthorised change of use of part of the Land from the lawful use for

## TEIGNBRIDGE DISTRICT COUNCIL

agricultural purposes to use for residential purposes. This is currently the subject of an appeal with a Public Inquiry to be held at the end of October 2018. As for the Untidy Land Notice, following the serving of two Notices that had to be withdrawn, this was served on 12 January 2018. The requirements of the Notice were to:

- (i) Remove from the land all the bags of wood, rubble and other materials located adjacent to the Public Footpath in the area hatched blue on the attached plan.
  - (ii) Remove from the open fields within the land edged red on the attached plan, all building materials and machinery and any other items currently stored other than materials or machinery that are reasonably required for regular agricultural purposes on the Land.
  - (iii) Remove from the yard area hatched green on the attached plan any items currently stored or located within the area that are not reasonably necessary for agricultural purposes taking place on the site.
3. The Section 215 (Untidy Land) Notice was to come into effect on 23 February 2018 with three months given to comply. However, the Notice was appealed and a subsequent hearing was held at Newton Abbot Magistrates Court on 6 April 2018. At the hearing the matter was adjourned until 29 June 2018 to see if the matter could be resolved.
4. On 19 June 2018 Officers visited the site to assess the current situation and to try and resolve the outstanding matter and to hopefully avoid the need for further court proceedings. Although previously it was considered that substantial works needed to be carried out to improve the appearance of the site, when viewed from public viewpoints into the site one of the main issues was the row of bags containing wood and building materials that were being stored next to the Public Footpath that runs along the Southern boundary of the site. However, from the site meeting it was clear that the vast majority of the bags and items that were being stored had been removed. There were only a few bags left at the western edge of the field which the owner agreed to relocate elsewhere.
5. With regards to the vehicles and machinery that were being stored in the field, it was also clear that these had been removed and any items that were still being stored were being used for agricultural purposes and did not appear to be effecting the appearance of the site. As for the vehicles, machinery and other items that were being stored in the yard next to the original barn / stable building, it was clear that some of these had also been removed. As for those remaining, although they are used on the land the owner agreed to possibly move these to the eastern end of the site near the new agricultural building and bring them out when needed. This would help lessen the impact the collection of items would have at the western end of the site.
6. Overall it was clear that the appearance of the site had been greatly improved. Furthermore, from the site visit it was considered that had this been the first

## TEIGNBRIDGE DISTRICT COUNCIL

visit to assess a complaint about untidy land the condition would not warrant formal action being taken.

7. Since the site meeting it is noted that further works have been carried out to improve the appearance of the site. It is subsequently considered that the requirements of the Untidy Land Notice have been complied with. It may be considered that further improvements could be made but this would mean having to remove all the items on the land. Given that the land is used for agricultural purposes this allows for moveable structures and similar items such as caravans etc. to be sited on the land without requiring planning permission. As such in this instance it would not be possible, and would be unreasonable, to require everything to be removed from the land or kept out of view to the public.
8. Although the issuing of an Untidy Land Notice is a one off requirement to tidy the land and once complete cannot be used again it should be noted that further Notices can be issued should the land become untidy again.

### **RECOMMENDATION**

The Committee is recommended that as the requirements of the Untidy Land Notice have been complied with no further action is taken.

WARD MEMBERS:



TEIGNBRIDGE DISTRICT COUNCIL

**PLANNING COMMITTEE**

CHAIRMAN: Cllr Dennis Smith

**DATE:** 31 July 2018

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

**ENFORCEMENT REPORT**

**REFERENCE NO:** 16/00441/ENF

**DESCRIPTION OF DEVELOPMENT**

**BISHOPSTEIGNTON:** Land at Bakers Yard, Forders Lane, Bishopsteignton

**OBSERVATIONS**

1. On 13 May 1992 planning permission (reference 90/02007/COU) was granted on appeal for the continued use of the land for general industry, light industry, open and covered storage, and offices at Bakers Yard, Forder Lane, Bishopsteignton. As part of the permission a Condition was attached that required the uses to cease after two years. The condition stated:

*At the end of the period of 2 years the uses hereby permitted shall cease and all materials and equipment brought onto the premises in connection with the uses shall be removed.*

2. As some of the unauthorised uses did not cease the Council issued a number of Breach of Condition Notices in June 1998. These required the unauthorised uses to cease.
3. Although it is not clear whether the requirements of the BCNs were complied with within the agreed timescales it is clear that they were complied with as the uses are no longer occurring. However, since the previous enforcement action the Council has, over the years, received complaints about the state of the site. There have been concerns raised about the appearance of the buildings and the vegetation that has been allowed, at times, to become overgrown which subsequently has a detrimental impact on the surrounding area.
4. In cases where land or buildings are in a poor state that have a detrimental impact on the surrounding area, the Council can issue an Untidy Land Notice under Section 215 of the Town and Country Planning Act (as amended) to

## TEIGNBRIDGE DISTRICT COUNCIL

ensure steps are taken to tidy the site. In this instance over the years when a complaint has been received the owner has been contacted and advised to take steps to improve the appearance of the site. This has resulted in the overgrown vegetation being cut back but, unfortunately, this opens up the site with views into the land and the existing buildings that have become derelict and unsightly.

5. In December 2016 the Council received a further complaint about the condition of the land. This resulted in the vegetation being cut back but this again opened up the views into the site showing the derelict buildings.
6. One of the main issues with the site over the years has been the lack of development potential to help finance the works required to pay for the site to be cleared. The site is located outside the settlement boundary which restricts development. Furthermore, there are a number of existing buildings on the land that contain asbestos, so it would be expensive to demolish them all and remove the resulting debris from the land. However in October 2017 the Bishopsteignton Neighbourhood Plan was approved which indicated the site could be developed.
7. Again in January 2018 a complaint was received about the condition of the land and in particular the state of the buildings. The Complainant considered that the Council should take steps to have the site cleared once and for all to prevent it becoming an eyesore. It is also claimed that debris from the site is blowing onto adjacent properties. To try and resolve the matter the owner was contacted and it seemed that the site was in the process of being sold. As such it was decided to hold off any further proceedings for three months to allow the sale to go through. It was envisaged that once the land had been sold a planning application would be submitted to develop the site.
8. Following more recent contact with the Owner's Agent it appears that the sale of the site is still going through though there had been a delay in the conveyances. However, given the length of time the matter has been ongoing it is necessary to determine whether formal action should be taken to resolve the condition of the land. From a recent site inspection it is considered that the majority of the buildings are in a stable condition. There was one building on the boundary with Orchard Cottage that is beginning to collapse which maybe resulting in some material blowing over the boundary. As the issue of damage between properties is a civil matter the owner was advised to take steps to prevent further damage and possibly remove this building.
9. As for the remaining buildings, given the amount of asbestos in them the cost to clear the site could be as much as £100,000. In this instance the Council could issue an Untidy Land Notice to require the buildings to be demolished and the vegetation cleared but if the works are not carried out the Council may have to consider carrying out the works and try to recover the costs. Given the costs involved, and the likelihood of a development proposal being forthcoming, it would be more appropriate to hold off any further action for a limited period of time to allow the land to be sold and a subsequent planning

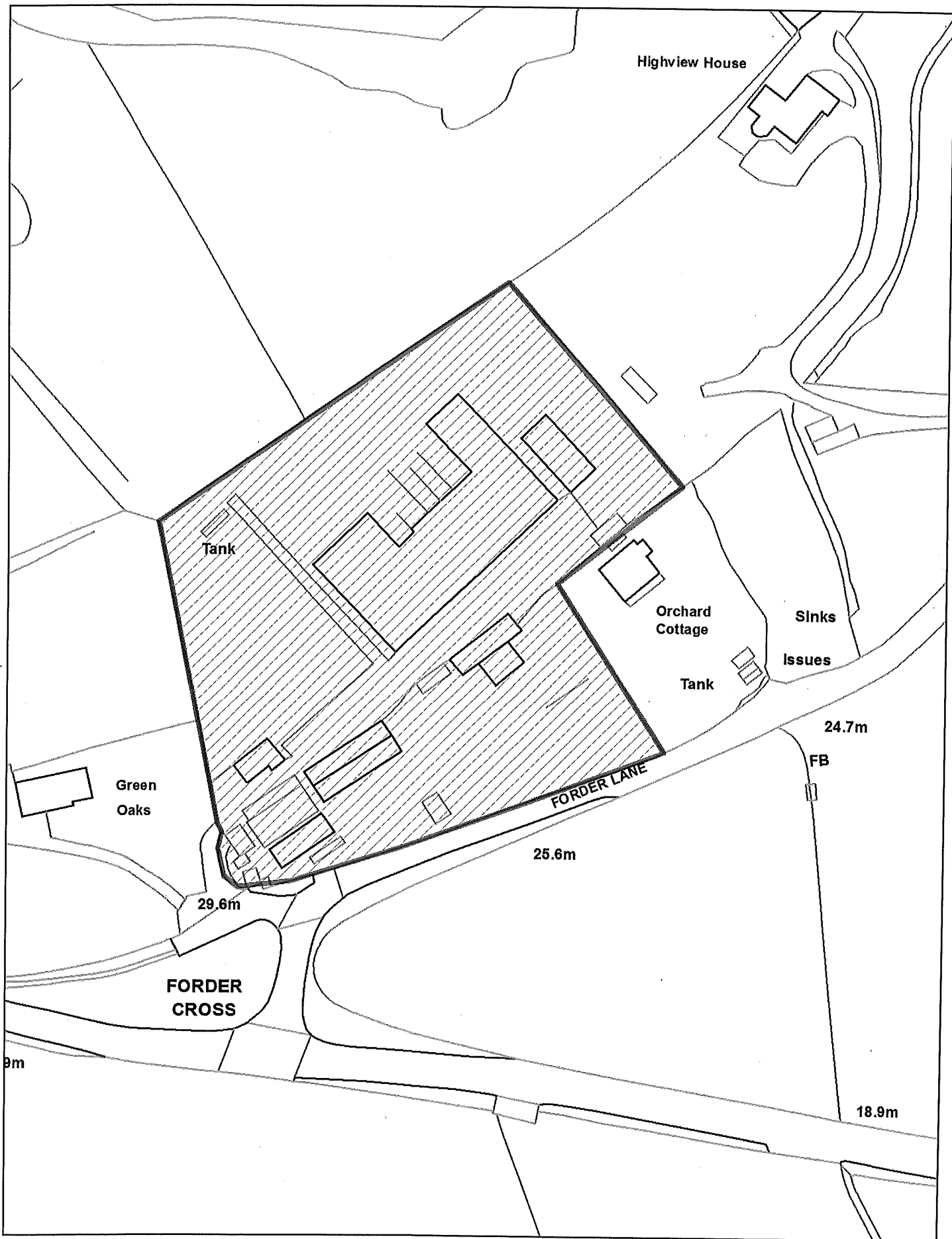
**TEIGNBRIDGE DISTRICT COUNCIL**

permission sought to develop the site. If no progress has been made by the end of this period the matter could be reconsidered.

**RECOMMENDATION**

The Committee is recommended to resolve that no further action is taken for twelve months

WARD MEMBERS:





## PLANNING COMMITTEE

CHAIRMAN: Cllr Dennis Smith

**DATE:** 31 July 2018

**REPORT OF:** Business Manager Strategic Place

**SUBJECT:** NA3 Wolborough, Newton Abbot,  
Draft Development Framework Plan

### PART I

### RECOMMENDATIONS

Planning Committee is recommended to resolve that:

1. The Draft NA3 Wolborough, Newton Abbot, Development Framework Plan and supporting documents, (attached to this report as Appendices 1-3), are approved for consultation with a view to a final version being approved at a future Executive.
2. Authority be delegated to the Business Manager Strategic Place to make minor formatting changes to the appendices prior to the commencement of consultation.
3. Natural England, the Environment Agency and Historic England are consulted on the draft determination that no Strategic Environmental Assessment is required.
4. Natural England is consulted on the draft Habitats Regulation Appropriate Assessment which determines that the draft Development Framework Plan will not have a likely significant effect on the South Hams Special Area of Conservation (SAC), subject to appropriate mitigation.

### 1. PURPOSE

- 1.1 To consider the draft Development Framework Plan (DFP) for the Wolborough, Newton Abbot allocation in the Teignbridge Local Plan (Policy NA3), and to approve it as a draft for consultation purposes.

### 2. BACKGROUND

*Teignbridge Local Plan*

## TEIGNBRIDGE DISTRICT COUNCIL

- 2.1 The Teignbridge Local Plan 2013-2033 allocates land at Wolborough, Newton Abbot for at least 1,500 homes, combined with new employment opportunities, essential transport links, education land and community spaces (Policy NA3 of the Plan).
- 2.2 The site covers an area of approximately 120 hectares of land to the south of Newton Abbot. It stretches eastwards from the A381 Totnes Road to Kingskerswell Road, adjacent the South Devon Highway and is immediately south of Decoy Country Park.
- 2.3 The site is divided into two development areas, separated by a large wooded corridor (part of Decoy Woods) through which the Local Plan proposes that a main route will run. There are three main land ownerships as shown at Appendix 4. Teignbridge control an area next to Decoy Industrial Estate and there are two private ownerships covering the majority of the site.
- 2.4 In this context, one of the challenges of the site is achieving a cohesive, comprehensive and collective urban extension. Rather than a range of development areas that could remain indefinitely isolated from one another.
- 2.5 There is already planning permission for 25 homes off Old Totnes Road on small sites at the western extent of the allocation that don't fall within the identified main ownerships. This draft DFP is concerned only with the remaining majority of the allocation, which is strategic in nature.

### *Consultation on the draft Development Framework Plan*

- 2.6 Approval is sought from the Planning Committee for the draft DFP to be published for a minimum 8 week period of public consultation (the statutory requirement is 4 weeks), together with the SEA and HRA screening reports. The general public, local groups and organisations, together with statutory consultees will be consulted on these documents. The public consultation will include a drop-in event to be held in the local area.

### *Finalising the draft Development Framework Plan*

- 2.7 Following the consultation, the DFP and any proposed revisions will be reported to a future Planning Committee and then Executive Committee where it is expected that approval will be sought for its adoption as a Supplementary Planning Document.

## **3. MAIN IMPLICATIONS**

### *Masterplan*

- 3.1 Piecemeal development of the site through a series of incomprehensive planning applications would risk undermining the necessary provision of

## TEIGNBRIDGE DISTRICT COUNCIL

infrastructure, the site's contribution to sustainable development and the availability of local facilities.

- 3.2 The draft DFP represents a positive response to the Local Plan requirement for a comprehensive landscape and design led masterplan for Wolborough. It has been prepared in dialogue with a number of expert bodies. Once public consultation comments have been taken into account and the document has been adopted, the policy requirement for meaningful and continued engagement from stakeholders will have been addressed so far as it relates to any future use of the document as a masterplan supporting a planning application.
- 3.3 The Framework will show how comprehensive and sustainable development can come forward at Wolborough. Once adopted, it will be available for planning applicants to refer to and accord with (when responding to the comprehensive masterplan requirement) as the Council's preferred approach to delivering development on the allocation.
- 3.4 However, it must be recognised that the Local Plan does not require development proposals to accord with a Council prepared masterplan for the area. In principle, planning applicants at Wolborough could prepare an alternative comprehensive masterplan for the area, provided there was meaningful engagement with all landowners and other stakeholders.

### *Local Plan consistency*

- 3.5 There are a few aspects of the draft DFP which vary slightly from the provisions contained in the Local Plan. These variations relate to the provision of some elements of the development adjacent the site allocation and are justified by further work and discussions, including changes in advice from expert consultees and detailed masterplanning work. It is not considered that these variations lead to any conflict with higher tier policy. Overall, the draft DFP sets out a framework for meeting the requirements of the Local Plan.

### *Housing*

- 3.6 The draft masterplan identifies a site capacity of around 1,300 homes. This is less than the 'at least 1,500' that are allocated and is based on development density assumptions that represent a cautious response to the site's constraints and topography. It may be that more homes can come forward through higher density development with a lower density character (like care accommodation or apartments); and through innovative approaches to building on steeper slopes in areas illustrated on the masterplan map.

### *Employment*

- 3.7 The Local Plan allocates 10 hectares of employment land at Wolborough but the masterplan shows only approximately 5 hectares within the allocation area. In line with Local Plan policy that supports sustainable employment development beyond development boundaries, further areas of employment

## TEIGNBRIDGE DISTRICT COUNCIL

land are identified to the east of Kingskerswell Road. This takes the total to around 7.1 hectares but still leaves a requirement for additional off-site provision as set out in the draft document's infrastructure schedule.

### *Education*

- 3.8 Whilst the education authority preference would be for a single campus to address the Local Plan requirement for 5 hectares of land for education facilities, the topography of the allocation makes it very difficult to identify such a site. Instead, the draft Framework identifies land for a two form entry primary school campus relatively close to the Church of St Mary the Virgin and the proposed 'neighbourhood hub' community facilities.
- 3.9 To the east, adjacent Decoy Industrial Estate, a further 3.2 hectares is identified on land that is principally controlled by Teignbridge for secondary or further education provision. Teignbridge's control is time limited and further land agreements may be required to take forward this option.

### *Wildlife, Greater Horseshoe Bats and Wolborough Fen*

- 3.10 The draft development framework sets out a strategy and principles for responding to the Wolborough allocation's ecology. The draft recognises that further surveys and work will be needed before future planning applications can be approved. It sets out a Greater Horseshoe Bat design framework and the document is accompanied by a draft Habitat Regulations Assessment, which is also proposed to be published for consultation.
- 3.11 The draft framework addresses the Wolborough Fen Site of Special Scientific Interest. Representatives of Natural England have been involved in the drafting process and their input has led to the preparation of a draft groundwater monitoring strategy that focuses on the Fen's water catchment area.
- 3.12 Natural England have only had the resources to provide limited input into the drafting of the bat framework and monitoring strategy but will be able to provide further comments through the public consultation.

### *Heritage and St Mary's Church*

- 3.13 The draft Framework has built on a considerable amount of research and analysis associated with the Wolborough allocation and Grade I listed Church of St Mary the Virgin, which sits at the north west of the allocation. Historic environment experts have led preparation of a heritage strategy that forms part of the Development Framework and has informed the rationale behind the draft masterplan map contained in the document.
- 3.14 In the context of a legislative requirement to have special regard to the desirability of preserving a listed building or its setting, Historic England have asked that a specialist Assessment of Significance is undertaken in relation to the church. A draft brief for this work has been prepared and shared with them and the current planning applicant. The outputs of the Assessment will be able

## TEIGNBRIDGE DISTRICT COUNCIL

to inform finalisation of an adoption version of the Framework Plan at the same time as public consultation comments are being considered.

### *Main vehicular route*

- 3.15 A considerable amount of engineering design work has been undertaken to identify an appropriate alignment for the main route connection between Old Totnes Road and Kingskersewell Road. This has been based on information about site levels and has involved considerable input from Devon County Council as Highway Authority, as well as specialists from the professional teams representing Wolborough's two private land ownerships.
- 3.16 All parties have agreed the draft alignment and, in particular, a connection point between ownerships. The alignment shown in the draft masterplan is considered to be an appropriate response to the allocation policy and one that minimises impacts on the positive characteristics and wildlife of the site.

### *Infrastructure schedule*

- 3.17 As well as provision for the main route, the draft Framework also addresses other key infrastructure requirements for the site. It includes a schedule of infrastructure and anticipated delivery timescales and, if adopted, would help to inform Section 106 agreements and planning conditions associated with when various items of infrastructure should be provided.

### *Status of the document*

- 3.18 The draft DFP has been prepared as a Supplementary Planning Document (SPD) but there may be merit in taking it forward as a Development Plan Document (DPD), which would be slower to produce but more authoritative. In the context of pressure for development to come forward on the site in the short term, preparation of a DPD seems likely to fall behind determination of planning applications and would therefore be of little merit. Nevertheless, draft the consultation Framework Plan addresses this point and seeks views on the matter.
- 3.19 If a decision was taken to move forward with a DPD the current proposed consultation would not be wasted. Instead it would form an important part of that process.

## **4. PLANNING APPLICATIONS AND APPEAL**

- 3.20 Large scale planning applications have already been submitted at Wolborough on the western main ownership (see Appendix 4) and an appeal has been lodged against non-determination of the first of those. The Applicant was unwilling to agree to an extended period for determination of the application, which would have allowed for the process of adopting a Framework Plan to run its course.

## TEIGNBRIDGE DISTRICT COUNCIL

- 3.21 In accordance with the two-way engagement expectations of the National Planning Policy Framework (NPPF), officers have been working proactively with representatives of Wolborough's main landowners, who have been engaged in the preparation of the draft DFP.
- 3.22 Until recently, the appellant had pressed officers to bring forward the draft document for public consultation quickly. Since the appeal was registered, the tone has changed and the appellant has asserted that publishing the document for public consultation would represent, 'undue haste'.
- 3.23 We disagree. Whilst it is accepted that the Framework may not represent the only way of responding comprehensively to the Local Plan allocation it holds the potential to form an important consideration when planning applications or appeals are being determined, especially if there is an absence of an equivalent comprehensive response to the whole site. In some instances it contains carefully prepared information about an appropriate response to the site's key opportunities and constraints.
- 3.24 The draft is not proposed for adoption at this point and will be subject to change following the public consultation, which is a process in which the site promoters will be able to participate.

### 5. GROUPS CONSULTED

- 3.25 Policy NA3 was subject to public consultation and independent examination for the preparation of the now adopted Teignbridge Local Plan. Ongoing stakeholder engagement has continued with involvement from:
- Ward Councillors;
  - Newton Abbot Town Council;
  - Abbotskerswell Parish Council;
  - Wolborough Residents Association;
  - Site promoters;
  - Infrastructure providers;
  - Devon County Council;
  - Historic England;
  - Natural England; and
  - Specialist officers from a range of teams across Teignbridge Council
- 3.26 Independent expert masterplanners were appointed to bring together an approach to addressing the requirements of Policy NA3, including a response to the site's historic environment, ecology, topography and requirement for a main road through the site.
- 3.27 The draft SPD is consistent with the National Planning Policy Framework, Teignbridge Local Plan and Newton Abbot and Abbotskerswell Neighbourhood Development Plans.

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3.28 Draft Strategic Environmental Assessment (SEA) Screening and Habitats Regulation Assessment (HRA) reports accompany the draft DFP and conclude that there will be no likely significant effects of implementation of the masterplan, subject to necessary mitigations being in place. Both documents are attached to this report in Appendices 2 and 3 and will form part of the consultation.

### **5. TIMESCALE**

5.1 Public consultation will run for eight weeks.

5.2 An updated version of the DFP will be reported to Planning Committee and then Executive following a review of the consultation responses. Depending on the comments received, a decision on whether to adopt a final version of the document is expected at the end of 2018.

### **6. JUSTIFICATION**

6.1 The Development Framework for Wolborough will provide a positively prepared comprehensive masterplan for the area. Once adopted it will be available for planning applicants to use and submit with applications and help to support appropriate development across the whole allocation. The proposed public consultation will be an important step towards achieving those objectives.

**Simon Thornley**  
**Business Manager, Strategic Place**

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# NA3 Wolborough Development Framework Plan

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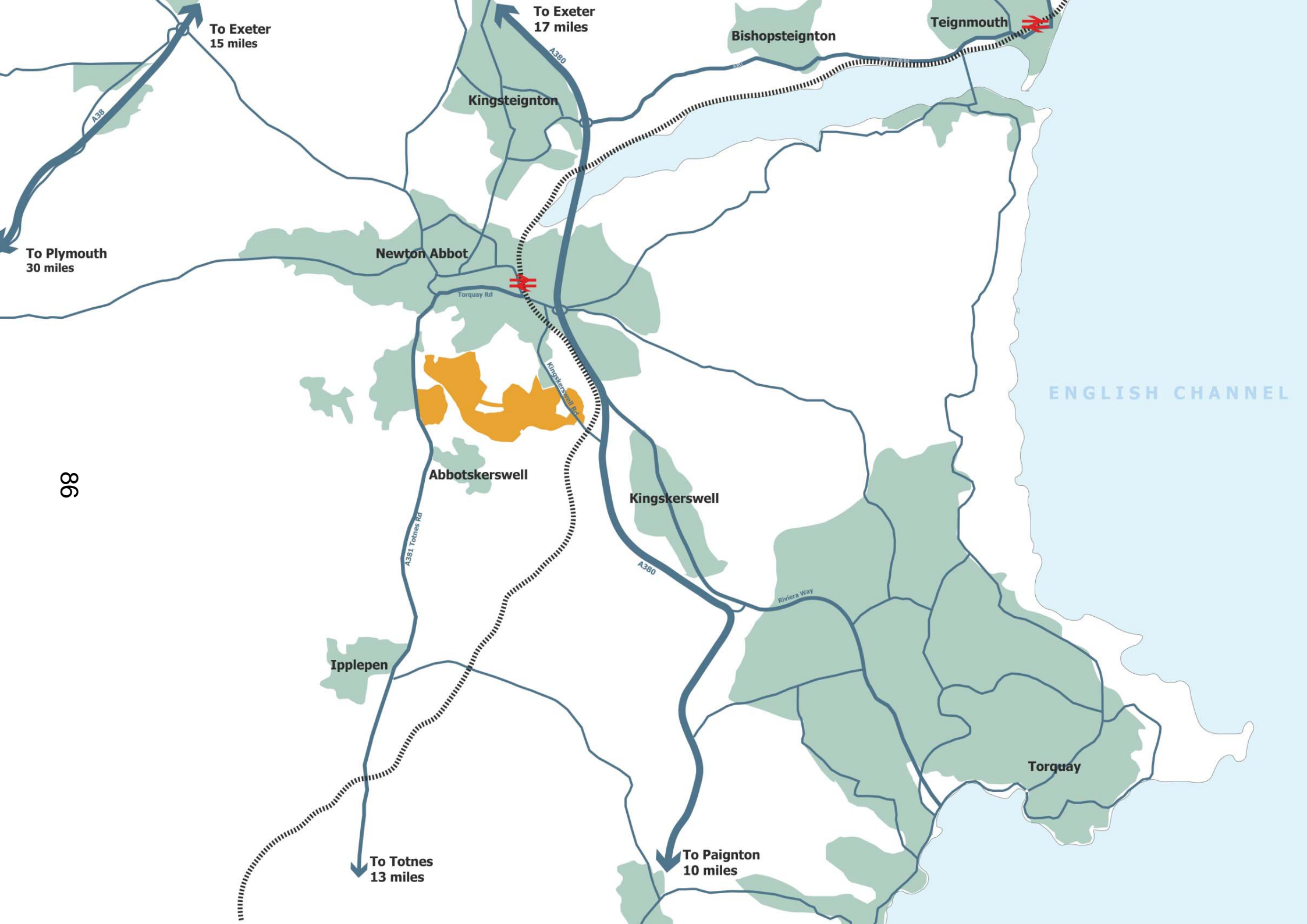
# 06

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## Appendix

Wolborough Fen Monitoring strategy
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To Exeter  
15 miles

To Plymouth  
30 miles

To Exeter  
17 miles

To Exeter  
17 miles

To Totnes  
13 miles

To Paignton  
10 miles

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ENGLISH CHANNEL

Kingsteignton

Bishopsteignton

Teignmouth

Newton Abbot

Abbotskerswell

Kingskerswell

Ipplepen

Torquay

Torquay Rd

Kingskerswell Rd

A381 Totnes Rd

A380

Riviera Way

A36

A380

# Introduction

## About this document

1.1 The NA3 Wolborough Development Framework Plan (DFP) amplifies the requirements of Policy NA3 Wolborough of the Teignbridge Local Plan 2013 - 2033. The Local Plan was adopted in May 2014. Policy NA3 allocates land to the south of Newton Abbot for the development of approximately 120 hectares of land for a mix of uses. The principle of development is agreed.

1.2 The DFP sets out how the proposals at NA3 can be planned, delivered and phased comprehensively and in a sustainable form across the allocation. It is intended that this document will be an adopted Supplementary Planning Document (SPD) but we would welcome views on whether it should be a Development Plan Document (DPD), or a non-SPD guidance document.

1.3 The DFP is flexible and is accompanied by a Development Framework Plan (map) (see page 14). The Development Framework provides an interpretation of how the policy requirements and principles set out in the DFP can be delivered on-site. However, should additional and/or more detailed studies and surveys be carried out at the planning application stage, these will be considered.

1.4 Variations from the DFP, for example precise boundary locations or necessary changes to infrastructure locations based on more detailed evidence, will be considered on their merits as part of the planning application process, and will not require a revision to the DFP. The Local Plan requires a comprehensive landscape and design led masterplan for the strategic allocation to support development proposals. Once adopted, it is considered that planning applications that adhere to this document would meet that requirement. However, it is recognised that it may also be possible to bring forward development based on an alternative developer-led comprehensive masterplan for the whole allocation.

1.5 There have been a number of planning documents and concept masterplans prepared for the site since the Local Plan was adopted. The aim of this document is to integrate relevant policy and guidance and set out advice on how the site as a whole, and as smaller neighbourhood areas can be developed to deliver new homes and services in this area over the next 15 years. TDC and WYG have worked with landowners and key stakeholders whilst being guided by the design principles and development requirements of the Teignbridge Local Plan.

1.6 The preparation of this draft DFP has been informed by technical work, as well as discussions with key stakeholders including Natural England, Historic England and Devon County Council. It has also been developed following input from landowners and their professional representatives. All of this work has culminated in this consultation document that is now published for wider public comment and community engagement.

1.7 This site is controlled by two land owners. A planning application has been submitted on part of the site and covers three out of the four neighbourhood areas, as shown on page 16. The DFP has given full consideration to the 'made' Neighbourhood Development Plans for Newton Abbot and Abbotskerswell, which forms part of the statutory development plan for the area.

1.8 The draft DFP has been subject to a Strategic Environmental Assessment (SEA). It has also been subject to an Appropriate Assessment for the purposes of the Habitat Regulations (HRA). The draft DFP has been modified to incorporate recommended mitigation measures that have been identified through the HRA Appropriate Assessment. Draft SEA and HRA documents are published alongside the DFP and TDC are also seeking comment on these documents.

1.9 The indicative timetable for the preparation of the DFP is as follows:

Aug - Sept 2018	Eight week public consultation
Sept - Oct 2018	Review comments and amend Development Framework Plan as necessary
Dec 2018	Executive adopt Development Framework Plan

## How can I comment on the Development Framework Plan?

1.10 The draft version of the DFP, SEA and HRA will be available for comment for eight weeks from August 2018. All documents can be viewed on the Council's website at [www.teignbridge.gov.uk/wolborough](http://www.teignbridge.gov.uk/wolborough). Any comments received through the public consultation must be in writing which can be done by:

- Completion of the online questionnaire at [www.teignbridge.gov.uk/wolborough](http://www.teignbridge.gov.uk/wolborough)
- Via e-mail at [forwardplanning@teignbridge.gov.uk](mailto:forwardplanning@teignbridge.gov.uk)
- Posting your comments to Spatial Planning, Teignbridge District Council Offices, Forde House, Brunel Road, Newton Abbot, TQ12 4XX.

**Please note:** this consultation is seeking comments about how, when and where different aspects of the allocation are developed. The principle of whether or not the development will take place has already been determined through the adoption of the Teignbridge Local Plan and therefore the Council will not be able to consider comments relating to this as part of this consultation.



## Background

1.11 The requirements for a masterplan to be prepared for this allocation is set out in Policy NA3 of the Council's adopted Local Plan (2013-2033) which states that:

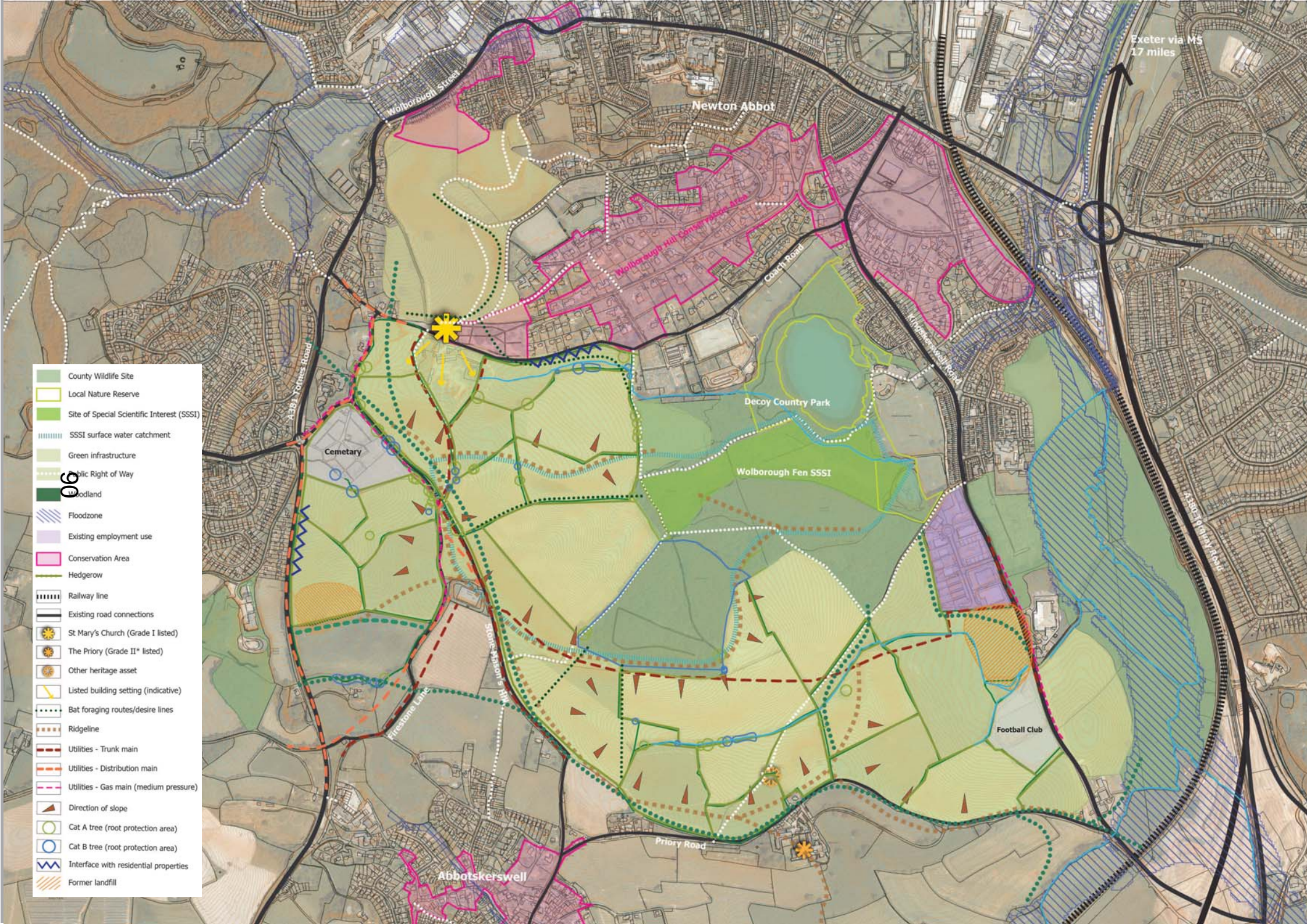
"A site of approximately 120 hectares is allocated at Wolborough to deliver a sustainable, high quality mixed-use development which shall:

Include a comprehensive landscape and design led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders;..."

1.12 TDC adopted its Local Plan in May 2014. The local plan sets out where and how new development will be managed across the district in the period up to 2033. Included within the Local Plan is an allocation for land to the south of Newton Abbot for the development of approximately 120 hectares of land for a mix of uses, including employment, housing, community facilities, a road vehicular connection between the A380 South Devon Highway with and the A381 Totnes Road, and large areas of green infrastructure. This area of land is referred to in the Local Plan as NA3 Wolborough. It stretches from the A381 Totnes Road, eastwards to the Kingskerswell Road. The allocation is bounded in part by Coach Road to the north, and Priory Road to the south.

1.13 The NA3 policy states that to deliver a sustainable, high quality mixed-use development shall:

- a) include a comprehensive landscape and design led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders;
- b) deliver 10 hectares of land for employment development, for office, general industrial or storage and distribution uses as appropriate to the site and its wider context, ensuring that there is also a mix of unit size to enable businesses to start up and expand; support will also be given to employment generating uses provided that they are compatible with the immediate surroundings and do not conflict with town centre uses;
- c) deliver at least 1,500 homes with a target of 20% affordable homes
- d) provide social and community infrastructure including a youth centre, local shops, community facilities and a site of 5 hectares for a 420 place primary school including early years provision and a secondary school or other further education facility;
- e) provide a vehicular route connecting the A380 South Devon Link Road with the A381;
- f) create a network of green infrastructure that contributes to the overall strategic network;
- g) respect the setting of the parish church of St Mary the Virgin;
- h) provide a green buffer between development and Decoy woods;
- i) protect and enhance Wolborough Fen Site of Special Scientific Interest and flight routes and foraging areas of greater horseshoe bats;
- j) enhance or mitigate any impact on county wildlife sites, cirl bunting territories and barn owl sites;
- k) maximise opportunities for the generation of on-site renewable energy at a domestic scale and investigate opportunities for community scale renewable energy generation
- l) create areas for local food production
- m) provide formal and informal recreation space
- n) a bespoke Greater Horseshoe Bat mitigation plan for Wolborough must be submitted and approved before planning permission will be granted. The plan must demonstrate how the site will be developed in order to sustain an adequate area of non-developed land as a functional part of the foraging area and strategic flyway used by commuting Greater Horseshoe Bats associated with the South Hams SAC. The plan must demonstrate that there will be no adverse effect on the SAC alone or in combination with other plans and projects.



- County Wildlife Site
- Local Nature Reserve
- Site of Special Scientific Interest (SSSI)
- SSSI surface water catchment
- Green infrastructure
- Public Right of Way
- Woodland
- Floodzone
- Existing employment use
- Conservation Area
- Hedgerow
- Railway line
- Existing road connections
- St Mary's Church (Grade I listed)
- The Priory (Grade II\* listed)
- Other heritage asset
- Listed building setting (indicative)
- Bat foraging routes/desire lines
- Ridgeline
- Utilities - Trunk main
- Utilities - Distribution main
- Utilities - Gas main (medium pressure)
- Direction of slope
- Cat A tree (root protection area)
- Cat B tree (root protection area)
- Interface with residential properties
- Former landfill

Exeter via M5  
17 miles

Wolborough Street

Newton Abbot

Wolborough Hill Conservation Area

Couch Road

Decoy Country Park

Wolborough Fen SSSI

Cemetery

Football Club

Abbotskerswell

Priory Road

A388 Torbay Road

A388 Torbay Road

A388 Torbay Road



## Key challenges and opportunities

1.14 As one of the largest allocations in the Local Plan, NA3 is a strategically important site for the district and combines new homes with employment opportunities, as well as essential transport links, education and community facilities. Across the site, there are a number of constraints which have posed significant challenges in determining how development should be distributed. The context plan on page 8 identifies the constraints that are summarised here:

### CHALLENGES

#### Topography

Undulation across the site and different ridge lines. Steep slopes, landforms and curves to address and make sense of. Significant areas of the site have gradients steeper than 1:5, making development on these areas highly challenging.

#### Flood risk and drainage

Surface water needs to be carefully managed on sensitive parts of the site that form the catchment for the Wolborough Fen SSSI. Existing watercourses should be retained and incorporated as part of plans for development.

#### Landscape character

Woodland, hedgerows, rolling hills, farmland, existing views into and out of the site and the network of PROW.

#### Heritage

Setting of the Grade 1 listed parish church of St Mary the Virgin, Wolborough Hill Conservation Area, St Augustine's Priory, and non-designated heritage assets of Wolborough Barton Farm and Hennaborough Barn.

#### Site features and ecology

Features to be considered, include:

- a network of high quality, unimproved meadows supporting a herb rich plant community
- areas of dry stone walls and unimproved meadows likely to support reptiles
- small copses of mature broadleaved woodland providing bird nesting sites, bat roosting sites and potential flyways,
- watercourses
- Wolborough Fen SSSI
- South Hams SAC
- The southern extent of NA3 falls within a strategic flyway for greater horseshoe bats
- Category A and B trees and significant hedgerows
- Archaeological potential with regard to known prehistoric and Romano-British activity.

#### Utilities

A south west water trunk water mains crosses the site. An area of land 40m x 30m in size is required to be set aside for a new electricity substation.

#### Ground conditions

Two former landfill sites - land to the west of the site off Totnes Road, and to the east of the site off Kingskerswell Road.

### OPPORTUNITIES

- To provide a substantial number of new homes (including affordable homes) within a rich landscape setting that raises the bar for design quality in the area using innovative architecture, including the use of robust and locally distinctive materials to reflect the character of Newton Abbot.
- The provision of a new main street connecting the A381 to the A380 South Devon Link Road. This new road will open up the allocation for development as well as improving accessibility into, out of, and across Newton Abbot.
- To create highly sustainable new neighbourhoods that integrate and improve existing public rights of way and adds to the area's strategic cycle network to connect central Newton Abbot and its railway station with the surrounding area.
- To maintain the unique landscape setting of the site whilst supporting local ecology and preserving landscape heritage through the retention of significant landscape features. This includes the retention of existing woodland and the creation of a green buffer between proposed development and the southern boundary to provide a strategic wildlife corridor and to help retain the site's landscape setting.
- Promote employment uses and strengthen the local economy through the creation of new jobs and employment spaces.
- Create a new neighbourhood hub centred around Wolborough Barton Farm offering a range of community facilities, to serve the new and existing community.
- Build on the rich and distinctive character of Italianate architecture found in Newton Abbot.
- Relationship to Decoy Country Park
- Retaining agricultural land.



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## Report structure

1.15 This report is structured into four parts:

**Part 1** – sets out the vision and objectives for the NA3 site

**Part 2** – introduces the development framework plan for the site and the number of different strategies that have fed into this, including: movement, density, land use, landscape (green infrastructure), greater horseshoe bat framework, SuDS, heritage and infrastructure.

**Part 3** – describes the character elements across the site and the appropriate design principles that apply. It also sets out the specific requirements for the four neighbourhoods.

**Part 4** – sets out the important considerations in terms of the delivery of the site. A table is provided with the minimum requirements in terms of the delivery of infrastructure, utilities and facilities across the site.

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# Part 1: Vision

## The Wolborough vision

2.1 The development at NA3 will be guided by the overarching vision as set out in Local Plan Policy S14 Newton Abbot:

‘Newton Abbot will be the business, educational, leisure and retail centre for South Devon as part of the Heart of Teignbridge. It will be an active community whose members are involved in building an exciting future based on tradition, sustainability, enterprise and openness to change.’

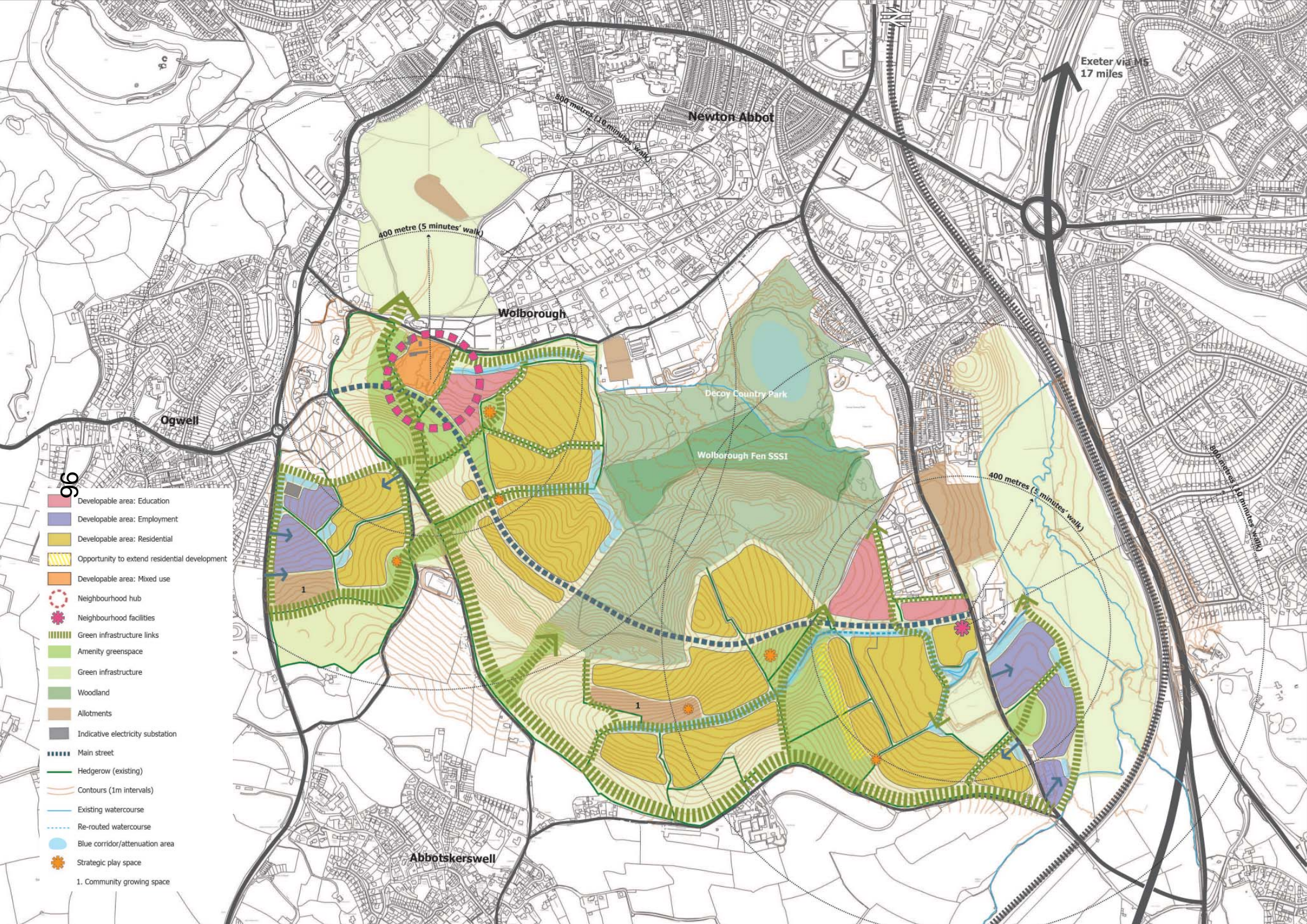
2.2 The area of land allocated at Wolborough will help to deliver this overarching vision for the heart of Teignbridge. It has many distinctive and distinguishing features which should be celebrated through the design of the development, adding value to both the townscape of Newton Abbot and the community that it serves. The following objectives have been written to reflect this and should remain at the heart of any designs and proposals prepared for the site as and when applications for development are submitted for consideration by TDC.

## The objectives

2.3 If NA3 Wolborough is to be a successful, sustainable urban extension we need to create a flexible framework that opens up opportunities for a mix of types of development within this area. With a commitment to creating a landscape led design that respects and incorporates the existing characteristics and landscape assets.

2.4 To achieve this the area should include the following:

- Respect for the setting of the Grade 1 listed parish church of St Mary the Virgin
- House types that are flexible and attractive to a range of people and the site topography
- An economic offer that provides space for small and medium enterprises and allows for a significant proportion of locally owned and run businesses and community organisations in attractive settings
- Flexibility in the scale and types of employment uses to achieve a range of new employment opportunities across the site
- A range of space types and affordabilities for residential and non-residential uses
- Varying types and tenures, including affordable housing, custom build plots and other specialist forms of housing to meet a diverse range of needs
- Well-integrated, varying densities across the site to respond to landscape setting and topography, with increased densities in locations that can maximise housing delivery
- Creative re-use and sensitive adaptation of old buildings
- Locate community facilities, shops and offices within a centralised ‘neighbourhood hub’ to maximise commercial viability and make sure local facilities are within a five minute walking distance for the surrounding community
- Protection of green corridors and the integration of green spaces throughout the development to protect the local Greater Horseshoe Bat population and to make sure net gains for other biodiversity while achieving multifunctional green infrastructure benefits
- Protection and enhancement of the Wolborough Fen Site of Special Scientific Interest, and Decoy Woods
- High quality, well managed, well defined, easily accessible open space.
- Legible routes with clear physical and visual links to local landmarks and their surroundings
- A green and walkable development, making the most of existing lanes and connections and linking these into new networks of footpaths, cycleways and sustainable streets
- High quality and locally distinctive design with active street frontages and positive landscaped edges blending naturally into the surrounding countryside
- A development with the use of efficient design, renewable energy technologies, quality construction and that maximises opportunities for sustainable travel
- High quality and sustainable design to contribute to good place-making, and health and well-being. Creating a strong locally distinctive sense of place that is safe, inclusive and accessible to all.



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- Developable area: Education
- Developable area: Employment
- Developable area: Residential
- Opportunity to extend residential development
- Developable area: Mixed use
- Neighbourhood hub
- Neighbourhood facilities
- Green infrastructure links
- Amenity greenspace
- Green infrastructure
- Woodland
- Allotments
- Indicative electricity substation
- Main street
- Hedgerow (existing)
- Contours (1m intervals)
- Existing watercourse
- Re-routed watercourse
- Blue corridor/attenuation area
- Strategic play space
- 1. Community growing space

Exeter via M5  
17 miles

Newton Abbot

Wolborough

Ogwell

Decoy Country Park

Wolborough Fen SSSI

Abbotskerswell

400 metre (5 minutes' walk)

800 metres (10 minutes' walk)

400 metres (5 minutes' walk)

800 metres (10 minutes' walk)

# Part 2: The Framework Plan

## Development framework

### Policy NA3 Wolborough criteria (a) to (n)

3.1 The Development Framework has been prepared in response to the objectives and principles for the site so it can be used to set the overarching structure for the future development of the site. An understanding of the extent of proposed infrastructure requirements and site challenges has shaped the distribution of land uses and informed recommendations about how the site can be developed in the most viable way.

3.2 The plan on page 16 shows a series of new neighbourhoods, including:

Development parcels on slopes that are flatter than 1 in 6 metres in gradient.

Development parcels that seek to avoid the most visually sensitive and steeply sloping areas of the site.

A main street through the site linking Totnes Road to Kingskerswell Road. This route has changed from the Local Plan Proposals Map. The new alignment pulls the route away from the listed church and shows an alignment with an access to the south of the Decoy Industrial estate on the eastern part of the site. The main street has been designed to minimise the need for engineering works, especially when passing through existing woodland.

Separate access points off Kingskerwell Road and Totnes Road.

Approximately 7 ha of employment land across the site. Additional employment uses could also form part of the mixed use neighbourhood hub and will be of a scale and type sensitive to the nearby residential uses.

Sensitive development within the setting of the church/ farm to retain the existing landscape character.

A network of green infrastructure links and green spaces to provide informal and formal space, allotment and growing areas, bat flyways, dark corridors and ecological buffers.

An area for an electricity sub-station.

An agreed Sustainable Urban Drainage (SUDs) strategy and site attenuation areas based on the creation of a series of blue corridors.

The retention and enhancement of important landscape features such as existing hedgerows and mature trees, where these are compatible with future land uses in the long term.

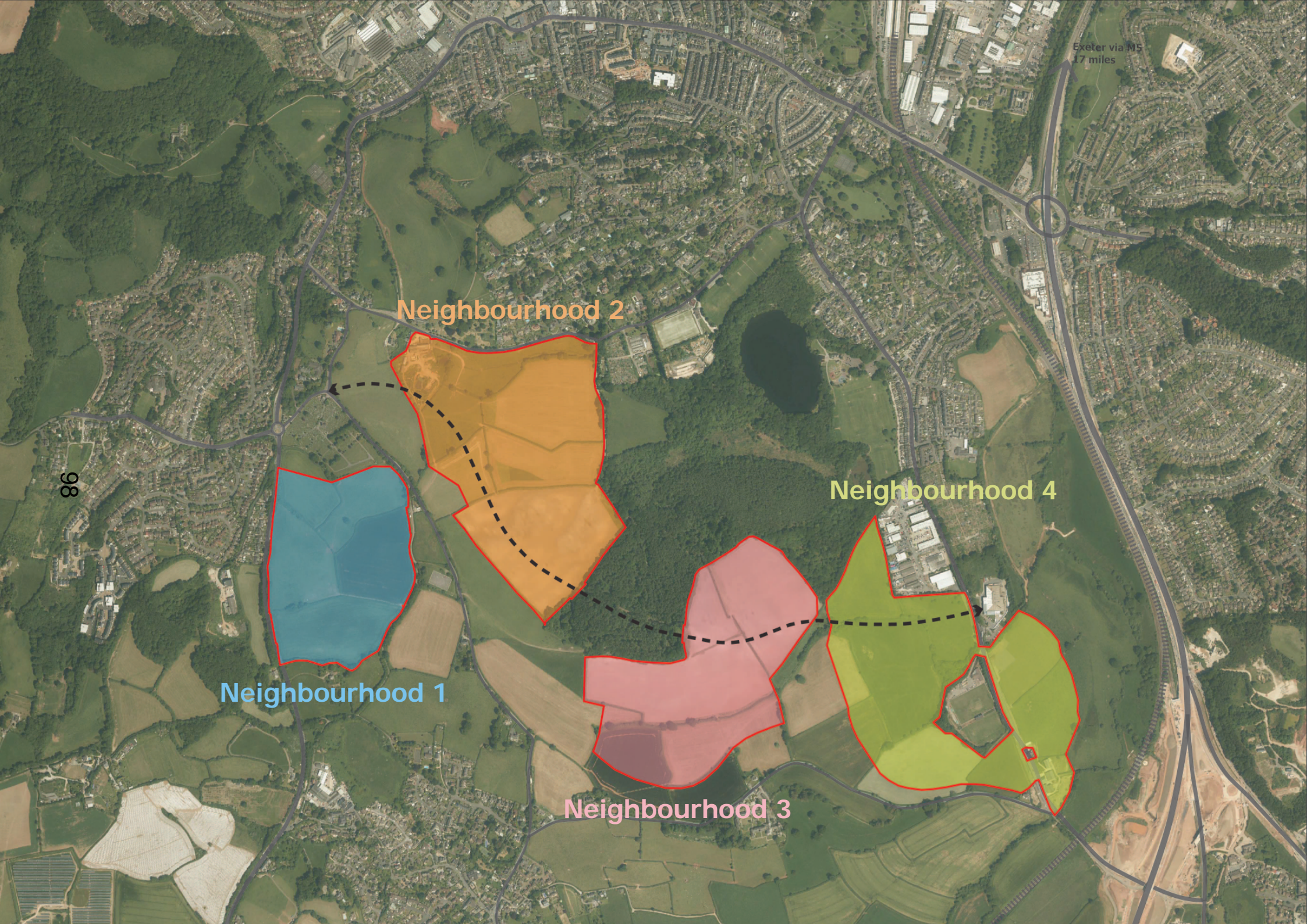
Retained public rights of way and the development of a new interconnected network of footpaths and cycle routes with connections to strategic cycleways.

A masterplan approach that is preferred by TDC, but that recognising that alternative approaches may be appropriate.

## 3.3 The framework principles

- Create attractive, well designed buildings to respond to the site topography, local character and suitable for different elements of the local community.
- Deliver appropriate densities to support local needs nearby and create a viable and sustainable community.
- Source local sourcing of materials where possible and appropriate.
- Provide efficient and attractive multi-functional design approaches to managing surface water that maximise biodiversity, work well with the landscape, create high quality amenity spaces and demonstrate a positive approach to the SuDS.
- Enhance natural habitats beyond those that currently exist.
- Provide convenient access to public transport and a efficient bus service along the main street.
- Create attractive places where people wish to work and that are serviced with well designed and coordinated infrastructure and community facilities.
- Create well defined, easily accessible, high quality open space that is well managed.
- Promote employment buildings and spaces that relate well to the residential areas and existing properties and create a positive entrance to the town.

This section discusses the strategies in turn that have fed into the Development Framework.



Exeter via M5  
17 miles

Neighbourhood 2

Neighbourhood 4

Neighbourhood 1

Neighbourhood 3

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## Neighbourhoods

The concept underpinning the DFP for NA3 Wolborough revolves around the creation of four distinct neighbourhoods connected by a main street and a comprehensive network of green infrastructure (see page 16).

The character of the four neighbourhoods should draw on the unique attributes of their context and should seek to reflect local residential character and architectural precedents as described in the TDC Design Guide. The different characteristics of form and appearance will help differentiate the neighbourhoods whilst addressing the site constraints and topography, and achieving modern residential standards, particularly in terms of access.

Some of the character elements (discussed in section 4) are distinct to one or more neighbourhood areas where as others are found in all four areas. The character elements that span all four neighbourhoods do so to provide continuity to the adjacent settlements, green spaces and rural edges. These elements will help integrate the site into its immediate context and must be consistent in design and character.

## Employment

Policy NA3 criteria (b) - deliver 10 hectares of land for employment development, for office, general industrial or storage distribution uses as appropriate to the site and its wider context, ensuring that there is also a mix of unit size to enable businesses to start up and expand; support will also be given to employment generating uses provided that they are compatible with the immediate surroundings and not conflict with town centre uses.

The DFP shows 7 hectares of employment land across the site. Any shortfall will be delivered elsewhere across the site equivalent to the area requirements or at a jobs density of 100 jobs per hectare. In the event that it is not possible to achieve this on site because it would compromise the delivery of other policy objectives, provision for off-site delivery of serviced employment land may be appropriate.

Set out below is the basis of an appropriate S106 obligation to deliver the employment land:

- The developer is to market the serviced employment land for a maximum period of 3 years;
- The land is to be serviced, access roads brought in, the site levelled, unencumbered and ready for immediate development prior to marketing;
- The 3 year marketing period is to commence no later than the practical completion of 30% of the dwellings;
- In the event that the land fails to sell within the 3 year marketing period, the developer will offer the site to Teignbridge District Council (TDC). Transfer of the site to TDC will be at £1 if no arm's length interest has materialised within the 3 year marketing period; or if some arm's length interest was generated but failed to result in a sale, the developer jointly with TDC but at the developer's expense, will commission an independent valuation of the site. TDC will then have an option to acquire the site at the value as established by the independent valuer;
- If TDC is not minded to take the land, the developer may offer a cash settlement to TDC in lieu of delivery of the employment provision but this will be at the sole discretion of TDC.

## Housing

Criterion (c) deliver at least 1,500 homes with a target of 20% affordable homes;

There is a clear need for housing to meet the needs of communities in Teignbridge. TDC recognises this and places great importance on the delivery of new homes, including affordable and market housing, as well as more innovative solutions such as custom build homes. The NA3 allocation forms one of the largest development areas, creating a real opportunity to provide many homes within a sustainable urban extension.

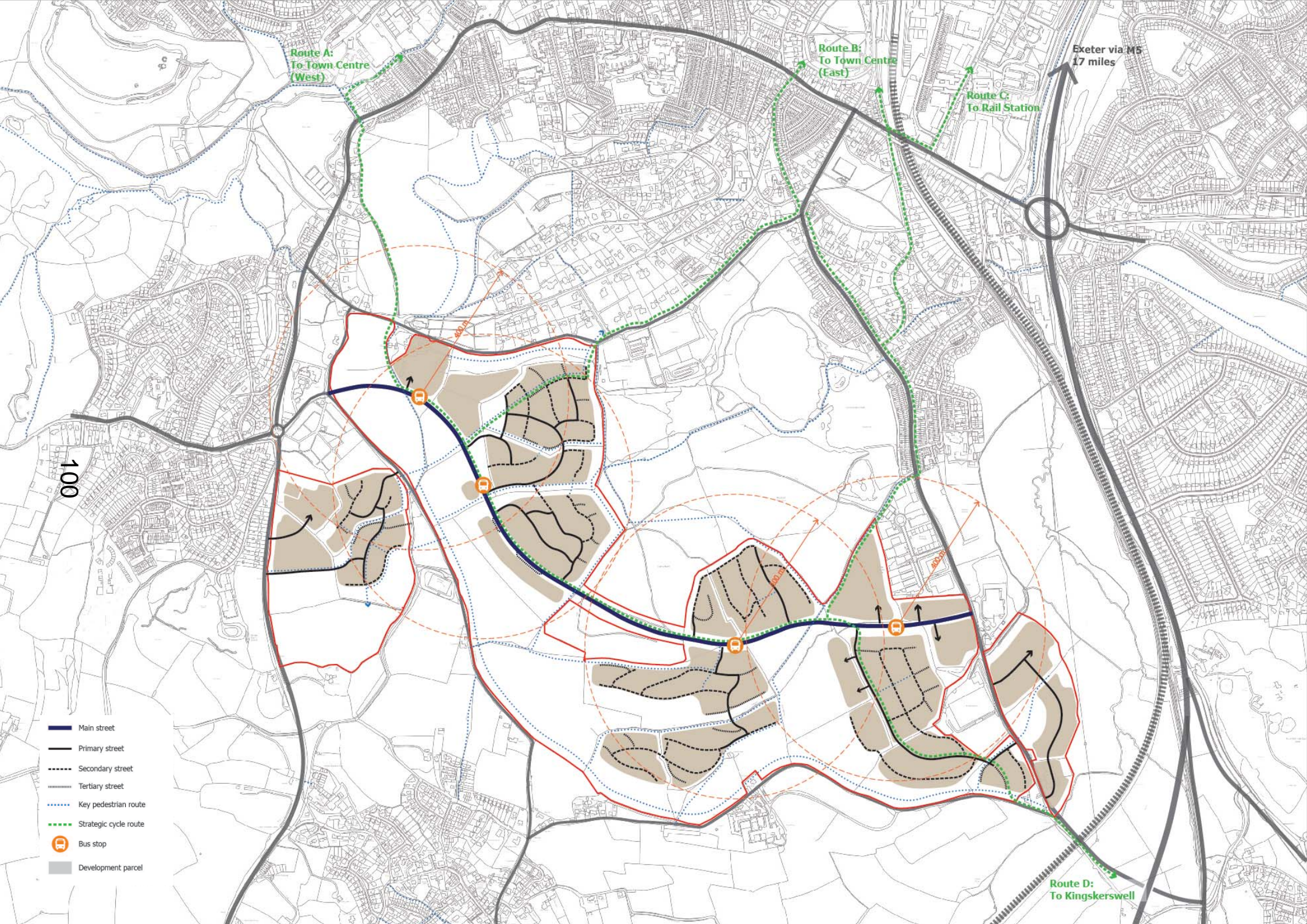
Policy objectives

I. Deliver at least 1,500 homes of which 20% should be affordable, subject to viability.

II. 5% of the homes will be made available as custom build plots.

General objectives

- Affordable housing will be distributed throughout all phases of the development, proportionate to the overall number of homes proposed within the application area. The mix will be negotiated on the basis of evidenced housing need. Early discussions with the TDC's Affordable Housing Team are encouraged.
- The provision of specialist housing for people with disabilities should be explored.
- Custom build plots should be concentrated in a small number of parcels and be located where there is an existing access, i.e. access to the site is not reliant on the vehicular through route being in place. In addition to easing construction management, this will enable earlier plot delivery and thus an earlier capital receipt. The Council has adopted a Custom and Self Build Supplementary Planning Document (SPD)<sup>1</sup> which provides further information.



Route A:  
To Town Centre  
(West)

Route B:  
To Town Centre  
(East)

Route C:  
To Rail Station

Exeter via M5  
17 miles

Route D:  
To Kingskerswell

100

- Main street
- Primary street
- - - Secondary street
- ..... Tertiary street
- ..... Key pedestrian route
- ..... Strategic cycle route
- Ⓜ Bus stop
- Development parcel

## **Movement strategy**

### **Policy NA3 criteria (e)**

3.4 To establish a coherent movement pattern, it is necessary to have a clear hierarchy of street types. The appropriate use of these streets in conjunction with built form and landscaping will be the basis for creating this hierarchy.

3.5 The need to provide adoptable highway standards cannot be separated from the overall function and character of the street. Well-designed streets contribute significantly to the quality of the built environment, and play a key role in the creation of sustainable, inclusive, mixed communities. Streets within the development should be designed as places for walking, socialising, playing or simply enjoying.

3.6 The street hierarchy is made up of four different street types. The locations of these is shown indicatively on the movement strategy plan with detailed design guidance provided in part 3 (see page 43). Where street widths are given, these should be seen as a minimum with scope for widening to follow the shape of the built form. It should be noted that some larger development parcels will contain internal streets that are not shown on the adjacent plan. The design of these streets will be determined through the planning process.

### **Main street**

3.7 The development will be served by a single tree lined street running on an east west alignment through the site. The route for the main street is informed by a vertical and horizontal design review from which the wider masterplan requirements have been developed. The carriageway is designed to a minimum width of 6.5m with widening on its bends (further details are provided on page 41). The main street will have different characters along its length that respond to its location within the site.

3.8 As a minimum a 3.5m wide shared foot cycle way will be provided along one side of the main street with a footpath along the other side. In certain locations the footpath may run separately from the main street to address the slopes and enable access to the different development parcels. Side junctions are to be designed to give priority to bicycles and pedestrians using the main street.

3.9 Junctions onto the main street will be by way of priority arrangement thus maintaining priority on the main street for the through movement of vehicles. Where capacity requires, right turn lanes from the main street will be accommodated. Direct access to residential properties should be provided, where appropriate to help reduce vehicles speeds and create a pedestrian friendly environment.

3.10 Early delivery of the main street from Totnes Road to Kingskerswell Road is essential. The purpose of the street will be much more than that of just addressing highway capacity constraints. It will provide a crucial connection between home and community facilities across and beyond the allocation, access to which will be integral to establishing a sustainable and cohesive development from the outset.

### **Connecting streets**

### **Primary internal street**

3.11 Primary routes provide access from the main street to each land parcel. They will be designed to a minimum width of 5.5m with 2m footways provided along both sides of the carriageway. Direct frontage access can be provided where necessary. Where the primary route carries a foot/ cycle link that continues to provide connection with off-site highway infrastructure a 3m wide shared foot/ cycleway will be provided.

### **Secondary internal street**

3.12 Secondary routes provide access from the Primary Route to dwellings. They will be designed to a minimum carriageway width of 5m. A single 2m footway will be provided along either side of the carriageway. Most of the accesses to dwellings will be provided from secondary routes with driveway access provided. Where the primary route carries a foot/cycle link that continues to provide connection with off-site highway infrastructure a 3m wide shared foot/cycleway will be provided.

### **Tertiary street**

3.13 Mews streets/ shared routes provide access from secondary internal streets to a small cluster of dwellings and green edges. They will vary in width and been designed to a minimum width of 4.5 metres with no designated footway.

### **Public transport**

3.14 The main street will provide a high quality bus link to accommodate new and/or redirected bus services. Four bus stops will be provided on the main street positioned to achieve a maximum 400m walking distance for most residents/ employees across the masterplan area. Cycle links to the town centre and railway station are encouraged.

### **Green routes**



3.15 Green routes will be provided through and within the site providing both internal connection between land parcels and links to existing infrastructure which facilitate sustainable links to key areas of development and infrastructure. In total the site lends itself to facilitating four 'external' green routes which tie in to existing routes. The four route designations and their points of connection are summarised as follows:

**Route A: Local Centre to Newton Abbot Town Centre (West)**

The route runs from the Main Street to the northern site boundary along an existing public right of way. At the northern site boundary the route crosses Coach Road to run north along an existing signed pedestrian/ cycle link that connects to Wolborough Street where there is good onward connectivity to the town centre that runs along the River Lemon. This will provide a route to the western side of Newton Abbot Town Centre.

**Route B: Local Centre to Newton Abbot Town Centre (East)**

The route runs from the Main Street to the northern site boundary along a green link incorporated into the residential parcel to be located east of the school. At the northern site boundary the route continues as an on road cycle only link. This will provide a route to the eastern side of Newton Abbot Town Centre.

**Route B ties in to routes A and B at a junction on the Main Street**

**Route C: Main Street to Train Station.**

The route runs from the main street to the eastern site boundary, and beyond onto Kingskerswell Road, along an existing public right of way. The route crosses Kingskerswell Road to continue onto the rail station.

**Route D: Neighbourhood Hub to Kingskerswell Centre**

The route runs from the local centre, along the Main Street before turning south along a primary route to provide connection onto Priory Road and then Kingskerswell Road before continuing onto Kingskerswell village centre. From the south east site boundary this green link continues on-road as a cycle only link.

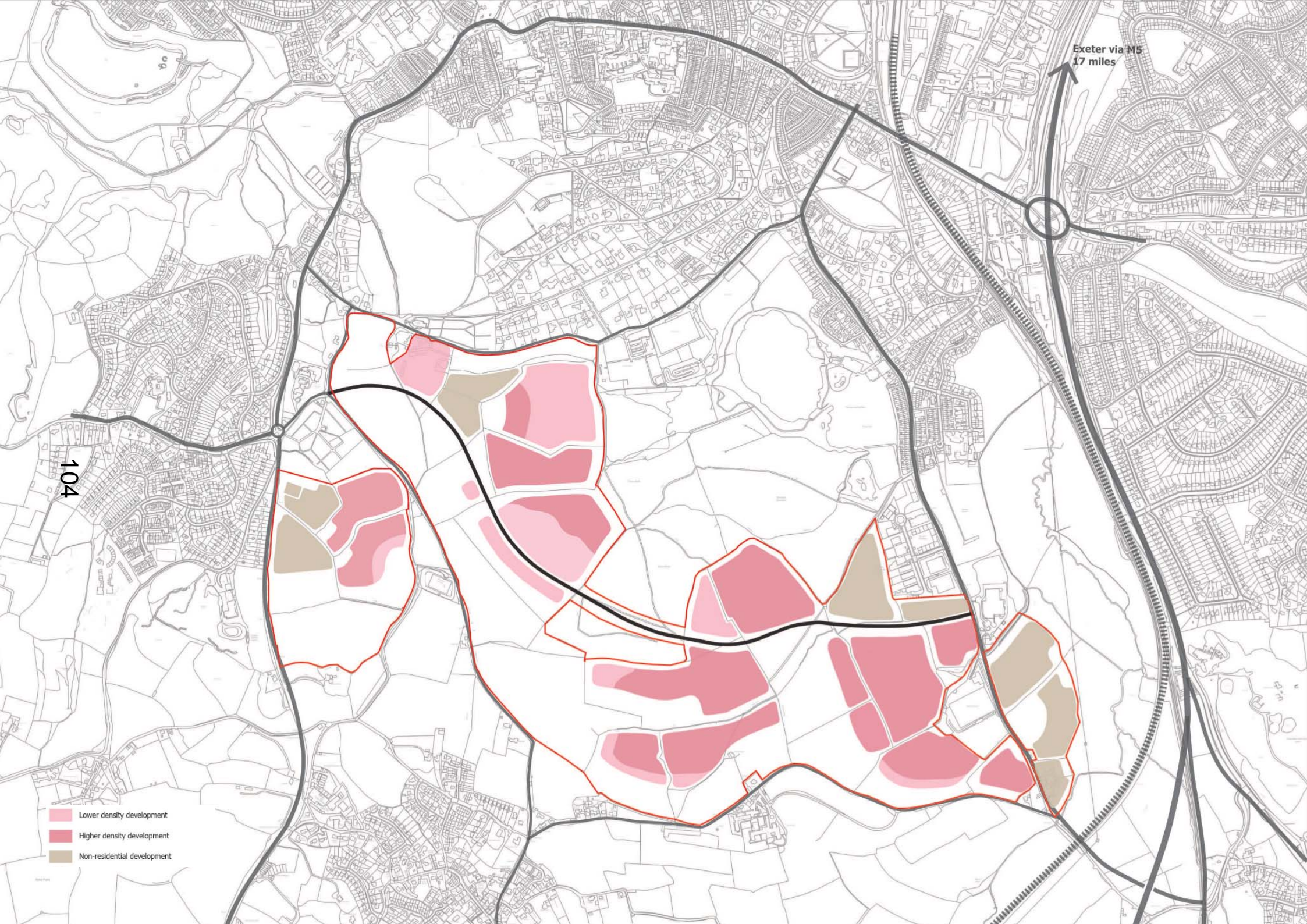
**Internal Green links**

**Policy NA3 Criteria (f) (l) and (m)**

3.16 Internal green links provide connection across the site to provide permeability and tie the site into the external links and wider transport infrastructure. The focus of the internal links is a foot/ cycle path that runs along the majority of the southern site boundary providing connection between Kingskerswell Road and Coach Road. The northern and easternmost limits tie into external routes A and D respectively.

From this primary internal link a series of ten further links pull together the respective land parcels including the employment parcels to the east, with western frontage on to Kingskerswell Road, and the employment parcels with frontage onto Totnes Road.

Where provided as shared foot/ cycle links these paths will be a minimum of 3.5m wide. Foot only links will be a minimum of 2m wide.



Exeter via M5  
17 miles

104

- Lower density development
- Higher density development
- Non-residential development

## Density strategy

### Policy NA3 Criteria (a) to (n)

3.17 The density and scale of space between units of development will vary across the site and across the different development parcels to respond to the site sensitivities and challenging topography. Residential development is indicated at a range of densities, separated into two levels of character as follows:

#### Higher density development - up to 38 units per hectare

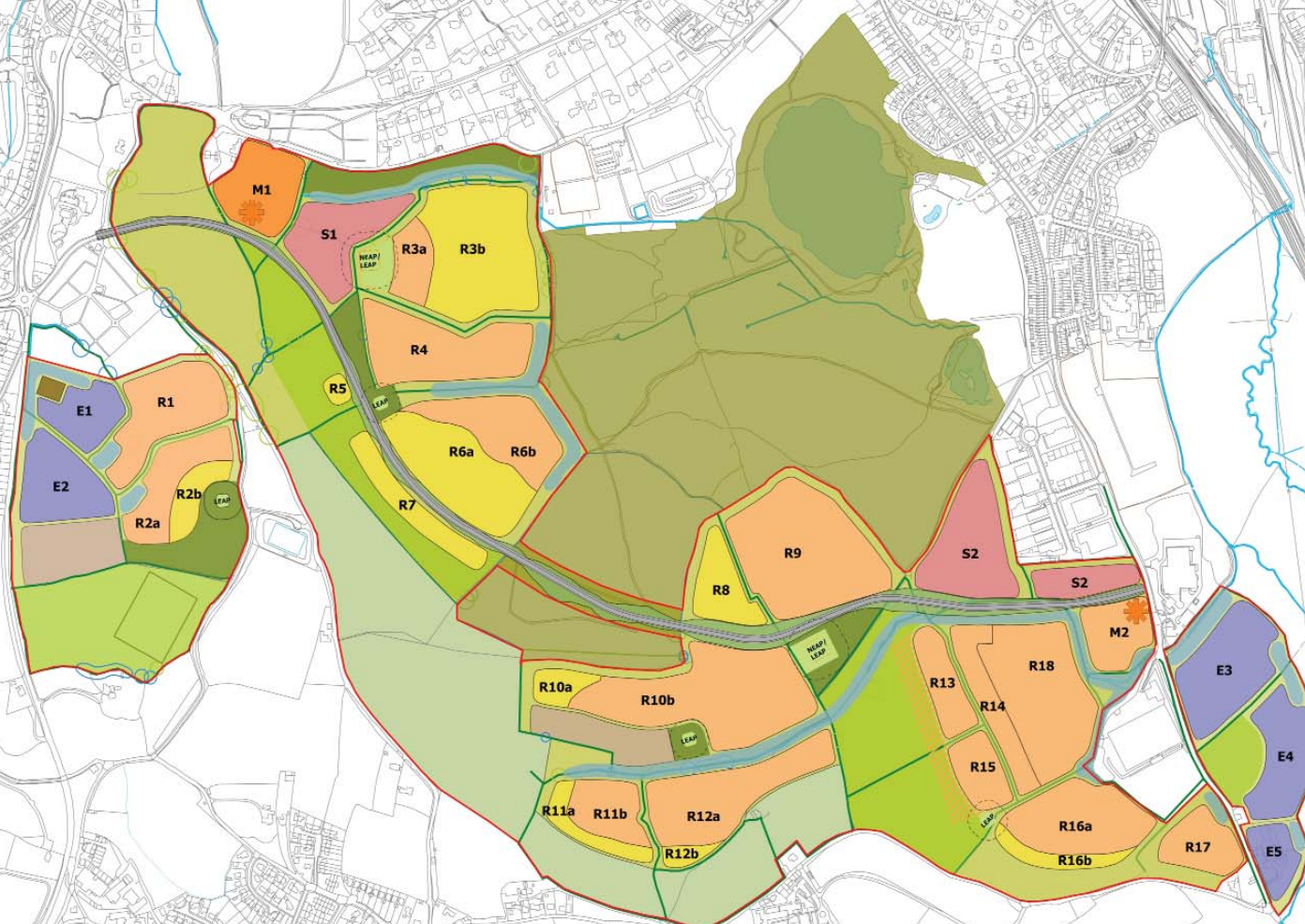
#### Lower density development/ greater proportion of green space - approximately 20 - 25 units per hectare

3.18 Higher densities will be achievable in the lower or less prominent areas, as illustrated on the drawing on page 22. Lower density development with a higher proportion of open space will be focused toward the external edges of the site facing outwards to the wider countryside and to respect the setting of the listed church and Conservation Area. High density units may be achievable in these areas with apartments or the provision of a residential care facility. The aim should be to make sure that there is open space of sufficient size in these areas to support the long term establishment of large trees.

3.19 The approach taken demonstrates that 1300 homes can be delivered. With higher density units and innovative approaches to development on steeper slopes beyond the masterplanned developable area it may be feasible to deliver the 1500 dwellings that are allocated.

3.20 Further information is provided under land use on page 25.

- Developable area: Residential (lower density)
- Developable area: Residential (higher density)
- Potential opportunity to extend residential parcels
- Developable area: Employment
- Developable area: mixed use
- Neighbourhood facilities
- Developable area: School
- Formal/informal green space (parks)
- Natural green space (accessible)
- Children and young people's space
- Ecological buffer
- Community growing space/allotments
- Land retained in agricultural use
- Attenuation area/blue corridor
- Electricity substation location options (40 x 30 m)





## Land use

### Policy NA3 criteria (a) to (n)

3.21 The following land use budget illustrates how development will be distributed across the site. The numbers correspond to the drawing opposite. It demonstrates that the site can accommodate approximately 1,300 homes, over 7 ha of employment land as well as providing sufficient land for primary and secondary schools facilities. Detailed information is set out below:

RESIDENTIAL				
Parcel	Area (m2)	Area (ha)	Density	Units
R1	20,738	2.07	38	78
R2a	13,786	1.38	35	48
R2b	6,393	0.64	25	16
R3a	7,574	0.76	35	27
R3b	35,545	3.55	20	71
R4	25,540	2.55	32	82
R5	1,684	0.17	25	4
R6a	26,355	2.64	25	66
R6b	18,529	1.85	35	65
R7	10,662	1.07	20	21
R8	10,367	1.04	25	26
R9	39,856	3.99	35	139
R10a	4,721	0.47	25	12
R10b	40,397	4.04	35	141
R11a	5,839	0.58	20	12
R11b	10,551	1.06	35	37
R12a	25,137	2.51	30	75
R12b	2,424	0.24	20	5
R13	9,446	0.94	38	35
R14	11,556	1.16	35	40
R15	8,731	0.87	39	34
R16a	21,934	2.19	30	66
R16b	5,473	0.55	25	14
R17	10,246	1.02	30	31
R18	32,274	3.23	38	121
<b>Total</b>	<b>405,758</b>	<b>40.6</b>	<b>30</b>	<b>1266</b>
Mixed use				
M1	15,585	1.56		10
M2	10,699	1.07		30
<b>Total</b>	<b>26,284</b>	<b>2.63</b>		<b>40</b>
<b>TOTAL</b>				<b>1306</b>

EMPLOYMENT		
Parcel	Area (m2)	Area (ha)
E1	10,199	1.02
E2	15,955	1.60
E3	22,080	2.21
E4	16,223	1.62
E5	6,954	0.70
<b>Total</b>	<b>71,411</b>	<b>7.14</b>

SCHOOL		
Parcel	Area (m2)	Area (ha)
S1 (Primary)	17,623	1.76
S2 (Secondary)	32,000	3.20
<b>Total</b>	<b>49,623</b>	<b>4.96</b>

MIXED USE		
Parcel	Area (m2)	Area (ha)
M1	15,585	1.56
M2	10,699	1.07
<b>Total</b>	<b>26,284</b>	<b>2.63</b>

OPEN SPACE			
Type of space	Requirement		
	m2/dwelling	m2	ha
Formal/informal green space (Park space)	17	21,519	2.15
Active recreation (Outdoor sports pitches)	27	34,177	3.42
Children and young people's space	10	12,658	1.27
Natural green space	50	63,290	6.33
Allotments	6	7,595	0.76
<b>Total</b>			

SUMMARY			
Parcel	Requirement	Provision	
		Area (ha)	Units
Residential	1500 units	40.58	1306
Employment	10	7.14	
Education	5.0	4.96	
Mixed use		2.63	
Formal/informal green space (Park space)	2.15	3.31	
Active recreation (Outdoor sports pitches)	3.42	4.60	
Children and young people's space	1.27	0.98	
Natural green space	6.33	26 ha	
Allotments	0.76	1.46	
Land retained in agricultural use		16.88	
Highway		4.55	
Attenuation		5.80	
Electricity sub-station		0.12	



Decoy Country Park

Wolborough Fen SSSI

Blackball Plantation

Decoy Brake

108

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## Landscape (green infrastructure) strategy

### Policy NA3 (f) (h) (i) (j) (l) (m) and (n)

3.22 At a strategic scale, the landscape will, in the main, perform the following roles.

- Integrate the development into the existing wider landscape context:
  - retain (where appropriate) the pattern of existing hedges, trees and woodlands;
  - reflect the pattern of the surrounding landscape; and
  - add to the existing landscape structure.
- Provide a setting and structure for the new development that:
  - mitigates /ameliorates development by minimising the scale of change to the landscape and minimises the erosion of visual amenity;
  - produce a contained, green and rural setting for the Church of St Mary and enhances views of the church as well as views out from the church;
  - build on the landscape heritage of Newton Abbot's 19th century Italianate architecture and landscape; and
  - create separation between development areas that allows the creation of distinct character areas that relate to the character of neighbouring development areas / build on vernacular architecture of the context;
- Provide green, wildlife links that:
  - conserve existing vegetation for wildlife and, in particular, flyways and foraging areas for greater horseshoe bats;
  - strengthen the existing vegetation; and
  - extend upon the existing vegetation to enhance and increase wildlife habitat, in particular habitat for Greater Horseshoe Bats.
- Conserve, where appropriate, the existing landscape fabric of hedges and trees to provide time depth, existing screening/ amelioration, conserve wildlife.
- Provide a framework for open recreation space that includes:
  - open hill top experience with far reaching views;
  - areas of open space where there is freedom to roam; and
  - a network of circuitous routes of varying length and offering a range of countryside experiences.

- Provide the opportunity for foraging and contact with the countryside.
- Work to assist with water attenuation.

3.23 At a more localised scale, the landscape will also perform the following roles.

- Incorporate formal pockets of areas to provide opportunities for play for young people and children.
- Produce an attractive and decorative structure that provides a transition between a domestic urban character and more rural structural framework and wider landscape context.
- Elegantly and economically resolve awkward level changes the result of developing on steep slopes - in particular, the integration of the main street, making use of dropped hedgebanks.



### **Landscape character and density**

3.24 The existing character of the site is defined by the farming pasture, adjacent woodland and field boundary vegetation. The development framework will alter this character; however, elements of the adjoining landscape character can be brought into the development by creating transitional spaces that link the development with the landscape and provide each area with a locally set character.

3.25 Neighbourhood Area 2 will include the school and community hub as well as housing, although this will entail a distinct increase in activity of this area, it is paramount that this area maintains a more rural edge character. This will include lower density property development and greater integration of vegetation across the area. Inclusion of woodland buffers around the northern plots will provide elements of screening but will also form strategic planting to emulate the character of the Wolborough Hill Conservation area and will maintain some of the setting to this area and St Mary's Church.

3.26 Neighbourhood 1 which sits closer to the A380 and existing industrial development will be of a higher-level density and as a result will include less strategic planting through the site, however, southern edges of the area will have a lower density to enable transition to the adjoining landscape and strategic green corridor and agricultural edge.

3.27 Neighbourhood areas 3 and 4 will be formed from a mixture of densities and will retain a more formalised urban development character on its eastern edge and parkland edge to the south and west. Where density is proposed to be higher is where the development will adjoin the formalised community open space thereby softening the edge of the development whilst providing natural policing by being well overlooked by the surrounding community. To the edges of these plots density will be reduced where it meets the rural edge and existing woodland. Community growing space and retention of existing hedgerows and defined green links through the development parcels will ensure that there is transition and connectivity between the development areas and the adjoining landscape.

3.28 Neighbourhood area 1 will also share a mix of densities and usage, with higher density focused in the to the north west and lower density where the site lies closer to Firestone Lane on the eastern side. This area is already relatively self contained within the existing vegetated boundaries and this will be retained with hedgerow corridors maintained and strengthened to ensure green links remain connected. Open space and community allotment areas are aligned at the edge of the parcels which softens the development edge.

### **Green spaces**

3.29 A series of landscape spaces are to be created as part of the green infrastructure on the site. These will perform a range of functions, including informal recreation, play, sustainable drainage and contributing to the overall ecology provision. A series of neighbourhood green spaces and courtyards are also to be created providing attractive spaces for use by surrounding residents.

### **Planting**

3.30 The landscape strategy proposes to add additional woodland habitat to the north of the site to create screening elements to views from the Wolborough Conservation Area and St Mary's Church, the additional linear woodland will be dispersed with species to create a natural foraging space for the community and also as a potential learning resource for the school. Further small pockets of woodland will support the existing bat/wildlife corridors along the western edge of the site, with existing hedgerows thickened to further reinforce wildlife routes.

3.31 Dark corridors are introduced across the site to provide further flight/foraging areas for the Greater Horseshoe Bat, these also serve as corridor routes for other wildlife. Crossing points across the main route are introduced to provide safe and dark crossings for bats (see page 31).

3.32 Additional trees should be provided across the site to provide additional green infrastructure at height and to enable the integration of the development within the site, and to create distinction between the different development areas.

### **Children and young people's play space**

3.33 Public open space should be provided as part of a network of interconnected green and blue spaces providing highly accessible recreation and play opportunities alongside new and improved wildlife habitats. Based on a site capacity of around 1,300 homes, two combined NEAPS and LEAPS should be provided, each with an activity area of at least 3,000m<sup>2</sup>. These have been located either side of Decoy Brake so that residents in the east and west of the site will all be within a 480m distance of a strategic play space.

- Formal and informal greenspace
- Active recreation space
- Children and young people's space
- Natural greenspace
- Allotments.

### Wildlife links and connections

3.34 The landscape strategy shows the retention of hedgerows within the proposed development. Existing hedgerows and linear tree groups would be largely retained within the site and would be supplemented by additional planting across the development to provide further structure to the existing green network providing new elements to create new links.

The adjoining extents of the Blackball Plantation and Decoy Brake woodland would be a major green infrastructure asset of the site due to the central location that it takes within the development space. The development of the site would allow the woodland to become an amenity resource and an integral part of the site mitigation. A management strategy would consider the maintenance and management of existing and proposed woodland and hedgerows to maximise amenity and biodiversity value.

3.35 Existing retained vegetation will maintain the green infrastructure across the site forming links and creating more integration of the development into the surrounding landscape. It is proposed to retain and manage boundary and internal hedgerows and woodland to maximise the degree of screening provided from adjacent dwellings and public roads around the development. This will also maintain habitat connectivity around and within via the network of retained vegetation.

**Great Crested Newts** - Avoid, mitigate and compensate for impacts of greater crested newts in the eastern parts of NA3, include: installing newt underpasses and direction landscaping; maintaining newt access routes between ponds to the east of Kingskerswell Road and woodland adjacent to NA3; and provision of enhancement via new ponds and hibernacula;

**Cirl Buntings** - Avoid and mitigate for impacts on cirl buntings in the south of the site, including ongoing provision of spring barley/winter stubbles and rough grassland. If the current number of breeding birds cannot be maintained on site, a compensation contribution must be made.

**Diverse Grassland** - Protect areas of diverse grassland on-site and close by off-site, including the Stray Park Meadow County Wildlife Site, and any remaining diverse grassland in the northwest-most (G1) field of NA3, which historically supported unimproved calcareous species on raised earthworks

**Barn Owl** – protect the barn owl roost site in Hennaborough Barn

**Nesting Swallows** – retain the existing level and location of nesting swallows and other birds in the series of openings in the eaves of the historic barn at Wolborough Barton;

**Existing woodlands** – not only protect, and protect root zones, but also to enhance Decoy Woods, Decoy Brake and Blackhall Plantation. A key factor will be cessation of grazing within the woodland;

**Biodiversity Offsetting** – follow South Devon biodiversity offsetting guidance to ensure a net gain in biodiversity is achieved

**Urban area biodiversity enhancement measures** – these should include hedgehog holes in every wall/fence and integral bat roost and bird nest boxes at a rate of 1 of each per dwelling (but positioned in groups in suitable areas).



- Development parcel
- Woodland
- Main street
- Bat flyway
- Existing hedgerow
- Main street crossing point
- Secondary crossing points
- Potential bat roost locations

## Greater Horseshoe Bat design framework

### Policy NA3 (i) (n)

3.36 The greater horseshoe bat is one of Britain's largest and rarest bats, with a total UK population of about 5500 individuals. As with all bat species, the greater horseshoe (and its' roosts) is protected under the Conservation of Habitats and Species Regulations 2017. Due to its rarity, the greater horseshoe is also listed on Annex II of the EU Habitats Directive. This makes it a qualifying feature for the designation of Special Areas of Conservation (SAC), such as the South Hams SAC which supports approximately 30% of the UK population including a significant network of hibernation and maternity roosts.

3.37 Greater horseshoe bats forage predominately within and adjacent to grazed pasture, woodland and hedgerows. Commuting follows a network of traditional flyways such as hedgerows between roosts and foraging areas. These are susceptible to breaks or interruption. Although the site does not lie within a core sustenance zone (within 4km of the SAC) the southern portion does lie within a strategic flyway, identified as a likely key link through the wider landscape for bats within the SAC area. As such the development of the site should support the conservation objectives of the South Hams SAC, in particular to maintain or restore:

- The extent and distribution of habitats used by greater horseshoe bats;
- The structure and function of such habitats;
- The population of the species; and
- Its distribution within the SAC.

3.38 A draft Appropriate Assessment has been prepared and is published alongside this DFP. This recommends a series of design principles in order to avoid or mitigate any adverse effects and support the conservation objectives. These measures have been incorporated into the masterplan for the site.

### 3.39 Design Principles

Protect and optimise existing (and provide new) bat commuting and foraging habitat through the site to achieve overall connectivity. In particular the landscape linkages to Conitor Copse, the River Lemon, the strategic Flyway and towards Kingskerswell.

Minimise potential interruption of bat corridors by the proposed road network, in particular within Decoy Brake and the north-western extent near Ogwell Cross cemetery.

Achieve no net loss of key grassland foraging habitat and mitigate, where appropriate, for any unavoidable loss of grazed pasture.

Achieve no overall net loss of hedgerows and trees within the site.

Avoid light spill in bat corridors and foraging areas, i.e. achieve light levels of less than 0.5 lux.

Ensure that any public footpath/cycleways through bat corridors are unlit, or if necessary, lit through a carefully designed scheme to minimise light spill whilst providing safe and adequate lighting for pedestrians and cyclists.

Ensure that the provision of areas of public open space in or near the bat corridors are designed and maintained to provide habitat for foraging and commuting bats.

Produce a bespoke Greater Horseshoe Bat Mitigation Plan with any application to detail the design and implementation of these measures, supported and informed by up to date survey information.

### 3.40 Avoidance, Mitigation and Enhancement

Primary corridors, such as the southern boundary within the strategic flyway, will be approximately 50m wide with existing hedgerows and tree lines thickened with infill planting and parallel hedge banks planted to provide alternative commuting routes. Secondary corridors will be 10-20m in width and will also comprise of double hedge banks (with new hedges planted where necessary).

Any road crossings through bat corridors will require detailed mitigation, potentially including green bridges or underpasses, earthworks, sensitive lighting design, landscaping and vehicle speed restrictions and calming measures.

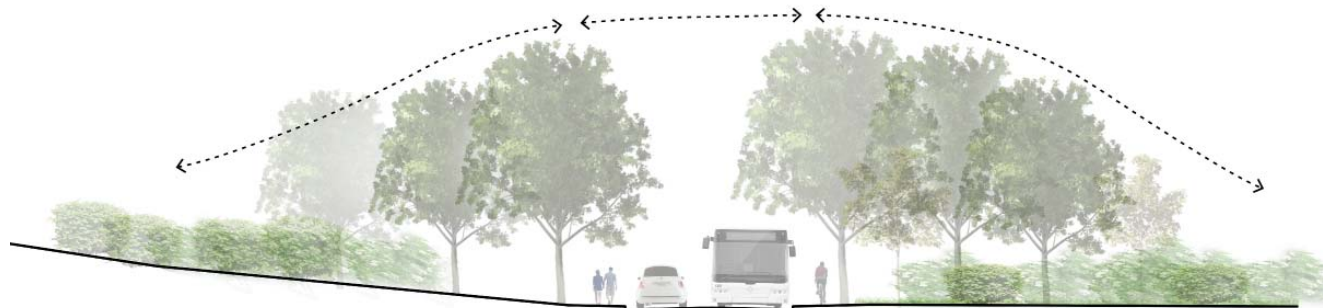
Undertake tree planting to provide new areas of woodland habitat for foraging bats.

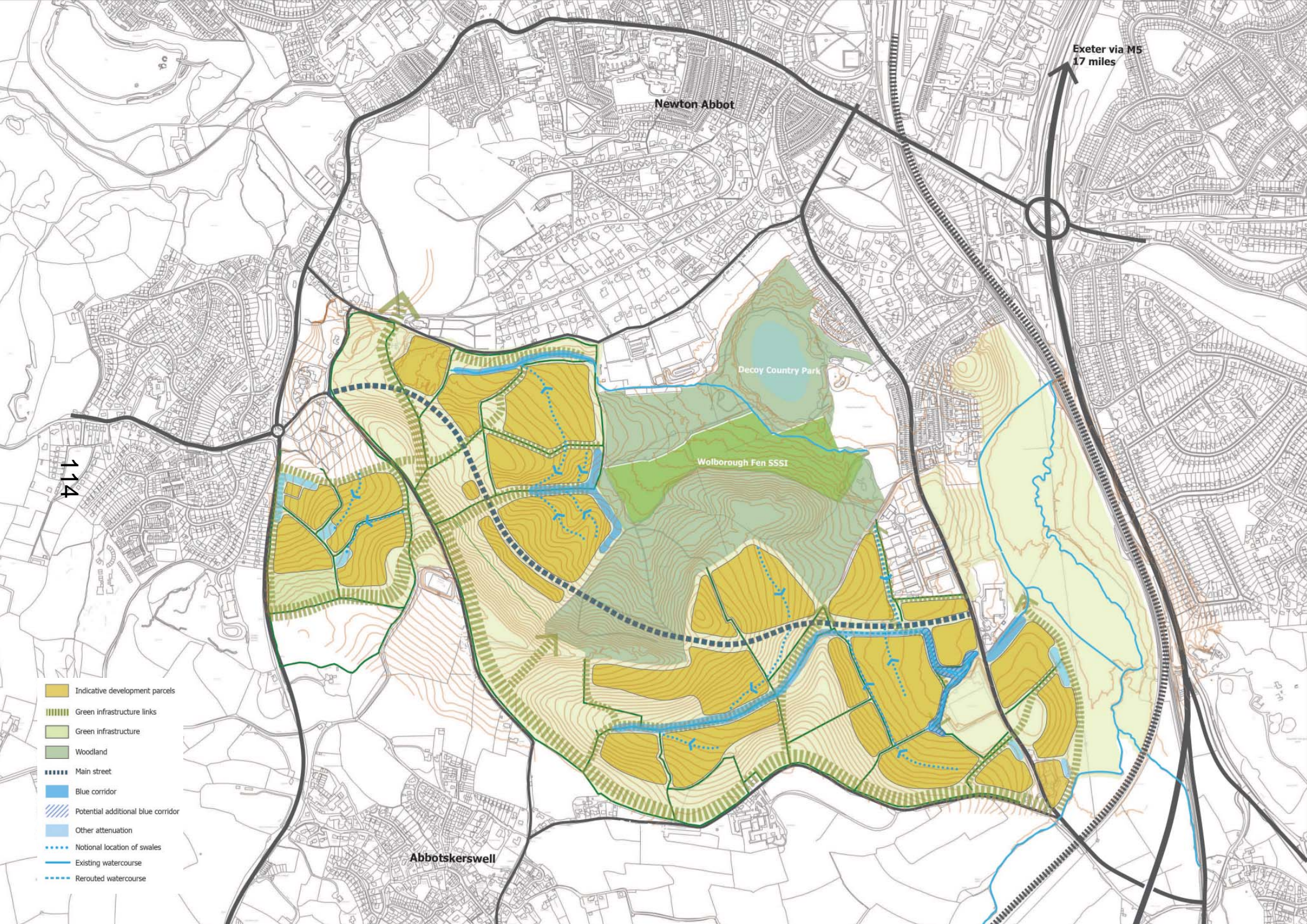
Create at least two new purpose built bat roosts to improve the number of satellite roosts within the strategic flyway network.

Provide long-term habitat management for each development parcel through a Landscape and Ecological Management Plan, secured through planning condition and/or obligations.

Implement development through the means of a prior-approved Construction Environmental Management Plan (CEMP), secured through a planning condition.

Undertake appropriate and proportionate ecological monitoring of the LEMP to establish the effectiveness of proposed mitigation measures and to provide early warning of any necessary remedial actions required.





Newton Abbot

Decoy Country Park

Wolborough Fen SSSI

Exeter via M5  
17 miles

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Abbotskerswell

- Indicative development parcels
- Green infrastructure links
- Green infrastructure
- Woodland
- Main street
- Blue corridor
- Potential additional blue corridor
- Other attenuation
- Notional location of swales
- Existing watercourse
- Rerouted watercourse



## Drainage Strategy

### Policy NA3 (f) (i) (h)

3.41 It is a requirement of the National Planning Policy Framework (NPPF) that new development should not increase flood risk to adjacent areas and where possible should reduce existing risks. Urbanisation will increase flood risk because the introduction of hard surfaces onto greenfield land without mitigation will increase the maximum rates of discharge, the speed of run off, the overall volume of run off over a defined period of time (round 1 year) and cause an overall deterioration in the water quality of the run off. Mitigation is therefore required and should be provided as part of good urban design. For testing the impact of the development proposals on receiving watercourses the 'design flood' will be taken as being the 1 in 100 year flow plus the appropriate climate change allowance applicable at the time of the determination of any application.

3.42 In this locality compliance with any additional requirements of the Devon County Council (DCC) Sustainable Drainage Systems Guidance is required. More specific technical details should be as set out in CIRIA C753 'The SuDS Manual' (Sp15). Where elements of the surface water drainage system are to be adopted by South West Water (SWW) compliance will be required with the version of Sewers for Adoption current at the time of individual reserved matters applications. Similarly any highways only surface water systems from adoptable surfaces should be compliant with the requirements of DCC as highway authority. Exemplar SuDS will provide the mitigation required to protect the water environment. An exemplar SuDS scheme should also consider amenity and biodiversity.

3.43 Over and beyond the above, in the catchment of the Site of Special Scientific Interest (SSSI), it will be necessary to ensure that the quality, quantity and reliability of the groundwater feed into the SSSI is not adversely impacted by the proposed development within the SSSI catchment;

3.44 As a general principle it is better to control water within a new development at 'source' rather than try and provide the control and mitigation through a larger downstream facility serving a wide area; this approach is supported by the DCC Sustainable Drainage Systems Guidance; to address water quality requirements, surface water (other than clean water from roof areas alone) is to be provided with 'two levels' of treatment prior to its discharge into the wider water

environment (i.e prior to discharge to a watercourse or by infiltration) unless agreed otherwise with the Lead Local Flood Authority (LLFA). Specifically, surface water should be treated to Water Quality Standards 1 and 2 as defined in the SuDS Manual 2015 paras 4.3.1 and 4.3.2 and Table 4.3, using a SuDS Management Train including at least two SuDS components, unless agreed otherwise with the LLFA.

3.45 As a general principle it is always advantageous to respect the existing topography and allow water to continue to discharge to existing outfalls (natural watercourses, areas of concentrated infiltration etc) unless there are compelling reasons to do otherwise; The plan on page 34 highlights the main catchments in the area and the sub catchments within the site. The identified catchments will form the key for future SuDS schemes for the development that address the requirements of the NPPF and DCCSDSG.

3.46 It is proposed that existing watercourses (and 'dry' valleys where higher infiltration rates will occur) are retained as blue/green corridors as far as this is reasonably possible. To ensure that the blue/green corridors are of sufficient width to accommodate any existing areas occasionally flood water may flow, it may be necessary to model the existing watercourses using a methodology agreed with DCC. The likely extent of blue/green corridors is captured on the plan on page 34, which takes account of the hydrological context and the proposed SuDS strategy;

#### Working from 'source' downstream

3.47 Appropriate SuDS are identified below along with some catchment specific requirements (as per the attached plan A105075/Hydrology/Rev 1) that are set out separately at item 8 below:

- (i) Although green roofs are not preferred by most developers opportunities to use green roofs should be explored especially for community buildings;
- (ii) Water butts are an easy and sensible provision and are to be provided throughout;
- (iii) In locations where it is demonstrated that infiltration is viable, infiltration is to be used for individual properties. However, given the steeply sloping nature of significant parts of the allocation, this solution is likely to be limited to the flatter areas and only where ground conditions are proven to be suitable by insitu tests; in the catchment of the SSSI, groundwater monitoring is required to establish in more detail the movement of groundwater and seasonal variations.

- (iv) All property finished floor levels (FFLs) are to be set to avoid vulnerability to flooding from exceedance flows (i.e flows across the surface in very wet weather upslope either off undeveloped areas or due to drainage system exceedance); exceedance flood routing is to be demonstrated in detail design submissions making use of the identified blue-green as the collection point for overland flows to be controlled prior to exit from site;
- (v) Permeable surfaces are to be provided for gently sloping surfaces around properties (i.e gradients of less than 1 in 20 (See CIRIA C753 Para 20.5.1.(b)));
- (vi) Given the steeply sloping nature of the site swales are to be provided at the sides of roads routed along the contours. These will capture flows and mitigate rapid run off from the urbanisation of such steeply sloping land. If as many roads within the development can be routed along contours with relative slack gradients, permeable surfaces could be introduced in appropriate areas, subject to adoptability considerations; the basic concept of some primary swales is picked up on the attached drainage strategy masterplan. The swales, which will in effect provide some linear attenuation are to be provided with exceedance controls; to maximise attenuation and treatment potential and minimise velocities and potential erosion risk, check dams may be required in the swales following appropriate best practice.
- (vii) Strategic attenuation areas or interlinked features are to be provided to restrict outgoing flows from individual areas to greenfield run off rates.

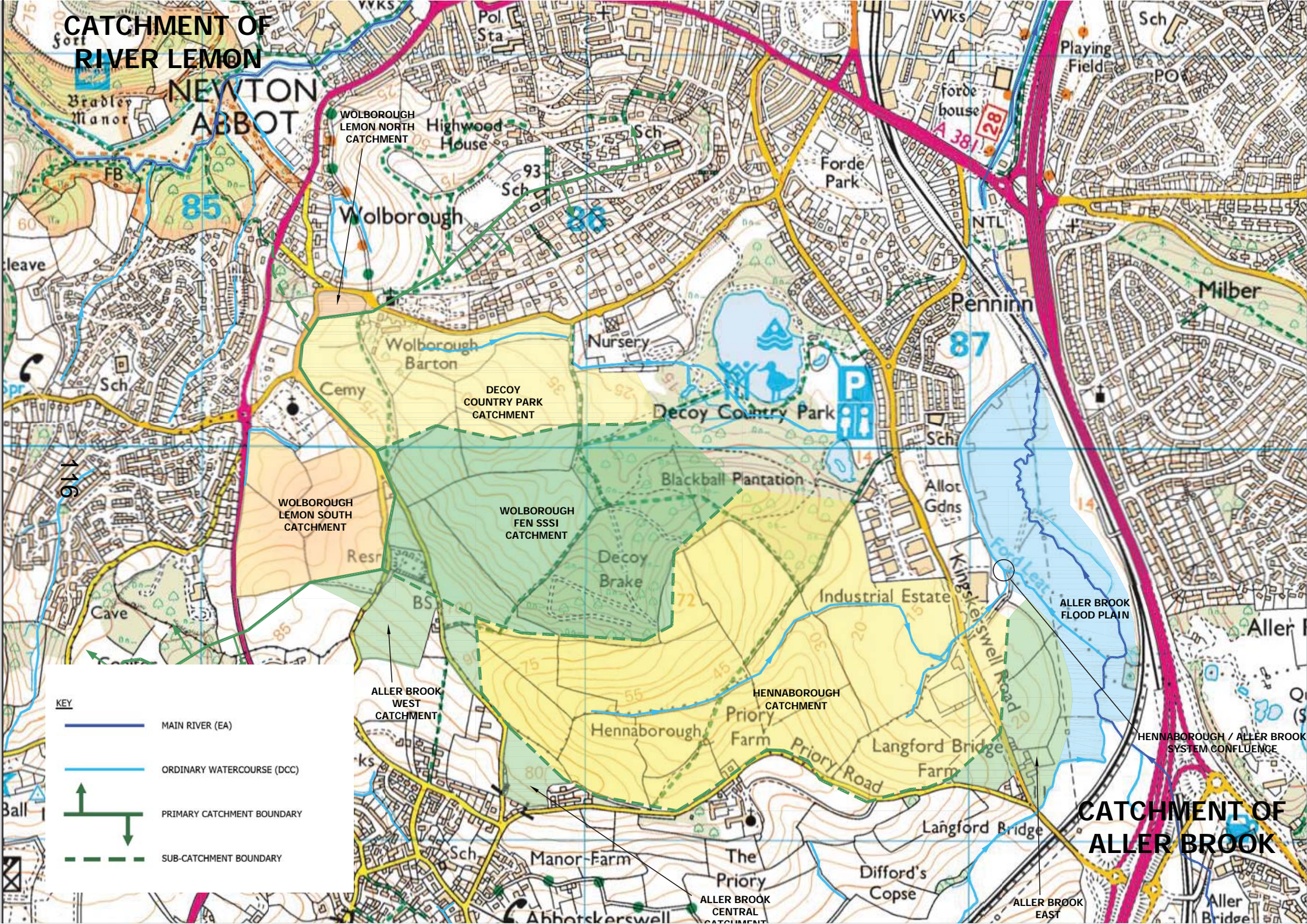
#### Appropriate long-term maintenance

3.48 Appropriate long-term maintenance plans for SuDS is vital to ensure performance of systems in perpetuity. It is envisaged that the following bodies will be responsible for the various elements:



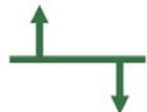

- (i) Green roofs, water butts, individual property soakaways and surface water drains including SuDS (e.g permeable surfaces): individual property owners;
- (ii) Adoptable highway drains: DCC as Highway Authority;
- (iii) Adoptable surface water sewers: SWW as water utility;
- (iv) Swales: management company or SWW (depending on future approaches to SuDS adoption to be provided in SFA 8th and local policies in relation to SFA 8th);
- (v) Attenuation (including infiltration basins): management company;
- (vi) Retained watercourses including any on-line attenuation: riparian owner and/or management company.

# CATCHMENT OF RIVER LEMON

## NEWTON ABBOT



### KEY

-  MAIN RIVER (EA)
-  ORDINARY WATERCOURSE (DC)
-  PRIMARY CATCHMENT BOUNDARY
-  SUB-CATCHMENT BOUNDARY

# CATCHMENT OF ALLER BROOK

## Catchment Specific Proposals

### 3.49 Hennaborough Catchment:

- (a) Given the largely self-contained nature of the 'Hennaborough Catchment' (i.e it is more or less entirely within the NA3 Masterplan area) it is proposed that attenuation is provided 'on line' along the watercourse within a blue green corridor along the valley at the downstream end of each development parcel. It is far easier to provide the attenuation in a valley as the natural land form allows storage areas to be provided cost effectively with an aesthetically improved outcome and close ties into the biodiversity objectives of a blue green corridor. (Providing attenuation on steep slopes is likely to be difficult to achieve and will not be aesthetically attractive).

It is recognised that this approach requires the consent of DCC as LLFA and may require ecological investigation in due course to ensure that the blue/green corridor provides the required ecological enhancements relative to the current baseline.

It will be necessary to develop a holistic model of the development surface water drainage system and the retained watercourse in order to demonstrate (a) that outflows from the Hennaborough Catchment (downstream of the application boundary) do not exceed the present baseline at all flow states up to the 'design flood'; (b) that any retained or improved sections of watercourse can convey flows and that exceedance water is contained within the extent of the blue/green corridor at all flow states up to the 'design flood'; and (c) that any new bridges structures can convey the 'design flood' with a freeboard as agreed with DCC.

This specific catchment provides an opportunity for an exemplar blue/green corridor.

- (b) Given contamination at the southern end of the industrial estate adjacent to Kingkerswell Road, infiltration will not be an option here. Lined attenuation could be provided either on the watercourse 'on line' (as described in item (a) above) OR 'off line' in this area.

### 3.50 Wolborough Fen SSSI Catchment

- (a) As there are no watercourses in this catchment, although there are 2 'dry' valleys (adjoining the wood in the south and along the east west fence line in the north), it seems likely that groundwater (and surface flows in very wet weather) will run down slope into the valleys where it will normally infiltrate into the ground. It is proposed that along with SuDS as per 7 above that attenuation (designed to discharge largely by infiltration) be provided in the valleys- the attenuation ponds are to be designed to normally act as 'infiltration basins'. As a fail-safe for extreme event exceedance flows (see item (d) below), it may be necessary to provide an emergency overflow from the infiltration basins/attenuation ponds that routes water either towards the watercourse that drains the 'Decoy Country Park catchment' or, subject to agreement by Natural England (NE) into the SSSI (as would occur in the current baseline situation). Any overflow proposal requires the agreement of Devon CC as Lead Local Flood Authority. All proposals in this area will be subject to the outcome of monitoring proposals (see Appendix A). The impacts of any overflow proposal on the receiving watercourse during the 'design flood' must be assessed by a methodology acceptable to DCC, and in the case of a discharge into the SSSI, DCC and Natural England.

- (b) As it is likely that most infiltration in this catchment will take place in the valleys and a lesser amount on some of the other flatter areas, the infiltration basins/attenuation will be provided in the valleys that will be retained as blue corridors. The extent of expected infiltration will need to be established by the monitoring;

- (c) The flatter land surfaces which are not in the valleys are most suitable for residential development and the extent that infiltration based SuDS can be used in these areas will also need to be established via the monitoring, with any measures adopting the type of principles deemed acceptable as if this were a formally identified groundwater source protection area. (see EA, Groundwater Protection: Principles and Practice (GP3) -Policy G13). Compliance with GP3 Policy G13 generally requires the use of two or more SuDS treatment steps except in the case of clean surface water from roof areas alone. However, as part of the 'over-arching' strategy compliance with the requirements of Water Quality Standards 1 and 2 as defined in the SuDS Manual 2015 paras 4.3.1 and 4.3.2 and Table 4.3 is necessary which would normally also secure compliance with GP3 policy G13.
- (d) Preliminary information indicates that relatively high groundwater levels may occur in this area. However, as it is necessary to maximise infiltration of clean-water it is likely to be necessary to relax the normal requirements for a 1m differential between the base of infiltration features and top groundwater levels which would be justified in non-sensitive locations given the extensive proposed groundwater monitoring; such a relaxation will not be permitted in the case of traditional soakaways serving individual properties. Where such relaxation is permitted, it will be necessary for it to be demonstrated that a sensible and pragmatic design approach has been adopted and any resultant 'exceedance water' can be safely stored on site or discharged via an emergency outfall as described at item (a) above.
- (e) Preliminary conclusions are that the proposals, will, if anything, increase the amount of water that can be fed by infiltration into the groundwater to drain into the SSSI.
- (f) However, there is a risk that groundwater quality would be compromised if any deviation from the policies set out in GP 3 were to be permitted.
- (g) Earthworks to accommodate the development in this location should be minimised due to the potential for such works to disrupt the baseline groundwater regime.



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### 3.51 Decoy Country Park Catchment:

- (a) the watercourse will receive discharges from the land to the north.

If it is proposed to locate attenuation on or in close proximity to the existing watercourse it will be necessary to develop a holistic model of the development surface water drainage system and the retained watercourse in order to demonstrate (a) that outflows from the Decoy Country Park Catchment (downstream of the application boundary) do not exceed the present baseline at all flow states up to the 'design flood'; (b) that any retained or improved sections of watercourse can convey flows and that exceedance water does not generate a flow path outwith the extent of the blue/green corridor at all flow states up to the 'design flood'; and (c) that any new bridges structures can convey the 'design flood' with a freeboard as agreed with DCC and (d) an interception watercourse will be required to pick up flows entering the site from the north and route the associated 'design flood' to a point downstream of the last attenuation feature.

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- Alternatively, it would be acceptable to provide attenuation on the south side of the watercourse.

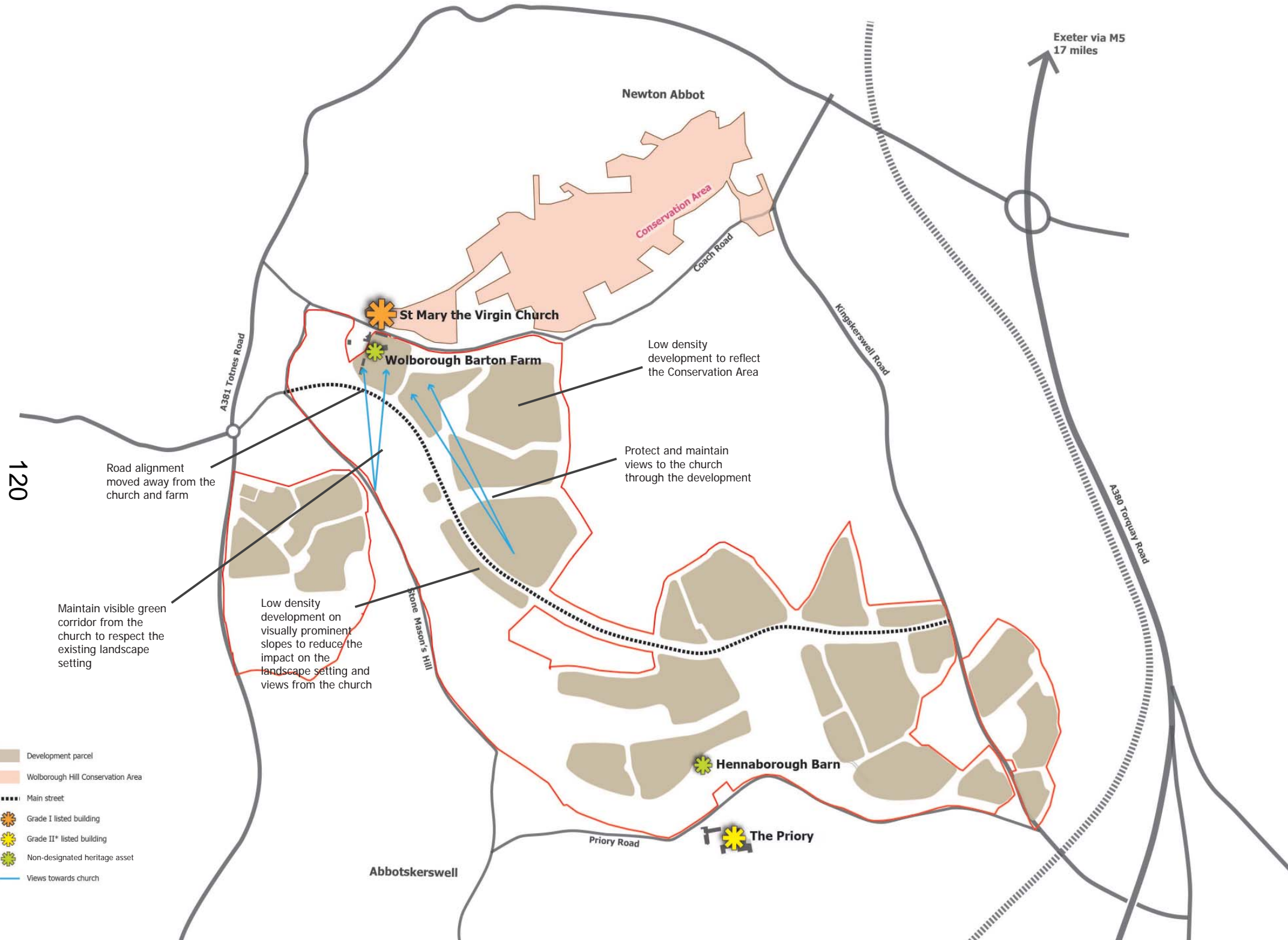
The valley is identified as a blue corridor on the attached drainage strategy masterplan;

- (b) Otherwise SuDS as per 7 above;

**3.52 Wolborough (Lemon Catchment) (South):** This area naturally drains into a culverted ordinary watercourse that runs through the existing urban area of Wolborough and then northwards to the River Lemon. Any future detailed application will need to investigate the capacity of the downstream system to ensure that the betterment provided by any proposed development is sufficient to address any local capacity constraints immediately adjacent to the proposals.

**3.53 Aller Brook East:** On site attenuation to outfall into Aller Brook

**3.54 Aller Brook Flood Plain:** there may be opportunities to improve the functionality of the flood plain to improve water quality, aesthetics and biodiversity.



Exeter via M5  
17 miles

Newton Abbot

Conservation Area

Coach Road

Kingskerswell Road

A380 Torquay Road

St Mary the Virgin Church

Wolborough Barton Farm

Low density development to reflect the Conservation Area

Protect and maintain views to the church through the development

Road alignment moved away from the church and farm

Maintain visible green corridor from the church to respect the existing landscape setting

Low density development on visually prominent slopes to reduce the impact on the landscape setting and views from the church

Stone Mason's Hill

Hennaborough Barn

The Priory

Priory Road

Abbotskerswell

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- Development parcel
- Wolborough Hill Conservation Area
- Main street
- Grade I listed building
- Grade II\* listed building
- Non-designated heritage asset
- Views towards church

## Heritage strategy

### Policy NA3 (g)

3.55 This strategy considers both the impact of the proposed development on the significance of each of the heritage assets, and the potential for maximising enhancement and/or minimising harm of the development of the site.

#### Church of St Mary the Virgin

3.56 The site in its current state makes a minor positive contribution to the significance of the Church of St Mary the Virgin, through the provision of rural context. Development of the site will remove a portion of the wider rural setting of the Church, and owing to direct views available to and from the asset, it is considered that this change within the wider setting will be experienced in relation to the asset. Development will remove a degree of the historic illustrative value of the setting, through eroding some of the sense of rural isolation within which the asset is experienced, although this aspect of the Church's character is largely experienced in immediate and intermediate views, with longer views placing the asset visually within the settlement of Wolborough. The views affected relate solely to those available to the south, and not the historically established views northward identified within the Conservation Area. The proposed works to the barns at Wolborough Barton (as detailed in the full application element of the hybrid application - ) constitute a small degree of enhancement to the immediate setting of the Church. Development to the land south of Wolborough Barton Farm represents a significant departure from the historic footprint of the farmstead, and through this change within the wider setting of St Mary the Virgin it has the potential to cause, if unmitigated, moderate harm to the significance of the Church.

#### Wolborough Conservation Area

3.57 The site makes a minor positive contribution to the significance of the asset through the contribution it makes to the area's character and appearance as part of the rural setting. The presence of Decoy County Park to the south of the Conservation Area provides a substantial element of its wider setting and occludes much of the southern regions of the Site from direct intervisibility with the Conservation Area. The open field parcels to the south-west of the Conservation Area, in the vicinity of Wolborough Barton are experienced in relation to the Conservation Area and fall within its setting. Development upon them would remove their open rural character with a consequent impact on views south from College Road,

although in these views the fields are already viewed alongside residential development between College Road and Church Road. Views of the site are also available from Coach Road, within the vicinity of the Wolborough Barton Farm and the Church, and also from further east, and the erosion of the rural setting would be evident from these locations. Development upon the field parcels proximate to the Conservation Area's southern edge would have the potential to cause moderate harm to the significance of the Wolborough Conservation Area, if unmitigated.

#### Wolborough Barton Farm

3.58 As identified above the site in its present state makes a strong positive contribution to the significance of the asset. Conversion of the barns into a hotel will see the retention, renovation and re-purposing of the historic fabric which, whilst causing a degree of loss in relation to the historic function of the non-designated asset, serves to retain a substantial degree of historic fabric, within a sympathetic scheme of renovation, retaining the visual character of the historic buildings as far as possible. Further development to the south of the hotel, enclosing it within a proposed new village centre would see a change in the historic rural context of the farm complex. On balance, it is considered that the proposals represent a moderate level of harm to the non-designated heritage asset.

#### Hennaborough Barn

3.59 The site presently makes a positive contribution to the significance of the non-designated heritage asset, and development of the site will cause loss of historic context, as the character of the setting will be considerably altered from the present rural isolated location. The retention of as much historic fabric as practicable in renovation and re-purposing, and that the asset would be buffered from neighbouring development by an area of open space, then it is likely that the level of harm visited on the non-designated asset would be of a moderate level.

#### Mitigation measures

3.60 Unmitigated, the proposals have the potential to bring about moderate levels of harm to the significance of designated and non-designated heritage assets on, and in the immediate vicinity of, the site.

3.61 The apparent rural isolation of the Church of St Mary the Virgin is the element of its setting which must be safeguarded to ensure that its significance is conserved by the development. The conversion of the barns at Wolborough Barton Farm,

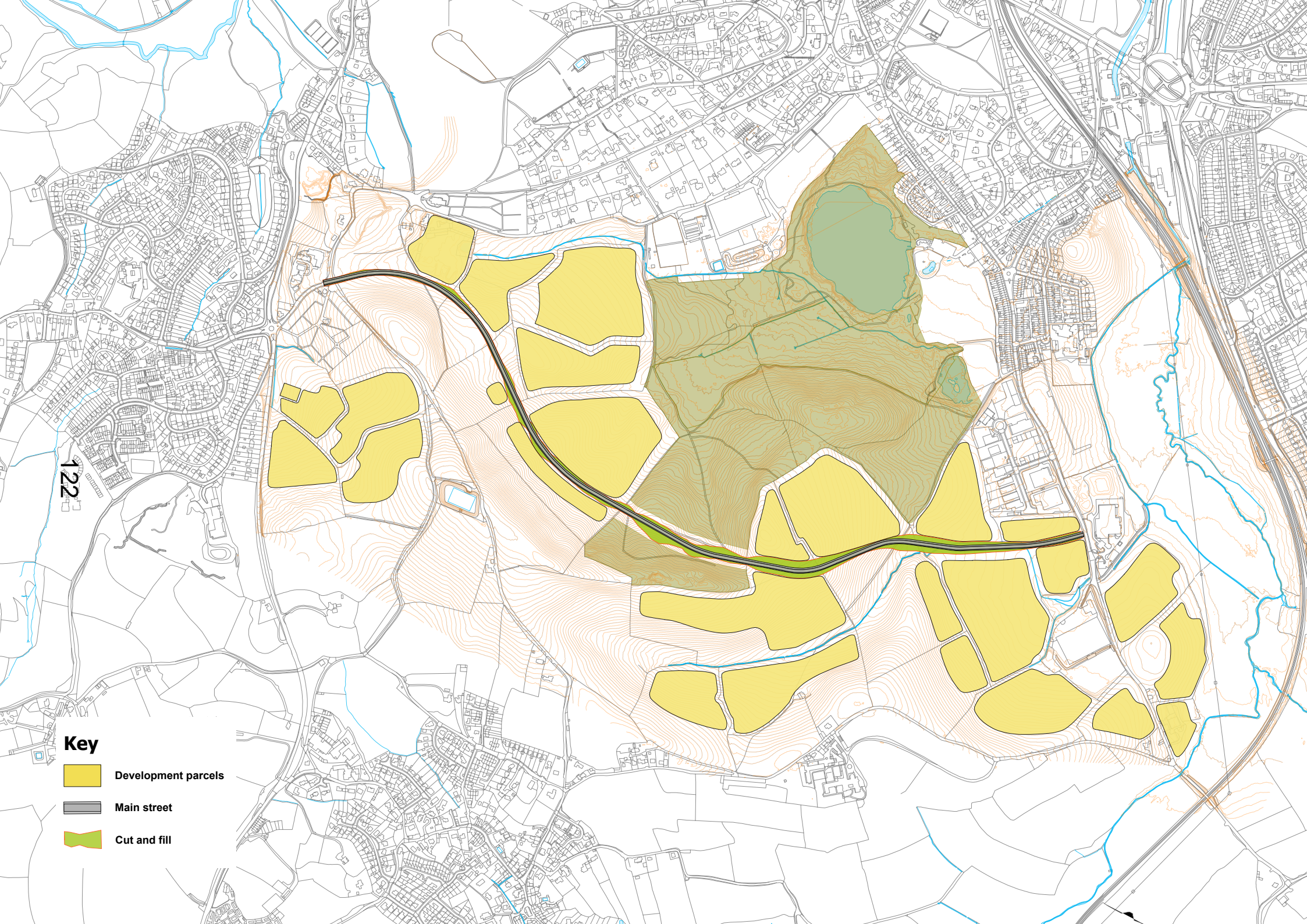
through their high level of design and minimum intervention in the built fabric, serve to neutralise harm from this element of development to the significance of the neighbouring Church, by largely retaining the character of the building group.

3.62 The development envelope (aside from the barns) should be drawn back from the vicinity of the Church, and a buffer be provided. The location of the school playing fields to the southern flank of Church Road can assist in furthering the perception of open green space and rurality to this edge of the development allocation. Careful consideration needs to be given to the boundary treatment to the playing fields as the choice of inappropriate materials could considerably alter the character of the streetscape, with consequent negative effect on the setting of the Church.

3.63 The impact of the neighbourhood hub should be considered and how the scale and massing of the buildings are designed in this context to reduce harm. Wolborough Hill CA is characterised by large detached villas in spacious, heavily planted garden plots, and a reflection of this character within the north-eastern field parcel of the site would help to integrate the development proposals into the asset's setting. Residential development in this area should be of perceivably lower density. The use of apartments within villa-type blocks could be an approach employed to achieve the required density, but a terraced approach to the layout should be avoided. The use of tree-planting to soften urban character is advised, and avoidance on over-reliance on linear grid street planning is recommended. Further work is being commissioned to determine the significance of the heritage assets.




#### Archaeology

3.64 NA3 lies in an area of archaeological potential with regard to known prehistoric and Romano-British activity in the wider landscape. To the north-west lies Berry's Wood Iron Age hillfort and to the south-east Milber Camp, a prehistoric hillfort, both protected as Scheduled Monuments. At the north-western tip of the site is a possible medieval manorial enclosure. Within NA3 military structures, a powder-house and rifle range are recorded in the Historic Environment Record, as are industrial sites, such as quarries and a limekiln, in addition there are the sites of now abandoned farmsteads and the Kingskerswell Road within the area may have early origins as a trackway leading up to the prehistoric and Roman settlement at Aller Cross to the south. Evidence of associated field systems were found in the landscape around the Aller Cross Roman settlement and NA3 has the potential to contain evidence of earlier field systems and settlement associated with this early settlement in the vicinity.



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**Key**

-  Development parcels
-  Main street
-  Cut and fill



## Main Street Design

### Policy NA3 (e)

3.65 The site is located south of Newton Abbot between Ogwell and Totnes Road (A381) to the west and the Kingskerswell road to the east. The topography of the proposed development is very challenging and typically has gradients in excess of 10% (1in10). Other constraints are centred around the main street running through Decoy Brake and the ability to provide a multi-use main street for all users while considering traffic speeds and the overall masterplan.

The design parameters for the main street are based on the following technical guidance documents:

- Manual for Streets 1, Manual for Streets 2
- Highways in Residential and Commercial Estate – Design Guide, produced by Devon CC
- DMRB

A number of alternative road options for the main street alignment have been investigated and discussed with DCC and the landowner groups. The design proposals for the preferred alignment are based on the technical guidance documents above and provide a robust indicative design solution which takes into account an agreed design from Infradesign. A horizontal, vertical alignment and cross sections illustrate a typical design option for the main street that can be delivered.

### 3.66 Indicative alignment

The key factors which need to be considered in the indicative option (shown opposite) are listed below:

All horizontal geometry complies with MFS1, MFS2 and 'Highways in Residential and Commercial Estate – Design Guide' of Devon County Council.

The horizontal alignment has been designed to the parameters set out in MFS2. This design is based on a minimum horizontal radius of 150m.

Vertical geometry complies with MFS1 & MFS2 providing a maximum gradient of 1 in 12.5 (8%). Any steeper gradients proposed during detailed design will require a Departure from Standard and will require a formal proposal to DCC for approval.

The vertical maximum alignment of 8% (1:12.5), may not be ideal for mobility users. Further design will be required for a shared footway cycleway provision, see Table 4.3.5 Gradients and Crossfalls, (Highways in Residential and Commercial Estate – Design Guide). The design guide states the following; - the gradient of cycleways may be increased to 5% for lengths up to 100m, or 7% for lengths up to 30m. [4.6.3]

The minimum vertical curve length is based on Figure 7.3.7 Vertical Curves as shown in the Highways in Residential and Commercial Estate – Design Guide.

The alignment pulls the main street back from the heritage assets in the eastern parcel.

The carriageway width is set at 6.5m, with a 3.5m shared footway cycleway on the northern side, and a 2m footway where required for development parcels on the southern side. Where no development parcels are adjacent to the link road a 2m verge has been provided. The carriageway is design at 2.5% chamber.

It is recommended that a refuge island to be included on the carriageway to ensure pedestrian safety, when crossing the road to gain access to shop and bus stops.

Embankment maximum gradient at 1:2 (50%), further earth retaining design maybe required to increase the maximum gradient along the road where it passes through the Fen.

Consideration for construction management of earthworks will be required due to the considerable extent of engineering works for the proposed main street.

Traffic calming and interface with land parcel will need further investigation. The indicative design has been based on ensuring suitable connections to the existing highway are maintained and efficient gradients to standards are used. It is anticipated that considerable earthmoving will be required in some parcels to provide acceptable internal road connections with the link road. Further investigation will be required once internal development parcels are developed.

Due regard for highway drainage and discharge will be necessary with suitable detailing.

Filter drainage, to be considered at the foot of the embankment to protect the steep slope and carriageway foundations.

Detailed designs will need to be put forward to DCC to establish compliance and approval.

- Development parcel
- Green spine
- Neighbourhood hub
- Park edge
- Green link
- Main street
- Connecting street



# Part 3: Design code

## Design elements

### Policy NA3 criteria (a) to (n)

4.1 The following suggestive design code provides one concept for the development at Wolborough. It is not intended to be a fixed template for future development, more a starting point for subsequent design proposals. It suggests a basic framework of 4 distinct neighbourhoods - each with their own character and access to a local hub, linked by a pedestrian friendly Main Street, all set within a comprehensive green network providing opportunities for recreation and wildlife whilst helping to set the urban areas into the landscape and adjacent areas of the town.

4.2 The Main Street and green network are common features across the neighbourhoods and are summarised as follows:

### Main street

The main street forms the central spine road through the development and provides access to Neighbourhoods 2, 3 and 4. It links through these neighbourhoods and provides an important gateway for the NA3 site, and a strategic route to improve connectivity between Ogwell and Kingskerswell. The Main Street provides a direct route for pedestrians, cyclists, cars and buses to cross the site. It will have a formal frontage and crossing points to enable pedestrians and cyclists to connect through the site to the wider area (see page 44).

### Connecting streets

Connecting streets comprise the network of internal streets that provide access from the Main Street to serve the individual development parcels within each neighbourhood. These streets will include primary, secondary and tertiary streets, the character of which will vary to address topography and built form (see page 46).

### Green Edges

The green edges include any frontage onto the woodland or park areas. Dwellings should have a positive relationship with these areas, fronting on to them wherever possible. It is anticipated that in these locations, development will be lower density apart from the central park area, where higher density development with a more formal frontage will be encouraged (see page 48).

### Green links

The green links are linear green corridors within the masterplan overlooked by development to create physical and visual links between the new development and historical assets, habitats, Decoy Country Park, wider countryside and settlements of Newton Abbot and Kingskerswell. The green links are structured around key landscape assets and provide informal recreation as well as a network of cycle and footpaths. They are important elements within the new development in terms of wayfinding and legibility. Safe routes are provided along their length, providing attractive and sustainable connections through the neighbourhoods to the wider area (see page 50).

### Green spine

The green spine and corridors form part of the strategic landscape framework providing an important informal green space and dark corridors to buffer the development from the nearby settlements and countryside to the south. This space will connect with the formal green links, parks and areas of play space within and adjacent to the development. Part of this area will be retained as agricultural land for grazing cattle and wildlife habitats. Public rights of way and informal footpaths will be retained through these areas and connect to the wider movement network. This is an important area for Greater Horseshoe bats and as such, dark corridors and flyways will be maintained (see page 52).

### Neighbourhood hub

The neighbourhood hub is a mixed use pedestrian priority area that should be located within Neighbourhood 2 as part of the area around Wolborough Barton Farm. The form and character of the neighbourhood hub should sensitively respond to its context and look to provide a range of new community, employment, education and shopping facilities (see page 54).

Detailed guidance is provided for each character element in this section and has been carefully constructed as short, concise and accessible toolkits that are easy to use when assessing future planning applications.

# Main street

Policy NA3 criteria (e)

## Character

The central spine road through the development provides access to Neighbourhood Areas 2, 3 and 4. A key public transport corridor and point of arrival for residents and workers, linking through each neighbourhood and providing an important new gateway for the NA3 site. A strategic route to improve connectivity between Ogwell and Kingskerswell. The street will have a formal frontage and crossing points to enable pedestrians and cyclists to connect through the site to the wider area. It will take the form of a generous tree lined residential street in places, and in other parts a neighbourhood hub providing the focus for retail, business and community uses serving the surrounding residential areas.

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Street section illustrating one of the main streets in framework master plan - the main street will feature transport links.

## Design Principles

- Formal and consistent design approach;
- Dominant forms: detached and semi-detached;
- Generally 2 - 2.5 storey. Some 3+ storey units on corners;
- Housing generally set behind generous front gardens envisaged up to 5-10 m from back of footway in some areas;
- Formal frontage with vertical rhythm and symmetry associated with the local area;
- Pronounced bay, dormer windows and balconies to add variety;
- Regular building setback to provide formality;
- Buildings separated from the carriageway by grass verge (inc. tree planting), footpath and front gardens;
- On-plot parking spaces with driveways or garages behind the building frontage;
- Connections onto Old Totnes Road and Kingkerswell Road;
- Connection to the neighbourhood hub;
- Connection between the western and eastern parcels of development through Decoy Brake;
- Access to any other uses which require a Main Street to support their functions;
- No adverse impact on hydrological flows to the Wolborough Fen SSSI
- Suitable crossings over the South West Water trunk water pipe
- Sufficient bat crossings and one newt crossing should be provided.
- Cut and fill to be minimised.

## Design requirements

### Layout

- The Main Street will be a single carriageway road (30mph limit) designed to safely accommodate vehicles, pedestrians, cyclists and buses.
- It will have a shared footpath and cycleway running on one side with a single footpath on the other.
- The design of the public realm will mitigate the impact of vehicular traffic along the route.
- The design of the main street should carefully integrate with the neighbourhood hub and other surrounding land uses to make sure they are well connected and to provide a transition in character between the two elements.
- The design of the street should consider the street sections and illustrative layout provided.

### Frontage and Access

- Vehicular access will be provided off the Main street to the adjoining residential areas, with shared drives and amenity spaces running parallel to the route to allow access to individual dwellings and the creation of positive frontage.
- Mitigate the impact of public transport movement along the route.
- In some areas the residential land parcels focus development to avoid direct access onto the link road n challenging parts of the site.

### Crossings

- Traffic measures such as signalled junctions and controlled crossing points will be incorporated to reduce speed and the impact of traffic flows.
- The impact of potential east-west traffic flows will be mitigated along the route to slow traffic down and reduce the overall impact within the area.
- Sufficient bat crossings and one newt crossing to be provided.

## Landscape

- The landscape treatment and public realm will provide continuity and integration between this part of the site and new development.
- Formal street trees and planting will be included on either side of the road.
- The materials, furniture and lighting should reflect the street's use and should be of a quality sympathetic to the location.

# Connecting Streets

Policy NA3 criteria (e)

## Character

A primary means of circulation that works with the topography of the site and minimises impacts on the site's ecological features. These streets consider all modes of transport but, in particular walking and cycling so that car travel is minimised for short trips. The streets should function as quality spaces to move through and to provide access to residential properties. The design of the streets create a safe pattern of movement according to the principles of Manual for Streets. Designed to provide natural traffic calming, a variety of street-edge treatments will be used to create different street characters. The streets should respond to the existing topography where possible and provide new viewpoints to the church and countryside.

A full hierarchy of streets is described in more detail on page 19.



Street section showing an example of a connecting street in the framework plan which incorporates sustainable drainage through the use of swales

## Design Principles

- Generally 2 storey. Occasional 2.5 storey to provide variation, or to pick out focal buildings;
- Houses to have varied set backs from the carriageway to reflect the neighbourhood character;
- Streets to be fronted by a variety of different house types with terraces more common along the primary streets and more semi-detached and detached houses to be found along secondary and tertiary streets. Some cottage style terraces within the shared surface areas;
- Architecturally buildings should present a simpler aesthetic than those found on the principle frontages (eg. Main Street, Green Links or Green edge);
- On plot parking spaces and garages set back behind the building frontage. Integral garages and frontage parking where appropriate;
- Variety of façade treatments and detailing acceptable;
- Provide active street frontages where buildings directly overlook streets
- Punctuated street with architectural features and buildings of interest to encourage easy navigation;
- Shared surfaces/ mews streets should be used to provide fine grained links between the main road and secondary streets to enable a walkable block structure;
- Speeds to be limited to 20mph through careful design and detailing;
- Mews streets should be designed as attractive and safe streets to live on for access to properties
- Parking should be well overlooked from properties;
- Secondary, tertiary and mews streets should be designed for cycling within the carriageway.

## Design Response

### Layout

- Accommodate a single carriageway road (typically 4.5 - 5.5m wide and 20mph) with footways (typically 2m) to either side of the carriageway.
- Streets should, where possible, create framed views and keep lengths of straight carriageway to a minimum, creating a safe and welcoming environment.
- Continuous footway across side turnings to act as traffic calming and pedestrian priority feature
- Designs should reflect the function as quiet residential streets and will incorporate traffic calming measures and provide opportunities for residents to stop, rest and interact.
- Mews lanes and shared surfaces should be used to access ancillary buildings and garages and give pedestrian priority.

### Frontage and Access

- Streets provide access to individual dwellings. Parking will be located primarily on plot, within driveways or garages.
- On street parking to be kept to a minimum, and typically for visitors only.
- Buildings should address the street to create an appropriate level of enclosure with a neighbourly feel.
- A range of building set backs provide variety to the street scene, front gardens ranging in size from small privacy strips to 1.2-6m incorporating frontage parking and landscaped front gardens.

### Density

- A variety of detached, semi-detached and terraced properties, densities to vary according to individual neighbourhoods.

### Landscape

- Informal tree planting to be provided within the street and front gardens.
- Boundary treatments to vary to reflect the character of Wolborough, including the use of hedges, and low brick walls.
- Boundary treatment should provide continuity and integration between the streets and connection neighbourhood areas.
- Swales and open drainage channels should be incorporated in appropriate places.
- Materials, furniture and lighting should be selected to reflect the streets use and status



Street section showing a tertiary street

# Green edge

Policy NA3 criteria (h) and (f)

## Character

Development fronts along single sided streets to woodland, parkland and amenity spaces.

130 Development in these locations will be lower density, apart from the central park area, where higher density development formal frontage should be encouraged. Special public realm treatment including a distinctive restricted lighting strategy to emphasise their role in creating a green edge to the development and inviting access to and from landscape areas.



Street section shows the relationship between the residential and woodland areas on one of the streets on the green edge of the framework plan



## Design Principles

- Generally 2 storey with occasional 2.5 storey to provide variation in the roof form;
- Housing set back envisaged around 5m from the street edge including landscaped front gardens to aid transition into the countryside;
- Detached houses in a cottage style.
- Utilise dormers, bays and projecting gables to break up the roofline.
- Vary their dimensions and materials;
- Large houses to have horizontal emphasis to façade;
- Variety in massing/scale to promote informality;
- Subtle variation in ridge and eaves heights;
- On plot parking spaces and garages set behind the building frontage

## Design Response

### Layout

- Single sided shared surface streets or private drives provide access to dwellings orientated to overlook the woodland and park edge, providing natural surveillance and ensuring a safe and attractive open space for users.
- A 15 metre buffer should be provided along the woodland edge.
- The transition between the proposed development and landscaped areas should be reflected in the design and surface treatment of Green Edge streets.
- The design of the street should reflect the street sections and layouts provided.

### Frontage and Access

- Parking to be provided on plot, either in driveways to the side of building or garages.
- On street parking and parking to the front of dwellings to be minimised where possible, to ensure that the street is not visually dominated by car parking.
- Widths of footways and parking provision will respond to the location of steps, ramps and paths from adjacent landscapes.

### Density

- Dwelling types to be typically larger detached units on large plots, to create a lower density rural edge.
- Taller buildings may be suitable in certain locations along the park edges.

### Landscape

- Shared surface streets and a network of footpaths to provide access to and from the Country Park and landscape areas.
- Proposed planting to the edge of the development should be positioned to facilitate views across the site and into the Country Park from the development edge.
- Boundary treatments to include predominantly soft landscape such as trees and hedges.
- The materials, furniture and lighting should reflect the streets use and status.

# Green Links

Policy NA3 criteria (f) (g) (h) (i) (m) and (n)

## Character

Linear green corridors overlooked by development create physical and visual links between the new development and historical assets, habitats, the Decoy Country Park, wider countryside and settlements of Newton Abbot and Kingskerswell. Key structured landscape elements, aligned to historic views and routes and provide informal recreation as well as network of safe routes and footpaths. Attractive and sustainable connections through the neighbourhoods to the country park, town centre and wider countryside.



Street section showing a green link providing a space for neighbours to enjoy the community space around them and to allow biodiversity to thrive. It features cycleways and a wider area for activities which makes it safe for users, away from traffic.

## Design Principles

- Generally 2 storey with very occasional 2.5 storey to provide variation in the roof form;
- Detached and semi detached houses in a cottage style. Utilise dormers, bays and projecting gables to break up the roofline.
- Vary their dimensions and materials;
- Central green link providing formal and informal pedestrian and cycle access routes;
- Large houses to have horizontal emphasis to façade;
- Variety in massing/scale to promote informality;
- Subtle variation in ridge and eaves heights;
- On plot parking spaces and garages set behind the building frontage;
- Safe legible routes to be provided along their length.

## Design Response

### Layout

- A linear central green space, varying widths, to be fronted by dwellings on both sides, accessed via a combination of shared surface street, and private drives.
- Dwellings to be orientated to overlook the central green space, providing natural surveillance and ensuring the space is safe and welcoming.

### Frontage and Access

- Parking to be provided on plot, either in driveways to the side of building or garages to the rear.
- On street parking and parking to the front of dwellings to be minimised where possible, to ensure that the street is not visually dominated by car parking.
- Vehicular crossings of pedestrian routes are to be kept at a minimum, and where they do occur, large shared surface crossings will ensure the prioritisation of pedestrian movement.
- Front garden sizes to vary depending on location.
- If lighting is necessary, it must meet the bat parameter of light levels remaining below 0.5 lux.

### Density

- A range of dwelling typologies including terraces, semi detached and detached properties to be provided, with emphasis on terraced and semi detached properties to provide adequate enclosure to define the space.
- The density of residential elements to reflect their central location within the wider development.

## Landscape

- The Green Links will provide areas of play, improved recreational routes, SUDs features and informal planting.
- Informal tree planting and wildflower meadow planting will enhance biodiversity and provide key habitat links through the new development.
- Boundary treatments to vary to reflect the character of Wolborough, including the use of hedges, and low brick walls.
- Very important function of Green Links as dark corridors for bats

## Management

- Areas grazed using cattle
- Occasional topping to avoid excessive weed growth
- Some areas managed using machinery (in combination with grazing) to produce areas more suited to recreation
- Providing arable (growing spring barley specifically) for ciril buntings. If this is not too be provided, a ciril bunting financial contribution will be needed

# Green Spine

Policy NA3 criteria (f) (i) (m) and (n)

## Character

Forms part of the strategic landscape framework for the development providing an important informal green space and dark corridors to buffer the development from the nearby settlements and countryside to the south. This space will connect with the formal green links, parks and areas of play space within and adjacent to the development and provide a continuous area of open space, encouraging places to gather, rest, meet and play. Public rights of way and informal footpaths run through this area and connect to the connecting streets and spaces. An important area for Greater Horseshoe Bats with flyways and dark corridors. Part of this area will be retained as agricultural land for grazing cattle.



## Design Principles

- To principally provide an open 'hill top' experience with extensive views out and framed views to key landscape features such as the Church of St Mary.
- Limited or no vehicular access.
- Minimal regrading will be required in certain locations to create ramped or sloped terrace access.
- Informal play areas and seat can be accommodated with the topography.
- Provide a strong physical and visual link to the neighbourhood hub.
- Exploit links to nearby neighbouring landscape areas.
- Provide a variety of design features fostering play, performance space and healthy living.
- Connecting corridors to be retained as dark routes as bat flyways and wildlife routes.
- To generate prey and provide foraging areas for the bats through grazed pasture and new woodland.

## Design Response

### Layout

- Predominantly natural or semi-natural landscape, e.g. woodland, grassland, or parkland.
- Information boards and signage will show visitors where they can go within the Green spine.

### Frontage and Access

- An informal car park will be provided with access from the new development
- A footpath and cycle path network will connect to the existing footpaths and cycle path network.
- The green spine will be inclusive and accessible for all.
- Provide both direct and DDA compliant routes for pedestrians through gradual changes in the level changes

### Landscape

- The Green Spine will provide areas of informal play, improved recreational routes, and informal planting.
- Informal tree planting and wildflower meadow planting will enhance biodiversity and provide key habitat links through the new development.
- Boundary treatments will reflect the local character of the area utilising hedgerows simple fences or stone walling or 'estate' style metal bar fencing.
- As well as wildflower meadow planting there will be areas of grassland suitable for recreational activities and informal sports and games.

# Neighbourhood hub

Policy NA3 criteria (d)

## Character

A mixed use pedestrian priority centre at the west of the site. Through re-purposing the existing farm buildings and complementing these with additional new development a range of community facilities will be provided to serve new and existing communities.

136 Located in close proximity to a new primary school, public open space and a strategic play space. Development will preserve and enhance the setting of the Grade I Listed St Mary's Church and the existing Wolborough Barton farm buildings.



An illustration showing a section through the neighbourhood hub and the main street. The hub will be an area for community events, shopping and socialising.

## Design Principles

The following development and design principles apply:

- The architectural aesthetic must be sensitive to the Grade 1 listed parish church of St Mary the Virgin and its setting;
- Contain sensitively designed, predominantly single storey feature buildings and community space to become a landmark of the development;
- Integrate a mix of compatible uses to create a sustainable hub of community activity;
- Include attractive rural character supported by good pedestrian and cycle access (including safe and convenient crossing points), parking and public transport;
- Provide a distributed vertical and horizontal mix of uses including flexible commercial, retail and residential space;
- Be easily accessible and visible from the main street through NA3;
- Include high quality materials of construction in public realm areas including surfaces, landscaping and for buildings.
- Ensure retail and commercial units can be appropriately serviced;
- Local facilities will be also supported on land adjacent to Kingskerswell Road

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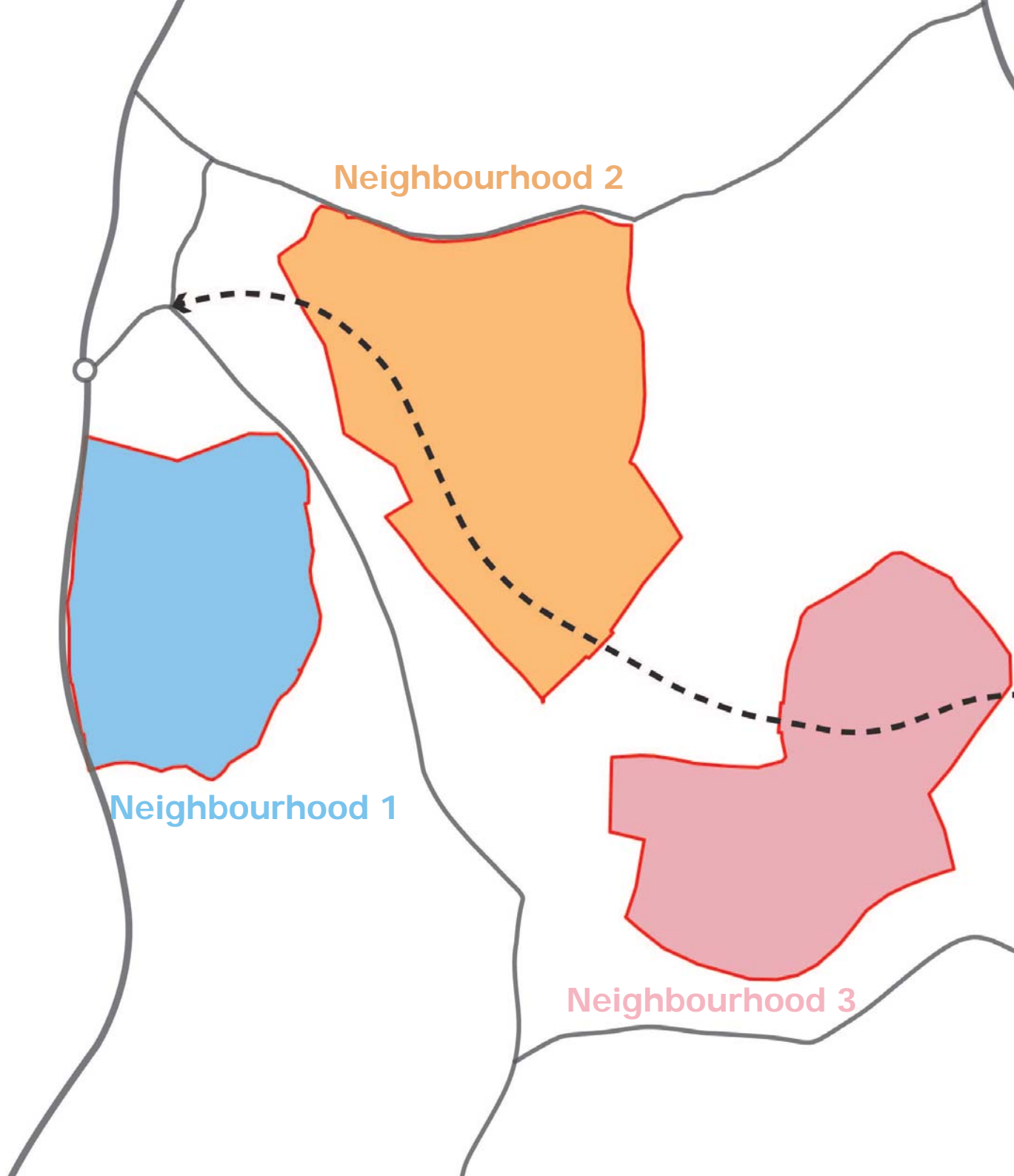
Illustrative design ideas include:

1. Potential farm shop as a focal building
2. Opportunities for a small shared surface square should be explored adjacent to the farm shop to emphasise the buildings role as a local destination.
3. Any employment buildings or workshops should have a residential scale.
4. The layout should accommodate a suitable area for loading and parking commercial vehicles.
5. Conversion of the existing farm buildings to a hotel.
6. Views towards the church respected.

# Neighbourhoods

Policy NA3 criteria (a) to (n)

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Neighbourhood 1

Neighbourhood 2

Neighbourhood 3



A map showing the layout of Neighbourhood 4. The area is outlined in red and filled with a light green color. It is irregularly shaped, with a prominent peak at the top left. A dashed black arrow points from the left towards the center of the area. The number '139' is written vertically on the left side of the peak. A grey line, possibly representing a road or boundary, runs along the right and bottom edges of the area. The text 'Neighbourhood 4' is written in a bold, green font at the top left of the map.

## Neighbourhood 4

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## One vision, four neighbourhoods

A thorough understanding of the site's context and landscape character has led to its division into four neighbourhood areas. It is intended that these neighbourhoods, despite having their own distinct identity will benefit from a comprehensive and highly coordinated approach to design. This presents a unique place making opportunity that will...

...Create healthy and vibrant new communities

- Through including well-designed, high-quality amenity spaces in close proximity to the places where residents live, the plans seek to provide plentiful opportunities for interaction with nature and for healthy and active lifestyles. Strategically placed formal play areas consisting of LAPS, LEAPS, NEAPS and sports pitches will create a wealth of recreation opportunities.
- The development will help to support existing local services and contribute to the local economy through job creation.
- A neighbourhood hub will be provided focused on the area around Wolborough Barton Farm to provide a central hub for the four communities, bringing people together and providing opportunities to shop locally in a high quality setting.

...Establish direct connections to encourage sustainable travel

- The design will incorporate a new bus route through the site, with the majority of the development being within a short walk of a bus stop.
- A series of green links, cycle ways and footpaths will provide direct and attractive connections between the new and existing communities including direct routes to Newton Abbot and the railway station.

...Preserve and enhance the site's existing ecological assets

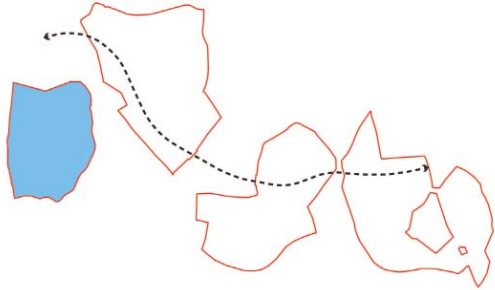
- The design will retain hedgerows, trees, watercourses and important habitats and plant new native species to create a rich ecological asset.
- The proposals will provide new and enhanced green links and areas of open space that connect natural habitats and safeguard habitats for wildlife, including the flight paths and foraging routes of greater horse shoe bats.

...Raise the bar for design quality

- The design will be sensitive to local landscape character and heritage assets by using a scale and distribution of development that minimises its visual impact when viewed from surrounding areas.
- Sustainable construction techniques will be used to minimise heat loss, increase the longevity of buildings and reduce environmental impact over their lifetime.

The following pages provide an overview of the essential design requirements for each neighbourhood as well as a foundation design code to help guide their design and appearance.

# Neighbourhood 1



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## Neighbourhood 1: Land off Totnes Road Design objectives

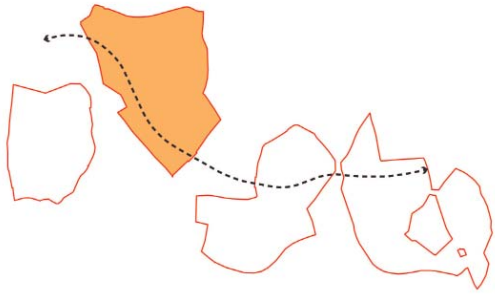
- Two access points off Totnes Road and Priory Lane
- A direct pedestrian and cycle link between this area and the neighbourhood hub at Wolborough Barton Farm.
- Community Facilities & Playing Pitches to include MUGA, LEAP and playing pitches.
- Community allotments located next to the playing pitches and play space - The allotments should be designed in accordance with the ' National Allotment Society - NAS Policy Document
- Potential for shared parking and toilet facilities between the allotments, sports pitches, and play space.
- Buffer planting, comprising native trees and hedge varieties should be provided along the site boundary
- Native hedgerows, comprising a mix of species, should be provided on the allotment site boundary.
- Employment uses will be provided to the west off Totnes Road. Employment uses will be compatible with surrounding residential properties and will primarily consist of class B1 uses.
- Industrial units should not front onto the bat corridor along Totnes Road. They should back onto this boundary, so a dark corridor can be achieved. A buffer zone should be left between the units and hedge/trees to give enough width for bat access (10m). There should be no glazing or external lighting on this side (although PIR motion activated security lighting may be permissible).



Design parameter	Neighbourhood 1: Land off Totnes Road
<b>Design foundation/ethos</b>	Design and layout will carefully integrate residential and employment land uses. Residential development will have strong physical and visual connections with the neighbourhood hub at Wolborough Barton Farm. Residential development to have a leafy rural character with lower densities to be found fronting on to the hill top park.
<b>Uses</b>	Residential predominantly located towards the east of the neighbourhood closer to Wolborough Barton Farm. Employment uses sensitive located to the west, accessed from Totnes Road. Potential for inclusion of an assisted living/extra care facility. Allotments and land for use as sports pitched located to the south of this neighbourhood. Location of an energy centre reserve site.
<b>House sizes</b>	1, 2, 3, and 4 bedroom units.
<b>Pattern</b>	Larger building plots on land fronting on to primary areas of public open space. Irregular perimeter blocks that respond to the topography of the site, maximise natural surveillance and create a clear delineation between public and private space.
<b>Density</b>	The density of development will vary, with higher density development (approximately 35 dph) focused around the main access roads and lower density development (approximately 25 dph) fronting on to areas of public open space.
<b>Scale</b>	Buildings will be predominantly 2 storeys in height with a limited number of 2.5 storey homes in locations of townscape significance.
<b>Type/style</b>	Detached, semi-detached and short terraces. Potential for the inclusion of an extra care/nursing home for the elderly.
<b>Juxtaposition of buildings with each other</b>	Form of development to become increasingly irregular on more steeply sloping parts of the site to reflect topography. More formal arrangement of development to be located along the key routes and for development facing onto key public spaces. Houses will tend to back on to employment uses to screen them from the public realm where possible.
<b>Orientation / juxtaposition to the highway</b>	Buildings will be orientated outwards to front on to landscape edges or inwards on to streets, public spaces or areas of parking to ensure high levels of natural surveillance. Corner buildings will avoid presenting blank frontages to the street by including doors and windows within gable ends. Buildings of increased townscape significance will mark the entrance to the neighbourhood, close long views along streets, add variety and interest to the appearance of the development and help people find their way around the site.
<b>Relationship to / distance from the highway</b>	Development towards the edges of the neighbourhood will commonly incorporate generous front gardens helping development transition into its parkland setting. Along primary access routes, some buildings will be located to have a close relationship with the highway set behind modest areas of semi-private space.

Design parameter	Neighbourhood 1: Land off Totnes Road
<b>Open space character</b>	Linear green corridors to pass through the site following existing landscape assets to provide pedestrian and cycle green links and also to serve as bat flyways. More fragmented frontages and front gardens will be introduced towards the edges to help create a parkland setting that incorporates existing landscape features. Landform and natural features will provide resources to create imaginative natural play spaces for children.
<b>Boundary characteristics</b>	Boundaries between public and semi-private space will predominantly be marked by iron railings, low stone or brick built walls and hedgerows.
<b>Drainage</b>	A SUDs system will be incorporated that respects existing drainage patterns, works with the contours of the land and provides improved opportunities for local wildlife. Ponds located between the employment and residential land uses connected to swales that follow the contours of the site.
<b>House building materials</b>	High-quality and durable materials and construction methods will be used. Variety will be provided in the material palette through the use of materials found in the area's vernacular buildings to include render, stone, brick and slate.
<b>Landscape materials</b>	Paved streets will be encouraged wherever possible to deliver a high-quality and distinctive public realm.
<b>Street furniture</b>	Street names and street lighting should be fixed directly to buildings wherever possible, and road markings and street furniture should be minimised to avoid clutter in the street.
<b>Parking</b>	Car and cycle parking will be provided in line with the DCC parking standards. Mix of parking types including some on-street parking for visitors and on-plot parking to the sides and fronts of houses. Frontage parking will more commonly be used on the edges of the site. Integral garages may be incorporated in key areas of the site. Cars and parking areas should not have a negative impact or be a visually dominant component of the street scene.
<b>Changes in level</b>	Abrupt level changes and retaining walls to be avoided. Changes in levels to be allowed for in back gardens wherever possible. Retaining structures will be softened wherever possible by additional planting to screen these elements.
<b>Refuse</b>	Suitably sized and easily accessed refuse storage areas to be provided on-plot.
<b>Lighting</b>	Wherever possible, lighting will be kept to a minimum and will be of a low lux level of 0.5 lux or less where lighting lies at the edge of development or close to hedgerows. Wildlife corridors will remain dark. Where these cross the road lighting will be reduced to ensure that darkness is maintained over the crossing point. Lighting elsewhere across the development should be limited to maintain a more rural character to the development

# Neighbourhood 2



## Neighbourhood 2: Land south of Coach Road Design objectives

- Development will respect the setting of the Grade 1 listed church of St Mary's church and Wolborough Hill Conservation area through the use of sensitively designed lower density development on elevated slopes and areas of the neighbourhood closer to Coach Road.
- A series of green links structured around existing landscape assets will assist in creating neighbourhood that is well connected to a strategic network of footpaths and cycleways.
- A neighbourhood hub will provide a varied community resource that will be well connected to the surrounding area for the benefit of new and existing residents.
- A strategic children and young person's play space should be provided in close proximity to the primary school and local centre and should benefit from high levels of natural surveillance from surrounding residential properties.
- Development will provide a minimum of 15m buffer to existing woodland to allow for accessible natural greenspace, attenuations areas and improved wildlife habitats.
- Development will be carefully designed and positioned on the elevated and more visually-prominent areas, especially for those building fronting on to the main street.
- A series of green links structured around existing landscape assets will assist in creating neighbourhood that is well connected to a strategic network of footpaths and cycleways.
- Development will retain a rural corridor to its southern and western edges which will comprise of retained farmland pasture and open fields for habitat creation. This buffer area to the development will be punctuated throughout with retained and improved hedgerows and new woodland habitat.

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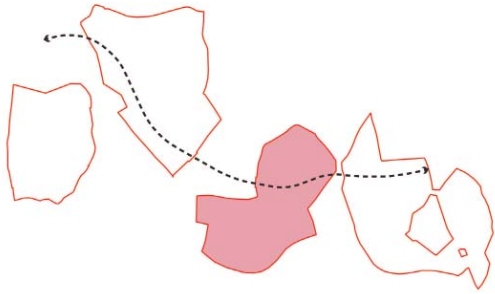


Design parameter	Neighbourhood 2: Land off Coach Road
<b>Design foundation/ethos</b>	Development responsive to the adjacent conservation area and setting of St Mary's church. Lower densities, to be found nearer to the conservation area and on more steeply sloping land. The neighbourhood will be the location of the site's mixed-use neighbourhood hub and primary school building along with strategic play space to serve new and existing residents.
<b>Uses</b>	Residential, primary school, retail, community uses and other appropriate uses to complement the neighbourhood hub.
<b>House sizes</b>	1, 2, 3, 4 and 5 bedroom units.
<b>Pattern</b>	Larger building plots on land closer to Coach Road and on more elevated parts of the site to reflect the adjacent Conservation Area. Some use of split level housing on more steeply sloping parts of the site. Irregular perimeter blocks that respond to the topography of the site, maximise natural surveillance and create a clear delineation between public and private space.
<b>Density</b>	The density of development will vary, with higher density development (approximately 32 dph) focused around the main access roads and lower density development (approximately 20 dph) at the periphery – particularly on more elevated parts of the site and on the park edges.
<b>Scale</b>	Buildings will be predominantly 2 storeys in height with a limited number of 2.5 and 3 storey homes in locations of townscape significance.
<b>Type/style</b>	Detached, semi-detached and short terraces. Potential for the inclusion of an extra care/nursing home for the elderly, and apartments along the main street.
<b>Juxtaposition of buildings with each other</b>	Form of development to become more irregular on more steeply sloping parts of the site to reflect topography. More formal arrangement of development to be located along the main street and for development facing onto key public spaces.
<b>Orientation / juxtaposition to the highway</b>	Buildings will be orientated outwards to front on to landscape edges or inwards on to streets, public spaces or areas of parking to ensure high levels of natural surveillance. Corner buildings will avoid presenting blank frontages to the street by including doors and windows within gable ends. Buildings of increased townscape significance will mark the entrance to the neighbourhood, close long views along streets, add variety and interest to the appearance of the development and help people find their way around the site.
<b>Relationship to / distance from the highway</b>	Varied. Development towards the edges of the site will commonly incorporate generous front gardens helping development transition into its parkland setting. Along primary routes, some buildings will be located to have a close relationship with the highway set behind modest areas of semi-private space or in some instances, fronting directly on to the edge of the pavement.

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Design parameter	Neighbourhood 2: Land off Coach Road
<b>Open space character</b>	Linear green corridors to pass through the site following existing landscape assets and valleys to create physical and visual links to Decoy Brake and also to serve as bay flyways. More fragmented frontages and front gardens will be introduced towards the edges to help create a parkland setting that incorporates existing landscape features. Landform and natural features will provide resources to create imaginative natural play spaces for children.
<b>Boundary characteristics</b>	Boundaries between public and semi-private space will predominantly be marked by iron railings, low stone and hard surfaces strips. The use of hedges for boundaries will be more commonly used through and towards the edges of the site.
<b>Drainage</b>	A SUDs system will be incorporated that respects existing drainage patterns, works with the contours of the land and provides improved opportunities for local wildlife. Ponds located within low lying valleys and on the edges of Decoy Brake.
<b>House building materials</b>	High-quality and durable materials and construction methods will be used. Variety will be provided in the material palette through the use of materials found in the area's vernacular buildings to include render, stone, brick and slate.
<b>Landscape materials</b>	Paved streets will be encouraged wherever possible to deliver a high-quality and distinctive public realm.
<b>Street furniture</b>	Street names and street lighting should be fixed directly to buildings wherever possible, and road markings and street furniture should be minimised to avoid clutter in the street.
<b>Parking</b>	Car and cycle parking will be provided in line with DCC parking standards. Mix of parking types including some on-street parking for visitors and on-plot parking to the sides and fronts of houses. Frontage parking will more commonly used on the edges of the site. Integral garages may be incorporated on more steeply sloping areas of the site where split level houses are used. Drop-off arrangements will be incorporated into the site to minimise the potential for ad hoc waiting during pupil pick up / drop off. Site parking for staff will be provided on the school site as required. Cars and parking areas should not have a negative impact or be a visually dominant component of the street scene.
<b>Changes in level</b>	Abrupt level changes and retaining walls to be avoided. Changes in levels to be allowed for in back gardens wherever possible. Use of split level housing may be required to step down slopes. Retaining structures will be softened wherever possible by additional planting to screen these elements.
<b>Refuse</b>	Suitably sized and easily accessed refuse storage areas to be provided on-plot. Apartments to be given secured storage areas.
<b>Lighting</b>	Wherever possible, lighting will be kept to a minimum and will be of a low lux level of 0.5 lux or less where lighting lies at the edge of development or close to hedgerows. Wildlife corridors will remain dark. Where these cross the road lighting will be reduced to ensure that darkness is maintained over the crossing point. Lighting elsewhere across the development should be limited to maintain a more rural character to the development

# Neighbourhood 3



## Neighbourhood 3: Land east of Decoy Brake Design objectives

- Development should be structured to avoid the most steeply sloping areas of land and set back from the southern boundary to provide a generous landscape corridor.
- An existing watercourse passing in an east-west direction through this neighbourhood will be retained and enhanced to provide an attractive green link.
- Development will provide a minimum of 15m buffer to existing woodland to allow for accessible natural greenspace, attenuation areas and improved wildlife habitats.
- A SUDs system will be incorporated that respects existing drainage patterns, works with the contours of the land and provides improved opportunities for local wildlife.
- A series of connecting streets will closely follow the site's contours to minimise cut and fill and provide a clear 'sense of place'.
- A strong definition of public and private space will be achieved by ensuring development fronts on to areas of open space, footpath links and highways, helping to increase natural surveillance and aid crime prevention.
- Development will retain a rural corridor to its southern edge which will comprise of retained farmland pasture and open fields for habitat creation. This buffer area to the development will be punctuated throughout with retained and improved hedgerows and new woodland habitat.

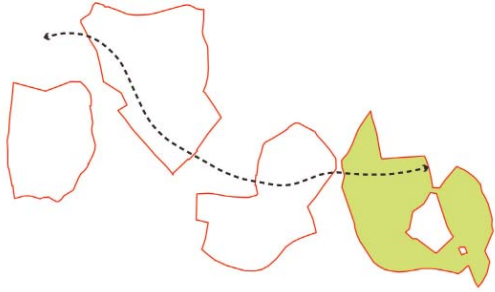
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Design parameter	Neighbourhood 3: Land east of Decoy Brake
<b>Design foundation/ethos</b>	The character of neighbourhood will be defined by its relationship with Decoy Brake and also the small river corridor that passes through it in an east-west direction. Development will have a positive relationship with its woodland and parkland setting fronting on to its green edges.
<b>Uses</b>	Residential. Location of a combined NEAP and LEAP to wards it's western edge.
<b>House sizes</b>	2, 3, 4 and 5 bedroom units.
<b>Pattern</b>	Some use of split level housing on more steeply sloping parts of the site. Irregular perimeter blocks that respond to the topography of the site, maximise natural surveillance and create a clear delineation between public and private space.
<b>Density</b>	The density of development will vary, with higher density development (approximately 35 dph) focused around the main access roads and lower density development (approximately 20 dph) at the periphery – particularly on more steeply sloping parts of the site and on the park edges.
<b>Scale</b>	Buildings will be predominantly 2 storeys in height with a limited number of 2.5 homes in locations of townscape significance.
<b>Type/style</b>	Detached, semi-detached and short terraces. Small apartments may be appropriate along the main street.
<b>Juxtaposition of buildings with each other</b>	Form of development to become more irregular on more steeply sloping parts of the site to reflect topography. More formal arrangement of development to be located along the main street and for development facing onto key public spaces.
<b>Orientation / juxtaposition to the highway</b>	Development will front onto the main street wherever possible. Buildings will be orientated outwards to front on to landscape edges or inwards on to streets, public spaces or areas of parking to ensure high levels of natural surveillance. Corner buildings will avoid presenting blank frontages to the street by including doors and windows within gable ends. Buildings of increased townscape significance will mark the entrance to the neighbourhood, close long views along streets, add variety and interest to the appearance of the development and help people find their way around the site.
<b>Relationship to / distance from the highway</b>	Development towards the edges of the site will commonly incorporate generous front gardens helping development transition into its landscape setting. Along primary access routes, some buildings will be located to have a close relationship with the highway set behind modest areas of semi-private space or in some instances, fronting directly on to the edge of the pavement.

Design parameter	Neighbourhood 3: Land east of Decoy Brake
<b>Open space character</b>	Linear green corridors to pass though the site following existing landscape assets and valleys to create physical and visual links to Decoy Brake and also to serve as bat flyways. More fragmented frontages and front gardens will be introduced towards the edges to help create a parkland setting that incorporates existing landscape features. Landform and natural features will provide resources to create imaginative natural play spaces for children.
<b>Boundary characteristics</b>	Boundaries between public and semi-private space will predominantly be marked by iron railings, low stone and hard surfaces strips. The use of hedges for boundaries will be more commonly used towards the edges of the site.
<b>Drainage</b>	An existing stream will be used as an important part of the drainage strategy for this neighbourhood to create a multifunctional blue corridor.
<b>House building materials</b>	High-quality and durable materials and construction methods will be used. Variety will be provided in the material palette through the use of materials found in the area's vernacular buildings to include render, stone, brick and slate.
<b>Landscape materials</b>	Paved streets will be encouraged wherever possible to deliver a high-quality and distinctive public realm.
<b>Street furniture</b>	Street names and street lighting should be fixed directly to buildings wherever possible, and road markings and street furniture should be minimised to avoid clutter in the street.
<b>Parking</b>	Car and cycle parking will be provided in line with the DCC parking standards. Mix of parking types including some on-street parking for visitors and on-plot parking to the sides and fronts of houses. Frontage parking will more commonly used on the edges of the site. Integral garages may be incorporated on more steeply sloping areas of the site where split level houses are used. Cars and parking areas should not have a negative impact or be a visually dominant component of the street scene.
<b>Changes in level</b>	Abrupt level changes and retaining walls to be avoided. Changes in levels to be allowed for in back gardens wherever possible. Use of split level housing may be Frontages to step down slopes. Retaining structures will be softened wherever possible by additional planting to screen these elements.
<b>Refuse</b>	Suitably sized and easily accessed refuse storage areas to be provided on-plot. Apartments to be given secured storage areas.
<b>Lighting</b>	Wherever possible, lighting will be kept to a minimum and will be of a low lux level of 0.5 lux or less where lighting lies at the edge of development or close to hedgerows. Wildlife corridors will remain dark. Where these cross the road lighting will be reduced to ensure that darkness is maintained over the crossing point. Lighting elsewhere across the development should be limited to maintain a more rural character to the development

# Neighbourhood 4



## Neighbourhood 4: Land off Kingskerswell Road Design objectives

- Employment land will be provided to the east of Kingskerswell Road. These employment sites will include an appropriate mix of classes B1, B2 and B8 uses.
- A neighbourhood acility will provide close to Kingskerswell Road to serve the east of the site as well as those passing the site and based on nearby employment sites.
- A series of green links structured around existing landscape assets will assist in creating neighbourhood that is well connected to a strategic network of footpaths and cycleways.
- A SUDs system will be incorporated that respects existing drainage patterns, works with the contours of the land and provides improved opportunities for local wildlife.
- A series of connecting streets will closely follow the site's contours to minimise cut and fill and provide a clear 'sense of place'.
- A strong definition of public and private space will be achieved by ensuring development fronts on to areas of open space, footpath links and highways, helping to increase natural surveillance and aid crime prevention.
- Development will retain a rural corridor to its southern edge which will comprise of retained farmland pasture and open fields for habitat creation. This buffer area to the development will be punctuated throughout with retained and improved hedgerows and new woodland habitat.

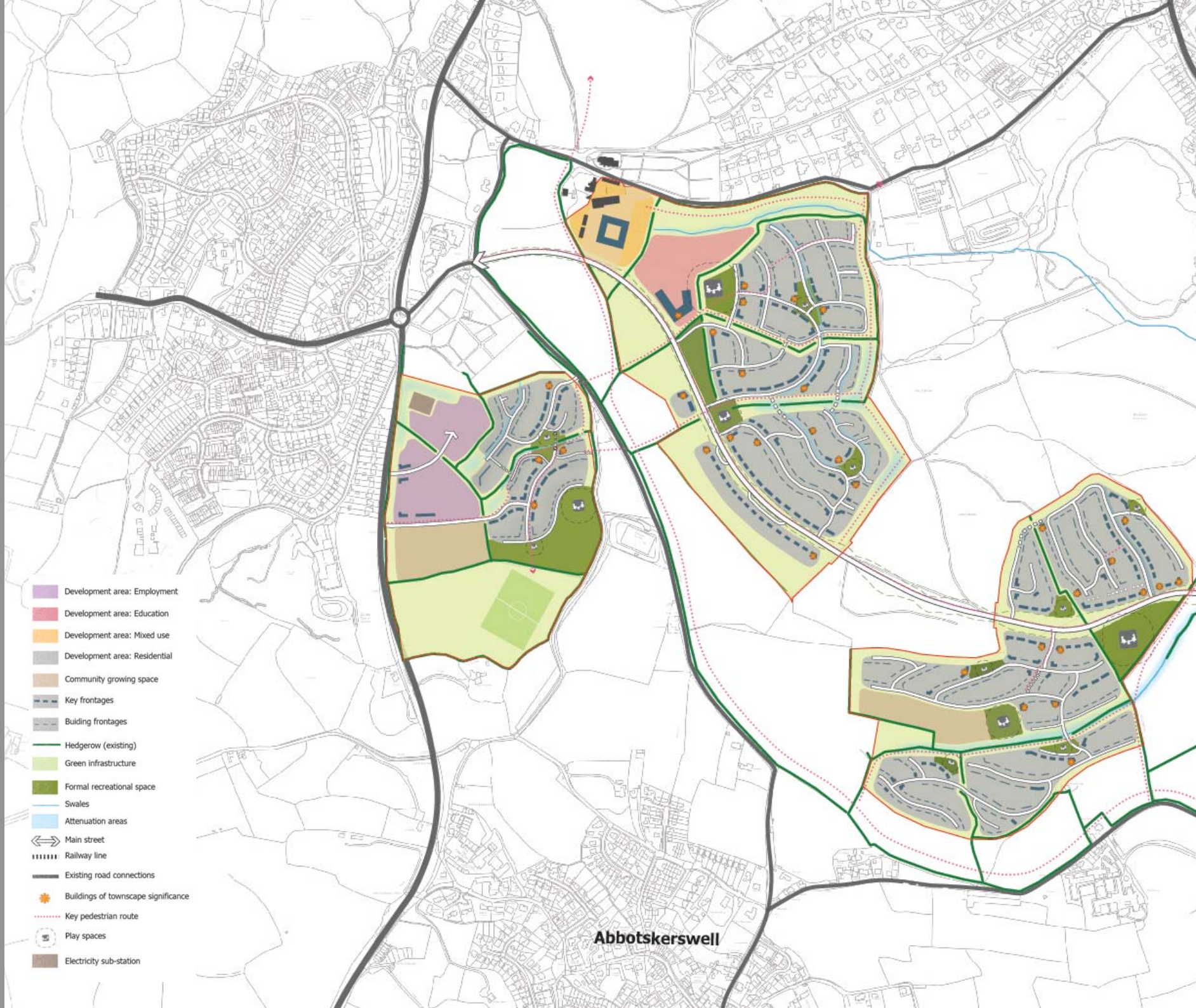
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Design parameter	Neighbourhood 4: Land off Kingskerswell Road
<b>Design foundation/ethos</b>	Development responsive to the adjacent Kingskerswell Road and Priory Lane. Lower densities, to be found nearer to Priory Lane and on more steeply sloping land. The neighbourhood will be located on both sides of Kingskerswell Road to serve new and existing residents and workers.
<b>Uses</b>	Residential, secondary school, retail and employment uses
<b>House sizes</b>	1, 2, 3 and 4 bedroom units.
<b>Pattern</b>	Larger building plots on land fronting on to the green spine and parkland areas. Some use of split level housing on more steeply sloping parts of the site. Irregular perimeter blocks that respond to the topography of the site, maximise natural surveillance and create a clear delineation between public and private space.
<b>Density</b>	The density of development will vary, with higher density development (approximately 38 dph) focused around the main access roads and lower density development (approximately 20 dph) at the periphery – particularly on more elevated parts of the site and on the park edges.
<b>Scale</b>	Buildings will be predominantly 2 storeys in height with a limited number of 2.5 and 3 storey homes in locations of townscape significance.
<b>Type/style</b>	Detached, semi-detached and short terraces. Potential for the inclusion of an extra care/nursing home for the elderly and apartments along the main street and green edges.
<b>Juxtaposition of buildings with each other</b>	Form of development to become more irregular on more steeply sloping parts of the site to reflect topography. More formal arrangement of development to be located along the main street and for development facing onto key public spaces.
<b>Orientation / juxtaposition to the highway</b>	Buildings will be orientated outwards to front on to landscape edges or inwards on to streets, public spaces or areas of parking to ensure high levels of natural surveillance. Corner buildings will avoid presenting blank frontages to the street by including doors and windows within gable ends. Buildings of increased townscape significance will mark the entrance to the neighbourhood, close long views along streets, add variety and interest to the appearance of the development and help people find their way around the site.
<b>Relationship to / distance from the highway</b>	Varied. Development towards the edges of the site will commonly incorporate generous front gardens helping development transition into its parkland setting. Along primary access routes, some buildings will be located to have a close relationship with the highway set behind modest areas of semi-private space or in some instances, fronting directly on to the edge of the pavement.

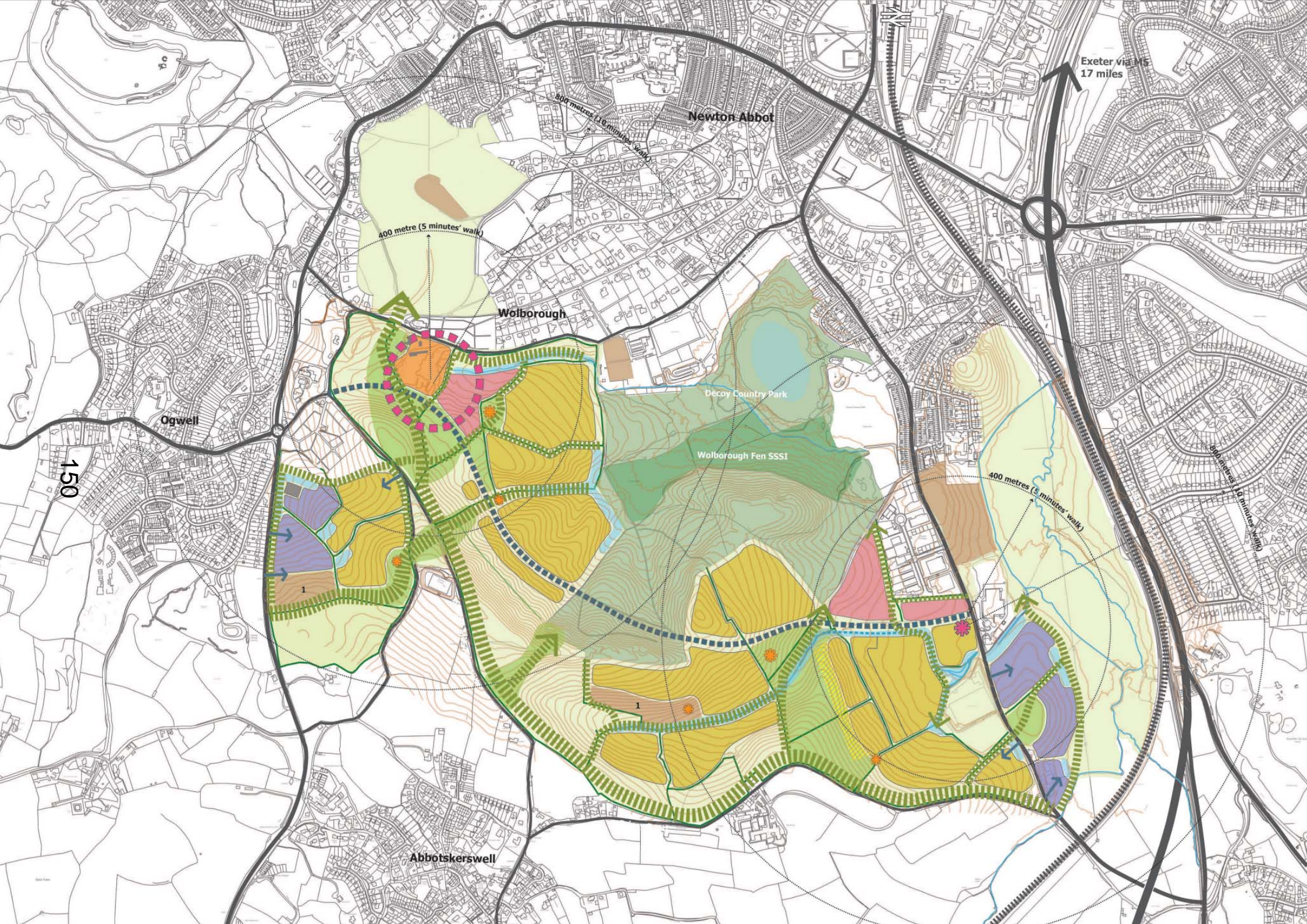
Design parameter	Neighbourhood 4: Land off Kingskerswell Road
<b>Open space character</b>	Linear green corridors to pass through the site following existing landscape assets and valleys to create physical and visual links to Decoy Brake and also to serve as bat flyways. More fragmented frontages and front gardens will be introduced towards the edges to help create a parkland setting that incorporates existing landscape features. Landform and natural features will provide resources to create imaginative natural play spaces for children.
<b>Boundary characteristics</b>	Boundaries between public and semi-private space will predominantly be marked by iron railings, low stone or brick built walls and hard surfaces strips. The use of hedges for boundaries will be more commonly used towards the edges of the site.
<b>Drainage</b>	Ponds located within low lying valleys and along existing water course.
<b>House building materials</b>	High-quality and durable materials and construction methods will be used. Variety will be provided in the material palette through the use of materials found in the area's vernacular buildings to include render, stone, brick and slate.
<b>Landscape materials</b>	Paved streets will be encouraged wherever possible to deliver a high-quality and distinctive public realm.
<b>Street furniture</b>	Street names and street lighting should be fixed directly to buildings wherever possible, and road markings and street furniture should be minimised to avoid clutter in the street.
<b>Parking</b>	Car and cycle parking will be provided in line with the DCC parking standards. Mix of parking types including some on-street parking for visitors and on-plot parking to the sides and fronts of houses. Frontage parking will more commonly used on the edges of the site. Integral garages may be incorporated on more steeply sloping areas of the site where split level houses are used. Drop-off arrangements will be incorporated into the school site to minimise the potential for ad hoc waiting during pupil pick up / drop off. Site parking for staff will be provided on the school site as required. Cars and parking areas should not have a negative impact or be a visually dominant component of the street scene.
<b>Changes in level</b>	Abrupt level changes and retaining walls to be avoided. Changes in levels to be allowed for in back gardens wherever possible. Use of split level housing may be Frontages to step down slopes. Retaining structures will be softened wherever possible by additional planting to screen these elements.
<b>Refuse</b>	Suitably sized and easily accessed refuse storage areas to be provided on-plot. Apartments to be given secured storage areas.
<b>Lighting</b>	Wherever possible, lighting will be kept to a minimum and will be of a low lux level of 0.5 lux or less where lighting lies at the edge of development or close to hedgerows. Wildlife corridors will remain dark. Where these cross the road lighting will be reduced to ensure that darkness is maintained over the crossing point. Lighting elsewhere across the development should be limited to maintain a more rural character to the development



Abbotskerswell



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## Part 4: The way forward

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5.1 NA3 is a strategic site which is required to deliver key infrastructure and a mix of uses to ensure the development of a sustainable and healthy community. It is therefore important that the area is planned as a whole. It is acknowledged that developments may be brought forward in smaller parcels. However, it is essential that key infrastructure for roads, wildlife and community facilities are properly planned in a comprehensive manner.

5.2 The DFP and supporting information identifies the design principles and requirements for the site to bring forward an appropriate and flexible design solution for Wolborough. It is recognised that implementing the development proposals will be challenging, respecting the landscape biodiversity and heritage assets and meeting the range of policy requirements, but that the DFP and supporting design guidance identify how it can be delivered.

5.3 This section sets out the minimum expectations relating to the delivery of infrastructure, utilities and facilities across the site over the following pages. Any triggers relating to numbers of dwellings refer to the whole site unless otherwise stated by reference to the neighbourhood areas.

Need	Description	When	Mechanism	Lead Delivery Organisation
Masterplan	A comprehensive landscape and design led masterplan for the strategic allocation	Required prior to the determination of any application for development as part of the allocation.	N/A	TDC DCC Developer
Housing				
Affordable Housing	20% of dwellings provided as Affordable Dwellings  75% as Affordable Rented and 25% as Intermediate Affordable Housing	50% of Affordable Housing transferred at 50% occupation of dwellings per development phase.  100% of Affordable Housing transferred at 75% occupation per development phase.	S106	
Self-build/Custom Build	Minimum of 5% of total number of dwellings as Custom and Self Build plots  Locations to be identified on a Phase Plan showing approximate area and access points	Proportionate number of Self Build and Custom Build plots serviced and marketed upon completion of 25% of dwellings within Reserved Matters development phase.	S106	
Through Route				
	Road link through the development connecting the A380 (South Devon Highway) with the A381 (Old Totnes Road) and with community facilities, including prioritised segregated foot and cycle way	Connection to the A381 prior to the occupation of any dwellings on the western part of NA3.  Connection onto the Kingskerswell Road prior to the occupation of any dwellings on the eastern part of NA3.  Road across neighbourhood areas 2 and 3 to be completed prior to the completion of 200 homes in neighbourhoods 1 - 3.  Road completed to boundaries of neighbourhood area 4 prior to the completion of 50 dwellings in neighbourhood area 4.  Remaining highway capacity to the east of the allocation (450 dwellings, or what is remaining when both areas are under development) to be shared between neighbourhood areas 3 and 4 on a pro-rata developable area basis.  A proportionate land area based contribution towards the construction of the section of road through the woodland.	Developer / S106	Developer
Open Space				
Neighbourhood Equipped Areas of Play (NEAPs)	2 NEAPs	In phase with development	S106	Developer
Locally Equipped Areas of Play (LEAPs)	8 LEAPs at 375sqm each.	On completion of dwellings within adjoining parcels of land	S106	Developer
Multi Use Games Area (MUGA)	1 on site MUGA at 2,300sqm	To be delivered on completion of 500 dwellings	S106	Developer
Playing Pitches	Provision for 4ha of playing pitches and/or enhancements to capacity existing facilities	On completion of 700 dwellings	S106	Developer
Allotments	2.7 ha to be provided collectively.	On completion of 500 dwellings	S106	Developer

Need	Description	When	Mechanism	Lead Delivery Organisation
<b>Employment</b>				
Old Totnes Road	B1 Employment units totalling a minimum of 0.5 hectares employment land and associated parking.	Site serviced and commencement of marketing prior to the occupation of 25% of dwellings in this development phase.  If there is no uptake before the expiration of the marketing period (3 years) the land is to be offered to the Council before being returned to the landowner.	Developer	Developer
Employment South of CLS Laundry, Kingskerswell Road	B1, B2 and B8 employment uses totalling a minimum of 3ha employment land and associated parking.	Site serviced and commencement of marketing prior to the occupation of 100 dwellings in Neighbourhood Area 4 of the allocation.  If there is no uptake before the expiration of the marketing period (3 years) the land is to be offered to the Council before being returned to the landowner.	Developer	Developer
<b>Neighbourhood Hub, Community Building and Retail</b>				
Neighbourhood Hub (adjacent to Coach Road)	Mix uses comprising of use classes A1/A3/A4/A5/B1/D1/C3 totalling a minimum of 1.6 hectares.	Site serviced, building 'shells' to be provided and commencement of marketing prior to the occupation of 500 dwellings on Neighbourhood Area 1-3 of the allocation.  If there is no uptake before the expiration of the marketing period (3 years) the land is to be offered to the Council before being returned to the landowner.	Developer	Developer
Class A Floorspace	Class A uses totalling a maximum of 1250m <sup>2</sup> floorspace (no more than 100m <sup>2</sup> to be used for hot takeaway (A5) uses) within the local centre.  This provision will be subject to retail impact assessment	Building shells to be constructed and marketed prior to the occupation of 400 dwellings in Neighbourhood Area 1-3.  If no purchase is made before the expiration of the marketing period (3 years) units are to be offered to the Council before being returned to the landowner.  Units should be designed in such a way that allows for their conversion to residential dwellings should no Class A use be forthcoming.	Developer	Developer
Community Building	D1 or D2 uses totalling approximately 1250m <sup>2</sup> within a building provided as part of the neighbourhood hub.	Serviced land and finished building "shell" to be provided and transferred to responsible body on completion of 300 dwellings in Neighbourhood Area 1-3.	S106	Developer and responsible body (e.g. community trust, the Town Council or other appropriate legal body for ownership and/or management).
<b>Education</b>				
Primary School	1.8 hectares of land within Neighbourhood Area 2 adjacent to the local centre for the provision of a new 210 to 420 place Primary School including early years provision (26 places).	Freehold interest and construction access secured upon completion of 100 dwellings  Site to be accessed and serviced upon completion of 250 dwellings.	CIL	DCC
Secondary Provision	3.2 hectares of land within Neighbourhood Area 4  Secondary education provision on a site of 3.2ha	Freehold interest and construction accessed secured upon completion of 100 dwellings.  Accessed and service upon completion of 250 dwellings.	CIL	DCC

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Need	Description	When	Mechanism	Lead Delivery Organisation
Safe pedestrian links	Safe pedestrian connections to Newton Abbot town centre and railway station	In line with development	Developer	Developer
Internal walking and cycling routes	A network of walking and cycling routes at 3m width with machine laid tarmac or other suitable surface	In line with development	S106	Developer
Sustainable Transport provision	Bus shelters Electric Car points Bike Stands	In line with development		Developer
Travel Plan Contribution	A financial contribution per dwelling towards the cost of the County Council delivering the Travel Plan	Upon completion of each Neighbourhood Area of development	S106	Developer
<b>Care Home Land</b>				
Care Home	Land to provide a Care Home in Neighbourhood Area 1 to a total of no less than 0.63 hectares to accommodate a building of up to 5,500m <sup>2</sup> floorspace.	Site serviced and commencement of marketing prior to the occupation of 60% of dwellings in western development parcel.  If no purchase is made before the expiration of the marketing period (3 years) the land is to be offered to the Council before being returned to the landowner.  The land may form part of the employment provision and can be used for other employment uses if not as a care home.	Developer	Developer
<b>Biodiversity</b>				
Biodiversity mitigation and compensation	<ul style="list-style-type: none"> <li>Planting of new orchards, areas of woodland, shrubs and wildflowers</li> <li>Reinforcement of tree lines and hedgerows</li> <li>Bat roosts</li> <li>Long term ecological monitoring</li> </ul>	In line with development	S106	Developer
Greater Horseshoe Bat Mitigation	Bespoke Greater Horseshoe Bat Mitigation Plan reflecting content set out by the HRA Screening Report	In line with development	Developer	Developer
Curlew Bunting habitat	Avoid and mitigate for impacts on Curlew Buntings on the site. If the current number of breeding birds cannot be maintained a compensation contribution must be made.	In line with development	Developer/S106	Developer/TDC
Wolborough Fen monitoring	Ongoing of programme of Fen monitoring as set out in Framework	Prior to construction; throughout development within the Fen catchment; and post construction	Developer	Developer / TDC / NE / DWT
<b>Other contributions</b>				
Coach Road Calming Works	Financial contribution towards the cost of the County Council carrying out traffic calming works along Coach Road	Upon completion of Main Street	Developer	Developer



Need	Description	When	Mechanism	Lead Delivery Organisation
Servicing and Utilities				
Gas Supply	On site provision of new pipe work connections to local gas supply	In line with development	Developer Commercial	Wales and West Utilities/Developer
Electric Supply	On site provision of new cables to local electricity supply	In line with development	Developer Commercial	Western Power Distribution/Developer
Broadband	Installation of fibre optic ducting and cables to premises which are capable of providing open access telecommunications infrastructure. This will support a choice of telecommunications service providers in the market	In line with development	Developer Commercial	Developer Telecommunications Operations
Waste and portable water service provision	Pipe laying and connections to main water supply and sewage treatment works.	In line with development	Developer Commercial	Developer South West Water
Community recycling facilities	Space for on-site recycling facilities	In line with development	Developer	Developer



# Appendix:

# Wolborough Fen Monitoring Strategy



## Appendix A Wolborough Fen SSSI Catchment: Draft Groundwater Monitoring Strategy

The groundwater monitoring strategy (GWMS) for the Wolborough Fen SSSI Catchment is a specific strategy that forms part of the wider SuDS Strategy that has been developed to support the proposed development of the Wolborough Allocation (NA3) as a whole. Therefore, this GWMS should be read in conjunction with the wider NA3 SuDS Strategy.

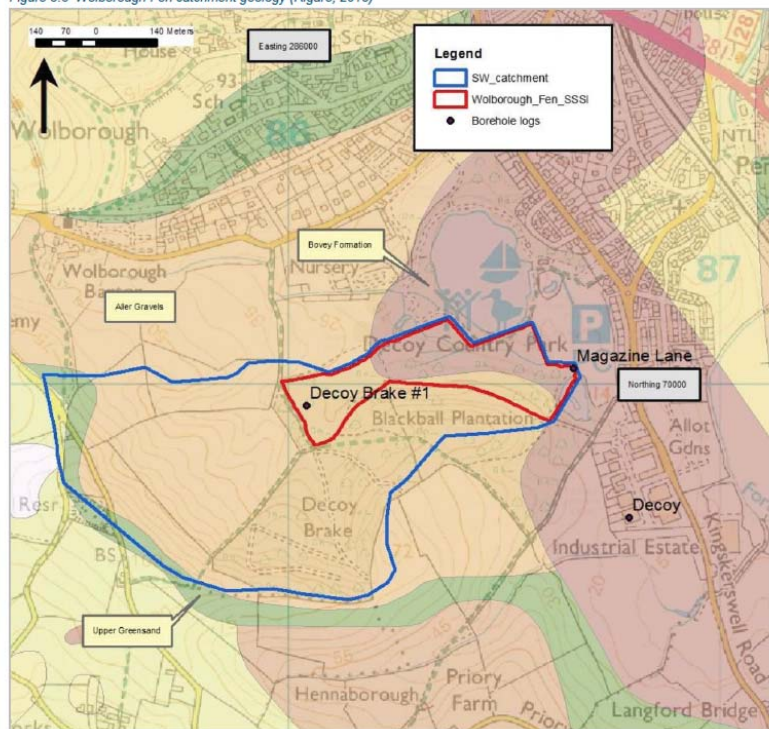
The GWS builds on and takes account of earlier work summarised in the following documents:

- (i) 'Wolborough (NA3)- Potential Impacts on Wolborough Fen SSSI: Review of Hydro-ecological studies' (Royal HaskoningDHV for Teignbridge District Council (TDC)) (Ref WAT/PB4806/R001/FO1) (Dec 2016). The Review of Hydro-ecological studies report is referred to under the acronym 'HESR' in this document;
- (ii) 'Wolborough (NA3)- Potential Impacts on Wolborough Fen SSSI: Development Framework Plan Advice' (Royal HaskoningDHV for Teignbridge District Council (TDC)) (Ref WAT/PB4806/R002/D00) (Dec 2016). The Development Framework Advice is referred to under the acronym 'DFA' in this document. Section 3 of the DFA sets out the requirements of the 'Pre-Construction Ground Investigation and Monitoring Strategy' and is provided as Appendix A to this GWMS.

The catchment of the Wolborough Fen SSSI, which is the area to which this GWMS applies, has been previously established (Rigare 2015) and agreed (See HESR Fig 3.3) which is reproduced below.



Figure 3.3 Wolborough Fen catchment geology (Rigare, 2015)



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Groundwater emerges from the Aller Gravel within the wet woodland area at the western end of the SSSI.

Groundwater also emerges from springs where the peat covers the Aller Gravel in the central area of the SSSI, where the peat is thin enough.

Within the eastern area of the SSSI, springs are unlikely to be present above the Bovey formation due to its relatively low permeability.

The generation and accumulation of peat at the site may have occurred due to the presence of a spring line which formed along the geological boundary between the Aller Gravel Formation and Bovey Formation, as a result of their contrasting permeabilities.

The Flood Risk Assessment (FRA) and Drainage Strategy (DS) prepared by InfraDesign (October 2017) in support of a planning application on NA3 provides the results of infiltration tests within the Wolborough Fen GWMS area. These show that infiltration rates are typically in the range  $1 - 5 \times 10^{-6}$  m/s. These are low rates and reflect the fact that the Aller Gravels include bands of silts and clays which will have much lower infiltration rates than the beds of gravel and coarse sand.

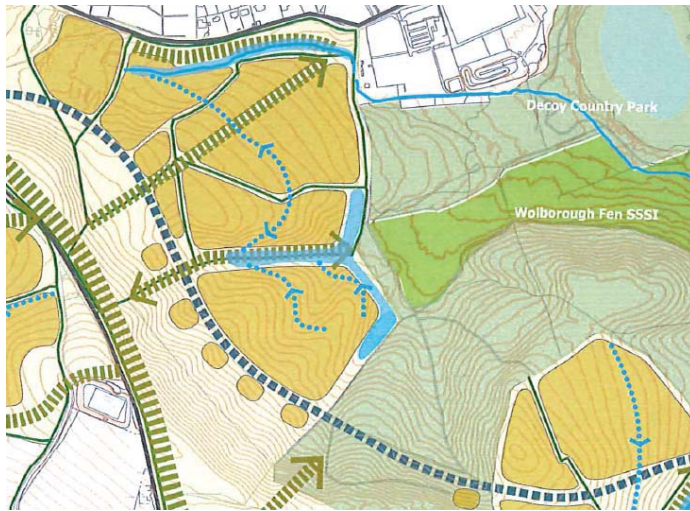
The SuDS Strategy requires 'that existing watercourses (and 'dry' valleys where higher infiltration rates will occur) are retained as blue/green corridors as far as this is reasonably possible'. It also proposes the use of swales running parallel to contours to intercept and slow down flows thereby promoting infiltration where this is viable. An excerpt of the surface water drainage strategy is provided below focussing on the Wolborough SSSI Catchment.

The HESR also includes a simple outline 'Conceptual Site Model' (CSM) which is described as follows in section 3.1.2.6:

*Groundwater is present within the Aller Gravel and Upper Greensand, which are moderately permeable and allow groundwater flow.*

*Groundwater is present within the peat and the sandy horizons of the Bovey Formation; both units have a relatively low permeability, which prevents or inhibits groundwater flow.*

*Groundwater flow is driven by recharge derived from the infiltration of precipitation falling on the catchment slopes.*



### The Wolborough Catchment Specific SuDS Strategy

The development masterplan has been guided by the SuDS Strategy and specific details are provided for the Wolborough Fen SSSI Catchment. The SuDS strategy in this catchment is to be informed in the light of a Groundwater Monitoring Strategy (GWMS) as set out below.

#### Draft proposed GWMS

A Pre-construction Ground Investigation and Monitoring Strategy should be submitted with any planning applications in the Wolborough SSSI Catchment, detailing the proposed scope of monitoring and explaining the rationale behind specific proposals bearing in mind the proposed development layout and the extent of any associated earthworks which will disturb the existing ground surface. Data collection should focus on the requirements of the identified technical assessments. These would require (as a minimum) the following datasets.

- (i) A coordinated programme of groundwater level monitoring within the planning application red line boundary.
- (ii) A sufficient number of deep boreholes should be provided to prove the depth of the Upper Greensand across the application boundary to inform the CSM and to allow monitoring of water levels in the Upper Greensand;

- (iii) Specifically, groundwater monitoring points should be provided at spacings of no more than 50m along the blue corridors identified within the NA3 SuDS Strategy within the red line planning application boundary;
- (iv) Groundwater monitoring in the general location of property soakaways to confirm that groundwater does not rise to within 1m of their base levels.
- (v) Groundwater monitoring in the general location of other infiltration devices to ascertain the extent that reliance on infiltration will need to be complimented by alternate means of surface water drainage during periods of high groundwater levels;
- (vi) Groundwater monitoring at all locations shall be undertaken on a monthly basis for a minimum duration of 18 months before written sign off of the proposed development surface water and SuDS strategy. In the event that rainfall deviates significantly from seasonal averages (see below) the monitoring period will be extended accordingly;
- (vii) Surface water and groundwater quality sampling from the downstream edge of the application boundary, to include nutrients (phosphate and nitrate) and potential contaminants that could be discharged either during construction or post-construction.
- (viii) Rainfall measurement at or close to the catchment. In the event that rainfall totals deviate by more than 25% from the seasonal average (i.e Winter, Spring, Summer and Autumn averages that each involve a period of 3 months) monitoring will be extended by a further 3 months.
- (ix) During construction the regulators should be advised of any breach of impact assessment criteria and the investigative or remedial measures undertaken in response to the breach. Following construction, a Construction Phase Interpretative Report should be submitted for regulatory approval.
- (x) Monitoring should continue for a minimum of 12 months post-construction, with Operational Phase Interpretative Reports being submitted annually until the regulators are satisfied that the any impact mitigation measures are working effectively.



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# Draft Strategic Environmental Assessment – Screening Statement for NA3, Wolborough Development Framework Plan

## 1. Background

- 1.1 The draft NA3 Wolborough, Newton Abbot Development Framework Plan (DFP) has been prepared in line with the Teignbridge Local Plan 2013–2033.
- 1.2 The draft DFP expands on the requirements set out in Policy NA3, for employment, housing, education, social and community facilities, link road, green infrastructure, sustainable movement and Ecology.
- 1.3 The draft DFP includes a Framework Plan for the NA3 allocation.

## 2. SEA Screening

2.1 Strategic Environmental Assessment (SEA) is a process to identify likely significant effects of a plan or policy on the environment. The requirement to assess certain plans and programmes is set out in the Environmental Assessment of Plans and Programmes Regulations 2004, which transpose the European Strategic Environmental Assessment Directive (2001/42/EC). An SEA is required where plans may have significant environmental effects. Schedule 1 of the Regulations set out the criteria for determining whether an SEA is required and these are considered below:

- The characteristics of plans and programmes, having regard, in particular to:
  - a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
  - b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
  - c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
  - d) environmental problems relevant to the plan or programme; and
  - e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

- Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—
  - a) the probability, duration, frequency and reversibility of the effects;
  - b) the cumulative nature of the effects;
  - c) the transboundary nature of the effects;
  - d) the risks to human health or the environment (for example, due to accidents);
  - e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
  - f) the value and vulnerability of the area likely to be affected due to—
    - i. special natural characteristics or cultural heritage;
    - ii. exceeded environmental quality standards or limit values; or
    - iii. intensive land-use; and
  - g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

2.2 The draft DFP sets out additional detail on the implementation and delivery of Local Plan Policy NA3 Wolborough. This has already been subject to Strategic Environmental Assessment (SEA), Sustainability Appraisal and Habitats Regulations Assessment (HRA).

2.3 The Local Plan assessment took account of the environmental characteristics of the site and area, which have not changed since those assessments were prepared. The draft DFP sets out a framework of delivery of the site's development. Therefore, whilst additional details are contained within the DFP, these are within the parameters of the policy framework, already set out in the Local Plan.

2.4 The draft DFP will not influence other plans in a hierarchy, but is itself, highly influenced by the Local Plan, which has already been subject to Strategic Environmental Assessment. The draft DFP does not differ from the Local Plan requirements.

2.5 The Local Plan has also been subject to assessment under the Habitats Regulations and the Local Plan policies contain appropriate requirements needed to mitigate any impacts on the South Hams SAC, prepared in conjunction with Natural England. The draft DFP itself has been subject appropriate assessment for the purpose of Habitats Regulations Assessment. It includes mitigation measures that are necessary for the protection of biodiversity including Greater Horseshoe Bat flyways and foraging areas, which has been used to inform illustrative layouts for the site.



2.6 The Sustainability Appraisal/Strategic Environmental Assessment accompanying the Proposed Submission Local Plan assessed the environmental impacts of Policy NA3. The following table demonstrates any implications or variations that have arisen from the draft DFP and which may require further SEA.

Table 1: SEA Screening

<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
<p><b>A. Natural Environment</b> To protect, conserve and enhance the area's natural environment</p>	<p>It is a predominately agricultural with a varied topography. There are trees and hedgerows throughout some of which are protected, these will need consideration in any development.</p> <p>Proposals have the potential to impact on bats, in particular the Greater Horseshoe Bat, and their flyways as well as cirr buntings, barn owls and their territories. There may also be impacts on other protected species. Any impact on protected species will need to be assessed and appropriately mitigated and compensated for.</p>	<p>The draft DFP (pp.27-29) provides further detail in relation to mitigation and compensation for biodiversity, specifically in relation to there being essential objectives in place to provide:</p> <ul style="list-style-type: none"> <li>• Greater Horseshoe Bat mitigation in accordance with the HRA Appropriate Assessment;</li> <li>• Cirr bunting mitigation;</li> <li>• Greater Crested Newt protection and mitigation;</li> <li>• Barn Owl roost protection;</li> <li>• Retention of the existing nesting site(s) for Swallows;</li> <li>• Diverse grassland protection;</li> <li>• A planting scheme to provide additional green infrastructure;</li> <li>• Retention and buffering of hedgerows, Devon banks, trees and woodland;</li> </ul>	<p>The draft DFP provides a more detailed understanding of the site's constraints and sets out the necessary objectives to ensure the appropriate mitigation and compensation of biodiversity across the site. A separate HRA Appropriate Assessment for the South Hams Special Area of Conservation (SAC) has been undertaken which recommends a series of mitigation measures. On the basis that these are effectively implemented the Appropriate Assessment concludes that there will be 'no likely significant effect' on the SAC.</p>	<p>No</p>

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<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
	<p>Part of the area is adjacent to a Local Nature Reserve, a Site of Special Scientific Interest and a County Wildlife Site.</p> <p>Further assessment on the potential impacts of these will be required especially in relation to the SSSI to ensure any development does not detrimentally impact its hydrology.</p>	<ul style="list-style-type: none"> <li>• Net gains to biodiversity all supported by adequate and up to date species and habitat surveys.</li> </ul> <p>The Framework Plan (p14) shows how the proposed layout of development has responded to the location of key biodiversity habitats.</p> <p>A blanket TPO covers all trees within the NA3 allocation.</p> <p>Retain (where appropriate) the pattern of existing heads, trees and woodland as per page 26 of the draft DFP.</p> <p>Pages 27-29 also set out the objectives and principles to be followed in relation to respecting landscape and views in and around the development area.</p>		
<p><b>B. Built Environment</b> To preserve and improve the area's built</p>	<p>The area is primarily farmland on the edge of the town. A new connected neighbourhood would result in sustainable development. Sensitive</p>	<p>The draft DFP requires the development to comply with the Council's emerging Design Guide SPD. In advance of this being adopted, pages 43-65 of the draft DFP sets out some design objectives</p>	<p>The draft DFP sets out detailed objectives in relation to how the existing built and historic environment will be protected and how new development can be built to a high standard of design and</p>	<p>No</p>

<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
environment and heritage assets	<p>and high quality design of new development with appropriate density will ensure it responds to its wider context. Incorporating landmark developments at gateway sites will also ensure a strong approach to the town.</p> <p>The wider historical context of the site will also need consideration. Part of the allocation is close to a conservation area and there are a number of listed buildings in close proximity including a Grade 1 listed church. As such careful consideration will need to be given to the siting, design, layout and landscaping of any development in close proximity.</p>	<p>relating to the design which seek to ensure an attractive, safe and accessible built environment with distinctive features and buildings and sufficient parking provision.</p> <p>High quality design and layout is required, including active frontages, high densities and design quality, and focal buildings around green and public spaces and at prominent locations.</p> <p>Nearby historic assets which have the potential to be affected by the proposed development are set out in the Heritage Strategy on page 39 of the draft DFP. It also explains the significance of these historic assets and shows how the listed buildings, Country Park, existing buildings and their settings around the site can be respected.</p> <p>The listed buildings, existing buildings and their settings around the site are respected through the proposed</p>	<p>layout. The relevant objectives and general principles listed throughout the document provide a framework for good quality design and the Framework Plan responds to this direction in a way which seeks to achieve this.</p>	

<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
		<p>layout shown on the Framework Plan (page 14).</p> <p>The draft DFP Heritage Strategy also identifies the known archaeological features on the site.</p>		
<p><b>C. Climate Change</b> To mitigate and adapt to possible effects of climate change</p>	<p>Includes need to consider generation of onsite renewable energy at a domestic and community scale as well as rainwater harvesting, recycling and composting. Provision for community and local food production is included.</p> <p>There are some areas of higher risk of flood but these areas can be incorporated with good design into open and green space. There are areas of potential surface flooding, however these could be managed through SUDS development and site planning and design.</p>	<p>The draft DFP reflects the Local Plan Policy requirement to minimise carbon emissions associated with new development through efficient design, renewable energy technologies, quality construction and maximising opportunities for sustainable travel</p> <p>The NA3 Drainage Strategy (page 33) addresses flooding and drainage issues in accordance with EA and lead local flood authority guidance.</p> <p>In the catchment of the SSSI, it will be necessary to ensure that the quality, quantity and reliability of the groundwater feed into the SSSI is not adversely impacted by the proposed development within the SSSI catchment.</p>	<p>A more detailed understanding of the site has refined the site's ability to deliver a comprehensive sustainable development with new community facilities, areas of food production and employment sites. These can be accessed via a network of walking, cycling and bus routes which will also link to routes beyond the boundaries of the development.</p>	<p>No</p>

<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
	New and enhanced routes are proposed to facilitate walking and cycling and there is support for a wide range of local services and community facilities.	<p>A neighbourhood hub with a range of facilities will help reduce the need to travel for some everyday goods and services.</p> <p>The development will be connected via a network of on- and off-road walking and cycling routes (pages 19-21) to the different parts of the development as well as to main links to the town centre.</p> <p>The DFP also provides a solution for providing at least 1.46ha of allotment plots.</p>		
<p><b>D. Resource Use</b> To minimise the loss or degradation of finite natural resources</p>	<p>The area is Greenfield with mainly lower grade agricultural land mostly arable.</p> <p>The site is not in a mineral consultation area but there are known deposits of sand and gravel in the area that will need consideration.</p>	The draft DFP continues to direct employment uses to the area included within the 'mineral safeguarding area' as defined by the Devon Minerals Plan 2011-2031. This safeguarding area does not preclude development but means that proposals would have to meet certain criteria as specified by the relevant Minerals Plan policy (M2).	The draft DFP confirms the location of employment development in the Mineral Safeguarding Area. No additional implications to those identified in the full SA/SEA for policy NA3 of the Local Plan.	No

<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
<b>E. Jobs and Local Economy</b> To foster an entrepreneurial economy with improved productivity, providing a strong employment offer	There is significant employment provision including 10 hectares with a mix of uses and types to help create additional jobs, support the local economy as well as help to increase self-containment. New housing will generate short term employment during build-out. New households will generate economic activity including supporting local shops and businesses.	<p>Local Plan policy NA3 requires 10ha of employment land.</p> <p>The draft DFP sets out how employment land will be provided across the site. This is primarily directed to land at Kingskerswell Road, the A381 Totnes Road, and within and around the Neighbourhood Hub.</p> <p>The draft DFP does not identify land for the 10ha requirement, it is therefore expected that provision for employment land elsewhere in the locality would therefore be required.</p>	<p>The draft DFP currently does not meet the policy requirement to deliver 10ha of employment land on site.</p> <p>However there is flexibility under Local Policy EC3 (Rural Employment) to enable additional employment land outside the allocation area if needed.</p>	No
<b>F. Town Centres</b> To strengthen and safeguard the vitality and viability of our town centres	Potential for additional expenditure to the town centre from new residents	Page 21 of the draft DFP sets out how links to the town centre will be provided. It also contains relevant clauses to ensure no unacceptable impact on the town centre as a result of new retailing proposals.	The draft DFP ensures adequate links to the town centre are retained and created, and that the town centre is not negatively affected by the proposed development.	No
<b>G. Housing</b> To provide and maintain a sufficient supply of good quality,	Meeting a significant proportion of the area's housing need.	Page 17 of the draft DFP sets out objectives for a range of housing types and tenures, including affordable and custom build.	Currently, the draft DFP demonstrates that approximately 1,300 homes can be delivered on-site. This falls short of the Local Plan Policy NA3(c) requirement	No

<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
mixed housing, including an appropriate level of affordable housing		Detailed analysis of the site including landscape analysis has led to the conclusion that the preferred form of development would involve very limited amounts of housing development outside the Local Plan defined allocation area. It is anticipated that this could occur south of Neighbourhood 3 and 4 as shown on pages 62 - 65.	that the development should deliver at least 1,500 homes. However, capacity testing and masterplanning work is ongoing in order to identify ways to reach the policy requirement. Therefore this estimate of 1,300 homes could be increased at the detailed planning application stage.	
<b>H. Health</b> To support healthy lifestyles and a healthy local living environment	It provides proximity and potential connectivity to existing health and social centres as well as incorporating new facilities within in. Provision of housing, jobs, recreational opportunities and increase sustainable travel opportunities could lead to a general improvement in public health.	The draft DFP expects a range of community and open space facilities, including a neighbourhood hub (including community centre and retail units), walking and cycling routes, parkland, natural green space, play areas and allotments. A proposed distribution of these uses is shown on page 12.	The range and quality of homes and provision of a range of onsite community facilities and services, and extensive green infrastructure network will all have a positive bearing on health and wellbeing of residents on-site and in adjacent localities.	No
<b>I. Infrastructure</b> To ensure sustainably balanced places are created or	A significant range of infrastructure improvements will benefit the community, including; a network of new vehicular	Pages 70-73 of the draft DFP contains a schedule of infrastructure for the site. This includes all NA3 policy requirements and provides up to date details (collected in	The draft DFP expects a range of infrastructure items which will all have a positive impact on the provision of local services and facilities.	No

<b>SA/SEA Sustainability Objective</b>	<b>SA/SEA Comment on Policy NA3</b>	<b>Relevant DFP Details</b>	<b>Implications of DFP</b>	<b>Further SEA Required?</b>
maintained, providing access to an appropriate mix of services and facilities	routes, new bus services, cycle lanes and footpaths, and facilities for generation of on-site renewable energy. There will also be a range of local shops & community facilities to support a new sustainable urban extension which will include schools, health care, faith facilities and a broad spectrum of open/play/green spaces. This includes significant investment and provision of green infrastructure.	consultation with infrastructure providers) as to how they expect them to be delivered and who would be responsible for their delivery.		



### 3. Variations

3.1 The SEA screening should assess any variations to the relevant policies that the SPD has introduced. There are a few aspects of the draft DFP which vary slightly from the detail contained in the Local Plan. These variations relate to the provision of some elements of the development offsite and are justified by further work and discussions, including changes in advice from expert consultees and detailed masterplanning work.

3.2 The variations are influenced by an improved understanding of a number of challenges which, if not effectively dealt with, risk delivery of the site. These include:

- **Topography** - The allocation is bisected by a strong ridgeline along Stoneman's Hill that runs approximately north-west to southeast, separating Newton Abbot from Abbotskerswell. Decoy Brake / Blackball Plantation lies along a Spur from this ridge. Land to the west of Stoneman's Hill drops down towards the A381 Totnes Road. Land to the east of Stoneman's Hill has a steep gradient down towards Decoy, which forms a catchment for the Fen SSSI.
- **Flood risk and drainage** - Trunk water mains across the site – South West Water Hydrology – catchment for the Wolborough Fen SSSI and existing watercourses.
- **Landscape character** - Woodland, hedgerows, rolling hills, farmland and network of public rights of way. Having assessed the reasonable alternatives and the conclusions of the original SA/SEA undertaken for the Local Plan, it is considered that the overall impact on the local environment will not be significantly different from the Local Plan SEA as a result of the slight extension to the boundary of the allocation.
- **Landscape and heritage** - Setting of the Grade 1 Listed parish Church of St Mary the Virgin, Wolborough Hill Conservation Area, St Augustine's Priory, Wolborough Barton Farm and Hennaborough Barn.
- **Infrastructure** - The requirement for a number of key infrastructure items and facilities, namely employment land, a primary school, multi-purpose community building, open spaces and play areas, local shops and a new main street running on an east west alignment through the site.
- **Site features and ecology** - There a number of other ecological features across the site to be considered which include: a network of high quality, unimproved meadows supporting a herb rich plant community; areas of dry stone walls and unimproved meadows likely to support reptiles; small copses of mature broadleaved woodland providing bird nesting sites); historic orchards; watercourses; Wolborough Fen SSSI; and bat roosting sites and flyways (The southern extent of NA3

falls within a strategic flyway for Greater Horseshoe Bats which are protected by European legislation through the South Hams Special Area of Conservation (SAC)).

- **Employment** - Policy NA3 requires the provision of at least 10ha of land for employment development. In order to improve deliverability of the employment land, the draft framework plan shows a small portion of employment land partly outside the allocation area in Neighbourhood 4. Provision in this location will enable clustering of business uses, economic uses, economies of utilities provision and servicing, and minimise impact on neighbouring uses. Neighbourhood 4 is the most accessible part of the NA3 allocation allowing commercial traffic access from the South Devon Link Road and from the A381 Totnes Road via the new link road running through the development. Having assessed the reasonable alternatives and the conclusions of the original SA/SEA undertaken for the Local Plan, it is considered that the overall impact on the local environment will not be significantly different from the Local Plan SEA as a result of the slight extension to the boundary of the allocation. In addition, the proposed extension accords with Local Plan Policy EC3 (Rural Employment).

The collective constraints mean that the area in which development can take place is significantly less than the overall area of the allocation. Within this developable area, a number of key infrastructure items and facilities need to be planned for, namely education provision, community centre, open spaces and play areas, local shops and a new road connecting the A381 to the A380 South Devon Link Road. This new road improves accessibility into and out of, and across Newton Abbot.

3.3 Developing a site such as this is costly and the development therefore needs to maximise its potential for building higher value uses (i.e. housing) in order to fund the necessary infrastructure. The variations therefore relate to the proposal to deliver some uses off site where there is a shortfall of provision on site to maximise the availability of the allocation area for housing and community uses. These uses are:

- improvement of existing nearby playing pitches at Decoy Country Park; and
- a proportion of the employment land being provided offsite.

3.4 It is not considered that these variations lead to any conflict with higher tier policy and that, overall, the draft DFP sets out a framework for meeting the requirements of the Local Plan. The provision of the above uses can be provided in accordance with other relevant Local Plan policies, namely Policy WE11 for replacement and additional playing pitches and EC3 for employment land.

#### 4. Conclusion

4.1 The SEA screening indicates there are no new significant effects likely to arise through the implementation of the draft NA3 Wolborough Draft Development Framework Plan that have not previously been identified through the full SA/SEA of the Teignbridge Local Plan. Therefore full Strategic Environmental Assessment of the NA3 Development Framework Plan is not required.

12<sup>th</sup> July 2018

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**Habitat Regulations Assessment  
NA3 Wolborough  
Development Framework Plan**

**M J Oxford CEcol. FIEEM.**

**Greenbridge Ltd**

**Teignbridge District Council**

July 2018 (Consultation  
Version)

# Habitat Regulations Assessment of NA3 Wolborough, Newton Abbot Development Framework Plan

Prepared by Greenbridge Ltd and Teignbridge District Council

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A report by Greenbridge Ltd and Teignbridge District Council.

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## **Acknowledgements**

We have drawn on a range of ecological reports and studies in the Newton Abbot area, and are grateful for the cooperation and assistance offered by staff at SLR Consulting. Thanks also to the landowner, who has provided invaluable information on farming operations and land use across much of NA3.

Natural England was consulted on the previous version of this report, i.e. the 'HRA Screening Assessment of the NA3 Development Framework Plan' and their comments have been reflected in this final version.

This report was prepared by:

Mike Oxford M.Sc. CEcol FCIEEM

Greenbridge Ltd (March 2017)

Updated by:

Teignbridge District Council (consultation version July 2018)

## Summary

The following report, commissioned and updated by Teignbridge District Council (TDC), provides a Habitat Regulations Assessment for the NA3 Wolborough allocation and Development Framework Plan (DFP), based on a more detailed examination of the site's geography, landscape / physical features, bat survey information and wider context in terms of potential in-combination effects with other development in the Newton Abbot area.

The Habitat Regulations Assessment of the NA3 Development Framework Plan identified the likely effects arising from the planning proposals for NA3 (e.g. their likely effect on the integrity of South Hams SAC in relation to greater horseshoe bats), and made recommendations, where required, for appropriate mitigation measures (commensurate with levels of information and certainty available at the Plan Making stage of the planning process). These mitigation measures have been incorporated into the NA3 Development Framework Plan, which this current Habitat Regulations Assessment considers.

The Adopted Teignbridge Local Plan was subject to comprehensive Habitat Regulations Assessment that examined both proposed policies and site allocations. In considering allocations such as NA3, the HRA identified a requirement for future planning applications on such sites to be brought forward accompanied by a 'bespoke greater horseshoe bat mitigation plan'. The purpose of these bespoke plans is to ensure that individual developments address all likely adverse effects on the bats, thus ensuring that there is no adverse effect on the integrity of the South Hams Special Area of Conservation (SAC).

This Habitat Regulations Assessment considers the NA3 Development Framework Plan and should also help guide the preparation of the bespoke mitigation plan.

This Assessment has also considered the implications of other large proposals between the northern edge of Torquay and Bovey Tracey to the north of Newton Abbot and their potential to cause 'in combination' effects with the development proposals for NA3.

On the basis that the proposed mitigation set out in Section 5 of this Assessment is adopted as part of the NA3 Development Framework Plan and subsequently secured through appropriate planning mechanisms at such time as individual planning applications are determined, then it is concluded that the development of NA3 (as proposed) will not have a 'likely significant effect' on the South Hams Special Area of Conservation.

This HRA Report has been undertaken in the context of the existing guidance published by Natural England (2010). Such guidance is updated periodically with a review of the existing Natural England guidance (currently being prepared by the SAC competent authorities) expected to be published in late 2018 or early 2019. Further ecological surveys and Habitat Regulations Assessment which will be required as part of any relevant applications on the NA3 site will therefore need to have regard to the most up to date guidance available at the time an application is submitted. This will need to be accompanied by a Bespoke Mitigation Plan as required by Policy NA3 of the Teignbridge Local Plan.

## 1. Introduction and Background

### 1.1 Introduction

- 1.1.1. The NA3 Wolborough Development Framework Plan (DFP) provides detailed and relevant planning guidance relating to the development of land that is allocated through Policy NA3 Wolborough, of the statutory adopted Teignbridge Local Plan 2013-2033.
- 1.1.2. This document has been commissioned and subsequently updated by Teignbridge District Council (TDC). It provides a Habitat Regulations Assessment (HRA) of the NA3 Wolborough allocation and Development Framework Plan, based on a more detailed examination of the site's geography, landscape / physical features, bat survey information and wider context in terms of potential in-combination effects with other development in the Newton Abbot area. As such, it has been carried out to meet the requirements of Regulation 105 of the Habitat and Species Regulations 2017. Local planning authorities may only adopt a plan after it has been ascertained through an HRA that the plan will not adversely affect the integrity of a European site (e.g. a Special Area of Conservation).
- 1.1.3. The Adopted Teignbridge Local Plan was subject to comprehensive Habitat Regulations Assessment that examined both proposed policies and site allocations. The Local Plan HRA identified that the development for which NA3 is allocated may impact the South Hams Special Area of Conservation (SAC) via impacts on the greater horseshoe bats that form one of the SAC's qualifying features. The Local Plan HRA concluded that NA3 is unlikely to impact any other European site.
- 1.1.4. This Habitat Regulations Assessment identifies the likely effects arising from the NA3 allocation and Development Framework Plan Proposals, i.e. their likely effect on the integrity of South Hams SAC in relation to greater horseshoe bats. It makes recommendations, where required, for appropriate mitigation measures commensurate with levels of information and certainty available at this stage of the planning process.
- 1.1.5. In considering allocations such as NA3, the Local Plan HRA identified a requirement for future planning applications on such sites to be brought forward accompanied by a 'bespoke greater horseshoe bat mitigation plan'. The purpose of these bespoke plans is to ensure that individual developments address all likely adverse effects on the bats, thus ensuring that there is no effect on the integrity of the South Hams Special Area of Conservation (SAC).
- 1.1.6. This Assessment is intended to inform the Development Framework Planning process for NA3 and will also help guide subsequent preparation of the bespoke mitigation plan(s).
- 1.1.7. This report sets the context for future detailed development proposals and is commensurate with the level of data and evidence that is appropriate at the SPD stage of the planning process. We recognise the limitations of some of the survey data used to inform this Assessment and that some indicative corridors may need to be refined at the planning application stage. Further survey work and a bespoke Greater Horseshoe Bat mitigation plan will be required in support of planning applications as explained at Section 5.

### 1.2 Background

- 1.2.1. The NA3 Development Framework Plan, once approved, will set out how proposals for housing, employment land, green spaces and the required infrastructure at Wolborough can be planned, delivered and phased comprehensively and in a sustainable form across the allocation as required by Policy NA3. It will be a material consideration in determining planning applications, ensuring that the overall allocation requirements, particularly in relation to planning and delivery, can be met. However, it does not preclude alternative planning proposals being considered

provided these are compliant with the policy requirements of the Local Plan and which help to deliver a comprehensive scheme for NA3 Wolborough.

### 1.3 Strategic Landscape Approach to Greater Horseshoe Bat Conservation

1.3.1. In undertaking a screening assessment of the NA3 Development Framework Plan, there has been a need to consider the conservation of a highly mobile species (greater horseshoe bat) at the landscape scale. Consequently, screening of the area has considered how (i) the conservation status of the bats and (ii) the conservation objectives for the South Hams SAC can be applied practically at a strategic landscape level for NA3 and the surrounding area. To do this, in addition to the requirements for plan and project level Habitat Regulations Assessment (HRA), mitigation proposals have also been informed by other relevant statutory provisions.

1.3.2. For instance, Regulation 41 of *The Conservation of Habitats and Species Regulations (2017)* transposes the requirements of Article 10 of the EU Habitats Directive (1992) into English legislation. Regulation 41 requires development plans to include policies that encourage the management of features of the landscape which are of major importance for wild flora and fauna. Article 10 states:

*“Member States shall endeavour, where they consider it necessary, in their land use planning and development policies and, in particular, with a view to improving the ecological coherence of The Natura 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems of marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species”.*

1.3.3. In response to the above, the broad principles set out in Box 1 should be applied to the formulation of all appropriate greater horseshoe bat mitigation proposals for NA3.

#### Box 1 Guiding Principles for Greater Horseshoe Mitigation Measures

- i. Maintenance of dark and unlit habitat connectivity across the wider landscape;*
- ii. Provision of adequate foraging habitat;*
- iii. Provision, where appropriate, of adequate permeability through and between areas of built development following existing and new flight paths;*
- iv. Provision of new bespoke roosts where they will provide ‘stepping stones’ across the landscape, as well as maintenance of existing roosts.*

1.3.4. The application of these principles are considered in more detail in Section 5 of this Habitat Regulations Assessment for NA3.

## 2. Methodology

### 2.1 Desk Study

- 2.1.1. A preliminary appraisal of habitat and landscape features in and around NA3 Wolborough was undertaken with reference to relevant Ordnance Survey maps and aerial photographs. These were used to identify key topographical features associated within the area as well as prominent habitat features capable of supporting greater horseshoe bats, such as hedgerows, woodlands, water courses and grazed pasture.
- 2.1.2. Further information has been gathered from ecological surveys and reports that have been prepared to inform future planning applications within NA3.
- 2.1.3. Surveys of the nearby Conitor Cave confirm use by greater horseshoe bats during summer months and for hibernation.
- 2.1.4. Where available and in the public domain, other, older records have also been referenced and have provided further information on the occurrence and distribution of greater horseshoe bats in the landscape around NA3. Taken together, these sources of information present an overview of where and how greater horseshoe bats are using the wider landscape in the area.

**Note:** While not in the public domain, reference has also been made to greater horseshoe bat records collected by the Devon Bat Group and held by Devon Biodiversity Records Centre (DBRC). Although these records are not available for inclusion in this report, the data contained in these records do provide useful corroboration that greater horseshoe bats are dispersed across the wider landscape to the south of Newton Abbot.

- 2.1.5. Map 2 and Aerial Photo 3 of this report present a summary of the existing evidence and show:
- The location of planning applications (shown by a red dot and application reference number) where greater horseshoe bats have been recorded, and;
  - Established and predicted flight lines based on best available evidence from various bat surveys undertaken within and in the vicinity of NA3.
- 2.1.6. One of the major landowners within NA3 also provided detailed information on his farming operations across the area. This included a breakdown of fields that are regularly under arable cultivation and those which are grazed by cattle – either for prolonged periods through the spring and summer, or more irregularly e.g. after silage cuts.

### 2.2 Site Visits

- 2.2.1. The following report was informed by walk over surveys undertaken in the NA3 area during March 2016 by M. Oxford (FCIEEM, CEcol). Access for these visits was obtained from public rights of way or from views obtained from adjacent roads. Also, where necessary, access was gained under Teignbridge District Council's powers under Section 324 of the Town and Country Planning Act 1990, whereby a local planning authority may authorise a person to enter any land for the purpose of surveying it in connection with the preparation, adoption or approval of a local development document.
- 2.2.2. The purpose of the walkover surveys was to ground-truth topographic and habitat features identified through the desk studies and, in particular, to identify habitat features within the landscape that are capable of supporting foraging and commuting greater horseshoe bats. Once identified, and in conjunction with the results of field surveys, these features were used to help identify potential likely flight routes and areas used for foraging within the areas in and around NA3.

- 2.2.3. Walkover surveys do not in themselves provide a fully robust evidence base for reaching conclusions as to the use, or suitability, of the site for GHBs. However, done in conjunction with the desk top review of topographical data, aerial photographs and existing ecological survey data, the walkover surveys can enable reasonable assumptions to be made as to the network of commuting habitat features in and around the site. This level of survey and analysis is considered commensurate with this stage of the Development Framework Planning process. Further, full and up-to-date survey data will be required to inform the consideration and Habitat Regulations Assessment of future planning applications.

### 3.0 Structure of This Assessment

- 3.1 A Habitat Regulations Assessment for the NA3 Development Framework Plan is presented in Section 5 below. The assessment is based on the desk studies, bat surveys and walk over surveys described in Section 2 above. The Assessment provides information on the following:
- a. The South Hams Special Area of Conservation (SAC) and greater horseshoe bats;
  - b. Key physical characteristics of the NA3 area;
  - c. Whether future development of the site has the potential to impact the integrity of the South Hams SAC;
  - d. Whether it is likely that likely impacts can be mitigated effectively.
- 3.2 In addition, this Assessment also considers the potential for 'in combination' effects with other development proposals that may interact with the proposals for NA3.

## 4. The South Hams SAC and Greater Horseshoe Bats

### 4.1 Composition and Importance of the South Hams SAC in a European Context

- 4.1.1 The South Hams SAC has been designated for its population of Greater Horseshoe Bats. This species is identified as an Annex II species in the Habitats Directive (1992) because it is one of the rarest/most threatened animals in Europe.
- 4.1.2 The SAC holds the largest population of greater horseshoe bat in the UK, with over 1,000 adult bats (approximately 30% of the UK population). It includes both maternity and hibernation roosts, and contains the largest known maternity roost in the UK and possibly in Europe.
- 4.1.3 The SAC comprises five Sites of Special Scientific Interest (SSSIs) spread across South Devon (see Table 1). Map 1 shows the location of the five sites that make up the South Hams SAC as well as the SSSI at High Marks Barn.

**Table 1 Component Parts of the South Hams SAC** (see also Map 1)

Site Name and Relevant LPA	Description and Reasons for Notification as a SSSI	Maternity	Hibernation
<b>Berry Head to Sharkham Point SSSI and NNR</b> <i>Torbay Council</i>	Roost in caves on sea cliffs	✓	✓
<b>Buckfastleigh Caves SSSI</b> <i>Dartmoor National Park Authority</i> <i>Teignbridge District Council</i> <i>Devon County Council</i>	Roosts in inland cave complex	✓	✓
<b>Bulkamore Iron Mine SSSI</b> <i>South Hams District Council</i> <i>Devon County Council</i>	Roost in large disused mine		✓
<b>Chudleigh Caves and Woods SSSI</b> <i>Teignbridge District Council</i> <i>Devon County Council</i>	Roosts in inland cave complex.	✓	✓
<b>Haytor and Smallacombe Iron Mines SSSI</b> <i>Dartmoor National Park Authority</i> <i>Devon County Council</i>	Roosts in disused mines		✓

- 4.1.4 A sixth site has recently (2012) been designated as an SSSI as an important greater horseshoe maternity roost, although it is currently not a formal part of the designated SAC.

<b>High Marks Barn SSSI</b> <i>South Hams District Council</i> <i>Devon County Council</i>	Large agricultural barn	✓	
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- 4.1.5 Between them, these six sites support a large proportion of the total greater horseshoe bat population across South Devon; and while the High Marks Barn has not been designated as a SAC, the colony here is an integral part of the overall SAC population and must therefore be included as a consideration in any and all relevant Habitat Regulations Assessments.
- 4.1.6 The designated roost sites have been identified on the basis of their relative importance for hibernation during winter, and/or also summer roosts where whole colonies gather together and where females give birth and rear their young.



**NOTE** Buckfastleigh and High Marks Barn are secure sites, owned and managed for the benefit of greater horseshoe bats by The Vincent Wildlife Trust.

4.1.7 In addition to the importance of the SAC roosts, greater horseshoe bats are dependent upon the wider countryside of South Devon for the majority of their activities, including commuting, foraging, roosting, mating and seasonal migration (see **Map 1**).

#### **4.2 Greater Horseshoe Bats: Ecology, Behaviour and Use of the South Devon Landscape**

4.2.1 The greater horseshoe bat is one of Britain's largest and rarest bats, with a total UK population of about 5500 individuals. It should be noted that their population is not confined to the SAC sites and they are able to travel relatively large distances across the landscape and have large foraging territories.

4.2.2 Greater horseshoe bats are long-lived (in excess of 30 years) with the bats remaining faithful to these important roosting sites, returning year after year for generations (Natural England 2010). They feed primarily in and around woodlands, hedges and grazed pasture, especially cattle-grazed pasture. Any loss or degradation to such areas can have an impact, especially in areas close to the maternity roosts, where the juvenile bats feed. For instance conversion of pasture to amenity grassland would remove the key food source for GH bats of dung-feeding insects'. Also, the bats follow a network of 'traditional' flyways between roost sites and feeding areas and are susceptible to breaks in or removal of the features along which they commute.

#### **4.3 Sustenance Zones**

4.3.1 The *Sustenance Zones* (shown on Map 1) are considered to be of strategic importance for maintaining the population of Greater Horseshoe Bats across the South Hams SAC. These zones are based on the original work undertaken to produce Natural England's Guidance (2010) and have been identified using the best available scientific knowledge<sup>1</sup>.

4.3.2 For maternity roosts, the Sustenance Zones have generally been mapped using a 4km radius circle centred on each of the component SACs; as such they reflect the strategic importance of the feeding habitat around these roosts<sup>2</sup>. However, the roost at Berry Head is situated on a peninsula surrounded on three sides by the sea, so the sustenance zone here has an area approximately equal to a 4km radius circle).

4.3.3 In addition to the Sustenance Zones around the SAC roosts, because of the number of bats it supports, a 4km radius sustenance area has been identified around the non-SAC roost at High Marks Barn SSSI in the Avon valley (see Map 1).

#### **4.4 Strategic Flyways**

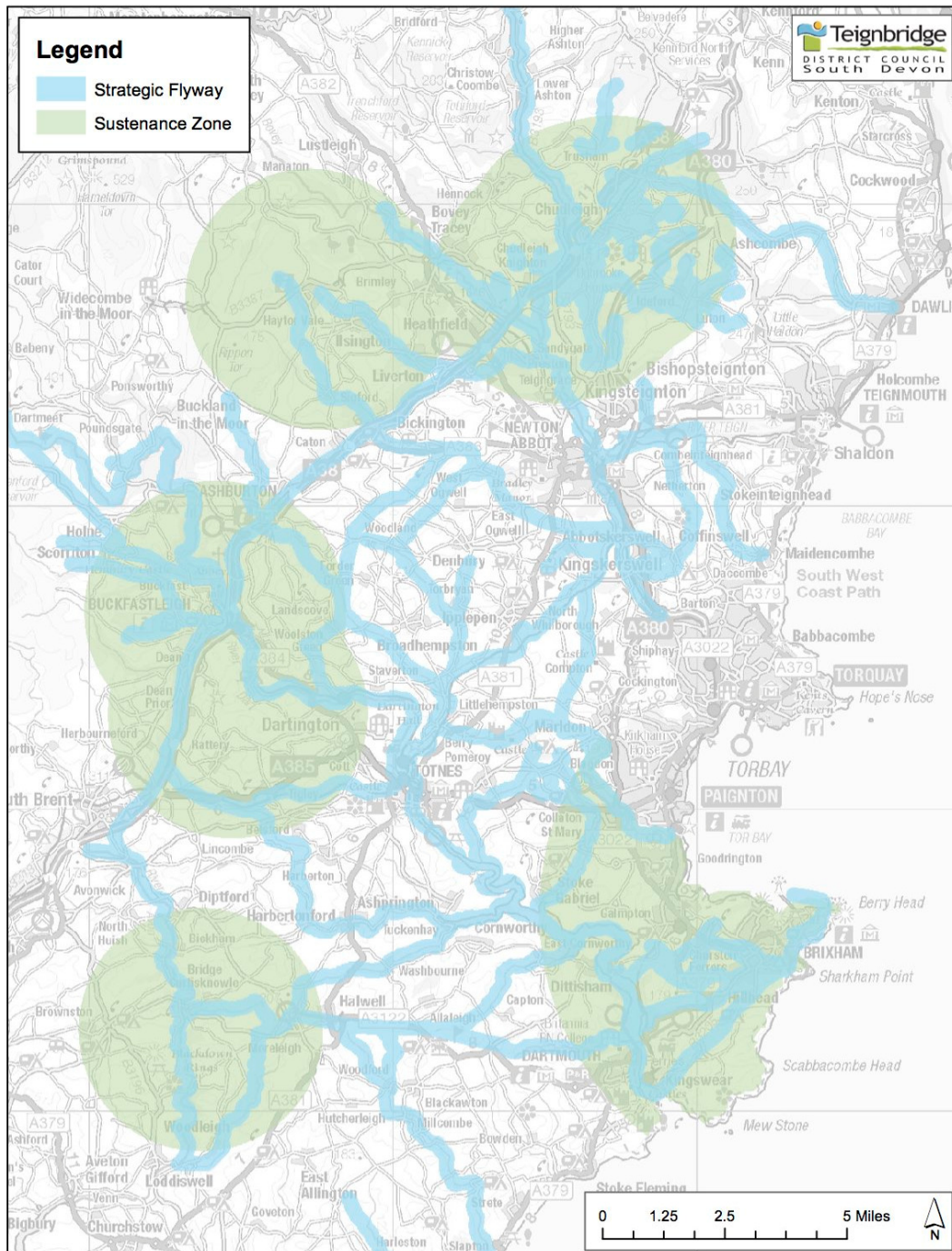
4.4.1 Natural England (2010) have identified the *Strategic Flyways* (shown on Map 1) that are most likely to link the key (SAC) roosts and foraging habitats with the contiguous landscape features most likely to be used by greater horseshoe bats.

<sup>1</sup> Natural England based their 2010 guidance upon a consolidation of relevant greater horseshoe bat research and information drawn together over the previous year by Marquis & Lord Consultants. The knowledge gained through that project represents the best understanding, to date, of the dispersal patterns and key habitats of greater horseshoe bats across South Devon. In addition, based on the known distribution of greater horseshoe bats, Marquis & Lord collated spatial information to create a GIS layer that was used to inform the preparation of Map 1.

<sup>2</sup> Ransome RD and Hutson AM (2000) *Action plan for the conservation of the greater horseshoe in Europe (Rhinolophus ferrumequinum)*, Convention on the Conservation of European Wildlife and Natural Habitats, Nature and Environment No 109. <http://www.swild.ch/Rhinolophus/PlanII.pdf>  
Also see EN research reports R174 R241 R341 & R532

4.4.2 The *Flyways* identified are closely associated with the main rivers and sheltered valleys of South Devon. They have been identified as being 500 metres wide to offer several pathways

**Map 1 South Ham SAC, Sustenance Zones and Strategic Flyways**



**South Hams SAC Sustenance Zones and Strategic Flyways**

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and provide alternative routes to accommodate variance in the weather; for example, greater horseshoe bats will prefer to travel on the leeward side of a hedgerow when conditions are adversely windy.

- 4.4.3 While the network of flyways shown on Map 1 is a current ‘*best estimate*’ for likely routes through the landscape, other equally important routes may be identified in the course of further survey work in the future. The SAC Partner Authorities (Devon County Council, Dartmoor National Park, South Hams District Council, Teignbridge District Council and Torbay Council) and Natural England are currently in the process of updating the guidance relating to the management of the SAC and, in particular, the network of Strategic Flyways. This HRA document is based on the published 2010 Guidance (<https://www.teignbridge.gov.uk/media/1747/ne-south-hams-sac-planning-guidance-nov-2011.pdf>), but any relevant future planning applications submitted should ensure they have regard to the most up to date guidance available at the time.

## 4.5 Features Required to Maintain the Integrity of the SAC

- 4.5.1 Under Regulation 61 of the *Habitat and Species Regulations* (2010) planning authorities<sup>3</sup> in South Devon cannot lawfully grant planning permission, nor under Regulation 102 can they allocate proposals in their Local Plans, unless they have established that such development proposals are not likely to have a significant adverse effect upon the integrity of the South Hams SAC. The integrity of a European site can be defined<sup>4</sup> as:

*“the coherence of its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified”.*

- 4.5.2 In practical terms, this means understanding the specific requirements necessary to maintain the SAC’s integrity and with it the population of greater horseshoe bats at a ‘*favourable conservation status*’ (see Section 4.3). To achieve this, Natural England (2010) state:
- i. The area has to be large enough to provide a range of food sources capable of supporting the whole bat population; the bats feed at a number of locations through the night and will select different feeding areas through the year linked to the seasonal availability of their insect prey.
  - ii. The bats regularly travel through South Devon between their feeding sites and roosts via a network of established flyways. They also travel greater distances between the sites designated as the South Hams SAC at certain times of the year, for example: in the spring and autumn between hibernacula and maternity sites, and in the autumn to mating sites.
  - iii. To move between their roosts and foraging areas, the bats require linear features in the landscape to provide landscape permeability. Compared to most other bat species, the echolocation call of the greater horseshoe bat diminishes (attenuates) rapidly in air due to its relatively high frequency. This means it cannot ‘see’ a great distance and is one reason why it tends to use landscape features to navigate, such as lines of vegetation (e.g. hedgerows, woodland edge, vegetated watercourses, etc). The greater horseshoe bat will tend to fly close to the ground (up to a height of 2m), and mostly beneath vegetation cover. Radio tracking studies<sup>5</sup> and observations in the field confirm that greater horseshoe bats will regularly use the interconnected flyways associated with lines of vegetation. Further studies<sup>6</sup> have shown

<sup>3</sup> The competent authority is most likely to be the planning authority for planning applications, but for other types of consent may be another regulatory body (e.g. the Environment Agency) or infrastructure provider (such as the Highways Authority).

<sup>4</sup> See Chartered Institute of Ecology and Environment <http://www.cieem.net/glossary>

<sup>5</sup> Radio tracking studies of greater horseshoe bats have been commissioned by Natural England as described in the following research reports R344, R496 & R573.

<sup>6</sup> A L Walsh & S Harris, (1996), Foraging habitat preferences of vespertilionid bats in Britain. *Journal of Applied*

that landscapes with broadleaved woodland and watercourses are important as they provide habitat continuity.

- iv. This species is sensitive to light and will avoid lit areas<sup>7</sup>. The interruption of a flyway by light disturbance, as with physical removal/ obstruction, would force greater horseshoes to find an alternative route which is likely to incur an additional energetic burden and will therefore be a threat to the viability of the bat colony. In some circumstances, alternatives will not be available, leading to isolation and fragmentation of the bat population from key foraging areas and/or roosts.
- v. There must be a sufficient number and range of different types of roosts throughout the landscape to support the population through all stages of the bats' daily and seasonal life cycle.
- vi. Roost exits must be shielded from any artificial lighting, and suitable cover should be present to provide darkened flyways to assist safe access to and from the wider habitat<sup>8</sup>.
- vii. The feeding and foraging requirements of this species have been well studied in Devon and in the UK<sup>9</sup>. Most feeding activity is concentrated in an area within 4km of the roost (juvenile bats will forage within 3km at a stage in their life when they are most susceptible to mortality). The most important types of habitat for feeding have been shown to be permanent pasture grazed by cattle, broad-leaved woodland, hay meadows and wetland features such as stream-lines and wet woodland. Pastures and meadows are particularly well used where they are surrounded by well-developed field boundaries.
- viii. Depending upon the availability of suitable flyways and feeding opportunities, most urban areas will provide limited greater horseshoe bat habitat. This is particularly true of dense urban areas with a high incidence of night lighting and lack of unlit green spaces.

#### 4.6 The Contribution of Other Roosts to The Integrity of the SAC

- 4.6.1 Conservation efforts for greater horseshoe bats have traditionally focused on maternity and hibernation sites. However, it is increasingly apparent that other roosts play a vital role during the annual cycle of the species. Bats use different roosts for different purposes through the year, for example spending several weeks at 'formation' roosts between the hibernation and maternity roosts. Later in the summer, large numbers of adult female and juvenile bats move to post-breeding sites. Male bats spend much of the year alone at mating roosts, where the females visit them in late summer and autumn. The importance of these additional roosts, should not be underestimated: mating roosts in particular are often overlooked because of the small number of bats present at any one time, but they are vital to healthy genetic mixing.
- 4.6.2 Attention must be paid to the protection of these 'satellite' roosts, and their supporting bat habitat, because together they are fundamental to the survival of the SAC bat population. The effect on the SAC population from loss of, or impacts on, individual satellite roosts may be hard to predict, but should still be considered during HRA, remembering that the precautionary principle applies under the Habitats Regulations.

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Ecology, 33, 508–518.

<sup>7</sup> <http://www.batsandlighting.co.uk>

<sup>8</sup> See English Nature research report R174

<sup>9</sup> R D Ransome and A M Hutson, (2000), Action plan for the conservation of the greater horseshoe in Europe (*Rhinolophus ferrumequinum*), Convention on the Conservation of European Wildlife and Natural Habitats, Nature and Environment No 109. <http://www.swild.ch/Rhinolophus/PlanII.pdf>  
Also see EN research reports R174 R241 R341 & R532.

## 4.7 Changes in the Landscape and Potential Impacts on Site Integrity

- 4.7.1 Taking the above requirements into account, greater horseshoe bats are particularly susceptible to the following changes in their habitat that may arise as a result of development:
- Impact on roost sites (including damage, destruction, disturbance and prevention of access);
  - Removal, severance, obstruction or disturbance of linear features used for navigation and commuting;
  - Change in habitat structure and composition (e.g. loss or change in quality, quantity and distribution of foraging habitat);
  - Disturbance from new illumination causing bats to change their use of an area;
  - Physical injury by wind turbines and / or displacement from foraging or commuting habitat by wind turbines
  - Barrier effects across the landscape caused by new roads and increased risk of collision between bats and vehicles.
- 4.7.2 These effects are likely to be most significant, but not exclusively, in the *Strategic Flyways* and *Sustenance Zones* (see Map 1)<sup>10</sup>.
- 4.7.3 While there are odd exceptions, greater horseshoe bats are extremely sensitive to increased light levels and will typically avoid areas where the lighting is brighter than 'moonlight' (typically recorded as being between 0.27 and 1lux)<sup>11</sup>. Thus house lights, road lights, vehicle lights, security lighting and floodlighting may all have an adverse effect. For instance, one poorly positioned light can stop bats using a crucial flyway or an area of feeding habitat. Unusual levels and pitches of noise can also cause disturbance.

<sup>10</sup> Based on the South Hams SAC Planning Guidance prepared by Natural England (2010).

<sup>11</sup> Schlyter, Paul (1997–2009). Radiometry and photometry in astronomy. Archived from the original on 2013-12-07 and Bunning, Erwin; Moser, Ilse (April 1969). Interference of moonlight with the photoperiodic measurement of time by plants, and their adaptive reactive. *Proceedings of the National Academy of Sciences of the United States of America* **62** (4): 1018–1022.

## 5. HRA Assessment

### 5.1 Screening and Full Appropriate Assessment

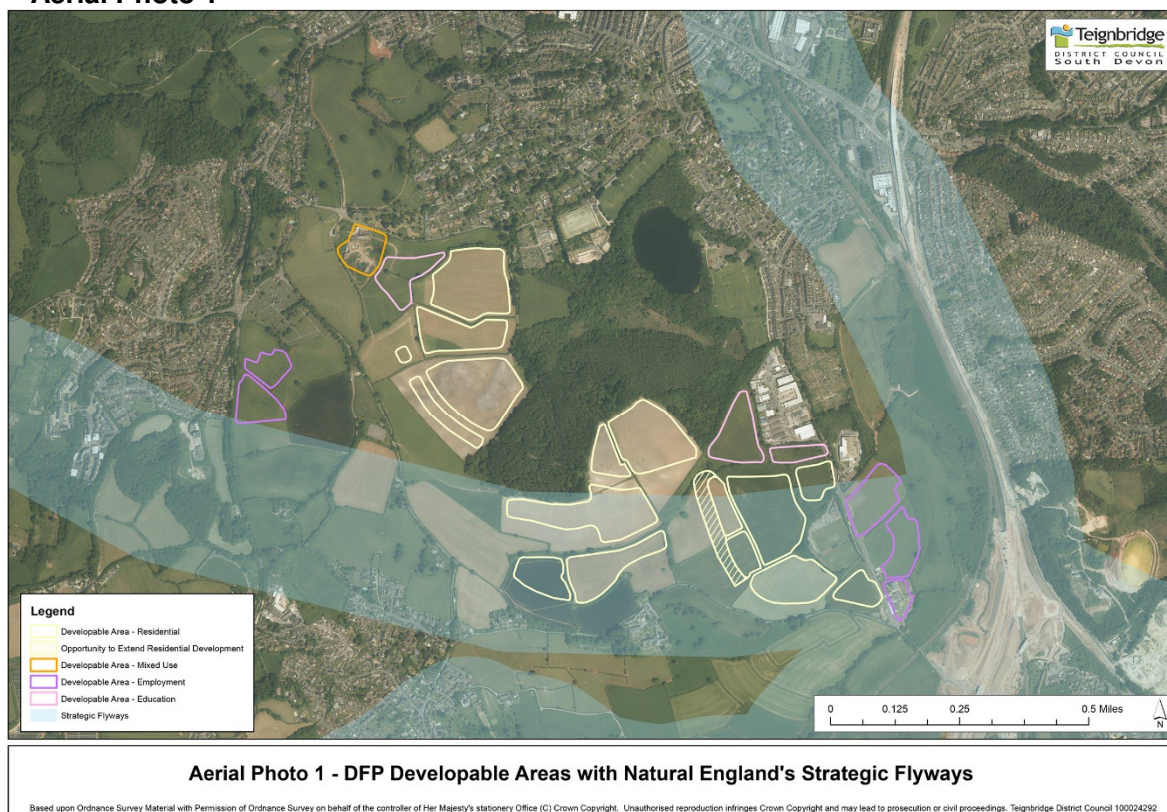
- 5.1.1 Consistent with the precautionary principle, and where proposed development is likely to lead to some or all of the impacts described in Table 2 below, an HRA Screening Assessment is required to determine whether there may be a 'likely significant effect' on the SAC.
- 5.1.2 Following the recent decision at the Court of Justice of the European Union (CJEU) in the matter of *People Over Wind and Sweetman v Coillte Teoranta (C-323/17)*, the Screening Assessment must consider potential impacts in the **absence of mitigation measures**. Any proposed or possible mitigation measure must only be considered at the full Appropriate Assessment stage. The full Appropriate Assessment then considers any proposed mitigation and what other mitigation measures would be needed to avoid impact on the integrity of the SAC.
- 5.1.3 Section 5.2 and 5.3 equates to the Screening of NA3 proposals, while Section 5.4 onwards constitute the full Appropriate Assessment.

### 5.2 Key Characteristics of NA3 Wolborough and Use by Greater Horseshoe Bats

- 5.2.1 The NA3 area is characterised by gently rolling arable farmland with some areas of permanent and temporary grassland. It is adjacent to the southern edge of Newton Abbot, and lies between Ogwell to the west, Wolborough Hill, Decoy Wood and Decoy Lake to the north and the Aller Brook floodplain to the east. To the south is a raised ridge of land which forms a boundary from the village of Abbotskerswell.
- 5.2.2 NA3 does not lie directly within a *Sustenance Zone* for any of the designated South Hams SAC roosts, the closest being centred on the Chudleigh caves Site of Special Scientific Interest, 9km to the north-east of NA3. While within the theoretical daily flight range for greater horseshoe bats, it is unlikely that bats roosting at Chudleigh are regular visitors to the Wolborough area. However, there are a number of other, smaller, greater horseshoe roosts within easy daily commuting distance of NA3. The most significant of these is within Conitor Copse which is less than 0.5km to the west of NA3; this is both a summer and winter roost.
- 5.2.3 While not in a *Sustenance Zone*, the southern edge of NA3 lies directly within a SAC *Strategic Flyway* (see Aerial Photo 1) which is one of a network of flyways identified by Natural England as being important for the dispersal and distribution of greater horseshoe bats across the south Devon landscape. As such these 'flyways' provide key routes across the landscape that 'connect' the various SAC roosts with each other, with key foraging areas and with a network of smaller satellite roosts (see section 4.6 above).
- 5.2.4 However, because of the scale of development proposed, it has the potential to affect commuting routes through the wider landscape by creating a permanent and irreversible change at a landscape scale. Whilst greater horseshoe bat records are dispersed, and the exact abundance and distribution of these local bats is unclear due to the limitations of the evidence gathered for the purposes of this Assessment (see Section 2), surveys have shown that there is GHB activity in NA3 and its immediate vicinity. It is therefore important to ensure that the bats can continue to use this landscape to travel between the designated roosts, Sustenance Zones and other roosts. Although the main strategic function of the NA3 area for greater horseshoe bats will be commuting, there is likely to be some element of feeding as the bats travel around. It is also likely to provide an important feeding area for the sub-population of greater horseshoes using Conitor Cave.

- 5.2.5 NA3 is a composite allocation made up of a number of land parcels; these are shown on Aerial Photo 2 of this report. Each are identified separately by a capital letter (e.g. 'A', 'B', 'C', etc.) and their key characteristics and interest for greater horseshoe bats are described in turn below.
- 5.2.6 **Area 'A'** forms the north-western corner of NA3 and is comprised of four or five small fields that generally slope towards the west. Most of these fields are bounded by mature hedgerows and have been recorded by SLR (July 2013) as being semi-improved grasslands with patches of mixed scrub. The fields are cattle grazed annually (dairy cows) between March and October. As such these fields represent near optimal foraging habitat for greater horseshoe bats.

### Aerial Photo 1



- 5.2.7. The southern edge of Area 'A' is adjacent to St Mary's Church and graveyard, and Wolborough Barton farm. Greater horseshoe bats using Area 'A' would have virtually unimpeded access to and from farmland to the south. In contrast, areas of dense residential development lie to the north and east of Area 'A' and would be largely inhospitable to regular use by greater horseshoe bats. Similarly, to the west, there is a belt of residential properties between Area 'A' and the A381 that also poses a barrier to horseshoe bat movement. However, in the north-western corner of Area 'A' there is a small green gap between development (a pinch point) where bats could move from Area 'A' across the A381 towards Baker's Park and the River Lemon beyond. The River Lemon Valley to the west of Newton Abbot comprises small pasture fields and extensive areas of broadleaved woodland – all of which provide near optimal foraging habitat for greater horseshoe bats – and connect to other *Strategic Flyways* to the west of Newton Abbot. A greater horseshoe roost has been recorded beside the River Lemon in a barn at Bradley Manor (200-300m) west of the A381 and just beyond the boundary of Baker's Park.
- 5.2.8. SLR (2015) report that greater horseshoe bats have been recorded within Area 'A' on a static detector located near the track that runs in a northerly direction from St Mary's Church. A total of

19 registrations were recorded in August and September 2013, which is relatively high compared with many other locations across NA3 where activity was recorded at a lower level.

- 5.2.9. **Area 'B'** lies on the western edge of NA3 and is bounded to the west by the A381. It has mature hedgerow-lined narrow lanes on the eastern and southern boundaries. Ogwell Cross cemetery lies immediately to the north of Area 'B' and the village of Abbotskerswell less than 500m to the south.
- 5.2.10. Land use within Area 'B' is predominantly arable, as recorded by SLR in their Phase I Habitat Survey (2015), and this has been confirmed by land-use data provided by the landowner. However, a semi-improved grassland field on the western edge of Area 'B' (adjacent to the A381) is cattle grazed from March to October annually.
- 5.2.11. SLR (2015) static detectors have recorded greater horseshoe bat activity along a field boundary running east-west that connects to the grazed pasture discussed above. This activity was relatively high in May 2013 and April 2014 compared to later months of the year. Overall, this activity in Area 'B' was also relatively high compared to many other locations across NA3.
- 5.2.12. Area 'B' is the closest part of NA3 to the established greater horseshoe roost in Conitor Copse. Furthermore, the A381 - beside the above grazed pasture field - is in a deep cutting providing a potential safe high-level route across the road for horseshoe bats between NA3 and the roost in the Copse. Another highly likely additional flight line for horseshoe bats exists where Firestone Lane joins the A381, providing strong linkage with a tree-lined bridleway and cattle-grazed pasture on the western side of the road, south of Conitor Copse.
- 5.2.13. **Area 'C'** covers a large proportion of the western half of NA3. The northern boundary is marked by Coach Road, the western boundary by Old Totnes Road, and the eastern boundary is marked by Magazine Lane and Decoy Brake. The southern boundary is marked by the steeply sloping ridge that runs westward from the south-western corner of Decoy Brake to the fork in the road where Firestone Lane and Stoneman's Hill join at the junction with Old Totnes Road.
- 5.2.14. The western edge of Area 'C' marks the highest point within NA3 and from this high ground the land slopes down in an easterly direction.
- 5.2.15. The fields immediately around Wolborough Barton Farm are identified as a mix of semi-improved and improved grassland by SLR (2013/14 and 2015). These fields are reported by the landowner to be grazed annually by cattle from March to October. Likewise, the field to the east of Magazine Lane is also grazed annually by cattle over this period. Two large fields between the farm and Magazine Lane are also grazed later in the year after 1 or 2 silage cuts.
- 5.2.16. The southern part of Area 'C' is comprised of a large gently sloping arable field that abuts Decoy Brake to the east. To the south-west of this large field is a narrow linear field that occupies the steep ground rising up to the ridge beside Stoneman's Hill; this field is also cattle grazed for much of the year on rotation.
- 5.2.17. SLR recorded the highest levels of greater horseshoe bat activity throughout the whole of NA3 on the western edge of Area 'C', with a particular peak in activity recorded in September 2013.
- 5.2.18. **Area 'D'** forms the southern and eastern components of NA3. Priory Road marks the southern boundary and much of the northern boundary is adjacent to Decoy Brake. Kingskerswell Road forms the eastern boundary with a small business estate adjacent to the north-eastern corner.
- 5.2.19. The western half of Area 'D' is formed by a narrow valley that runs eastward from high ground near the top of Stoneman's Hill. The eastern half of Area 'D' is, in contrast, formed where the valley opens into undulating ground that falls gently away to the Kingskerswell Road.



- 5.2.20. A large proportion of Area 'D' is under arable cultivation, with cattle grazing limited to the western fields along the southern side of the valley; this grazing is reported by the landowner to usually be after June, once silage cuts have been taken.
- 5.2.21. SLR (2015) have recorded relatively lower levels of greater horseshoe activity throughout Area 'D' and highest activity has been recorded along the southern side of the valley – which appears to correlate with the fields that are grazed with cattle. This activity also appears to correspond with the *Strategic Flyway* identified by Natural England that overlaps the southern edge of NA3.
- 5.2.22. **Area 'E'** is the smallest land parcel identified addressed in this HRA Screening Assessment. It lies to the east of the Kingskerswell Road and is comprised of just two fields that drop away to the flat low-lying floodplain of the Aller Brook. The northern field is recorded by SLR (July 2013) as being under arable cultivation and they record the southern field as being improved grassland. SLR (2013) have recorded some limited greater horseshoe activity along the eastern boundary of Area 'E'.
- 5.2.23. **Area 'F'** is comprised wholly of mixed coniferous and deciduous woodland (Decoy Brake and Blackball Plantation). As a generality, the woodland slopes from high ground along its southern edge down towards Decoy Lake. However, the ground in Decoy Brake is more irregular with both north and west facing slopes and is particularly steep along the southern margins.
- 5.2.24. SLR (2015) have conducted limited bat surveys in the woodland, focusing their attention at two points along the line of the proposed 'link road' that would cut through the southern section of Decoy Brake. Only one greater horseshoe bat was recorded during surveys undertaken in May, June and September 2014.
- 5.2.25. **Area 'G'** is outside of the NA3 allocation and is only mentioned here because it is the Wolborough Fen Site of Special Scientific Interest (SSSI). The SSSI is nationally designated for its biodiversity interest and, being a wetland feature, is dependent upon hydrological characteristics of the surrounding land.
- 5.2.26. Decoy Wood and Wolborough Fen are both rich sources of potential prey species (invertebrates) for greater horseshoe bats, especially early in the year when woodland is a favoured foraging habitat.

### 5.3 Use of NA3 by Greater Horseshoe Bats

- 5.3.1 Bat surveys undertaken by SLR (2015) have confirmed that greater horseshoes are present and can be found commuting and/or foraging across many parts of NA3. The locations for highest recorded activity appear to correlate with fields that are grazed with cattle, either constantly from March to October or later in the year, when grazed after a silage cut has been taken<sup>12</sup> (for grazing land see Aerial Photo 3).
- 5.3.2 Overall, NA3 provides a very mixed landscape for greater horseshoe bats, with some areas providing near-optimal foraging and commuting habitat (e.g. permanent grazed pasture with tall bushy hedgerows), whereas other areas are relatively inhospitable (e.g. large arable fields with more intensively managed hedges).
- 5.3.3 Aerial Photo 3 of this report shows both established and predicted flight routes for greater horseshoe bats through and near NA3. The alignment of the 'predicted' routes have either been calculated by linking the locations of known greater horseshoe activity (drawn from existing bat surveys) and/or by identifying the presence of suitable foraging and commuting habitat in the immediate landscape.

<sup>12</sup> Details of landuse and farming operations across much of NA3 have been provided by the landowner.

5.3.4 Greater horseshoe bats have been afforded special protection under Annex II of the EU Habitats Directive (1992) because of their rarity. Even in their strongholds they are still rare compared to many other bat species, with low numbers dispersed across a wide landscape. Additionally, they are more difficult to detect than the majority of bat species. In light of this, numbers at any one-survey location would be expected to appear low, when compared to other, common, species (e.g. common pipistrelle). This must be born in mind when interpreting greater horseshoe bat survey records. It is thus generally much more appropriate to compare numbers of greater horseshoe bats found at the target site to numbers of greater horseshoes found elsewhere within the South Hams SAC area, rather than to the abundance of other species within the target site. However, comparing numbers of greater horseshoes between locations within the target site may help to show which areas of the site are more important to them.

#### 5.4 Does Future Development of NA3 Wolborough Have the Potential to Impact the Integrity of the South Hams SAC?

5.4.1 A number of landscape features within NA3 offer suitable (or even optimal) foraging and commuting habitat for greater horseshoe bats (Aerial Photo 3). These include:

- Cattle grazed fields north of St Mary's church in Area 'A';
- The cattle grazed field in the south-western corner of Area 'B' adjacent to the A381 and near to Conitor Copse;
- Cattle grazed fields in the northern half of Area 'C' and in Stray Park/Cross Park Meadow to the east of Magazine Lane;
- Cattle grazed fields on the southern edge of Area 'C' and the western end of Area 'D' which are coincident with the Strategic Flyway;
- Cattle grazed fields on north facing slopes and the water course through the Area 'D' – some of which are also coincident with the Strategic Flyway;
- Woodland and fen habitat in Areas 'F' and 'G';
- Hedgerow habitat either side of the southern boundary of Area 'B', providing strong landscape linkage with optimal foraging and roosting habitat around Conitor Copse on the other side of the A381.

5.4.2 Seen at the landscape scale (see Aerial Photo 3), the land in and around NA3 provides a number of green corridors between the southern edge of Newton Abbot, the village of Abbotskerswell and the settlements of Ogwell. These provide greater horseshoe bats with the opportunity to move through this landscape, navigating around dense areas of built up development.

5.4.3 SLR (2015) have recorded relatively low levels of greater horseshoe activity around Wolborough. However, in light of the horseshoe activity across this landscape, development in an inappropriate location and/or of an inappropriate design does have the potential to disrupt or sever identified and suspected key landscape linkages. Such disruption could adversely affect the ability of this species to continue to use extensive areas of the landscape between the SAC roosts (see Map 1), and thereby be likely to impact on the integrity of the South Hams SAC. Based on the available evidence for this screening which identifies GHBs using the landscape, it will be important to ensure that the location and design of development does not have the potential to adversely affect the integrity of the South Hams SAC by negatively impacting on commuting habitat. Likely (i.e. potential) impacts that may arise from development proposals for NA3 are set out in Table 1 below.

##### Potential Effects from the New Road Network

5.4.4 Proposed development for NA3 includes a link road through the development that is planned to run through a part of the woodland in the south-western corner of Decoy Brake and across the ridge towards Ogwell Cross Roundabout.

5.4.5 Recently published research by Exeter University (2016) has identified substantial evidence indicating a significant risk to bats from roads, particularly through collision risk<sup>13</sup>. Some of the findings from this research are particularly relevant to this HRA Screening Assessment. For instance:

- *In addition to the direct risk of collision of bats with vehicles, roads could pose a threat to bat populations as a result of habitat loss, degradation and fragmentation, and could act as barriers to movements of bats between habitats;*
- *Based on collated records of 1,207 bat road casualties in Europe, the research found that low-flying species (such as horseshoe bats) are more prone to collisions than high-flying species;*
- *Analysis identified a significant bias towards male and juvenile casualties;*
- *Casualties included rare species such as barbastelle and geographically restricted species such as horseshoe species;*
- *The bias towards male casualties could be indicative of:*
  - *lower dispersal among females.*
  - *a tendency among females to remain in or return to their area of birth.*
  - *sexual segregation in habitats of varying quality, i.e. females may occupy better quality habitats than males, and road density may be lower in better quality habitats.;*
- *Whether or not roads act as barriers to the movement of bats depends on a complex interplay of habitat and species-specific behaviour. For example:*
  - *the presence of favourable habitat for bats – notably woodland – was found in this review to be linked with significantly reduced barrier effects but a heightened risk of collision.*  
*In other words, bats are more likely to cross roads through woodland but are more prone to collision with vehicles.*
- *Bat casualties were commonly reported where roads were close to or bisected other linear features, including treelines.*
- *The presence of casualties from rare species on roads, such as horseshoe bats, is of particular concern, as relatively low levels of additional mortality could potentially have an impact on the long-term sustainability of local populations.*
- *Where comparisons could be made, bat road casualties were more common at locations with greater traffic volume.*
- *Fewer bats crossed roads where there was a gap of more than 4.5 metres.*

5.4.6 It appears that, (a) in light of the findings of the research conducted by Exeter University; and (b) if no appropriate mitigation were put in place; the link road proposals could have a 'likely significant effect' on greater horseshoe bats moving across the landscape south and south-east of Newton Abbot.

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<sup>13</sup> Grace-Fensome A. and Mathews F. (2016) *Roads and bats: a meta-analysis and review of the evidence on vehicle collisions an barrier effects*. Mammal Review. Mammal Society.

**Table 2 Likely Impacts and their Implications for the SAC Conservation Objectives**

Likely Impacts Arising from Development	Implications for SAC Conservation Objectives (see Appendix B)
<p><b>Loss of habitat connectivity</b> through removal of or damage to linear habitat (e.g. trees and hedgerows) resulting in the loss of key commuting habitats and loss of access to foraging areas used by greater horseshoe bats.</p>	<p>Reduction in the extent and distribution of the habitats used by relevant qualifying species.</p>
<p><b>Disturbance from human activities along commuting routes</b> where development is located too close to commuting habitat causing an adverse effect (primarily) from new sources of artificial light – either from within the new houses or from external lighting e.g. vehicles and street lighting.</p> <p><b>Decline in habitat quality and/or connectivity</b> around satellite roosts leading to their eventual abandonment. Loss of existing subsidiary roosts in and around the site and supporting commuting habitat.</p> <p><b>Disturbance from construction activities along commuting routes</b> where increased noise and light may have an adverse effect in adjacent habitats.</p>	<p>Change in habitats used by relevant qualifying species, such that the structure and/or function of those habitats is compromised (not maintained).</p>
<p><b>New, wider and busier roads</b> in the landscape leading to increased risk of bat mortality through vehicle collisions.</p>	<p>Reduction in the population of the relevant qualifying species.</p>
<p><b>Increased length of commuting routes</b> leading to the bats having to travel further to navigate through the landscape to the south of Newton Abbot, with consequent greater expenditure of energy to do so.</p> <p><b>Restriction on the bats' ability to disperse</b> and move to and from roosts and foraging areas across the landscape around Newton Abbot. Such movement may occur on a regular daily basis, or on a more infrequent seasonal basis; such as in the:</p> <ul style="list-style-type: none"> <li>i. late summer and early autumn when males and females are seeking each other out to mate, and;</li> <li>ii. early spring and late autumn when the bats may be using routes through NA3 in order to migrate to and from their hibernation roosts used through the winter.</li> </ul> <p>NOTE: There is a known greater horseshoe hibernation roost less than 0.5km to the west of the western boundary of the Wolborough allocation.</p>	<p>Change in the distribution of the relevant qualifying species across the South Hams SAC</p>

## 5.5 Is it Likely That Impacts Can Be Mitigated Effectively?

- 5.5.1. Mitigation measures for greater horseshoe bats should support the *SAC Conservation Objectives* set by Natural England and also promote *Favourable Conservation Status* for this species (see Appendix B). As such, mitigation measures for NA3 should aim to:

*Facilitate ease of movement and conserve energy expenditure by Greater Horseshoe Bats by providing optimal daily and seasonal commuting routes around and through the proposed new built up areas and by retaining and enhancing foraging and roosting opportunities.*

- 5.5.2. In order to achieve the above aim, and to provide the certainty necessary to satisfy the requirements of the HRA process, the following mitigation principles must be incorporated into the development framework for the NA3 area (these reflect the guiding principles set out in Box 1, on page 8). These principles apply some site specific context to the mitigation requirements based on the evidence and information available for the purposes of this screening. Such measures are based on the principle of creating and maintaining habitat known to be associated with the bats. They will need to be refined, secured and implemented in full at such time as development applications are brought forward. They relate principally to ensuring connectivity through the landscape through the protection and maintenance of the greater horseshoe bat commuting habitat. Such mitigation should be a combination of identifying and recognising:

- key design constraints required to avoid or minimise<sup>14</sup> adverse effects, and;
- habitat mitigation/enhancement opportunities to provide overall net gains<sup>15</sup> for greater horseshoe bats specifically and for wider biodiversity in general.

- 5.5.3. *The Design Principles i) to xx) below should be followed:*

- i. Protect the functionality and integrity of the greater horseshoe bat *Strategic Flyway* network around the southern side of Newton Abbot, ensuring that landscape linkages from NA3 to: (a) the south and east towards Kingskerswell; and (b) the west and north-west around Ogwel towards Conitor Copse and the River Lemon; are maintained.
- ii. In support of (i) above, maintain and optimise existing, and also provide new, bat commuting and foraging habitat through and around NA3 to achieve overall connectivity in accordance with the proposed flyways shown on Aerial Photo 3.
- iii. Minimise potential interruption of bat corridors by the new road network and especially for:
  - a. the proposed road through Decoy Brake;
  - b. the western 'spine' road as it crosses through the western end of the 'ridgeline' landscape corridor near Ogwel Cross cemetery.
- iv. Mitigation measures for bat road crossings should be achieved, where appropriate, through a combination of:
  - a. careful siting of 'green bridges and/or culverts/underpasses'<sup>16</sup>;
  - b. sensitive ground shaping (e.g. earth bunds, banks and cuttings);
  - c. sensitive lighting design;

<sup>14</sup> Adverse effects should be 'minimised' to the point where either alone or in combination with other effects they do not have an adverse effect on the integrity of the South Hams SAC.

<sup>15</sup> The achievement of a net gain for biodiversity is consistent with the objectives set out in paragraph 118 of the National Planning Policy Framework.

<sup>16</sup> As appropriate and necessary to provide safe passage for bats where other mitigation measures are inadequate.

- d. sympathetic landscape design;
- e. vehicle speed restrictions and vehicle 'calming' measures, in order to avoid and reduce risk of vehicle collision with bats and to avoid disturbance caused from artificial light spill into flight routes<sup>17</sup>.
- v. One of the key measures available to mitigate potential risk of vehicle collisions with bats (through Decoy Wood and across the ridge near Ogwell) is through the imposition of a speed restriction. This should be possible as a necessary requirement arising out of the Habitat Regulations Assessment of the Wolborough proposals, whereby Devon County Council as the Highway Authority is legally obliged to consider a plan or project (for which it is the competent authority) in the context of Regulation 63 of the Habitat and Species Regulations 2017).
- vi. Have regard to areas of optimal foraging habitat and maintaining and optimising these as necessary to support commuting routes and habitat;
- vii. Achieve no loss of existing hedgerows and trees within NA3 which are used to provide greater horseshoe bat commuting habitat;
- viii. Avoid light spill in bat flyways and foraging areas, i.e. achieve light levels less than 0.5 lux and have regard to other ambient background lighting and overall light spill from the development as a whole;
- ix. Ensure that the development proposals do not sever key habitat connectivity and thus hinder the potential for commuting/migrating bats (see Aerial Photo 3) to move through the landscape from Decoy Country Park to the greater horseshoe bat *Strategic Flyway* that follows the ridge along the western and southern side of NA3;
- x. Ensure that any public footpaths / cycleways through the bat corridors are either unlit or are lit through a very carefully designed scheme that minimises light spill in sensitive locations, while at the same time providing a safe and adequately lit route for pedestrians and cyclists;
- xi. Ensure that the provision of areas of public realm open space (e.g. hill top park, activity hub, children's play areas, community orchards and allotments) in or near the bat corridors identified in Aerial Photo 3 – while being potentially multifunctional - are designed and maintained to also provide habitat for commuting and foraging greater horseshoe bats;
- xii. Submit a *Bespoke Bat Mitigation Plan* (see Appendix C) with any applications for development, in accordance with the guidelines set out in this HRA Screening report. The Plan(s) should be based on up to date bat surveys and take into consideration how to address any in-combination effects identified during the course of detailed impact assessment.

*Habitat Mitigation/Enhancement Opportunities should where appropriate:*

- xiii. Undertake tree planting to create new orchards and areas of woodland in order to provide more diverse habitat for greater horseshoe bats;
- xiv. Mitigate (both on-site and, where necessary, off-site ) for the loss of hedgerows (flyways) if removal is unavoidable;

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<sup>17</sup> All mitigation aimed at providing safe road crossings for bats must follow the *precautionary principle* and be informed by latest research and best practice, such as Berthunissen and Altringham (2015) and Grace-Fensome and Mathews (2016).

- xv. Undertake habitat creation/enhancement (in partnership with landowners) to provide new tree lines and hedgerows in the surrounding landscape to strengthen bat commuting habitat in the wider landscape (see Aerial Photo 1, on page 19);
  - xvi. Provide a “stand off zone” from development between bat flyways / supporting foraging habitat and the newly built development (as shown on Aerial Photo 3);
  - xvii. Protect existing subsidiary roost(s) and create new bespoke bat roost(s) as necessary to support and improve the number and distribution of subsidiary roosts; these to be in appropriate locations either within the green infrastructure in NA3 or within the surrounding landscape;
  - xviii. Provide long-term habitat management, for each parcel of development, through a Landscape and Ecological Management Plan (LEMP), secured through a planning condition and/or obligation;
  - xix. Implement development through the means of a prior-approved Construction Environmental Management Plan (CEMP), secured through a planning condition;
  - xx. Undertake appropriate and proportionate ecological monitoring of bat activity and LEMP delivery to establish the effectiveness of proposed mitigation measures and to provide early warning of any necessary contingency or remedial measures required to meet original objectives;
- 5.5.4. The provision of such measures would be consistent with the four principles set out in section 1.3.3 (Box 1) of this Screening Assessment.

## 5.6 Requirements from Future Applications

5.6.1 The NA3 allocation and this Development Framework Plan have been assessed under the Habitat Regulations. Subsequent planning applications will also be subject to the Habitat Regulations process.

5.6.2 In order to meet the requirements of the HRA process, decisions by Teignbridge District Council over future planning applications for development within NA3 Wolborough will need to be informed by:

- Adequate bat surveys (consistent with the 3<sup>rd</sup> Edition of the Bat Conservation Trust’s “Bat Surveys for Professional Ecologists – Good Practice Guidelines”, Natural England’s South Hams SAC Planning Guidance 2010 (or its replacement)<sup>18</sup> and in accordance with Clause 6.2 of BS42020:2013);

NOTE: Comprehensive surveys should cover potential roost locations, flight routes and foraging areas and should provide sufficient seasonal coverage to detect/identify differing use in different seasons.

- Accompanying ecological impact assessments (EclAs), and;
- A Bespoke Greater Horseshoe Bat Mitigation Plan for NA3 concentrating on measures required in sensitive locations (e.g. at bat road crossing points, such as through culverts where the design and alignment of the culvert may be critical and supported by appropriate landform and habitat establishment on either side). An outline for the proposed Bespoke Plan is included as Appendix C of this document.

<sup>18</sup> South Hams SAC Supplementary Planning Guidance, (due early 2019).

NOTE: The provision of a Bespoke Mitigation Plan to support planning applications is a requirement under a number of TDC Local Plan Policies<sup>19</sup>. Such detailed information will enable the planning authority to undertake final 'project level' HRA to ensure that all necessary mitigation is an integral part of the proposed development.

- 5.6.3 The Teignbridge Local Plan Policy NA3 Wolborough includes a requirement that a bespoke greater horseshoe bat mitigation plan must be submitted and approved before planning permission will be granted. Such detailed information will enable the planning authority to undertake final 'project level' HRA to ensure that all necessary mitigation is an integral part of the proposed development.

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<sup>19</sup> Provision of Bespoke GHB Mitigation Plans in support of planning applications are an explicit requirement in Local Plan Policies NA1, NA2, NA3, KS1, KS3, KK1, BT1, BT2A, BT2C, BT3, BT4, CH1, CH2, CH3, CH4.



## 6. Consideration of ‘In combination’ Effects

### 6.1. Statutory Requirement

- 6.1.1. When undertaking HRA, the underlying purpose of Article 6(3) of the Habitats Directive must be considered. This is to ensure that a plan or project is authorised only to the extent that it will not, either ‘alone’ or ‘in combination’ with other plans or projects, adversely affect the integrity of a European site. The following sections consider the likely significant effects of NA3 in relation to ‘in combination’ effects generated by other plans and projects that may affect the integrity of the South Hams SAC.

### 6.2. Potential ‘In Combination’ Effects

- 6.2.1. In order to inform the assessment of potential ‘in combination’ effects, TDC has commissioned the preparation of the *South Hams SAC Mitigation Strategy for the Heart of Teignbridge and Bovey Tracey: Mitigating ‘In Combination’ Effects by Protecting Landscape Connectivity Through Development ‘Pinch Points’* (Greenbridge Ltd; 2017). This was consulted on between February and April 2017 and responses to the consultation have been reviewed and considered. Due to the timely preparation of the South Hams SAC Greater Horseshoe Bat Joint Supplementary Planning Document by Devon County Council, Dartmoor National Park, South Hams District Council, Teignbridge District Council and Torbay Council in partnership with Natural England, it has been agreed that this document will be replaced and updated by the SPD rather than issuing a final version. The in-combination effects that the draft Mitigation Strategy refers to have been taken into consideration in the preparation of the SPD.
- 6.2.2. There are a number of planned and consented development projects taking place around Newton Abbot close proximity to NA3. In particular, these include (see Maps 3 and 4):
- NA3A Beverley Way
  - Houghton Barton, NA1
  - Whitehill, NA2
  - The line of the proposed A382 road improvement scheme north of Newton Abbot
  - Mineral workings in the Bovey Basin
  - Developments applications near The Barn Owl, Kingskerswell
  - Allocations at Kingskerswell
- 6.2.3. There are also a number of major mineral working units in the surrounding Bovey Basin which have the potential to impact on the way in which greater horseshoe bats are able to use the landscape
- 6.2.4. Both individually and collectively these commitments and proposals represent a permanent and irreversible change at a landscape scale, with the potential to further fragment commuting habitats used by greater horseshoe bats to move between the South Hams SAC designated roosts within the Sustainance Zones. These potential landscape scale impacts and in-combination effects could affect the favourable conservation status of greater horseshoe bats by restricting landscape scale connectivity and reducing population resilience to change.
- 6.2.5. It is expected that further guidance relating to identifying and managing potential in-combination effects will be consulted on in 2018/19 as part of the process of updating Natural England’s guidance currently being undertaken by the South Hams SAC competent authorities. This should be referred to at the point of undertaking further ecological surveys and HRA screening at the planning application stage.

### 6.3. Likely Effects of Various Road Proposals for Greater Horseshoe Bats

- 6.3.1. Sections 5.3.4 to 5.3.6 above outline research published by Exeter University (2016) which has identified a significant risk to bats from roads, particularly through collision with vehicles<sup>20</sup>. They can also act as barriers to bat movements due to their width and/or illumination.
- 6.3.2. A combination of recent changes to the road network, coupled with proposed new roads across the landscape in Teignbridge, have the potential to affect greater horseshoe bats; for NA3 these include:
- The South Devon Link Road south of Newton Abbot (opened in 2016);
  - The line of the proposed A381/A380 link road through NA3 Wolborough.

#### Implications of the South Devon Link Road (SDLR)

- 6.3.3. Greater horseshoe bats were not identified as a major issue during the work to inform the Environmental Statement for the planning application for the South Devon Link Road (SDLR)<sup>21</sup>. Consequently, no specific mitigation measures have been provided for greater horseshoe bats along the route of the road. However, monitoring by JBA Consulting (S. Jennings Devon County Council; Pers. Comm. July 2016) has established that small numbers of greater horseshoes are using the culverts under the southern section of the road south of Kingskerswell.
- 6.3.4. Greater horseshoe bats are also present on either side of the northern section of the SDLR north of Kingskerswell. From survey work undertaken by EPS Ecology (April 2015) it is known that greater horseshoes are present to the east of the road at Zigzag Quarry adjacent to the northern stretch of the SDLR. Likewise, survey work undertaken by SLR Consulting (April 2104 and November 2015) to inform development of NA3 has established that greater horseshoe bats are also present to the west of the SDLR.
- 6.3.5. The overall land take for the new junction on the northern end of the SDLR has resulted in the loss of potential commuting habitat that previously contributed to the viability of the Strategic Flyway (identified by Natural England 2010). This Strategic Flyway runs in an east-west direction across the line of the SDLR north of Kingskerswell (shown as a dotted line on Map 3). Google Earth Pro shows that ground clearance and vegetation removal for the road at this point is approximately 300m wide; this constitutes the length of Strategic Flyway potentially affected. Consequently, while there is suitable commuting and foraging habitat to the east and west, it must be assumed that the new multiple lane junction (without the benefit of appropriate east-west culverts under the junction) acts as a very substantial barrier to bat movement. It follows that this is likely to have resulted in a reduction in the number of route-options available to the bats, thus creating a likely 'pinch point' along the flyway.

### 6.4. The Likely 'In Combination' Effects of Proposed Development on Greater Horseshoe Bats

- 6.4.1. When the developments outlined in section 6.2 and 6.3 are viewed at the landscape scale (see Map 3) coupled with the full extent of existing built up areas, what becomes apparent is the presence of an almost unbroken swathe of development (of one form or another) stretching all the way from Torbay to Dartmoor. Together these add up to extensive areas of inhospitable land and/or create far-reaching potential barriers in the landscape for greater horseshoe bats. What remains are a number of 'pinch points' between the existing and proposed developments (see

<sup>20</sup> Grace-Fensome A. and Mathews F. (2016) *Roads and bats: a meta-analysis and review of the evidence on vehicle collisions an barrier effects*. Mammal Review. Mammal Society.

<sup>21</sup> Andrew McCarthy Associates (April 2010) South Devon Link Road (Kingskerswell Bypass) Ecological Mitigation & Monitoring Scheme plan (EMMS)

Map 4). At these locations the quality of habitat and/or the width of commuting routes are much reduced with there being few, if any, suitable alternative routes available.

- 6.4.2. The recent and proposed projects outlined in paragraph 6.2 and 6.3 above therefore constitute a significant cumulative change in the landscape and one that, without adequate mitigation, could result in significant additional barriers for greater horseshoe bats to negotiate when moving through this landscape.
- 6.4.3. As and where the landscape becomes less hospitable for greater horseshoe bats, necessary changes in flight routes, caused by the loss of existing foraging and commuting routes, may of necessity lead to the adoption of new routes that involve longer distances and require greater expenditures of energy with diminished access to suitable foraging areas.
- 6.4.4. The viability of some routes may be lost entirely, or the risks associated with others (e.g. road crossings) may result in reduced permeability and dispersal across the landscape and/or increased mortality.
- 6.4.5. Ultimately, the risk is that the sub-population at the Chudleigh SAC roost in the east becomes significantly more isolated from the greater horseshoe population across the wider SAC area to the south and west. If this occurs it could represent an adverse change in the distribution and abundance of greater horseshoes across South Devon. Such effects would be:
- in conflict with the *Conservation Objectives* (see Annex B.1 of this HRA) for the South Hams SAC as set out by Natural England, and;
  - likely to have an adverse effect on the *Favourable Conservation Status* (see Annex B.2 of this HRA) of greater horseshoe bats in South Devon.
- 6.4.6. To mitigate for these potential effects, it will be necessary to build sufficient 'resilience' into the landscape for greater horseshoe bats to ensure that ample opportunities remain in the future for them to be able to adapt to a changing local environment (as is the case now). This necessitates a 'precautionary approach'<sup>22</sup> to both master-planning, through the Development Framework Plan, and the design and implementation of future individual planning applications. A precautionary approach is required by the Habitats Directive and is also justified because our understanding of greater horseshoe bat ecology and behaviour is still incomplete and we cannot predict exactly how they will respond locally to changes in their environment.
- 6.4.7. Consequently, the best that can be achieved is to provide options within the landscape for the bats, based on best available knowledge of their use of the landscape, and to then provide and maintain additional features over and above the bare minimum suggested by existing survey data which are limited because they do not provide a complete picture of their activity. Provision of such measures will enable the bats to select what suits them, rather than humans attempting to predict and plan everything for them and to 'shoe horn' them into what suits us; which is highly likely to be unsuccessful.
- 6.4.8. Such additional mitigation measures should not be considered as unnecessary (or even as simple enhancements) because in reality they are more than this; they should be viewed as measures required to help 'future proof' proposed mitigation and are necessary in the absence of scientific certainty that such a full set of measures are not required. Otherwise, if we secure only the

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<sup>22</sup> The *Precautionary Principle/Approach* is one of the key elements for policy decisions concerning environmental protection and management. It is applied in circumstances where there are reasonable grounds for concern that an activity is, or could, cause harm but where there is scientific uncertainty about the probability of the risk and the degree of harm. The Precautionary Principles has been endorsed internationally: Rio Earth Summit (1992) *Agenda 21 Principle 15* and by the European Commission (2000) *Communication on the use of the Precautionary Principle*. See <http://jncc.defra.gov.uk/default.aspx?page=2519>

‘minimum mitigation’ that is apparently required today, this does not necessarily provide sufficient options for the bats and nor does it offer long-term resilience. Minimal mitigation measures may be effective for a number of years, but when further change occurs, as inevitably it will, the bats will start to run out of alternatives. In other words, future changes in the landscape that we cannot currently anticipate will, over time, have an increasingly adverse effect on the bats. Worse still, if a minimal approach to mitigation is applied, and those measures aren’t effective, then the bats will almost immediately have fewer options available to adapt. The evidence for this is compelling<sup>23</sup>, because the well-established historical and ongoing decline in biodiversity is a result of many accumulating small-scale losses i.e. the consequence of multiple ‘in combination’ effects over time.

6.4.9 One means of applying a precautionary approach to reduce ‘in combination’ effects on greater horseshoe bats is through adoption of the requirements set out in Articles 3 and 10 of the Habitats Directive (1992), and by Regulation 41 of the Habitat and Species Regulations (2017). (More detail on these statutory provisions are provided in Appendix A of this document.) In practice, this means that all proposed new development should adhere to the principles set out in Section 1.3.3 of this HRA and should thereby ensure:

- *The maintenance of dark and unlit habitat connectivity across the wider landscape;*
- *The provision of adequate foraging habitat;*
- *The provision, where appropriate, of adequate permeability through and between areas of built development following existing and new flight paths;*
- *The provision of new bespoke roosts where they will provide ‘stepping stones’<sup>24</sup> across the landscape, as well as maintenance of existing roosts.*

6.4.10 Obviously the aim should be to apply these principles to each development scheme in such a way as to ensure that they do not lead to any residual effects after initial mitigation that could still, ‘in combination’ with other development, result in an overall significant adverse effect.

6.4.11 In relation to greater horseshoe bats, a practical way of *testing* whether a development has left any residual effects is to consider whether - after initial scheme mitigation - there will still be:

- i. some loss (quality or quantity) of suitable foraging habitat e.g. cattle grazed pasture;
- ii. new artificial light in the locality that could still affect the bats adversely;
- iii. restriction or severance of flight corridors across the landscape that have not been fully reconnected and/or where no alternatives have been provided for elsewhere;
- iv. lack of adequate permeable routes through the development that prevent the bats from accessing previously used habitat (i.e. without significant increases in energy expenditure);
- v. some residual impacts that are of relatively limited duration, such as:
  - might be described as ‘temporary’ effects during construction (e.g. over months);
  - short term effects experienced until new planting becomes established and functional (e.g. <5yrs).

NOTE: Even impacts of limited duration may have permanent or longer terms adverse effects, such as activity that interrupts mating behaviour with subsequent knock-on effects for breeding success, and thereby replenishment of local populations.

<sup>23</sup> The State of Nature UK Report provides evidence that one in ten species in the UK is threatened with extinction and 56% are in decline.  
<http://www.rspb.org.uk/our-work/conservation/centre-for-conservation-science/research/projects/363867-the-state-of-nature-report>

<sup>24</sup> For more information on ‘stepping stones’ see Appendix A.

## 7. Compliance of the Development Framework Plan with HRA Requirements

- 7.1. The above elements of the HRA have not changed substantially from the HRA of the Local Plan, being based on the same data, policy, guidance and intentions. However, the Development Framework Plan has now been updated to provide further guidance on how – and where – development at NA3 can be delivered. . The Green Infrastructure Strategy map from the revised Development Framework Plan is reproduced at Map 5 below.
- 7.2 The evolution of the current Development Framework Plan has been guided by the NA3 policy and the previous HRAs of the allocation. Every effort has been made to incorporate the mitigation measures recommended by earlier HRA work. This is evident in:
- The inclusion of the points from Section 5.5 of the HRA in the current Development Framework Plan
  - The proposed network of dark corridors, including retained hedges, new planting and lighting controls
  - Identification of the need for greater horseshoe bat-friendly road crossings on the link road
  - The mapping of locations for four bespoke greater horseshoe bat roosts
  - Identification of the need for cattle grazed pasture in the retained green infrastructure areas
- 7.3 As far as is consistent with its role and level of complexity, the current Development Framework Plan conforms with the HRA requirements for South Hams SAC mitigation measures.
- 7.4 Submission of further detail on the delivery of the required mitigation measures, and Appropriate Assessment of that detail, is the realm of individual planning applications and their Bespoke GHB Mitigation Plans.

## 8. Conclusion

- 8.1 In undertaking any Habitat Regulations Assessment, the Council must ascertain that the plan and/or proposals would not adversely affect the integrity of a European site. This should only be concluded if the Council has made certain that this is the case. In order to be certain, the plan-making body should be convinced that no reasonable scientific doubt remains as to the absence of such effects.<sup>25</sup>
- 8.2 However, an absolute guarantee that there will be no adverse effect on site integrity is not possible. The best that can be achieved is for the competent authority to identify the potential risks, so far as they may be reasonably foreseeable, in light of such information as can reasonably be obtained, and then put in place a legally enforceable framework with the aim of preventing the risks from materialising<sup>26</sup>. In undertaking this Habitat Regulations Assessment, the Council has referred to all of the data available to it on the occurrence and distribution of greater horseshoe bats both within NA3 and across the surrounding landscape.
- 8.3 This HRA identifies the potential risks from development to greater horseshoe bats and has set out mitigation measures that are necessary to avoid such risks from occurring. They have been incorporated as an integral part of the current Development Framework Plan for NA3. (This ensures that the approach is consistent with that already adopted for NA1, NA2 and BT3.)
- 8.4 Consequently, since it is possible to identify appropriate and adequate mitigation that will avoid significant adverse effects (that are capable of being secured through the determination of specific planning applications), it is possible to conclude that the allocation and the current Development Framework Plan will not result in adverse effects on the integrity of the South Hams SAC.
- 8.5 However, it is essential that all necessary mitigation is secured and implemented. Consequently, the Council must – in order to discharge its statutory obligations – ensure that all future planning applications are subjected to adequate scrutiny through a Habitat Regulations Appropriate Assessment, wherever uncertainty remains over possible adverse effects on the integrity of the SAC.
- 8.6 The Council will continue to liaise with the other SAC Competent Authorities to ensure that development proposals do not give rise to any in combination effects on the South Hams SAC.

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<sup>25</sup> See paragraph 61 European Court of Justice case C-127/02 dated 7th September 2004, 'the Waddenzee ruling'

<sup>26</sup> WWF-UK Ltd and RSPB v Secretary of State for Scotland et al [1999] 1 C.M.L.R. 1021 [1999] Env LR 632, Court of Session, Edinburgh, 28th October 1998

## APPENDIX A

### PROTECTION AND ENHANCEMENT OF ECOLOGICAL NETWORKS

- A.1.1 Across Europe, all of the Special Areas for Conservation (SACs) and Special Protection Areas (SPAs) together contribute to the European Natura 2000 network. The protection, management, and enhancement of such ecological networks, and especially those relating to the *Natura 2000* network, are identified as being particularly important in the *EU Habitats Directive*.
- A.1.2 Article 3 of the Directive states:  
*Where they consider it necessary, Member States shall endeavour to improve the ecological coherence of Natura 2000 by maintaining, and where appropriate developing, features of the landscape which are of major importance for wild fauna and flora, as referred to in Article 10.*
- A.1.3 Article 10 then goes on to explain:  
*Member States shall endeavour, where they consider it necessary, in their land use planning and development policies and, in particular, with a view to improving the ecological coherence of The Natura 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems of marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.*
- A.1.4 *The Conservation of Habitats and Species Regulations (2010)* transpose the above EU Directive into English legislation. Regulation 41 requires development Plan policies to include policies that implement at the local level the requirements of Article 10 so as to encourage the management of features of the landscape which are of major importance for wild flora and fauna.
- A.1.5 In relation to the recent and potential development discussed in this document, Regulation 41 provides Teignbridge District Council with an opportunity to link conservation objectives to the development of some if not most of the sites under consideration. In particular, the LPA has both a justification and a statutory mechanism by which they can seek through their development Plan policies the management and enhancement of landscape features in and around the Local Plan Areal which are of major importance for GHBs.
- A.1.6 For instance, planning for Green Infrastructure in and around the areas of development discussed in this document could also lead to significant biodiversity gains and substantial improvement of GHB commuting and foraging habitat providing the bats with a very much enhanced flyways around and through the settlements between Torquay and Bovey Tracy. Such measures could also contribute to wider Green Infrastructure objectives and achieve benefits that could then also be enjoyed by the local community.

## APPENDIX B

### SAC CONSERVATION OBJECTIVES AND GHB CONSERVATION STATUS

#### B.1. South Hams SAC Conservation Objectives

B.1.1 As required by the Habitats Directive, high-level 'Conservation Objectives' for the South Hams SAC have been identified by Natural England. An overarching objective and a list of further generic objectives aim to:

*'Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.'*

*This is to be achieved by, subject to natural change, maintaining and restoring:*

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

*NOTE Natural England is in the process of preparing site-specific objectives for each SAC and SPA in England.*

B.1.2 The application of these objectives will be site specific and dependant on the nature of the site and its features. The local planning authorities should take these objectives into account when undertaking Habitat Regulations Assessments.

#### B.2 Favourable Conservation Status (FCS)

B.2.1 Article 2(1) of the Habitats Directive states that '*Measures taken pursuant to this Directive shall be designed to maintain or restore at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest'* (emphasis added).

B.2.2 The concept of 'conservation status' is therefore fundamental to the purposes of the Habitats Directive. Article 1(i) defines the conservation status of a species as:

*'the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its population within the territory referred to in Article 2' and continues that the conservation status of the species will be taken as 'favourable' when:*

- *'population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and*
- *the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and*
- *there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis'*



## APPENDIX C

### OUTLINE STRUCTURE FOR A GREATER HORSESHOE BAT BESPOKE MITIGATION PLAN

An evidenced based and bespoke mitigation plan for greater horseshoe bats should provide information on 'why', 'what', 'where', 'when' and 'how' the various necessary mitigation proposals will be provided and 'who' will be responsible for their implementation. As such the plan should include:

- a) Summary of greater horseshoe activity and suitable habitat features recorded on site and in the surrounding landscape – so as to provide context for on-site mitigation proposals.
- b) Purpose (e.g. overall aim) and conservation objectives for all proposed mitigation measures intended to support greater horseshoe bat conservation associated with any specific planning application<sup>27</sup>.

*NOTE: Where the Council has prepared a Habitat Regulations Assessment Report for a Development Framework Plan, this should be used to provide context for and to inform the aims and objectives of the bespoke mitigation plan.*

- c) Review of site opportunities and constraints (e.g. illustrated visually where relevant through an *Ecological Constraints and Opportunities Plan* (ECOP – see BS42020 Clause 5.4 page 17).
- d) Design concepts, principles and details and intended working method(s) for all capital works necessary to achieve stated objectives<sup>28</sup>.
- e) Extent and location/area of all detailed proposed mitigation measures shown on appropriate scale maps and plans.
- f) Type and source of materials to be use where appropriate; for instance:
  - i) native species as an integral component of landscape planting and/or
  - ii) materials for any capital works e.g. bespoke bat roosts or road crossing points e.g. underpasses.
- g) Measures necessary to avoid or mitigate adverse effects during the construction of the proposed development e.g. to be secured through a *Construction Environmental Management Plan* (CEMP).
- h) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- i) Details for disposal of any wastes arising from works.
- j) Details of long-term management to sustain proposed features for future generations e.g. to be secured through a detailed *Landscape and Ecological Management Plan* (LEMP).
- k) Details for monitoring and remedial/contingencies measures e.g. to be secured through a detailed *Ecological Monitoring and Contingencies Strategy* (EMCS).
- l) Persons responsible for implementing the works.

The above outline is based on Annex 4.3 and 4.4 of BS42020 *Biodiversity – A Code of Practice for Planning and Development* (2013).

<sup>27</sup> It may be useful to demonstrate how the purpose and conservation objectives for proposed mitigation on (and where appropriate offsite) may assist in the achievement of the over-arching Conservation Objectives set for the South Hams Special Area of Conservation (SAC) by Natural England.

<sup>28</sup> Design details and working methods should provide sufficient information to demonstrate that the proposed mitigation will deliver stated aims and objectives if granted consent. Particular regard should be given to:

- (i) likely effectiveness, e.g. proposed mitigation measures are appropriate to the case and technically feasible and, if implemented, likely to achieve desired outcomes;
- (ii) certainty over deliverability, e.g. there is evidence of commitment and adequate legal mechanisms to secure sufficient land and resources to implement necessary measures, and;
- (iii) whether the intention is to secure proposed measures, and the necessary resources for their delivery, through either planning condition(s) and/or a planning obligation - or other appropriate mechanism.

## REFERENCES

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SLR (Nov 2015) *Land at Wolborough Technical Appendix 8.1 Phase I Habitat Report*

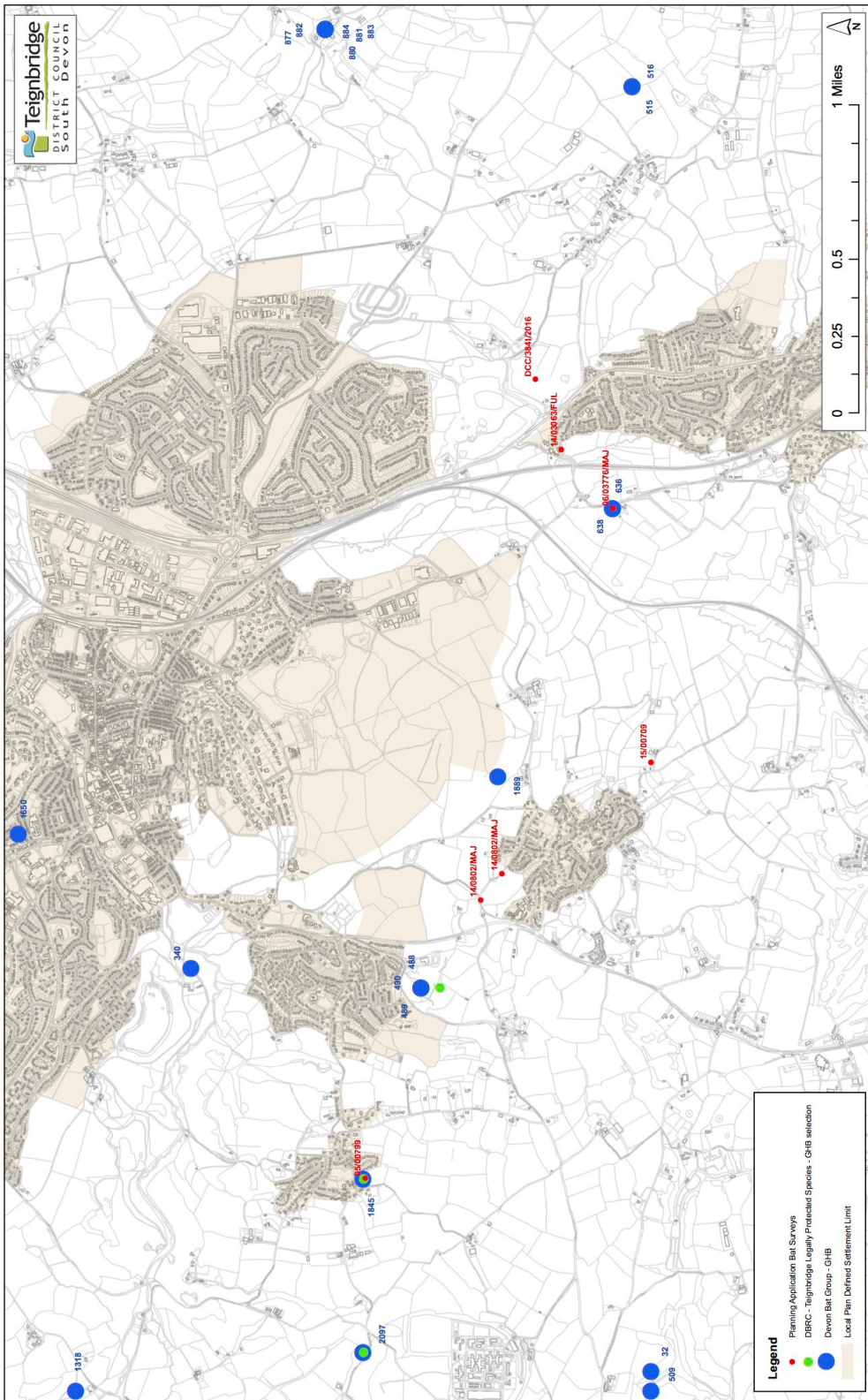
SLR (Nov 2015) *Land at Wolborough Technical Appendix 8.2 Bat Survey Report*

*The Conservation of Habitats and Species Regulations 2010*. London. TSO

Tydesley D. and Chapman C. (2013) *The Habitat Regulations Handbook*. David Tydesley Publication Ltd

## Maps and Aerial Photos

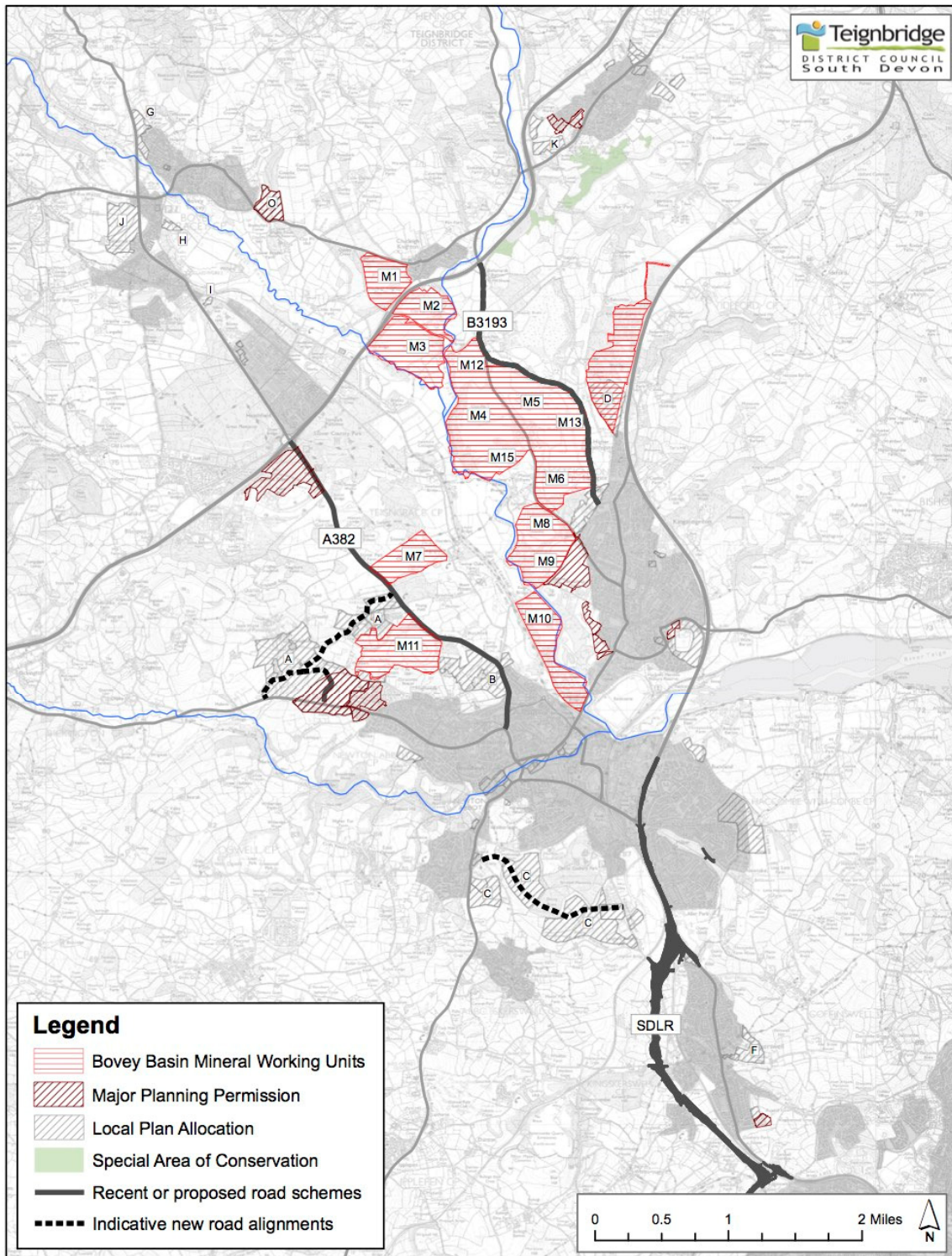
### Map 2 Recorded GHB Activity in the wider landscape surrounding NA3



**Map 2 - Recorded GHB Activity in the Wider Landscape Around NA3**

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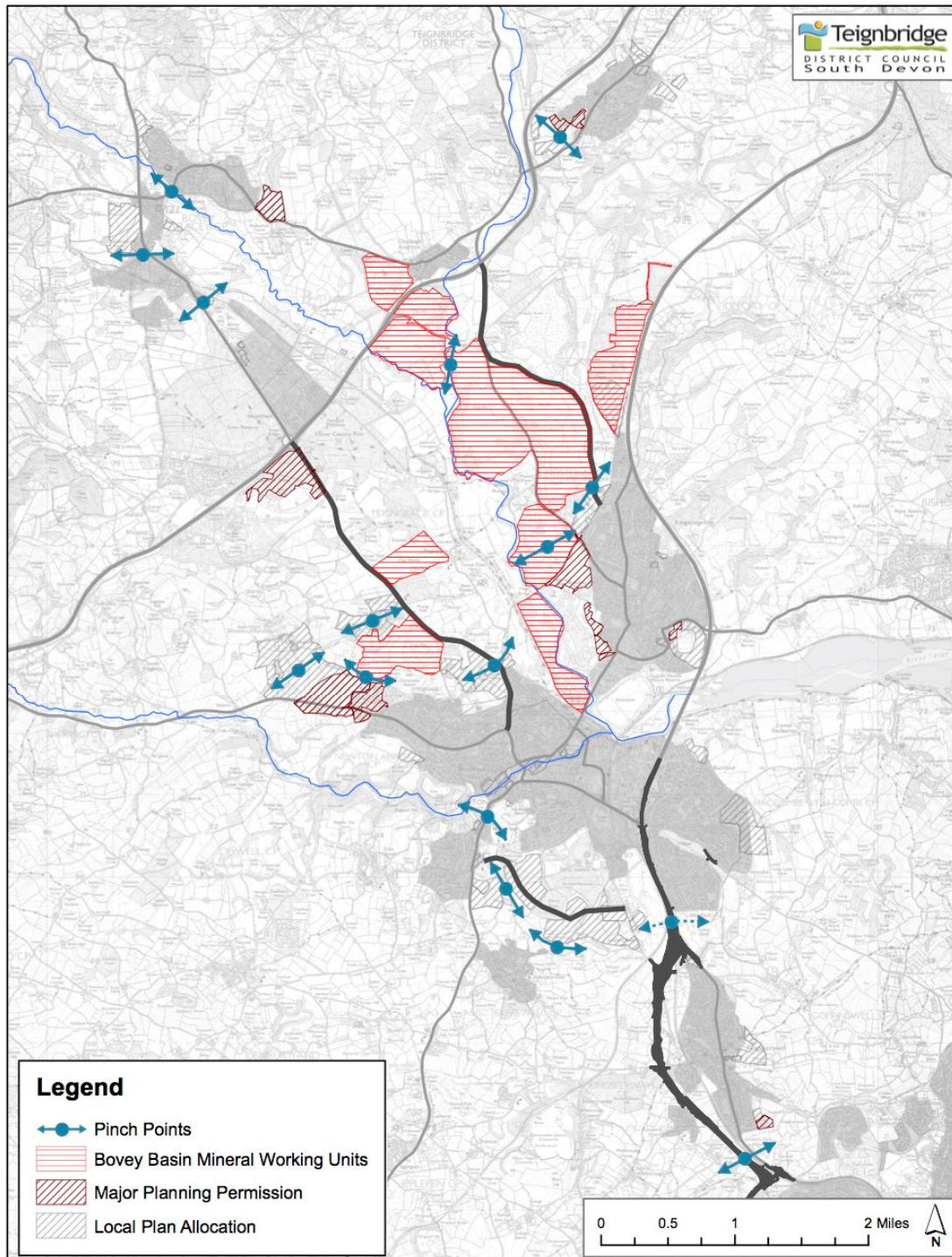
### Map 3 Overview of Large-scale Development: Torquay to Bovey Tracey



**Map 3: Overview of Large-scale Development: Torquay to Bovey Tracey**

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## Map 4 Overview of Large-scale Development: Pinch Points



**Map 4: Overview of Large-scale Development: Torquay to Bovey Tracey**

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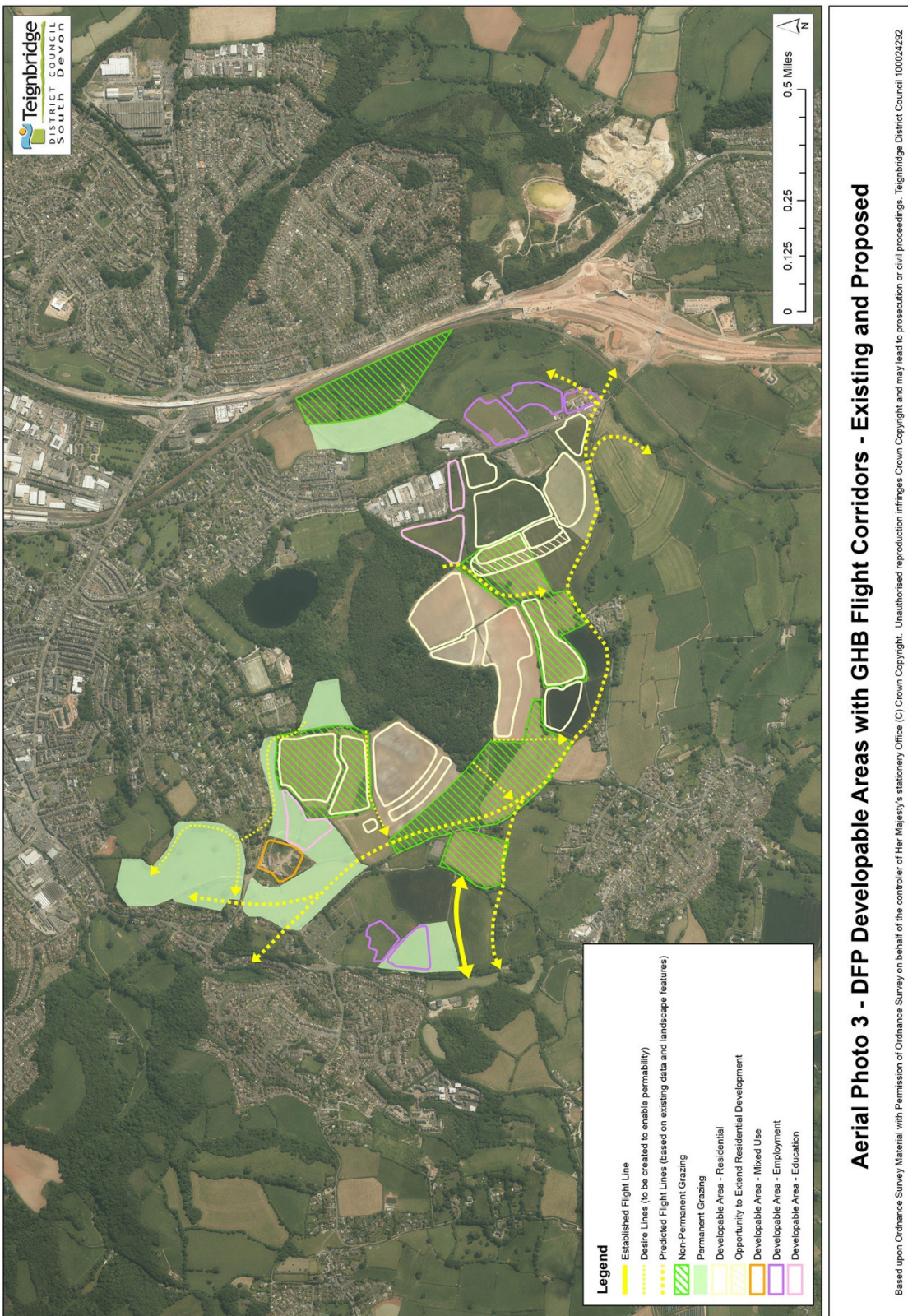
## Aerial Photo 2 Land Parcels within NA3



**Aerial Photo 2 - Land Parcels within NA3**

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### Aerial Photo 3 GHB Flight Corridors – Established and Predicted

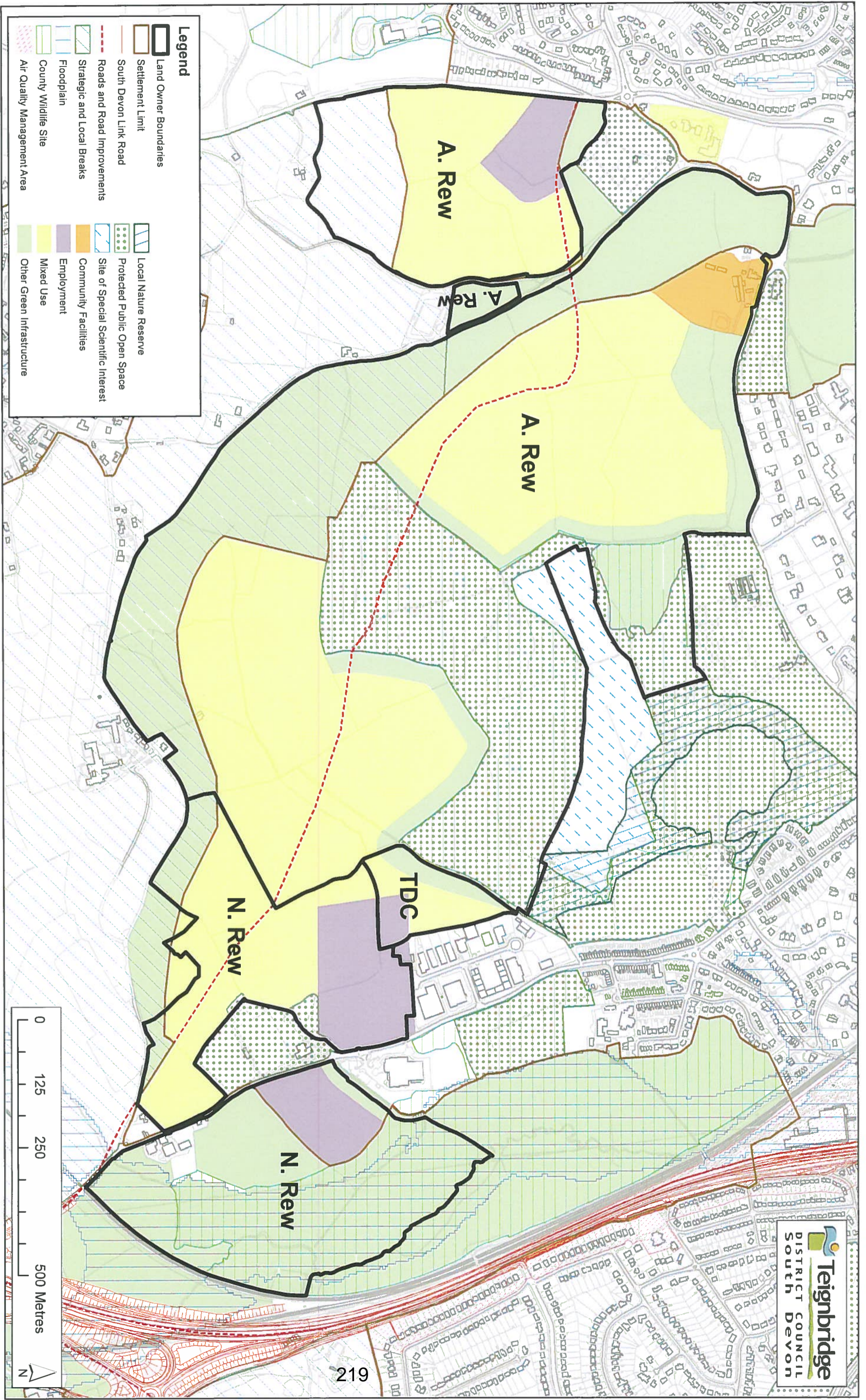


# Map 5 Green Infrastructure Strategy Map from DFP



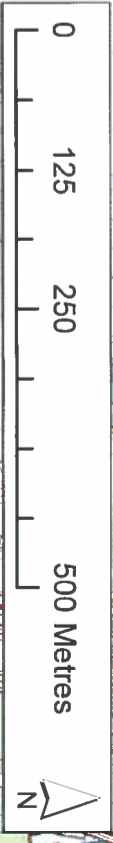
- 1 Allotments/Community growing space
- 2 Proposed hedge/hedge line for reinforcement and to provide additional foraging routes for bats
- 3 Proposed hedgerow/hedge line for reinforcement and to provide additional foraging routes for bats
- 4 Proposed green corridor links and to provide landscape enclosure
- 5 Proposed woodland buffer and natural foraging space
- 6 Blue corridor attenuation area (subS) and to provide additional dark corridor
- 7 Attenuation Swales with buffer planting to provide additional biodiversity value habitat
- 8 Proposed turf flood Devon hedgerow with trees
- 9 New grassed and heath habitats to provide connectivity for off-site Great Crested Newt populations
- 10 Primary bat/wildlife corridor with existing hedges and new hedgerow links
- 11 Amenity space
- 12 Buffer planting to increase biodiversity and provide transition space between different habitats
- 13 Retained managed pasture for CH Bunting habitat
- 14 Suitable crossing point to be designed to allow safe and dark crossing of main route by bats
- 15 Potential location for purpose built Greater Horseshoe roost
- 16 Proposed woodland planting to enhance wildlife corridors
- 17 Proposed Newt and Bat crossing





**Legend**

	Land Owner Boundaries		Local Nature Reserve
	Settlement Limit		Protected Public Open Space
	South Devon Link Road		Site of Special Scientific Interest
	Roads and Road Improvements		Community Facilities
	Strategic and Local Breaks		Employment
	Floodplain		Mixed Use
	County Wildlife Site		Other Green Infrastructure
	Air Quality Management Area		



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