

PLANNING COMMITTEE REPORT

CHAIRMAN: Cllr Colin Parker

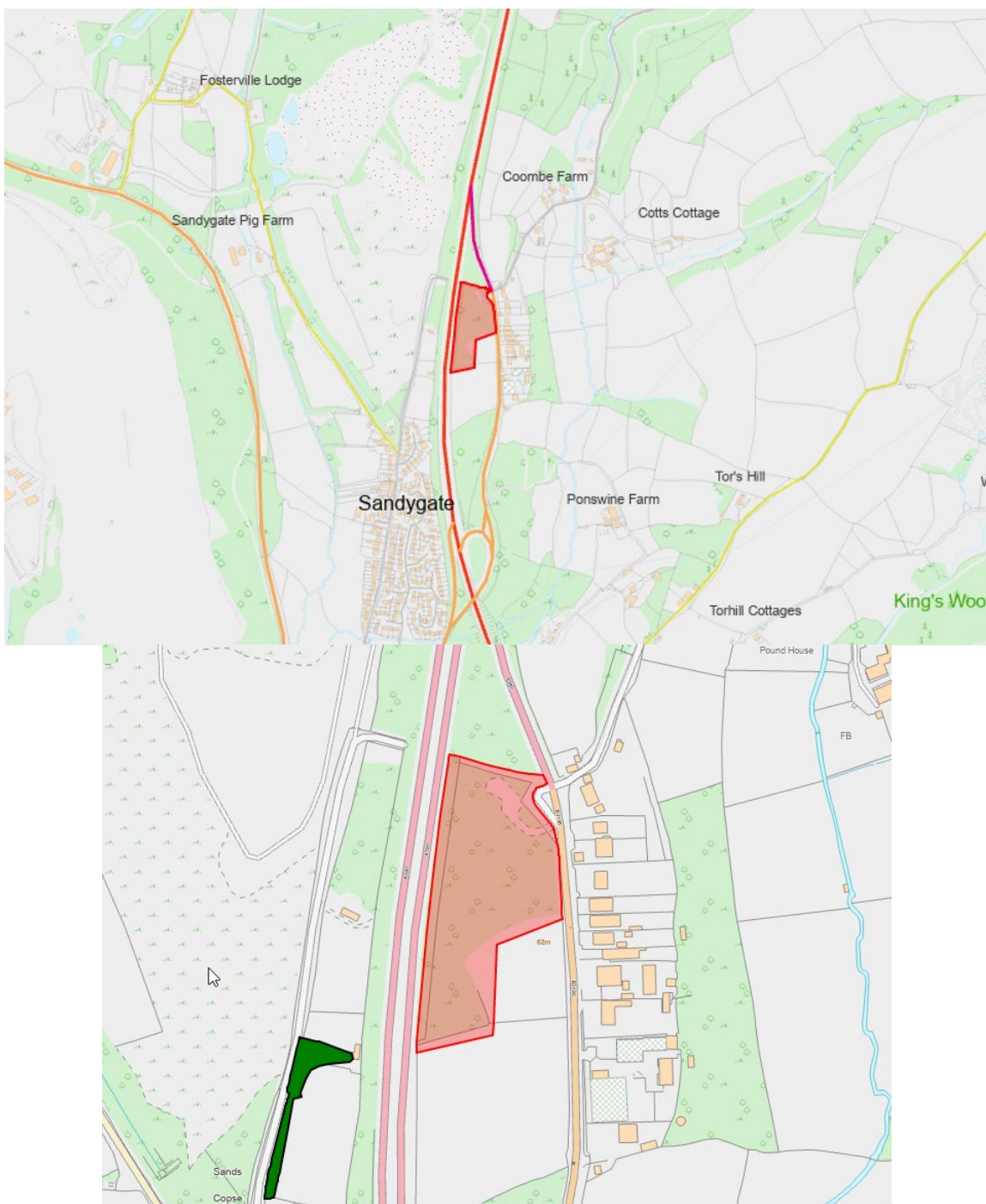


SUBJECT: The District of Teignbridge (Land at Combe Hill Cross, Ideford Combe) Tree Preservation Order 2025
E2/25/04

CASE OFFICER:

WARD COUNCILLORS Cllr Keeley Gearon
Cllr Ron Peart

Kingsteignton East



RECOMMENDATION

The Planning Committee is recommended to resolve that:

The District of Teignbridge (Land at Combe Hill Cross, Ideford Combe) Tree Preservation Order 2025 is confirmed unmodified.

1. PURPOSE

The District of Teignbridge (Land at Combe Hill Cross, Ideford Combe) Tree Preservation Order 2025 protects a woodland of trees located within Land at Combe Hill Cross, Ideford Combe.

The provisional tree preservation order (TPO) was served on 30 January 2025. The provisional protection will cease on 30 July 2025, if it is not confirmed.

2. BACKGROUND AND REASONS

A Planning Application was received for five store/workshop units reference 23/02120/FUL to be erected in a clearing which has been created in the woodland over a number of years.

The provisional TPO was made to protect trees potentially under threat of felling from development, and as one of the mitigation measures required by the Habitats Regulations Assessment (HRA) of the works proposed under the planning application.



AMENITY

The trees contribute to the visual amenity of the area as viewed from the A380 and from Ideford Coombe. The trees alongside the clearing form a thin screen which will be more effective when they are in leaf. The woodland and tree/shrub lines here form foraging habitat and flyways for greater horseshoe bats of the South Hams SAC and provides habitat for other wildlife.

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The trees have an amenity rating of 20.5. The suitable benchmark rating for inclusion within a tree preservation order is 15. See Appendix 1

Owing to the importance of the trees within the local landscape, The District of Teignbridge (Land at Combe Hill Cross, Ideford Combe) Tree Preservation Order 2025 was made and served on 30 January 2025.

Local Planning Authorities (LPAs) have a duty under Part VIII Section 197 of the Town and Country Planning Act 1990 (TCPA) to ensure the protection of trees by making TPOs where it is considered necessary. Section 198 of the TCPA states LPAs may make a TPO if it appears to them to be “expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area”.

Further guidance may be found in National Planning Policy Guidance “Tree Preservation Orders and trees in conservation areas.”

HABITAT MITIGATION

A Habitat Regulations Assessment (HRA) was undertaken of the current development proposal because of potential impacts on greater horseshoe bats of the South Hams Special Area of Conservation (SAC); the application site is in the Sustenance Zone. A radio-tracking survey of bats from the Chudleigh SAC roost found that GH bats were foraging across this and adjacent woodland and using the site as part of a flyway to one of their few crossing points over the A380. Bat activity surveys submitted by the applicant showed that small numbers of GH bats (and other bats) are still using the site.

Section 16 of the HRA concluded that the proposal would be permissible, providing that various mitigation measures were secured. These included retention of the remaining woodland and tree strips around the site to avoid any continuing gradual loss of the bats’ woodland foraging habitat, and of the tree lines/woodland edges the bats follow to navigate the landscape to reach their A380 crossing point. See Appendix 2

The Tree Preservation Order was requested by the Biodiversity Officer and necessary to secure this and the HRA has identified that the TPO forms part of the mitigation measures required to make the development proposed under planning application 23/02120/FUL acceptable. Natural England have confirmed that they concur with the findings of the HRA.

Therefore, if the TPO is not confirmed, planning permission MUST be refused to comply with Section 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

4. OBJECTIONS

16 letters of objection have been received; some are multiple letters from the same people.

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The objections are summarised as follows:

- TPO is unnecessary. The owners of the land have sympathetically managed the woodland for many years ensuring the trees remain healthy and safe. Trees that have come to the end of their life are used as a source of firewood or stacked in habitat piles.
- The owners retirement plan includes using the woodland as their firewood source and there is no intention to clear the woodland.
- The habitat will deteriorate over time as a TPO will stop the management that currently takes place.
- The land was once an old quarry, with trees planted and felled with no care. It has naturally regenerated and the current owners now maintain it in a professional way.
- A Tree Preservation Order will hinder and restrict the management of the woodland.
- The land is flanked on one side by the A380 dual carriageway, therefore claiming changes to the woodland would affect the visual amenity of the area is absurd.
- The land has naturally regenerated with a mixture of self-seeded trees, primarily Oak, Silver Birch and Holly. Many remaining root bases of the felled trees have sprouted into multi-stemmed trees.
- There are overhead high voltage lines that cross the land which results in trees underneath them being removed to protect the lines. TPO would make this maintenance more difficult.
- An ecological survey with specific focus on bats and a belief that the woodland formed part of the Chudleigh Woods and Caves SAC and flightpath concluded that the woodland is not part of the flyway for the horseshoe bats. Based on the frequency of passes, it is concluded that the site is likely used by individual or very low numbers of each horseshoe species, of which their point of origin cannot be ascertained.
- The woodland is actively managed for the benefit of wildlife.
- The ecology report has made recommendations for future management, suggesting removal of Holly and other multi-stemmed trees to allow remaining trees more room to grow stronger.
- Natural England and Teignbridge Biodiversity Officer have no objection to the proposed building because of the strength of the proposed mitigation plan.
- The planning application has a Biodiversity Net Gain plan which includes the trees so they are already protected. A root protection plan will be in force during the build.

Officer Comment:

- As part of the planning application, the applicant submitted a tree report which proposed works to or removal of a number of identified trees around the clearing. Following confirmation of the TPO the applicant can apply for any necessary tree management works by submitting a works to protected trees application. A TPO does not mean that no works can be carried out.

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- Natural England and the Biodiversity Officer are only “not objecting” to the planning application on the basis of a TPO being secured, as set out in the HRA. The Tree Preservation Order forms part of the mitigation plan (along with restricted lighting, operational hours and so on) and without it, the planning application would have to be refused because the HRA would conclude “there would be an adverse effect on the integrity of the South Hams SAC.

4. SUSTAINABILITY IMPLICATIONS

Trees in urban areas are a vital component of a sustainable future, serving to absorb CO², create oxygen and filter pollutants that exacerbate conditions such as eczema and asthma, as well as providing shade and screening and a softening of the built environment. Trees provide a sense of place, habitat for fauna and flora, as well as uplifting the spirits of many people.

5. FINANCIAL IMPLICATIONS

None

6. OPTIONS

The Planning Committee can decide to:

- Confirm the Tree Preservation Order unmodified
- Confirm the Tree Preservation Order in a modified form
- Not to confirm the Tree Preservation Order

Head of Development Management

APPENDIX 1

AMENITY EVALUATION RATING FOR TPOs

TPO No:	E5/25/04	Site Visit Date:	23 January 2025
TPO Name:	The District of Teignbridge (Land at Coombe Hill Cross, Ideford Combe) Tree Preservation Area 2025	TPO Designation	Woodland – W1
Rating	20.5	Surveyed by:	Devon Tree Services as consultant for Teignbridge District Council
Reason for TPO	The trees contribute to the visual amenity of the area and form an important part of the South Hams Special Area of Conservation Bat Habitat. A planning application has been received which may result in the loss of the trees.		

1. <u>Size – height x spread</u> 1 very small 2-5m ² 2 small 5-10m ² 3 small 10-25 ² 4 medium 25-50m ² 5 medium 50-100m ² 6 large 100-200m ² 7 very large 200m ² +	score	6. <u>Suitability to area</u> 1 Just suitable 2 Fairly suitable 3 Very suitable 4 Particularly suitable	score
2. <u>Life expectancy</u> 1 5-15 yrs 2 15-40 yrs 3 40-100yrs 4 100yrs +	3	7. <u>Future amenity value</u> 0 Potential already recognised 1 Some potential 2 Medium potential 3 High potential	0
3. <u>Form</u> -1 Trees which are of poor form 0 Trees of not very good form 1 Trees of average form 2 Trees of good form 3 Trees of especially good form	2	8. <u>Tree influence</u> -1 Significant 0 Slight 1 Insignificant	0
4. <u>Visibility</u> 1 Trees only seen with difficulty or by a very small number of people 2 Back garden trees, or trees slightly blocked by other features 3 Prominent trees in well frequented places	3	9. <u>Added factors</u> <i>If more than one factor relevant maximum score can still only be 2</i> 1 Screening unpleasant view 1 Relevant to the Local Plan 1 Historical association 1 Considerably good for wildlife 1 Veteran tree status	2
5. <u>Other trees in the area</u> 0.5 Wooded surrounding 1 Many 2 Some 3 Few 4 None	.5	10. <u>Notes and total score</u> Reasonable for inclusion within the TPO	20.5

APPENDIX 2

The Conservation of Habitats and Species Regulations 2017

(as amended)

Stage 1: Habitats Regulations Assessment - Screening for Likely Significant Effect on a European site



Part A: The proposal

1. Type of permission/activity:	Full planning application
2. Application reference no:	23/02120/FUL
3. Site address: Grid reference:	Combe Hill Cross, Ideford Combe, Devon, TQ12 3GR SX 87078 75687
4. Brief description of proposal:	<ul style="list-style-type: none"> Type of development: Erection of 5 store/workshop units Distance/relation to European site: 3km from Chudleigh Caves and Woods roost, in the Sustenance Zone. In an area where, in 2002, SAC bats were radio-tracked foraging and commuting, including to access one of very few crossing points over the A380. Size - 3600m² building within a 0.37ha site. See Appendix 1 for Location Plan, Appendix 2 for Proposed Elevations and Appendix 3 for Location in Relation to SAC Features. Current land use – yard used by landscaping and tree works company. In 2010, the area was woodland. Since then, it has gradually been cleared to create the works yard and a building has been added (17/02278/FUL). See Appendix 4 for a series of aerial photographs. Since the most recent aerial photo, further tree clearance and land levelling has taken place and shipping containers have been added.
5. European site name(s); component roost(s) affected.	South Hams SAC site code UK0012650, comprising: Berry Head SSSI Buckfastleigh Caves SSSI Bulkamore Iron Mine SSSI Chudleigh Caves and Woods SSSI Haytor and Smallacombe Iron Mines SSSI Higher Marks Barn SSSI
6. Qualifying Features and Conservation Objectives: Ecological characteristics associated with the features (including those associated with the site, and information on general trends, issues or sensitivities associated with the features if available). Feature of concern highlighted.	H1230. Vegetated sea cliffs of the Atlantic and Baltic coasts H4030. European dry heaths H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>) H8310. Caves not open to the public H9180. <i>Tilio-Acerion</i> forests of slopes, screes and ravines; mixed woodland on base-rich soils associated with rocky slopes S1304. <i>Rhinolophus ferrumequinum</i> Greater horseshoe bat Conservation Objectives (Natural England 30 June 2014): With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; <ul style="list-style-type: none"> The extent and distribution of qualifying natural habitats and habitats of qualifying species The structure and function (including typical species) of qualifying natural habitats

- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

These Conservation Objectives should be read in conjunction with the accompanying *Supplementary Advice* document (where available), which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

7. Ecological survey Summary of effort and findings

Preliminary Ecological Appraisal and Roost Assessment, by Arbtech, dated 4 April 2024

Bat Static Monitoring Survey (incl 3 transects) June to September 2024, by Arbtech

PEA April 2024

The existing building is unsuitable for roosting bats, being a large, modern, industrial-style building of sheet metal construction. The shipping containers are also unsuitable as bat roosts. Only one tree with potential roost features were found and this is to be retained.

Summer 2024

Four static detectors were deployed, each for five consecutive nights in June, August and September.



Figure 1. Static detector deployment locations.

June 2024

Static 1 Northern treeline: 3 GHS calls over 2 nights

Static 2 Western treeline: 4 GHS calls over 1 night

Static 3 South Woodland entrance: no GHS calls

Static 4 East track by site entrance: 1 GHS call

August 2024

Static 1 Northern treeline: 1 GHS (greater horse shoe) calls

Static 2 Western treeline: 6 GHS calls over 3 nights

Static 3 South Woodland entrance: 2 GHS calls over 1 night

Static 4 East track by site entrance: no GHS calls

September 2024

Static 1 Northern treeline: 1 GHS call

Static 2 Western treeline: 1 GHS call

Static 3 South Woodland entrance: 3 GHS calls over 2 nights

Static 4 East track by site entrance: 1 GHS call

Three transects were undertaken, by 2 surveyors (for H & SW reasons), two vantage points were surveyed, night vision aids were deployed, (plus on two occasions a harp trap). The results were:

8 May 2024: One GHS call detected from Vantage Point 1 (eastern VP) “commuting west towards the northern edge of the site”.

23 July 2024: No GHS recorded

11 September 2024: No GHS recorded



Figure 2. Night-time bat walkover survey plan; showing transect route, stopping stations and vantage points.

In all a total of 10 species were recorded, including greater horseshoe, lesser horseshoe and barbastelle. Overall bat abundance was concluded to be ‘low’ from transects and ‘moderate’ from statics.

The Bat Survey Report Concludes:

“With regards to the Chudleigh Woods and Caves SAC and known flightpath, the survey data does not support the conclusion that the site currently forms part of a well-used flyway for horseshoe bats. Although some pipistrelle bats were observed coming into the site from the northeast, no bats were seen to use the dark lane [east of Vantage Point 1] as a commuting route. The one greater horseshoe call detected from the vantage point on survey one was picked up at the very end of the survey when the surveyor was heading back into the site from the east. As the bat was not observed, only detected, it cannot be concluded this horseshoe bat came from the northeast.

“With the limited amount of data and the infrequent and sporadic use of the site by horseshoe bats, activity patterns are difficult to quantify. Based purely on the frequency of passes, it is concluded that the site is likely used by individual or very low numbers of each horseshoe species, of which their point of origin cannot be ascertained. A large proportion of the calls were distant, indicating the bats were on the periphery of the static detector range, likely foraging or commuting within the wider surrounding woodland. No bats were observed using the island of trees in the centre of the site. All observed bat activity was around the woodland edges.

“Based on the data from the surveys the proposed development is not anticipated to have an impact on bats using the site or the surrounding woodland parcels. The site has been a working yard for many years with no external nighttime lighting. The location of the proposed unit does not conflict with any bat activity observed during the walkover surveys.”

Part B: Screening assessment for Likely Significant Effect

8. Is this application necessary to the management of the site for nature conservation?	No If 'Yes' then go directly to the end of the form: permission may be granted.
9. Is the proposal considered 'minor development' as described in the South Hams SAC planning guidance?	Yes To qualify as a 'minor development' the following (quoted from the 2019 South Hams SAC planning guidance) must apply: 4.2.5 In some circumstances it may be possible for the LPA and Natural England to agree to mitigation requirements without the need for a survey / full survey. Note that HRA will still be required. Circumstances may include: <ul style="list-style-type: none"> • A minor development proposal where there is certainty (as evidenced by a competent ecological consultant) that impacts on greater horseshoe habitat can be avoided or are negligible. • A situation in which survey (or further survey) would not contribute further to the identification of impacts and avoidance/mitigation requirements. • A situation in which the LPA and Natural England agree that there is sufficient existing survey information for the site (see British Standard for Biodiversity BS2020 for more information).
10. Are mitigation measures required?	Yes – in light of ruling April 2018 by the Court of Justice of the European Union on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta, full Appropriate Assessment is required.

Part C: Conclusion of Screening

11. Is the proposal likely to have a significant effect 'alone' or 'in-combination' on a European site?	Teignbridge District Council concludes that there could be Likely Significant Effects, alone and/or in-combination with other plans or projects, on features associated with the South Hams SAC, <u>in the absence of mitigation.</u> An Appropriate Assessment of the plan or proposal IS necessary.
Local Authority Officer: Date:	Mary Rush, Biodiversity Officer 23 December 2024

Stage 2: Habitats Regulations Assessment – Appropriate Assessment

Part D: Assessment of Impacts with and without Mitigation Measures

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

12. The identified ways in which the Qualifying Features of the European site could be affected by the proposal. Those considered relevant / those for which mitigation might be needed are highlighted.	i – Direct impact to a SAC/SSSI roost, or to another significant roost(s) ii – Loss or change in quality, structure or composition of foraging habitat iii – Severance or disturbance of linear features used for navigating or commuting iv – Disturbance from new illumination causing bats to change their use of an area v – Disturbance, loss or other impacts on mitigation land or features for SAC bats secured under a previous application vi – Disturbance to and / or further constriction of an identified pinch point vii – Other – e.g. physical injury by wind turbines or vehicle collision viii – In combination impacts
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13. Consideration of Mitigating Factors / Mitigation Measure Offered

Consider construction and operational stages

i) Avoiding the risk of impact to a SAC/SSSI roost, or to another significant roost(s):

a) Area affected is far from a designated roost or other known significant roost.

ii) Avoiding the risk of loss or change in quality, structure or composition of foraging habitat:

a) Radio-tracking of Chudleigh Caves GH bats recorded GH bats foraging across the site in 2002 as shown by the brown overlay below (see also Appendix 3). As GH bats are very long-lived and learn foraging areas and flyways from their mothers, this data is not considered out of date where the habitat and connectivity remain.



b) An area of around 0.37ha has been cleared of woodland over several years since 2010 (ie subsequent to the radio-tracking). No planning permission was requested/required and the felling could have been undertaken under quarterly felling allowances. The trees appear to have all been felled right up to the northern and western ownership boundaries, in the vicinity of the proposed building.

c) The area is now mostly bare ground plus a building and shipping containers and offers minimal prey-generation/ foraging potential for GH Bats.

d) However, the site is still surrounded by broadleaved woodland, so foraging along woodland edges and tracks would be possible, feeding on prey generated within the woodland.

- e) No further felling of woodland/habitat removal is proposed under the current application. However, the applicant may continue to fell trees within the other woodland they own, in the blue line area to the south of the application site, or to the east up to the B3195.
- f) To retain the remaining woodland as foraging habitat (and flyway features), a woodland Tree Preservation Order (TPO) should be made covering all the remaining trees, shrubs, saplings, etc, within the red and blue line land, except under the power line.

iii) Avoiding the risk of severance or disturbance of linear features used for navigating or commuting:

- a) Radio-tracking of Chudleigh Caves GH bats recorded a flyway across the northern end of the site, via which GH bats were crossing the A380 between the 'dark lane' to the NE of the site and foraging habitat to the SW, on the west side of the dual carriageway (see brown shading on aerial phot above and Appendix 3). The nearest alternative crossing points recorded were 450m to the north and 870m to the south.
- b) The 2024 on-site bat static surveys recorded:
 - o 5 GHB passes over 15 nights recording on the northern static (average 1 every 3 nights),
 - o 11 GHB passes over 15 nights recording on the western static (average nearly 1 per night),
 - o 5 GHB passes over 15 nights recording on the southern static (average 1 every 3 nights),
 - o 2 GHB passes over 15 nights recording on the eastern static (average less than 1 every 7 nights),
- c) The 2024 data indicate that the western boundary is the best used by GH bats, with the eastern location the least used.
- d) As concluded by the bat surveyors this is not a high level of use, but shows that GH bats are still using the site to some extent. The radio-tracking did not quantify numbers of GH bats or bat passes using the site, so it is not known how these numbers compare with 2002 before the clearing was created.
- e) To maintain the current levels of GH (and other) bat use, the current levels of tree cover (flyway features) along the site boundaries should be retained.
- f) The 15 March version of the Tree Report says "Trees that have been removed along the bank of the western boundary adjacent to the A380 and include 6 holly <6 inches, 4 Hazel stools. 6 Silver birches <8 inches two of which appeared to have been dead and 2 oak <8 inches." The 5 April version of the Tree Report indicates that few if any trees/shrubs now remain along the western boundary in the vicinity of the proposed units (currently 3 shipping containers on an area of recently raised ground).



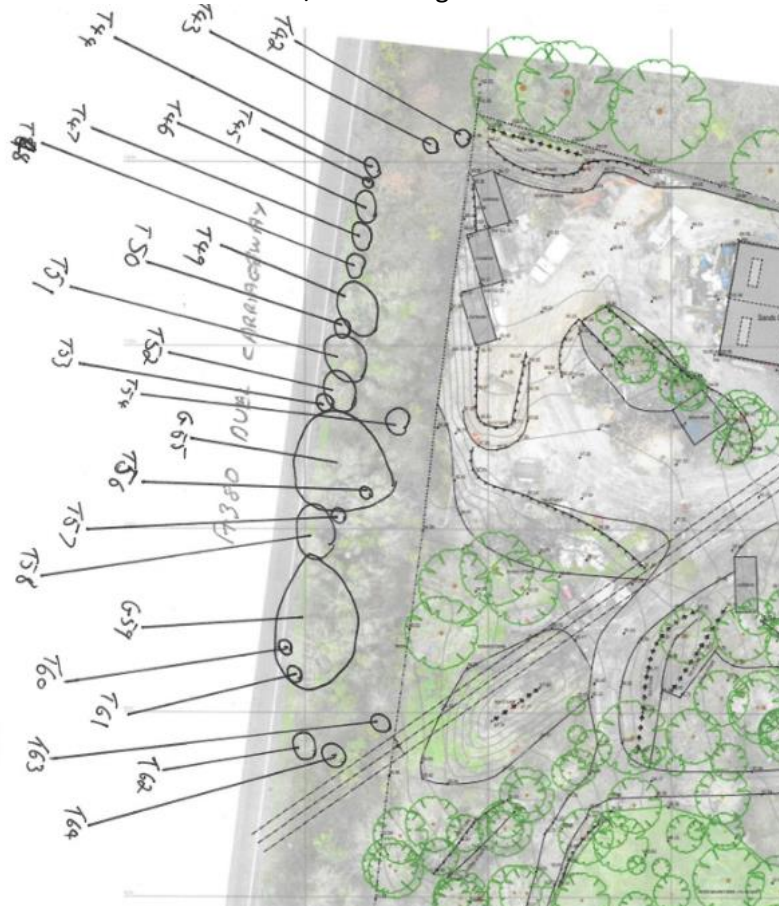
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- h) A photo in the 5 April version of the Tree Report (see below) shows that only a very thin line of small trees remains between one corner of a shipping container and the A380. This leaves little in the way of a light screen between the western bat flyway and car headlights. However, planting up of the gap to create a thicker light screen would narrow the width of the flyway corridor.



i)

- j) The 5 April Tree Report also includes the following map and associated tree condition assessment, of trees on the A380 verge, which are outside the application red line boundary and the blue line ownership boundary (see Appendix 1). Presumably these trees belong to the Highways Authority (HA). One of these trees, T58, is recommended for removal, and others are recommended for monitoring. It is not clear whether the applicant provided this information for the Local Planning Authority's information, the HA's information, or because he intends to undertake the removal/monitoring or whether there is confusion over the ownership boundary.



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- k) The Preliminary Ecological Appraisal (PEA) says:
- "The installation of a replacement steel fence behind the proposed building will prevent encroachment into the vegetation along highway verge from construction." (page 13);
 - "Best practice measures to minimise the possibility of pollution affecting the nearby deciduous woodland must be implemented during construction. A Construction Environment Management Plan (CEMP) may be required for this." (page 13); and

<ul style="list-style-type: none"> o "The woodland habitat on the north and south boundaries and the island of oaks in the centre of the site will be retained. The existing wooded area at the entrance to the east from the B3195 will not be impacted. The trees along the highway verge to the west are not under the management of the site and will be retained. Given there will be no reduction in woodland habitat from the proposed development, the impact on foraging and commuting bats is considered to be low." (page 20). l) These measures should all be secured, by making the PEA an approved document and/or by condition. m) A condition or informative should also be applied to prevent any [further] tree/shrub removal between the red line boundary and the A380 carriageway. n) To ensure that the woodland cover is secured into the future, a woodland TPO should be applied to all the remaining woodland, except under the power line.
<p>iv) Avoiding the risk of disturbance from <u>new illumination</u> causing bats to change their use of an area:</p> <ul style="list-style-type: none"> a) Light levels above 0.5 lux shining on or near flyways will discourage greater horseshoe bats from using them. GHBs tend to fly within 5m of the landscape feature they are following and up to a height of about 2m. They find light around the blue end of the spectrum particularly off-putting, preferring colour temperatures of 2,700 Kelvin or lower. b) It is not known what, if any lighting is currently used on site. c) PEA (page 13) says: "The business is operational during daytime hours only with the site closed at 5pm. As such, there is no impact on the use of the site by nocturnal fauna species." d) The PEA page 20 says: "The proposed industrial unit has no windows on the north, west or south elevations which face areas of woodland habitat which may be used by bats. As such, the dark corridor to the west of the new building will be retained. The east elevation has a total of 5 windows. The use of the site will be limited to daytime hours only. As such, the site will be left dark during activity periods for bats. The height of the proposed building falls in-line with the existing building within the site. The plans of the proposed industrial unit do not show any external lighting scheme at present. The addition of external security lighting may deter bats from using the site." e) There are skylights on the existing building. No skylights are shown on the proposed elevations or block plan. f) The limiting of windows to the eastern elevation only is welcomed. A condition should be applied to prevent future installation of larger or additional skylights/windows on any elevation, without LPA approval. g) A condition should be applied to limit use of the units to 'normal' working hours. h) Conditions should be applied to control lighting during construction and external lighting during the operational period.
<p>v) Avoiding the risk of disturbance to or loss of land or features as have been secured as <u>mitigation measures</u> for South Hams SAC bats under any previous planning applications or projects:</p> <ul style="list-style-type: none"> a) Previously identified mitigation land and / or features are <u>not</u> affected by this plan or project.
<p>vi) Avoiding the risk of compromising or further constricting identified <u>pinch points</u>:</p> <ul style="list-style-type: none"> a) The site could be regarded as a pinch point, which feeds into/out of the radio-tracked crossing point over the A380 dual carriageway. b) The mitigation measures identified above will serve to protect the pinch point.
<p>vii) <u>Other</u> - physical injury by wind turbines or vehicle collision, etc.:</p> <ul style="list-style-type: none"> a) No wind turbine is proposed. b) As the site is small, vehicles are unlikely to be moving at high speed within the site c) No other potential impacts were identified.
<p>Part E. In-combination impacts</p>
<p>14. Is the proposal likely to have adverse impacts on the integrity of the South Hams SAC 'in combination' with other plans or projects?</p>

Unmitigated, this proposal could have in combination impacts with other plans and projects, for instance, industrial development currently underway at 22/02325/MAJ (KS1 Sands Copse). However, mitigation measures required for this application and 22/02325/MAJ should avoid in-combination issues.

Part F. Conclusion

Teignbridge District Council concludes that there would **not** be an adverse effect on the integrity of the South Hams SAC, either 'alone' or 'in-combination', provided the proposal is delivered in accordance with the proposed mitigation measures listed in 16 below.

16. List of mitigation measures and safeguards to be covered by planning obligations (conditions or S106)

The Preliminary Ecological Appraisal (PEA) to be named as an Approved Document

To retain the remaining woodland as foraging habitat (and flyway features), and to ensure that woodland cover is secured into the future, a Woodland Tree Preservation Order (TPO) should be made covering all the remaining trees, shrubs, saplings, etc, within the red and blue line land, except under the power line.

Conditions required:

Prior to commencement of works, details including a location map, shall be submitted to and approved by the LPA, showing permanent fences to be erected:

- along the western red line site boundary, to protect the trees and shrubs of the A380 road verge, together with their root zone, both during works and for the duration of use of the site;
- along the northern boundary, either at the top of the slope, along the red line site boundary, or at the base of the slope;
- along the northern edge of the southern area of woodland; and
- along the inner edge of the eastern trees.

The fences shall be standard stock fences or similar, except for the western fence which may be stock fence, palisade or security mesh.

The fences shall be retained and maintained thereafter.

REASON: to protect habitat used as flyways and other habitat by SAC bats and other species and to protect the landscape/light screen function of the eastern trees.

No development shall be carried out unless a Construction Management Plan has been first submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall specify details of:

- Additional Tree and Hedge Root Protection Zone fencing to be established before commencement, including any further site clearance. The fencing shall be in accordance with Figure 2 of BS 5837 2012, or of a permanent construction agreed with the LPA. The fences shall be maintained until all development has been completed.
- best practice measures to be implemented during construction to minimise the possibility of pollution affecting the nearby deciduous woodland;
- measures to be undertaken to avoid harm to protected species during works;
- measures to prevent animals becoming trapped in excavations or pipes during works;
- the hours of demolition/construction works (including hours of site deliveries, parking of vehicles of site operatives and visitors);
- loading and unloading of plant and machinery;
- facilities for the storage of plant, machinery and materials used in the construction of the development;
- the erection and maintenance of security hoardings;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for the recycling/disposal of waste resulting from the [demolition/construction works]

The development shall be carried out in strict accordance with the approved details.

REASON: For the benefit of legally protected and priority species and priority habitats and in the interests of local amenity.

No skylights, windows or glazed doors shall be installed on the south, west or north elevations now or at any time in the future. No additional or enlarged skylights, windows or glazed doors shall be installed on the eastern elevation, without the written approval of the LPA.

REASON: For the benefit of light-averse SAC bats.

Use of the units shall not take place other than between the following hours of 08:00 to 18:00 Mondays to Fridays, 08:00 to 16:00 Saturdays and not at all on Sundays or Bank Holidays.

REASON: For the benefit of light-averse SAC bats.

Works shall commence at least 30 minutes after sunrise and cease at least 30 minutes before sunset each day during the active season of bats (i.e., from April to October inclusive). No lighting shall be left on over-night during the construction phase. Any works compounds lighting to be PIR activated security lighting only, on short timers (1 minute maximum), directed away from hedges, trees and other dark corridors.

REASON: To permit continued use of the site by light-averse SAC bats.

Notwithstanding Section 55(2) of the Town and Country Planning Act 1990 and/or the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on, or in association with, the new building, except for low-lumen, LED, PIR motion-activated lights on a short timer (maximum 1 minute), sensitive to large objects only (to avoid triggering by bats or other wildlife). Any such lights shall be mounted in association with main doors only, at a height no greater than 1.9m from ground level, directed and shielded downward and away from woodland edged, hedges, trees, shrubs and any bat roosts. The lights shall produce only narrow spectrum, low-intensity light output, UV-free, with a warm colour-temperature (2,700K or less) and a wavelength of 550nm or more.

REASON: For the benefit of light-averse SAC bats.

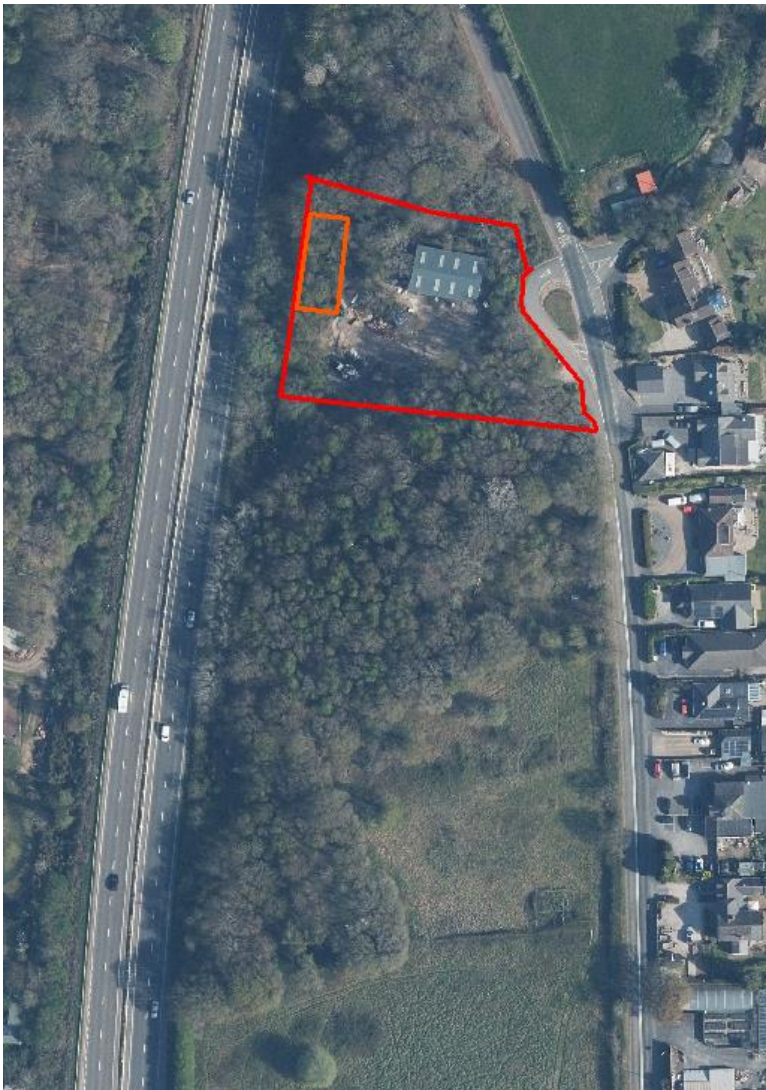
A condition or informative should also be applied to prevent any [further] tree/shrub removal between the red line boundary and the A380 carriageway.

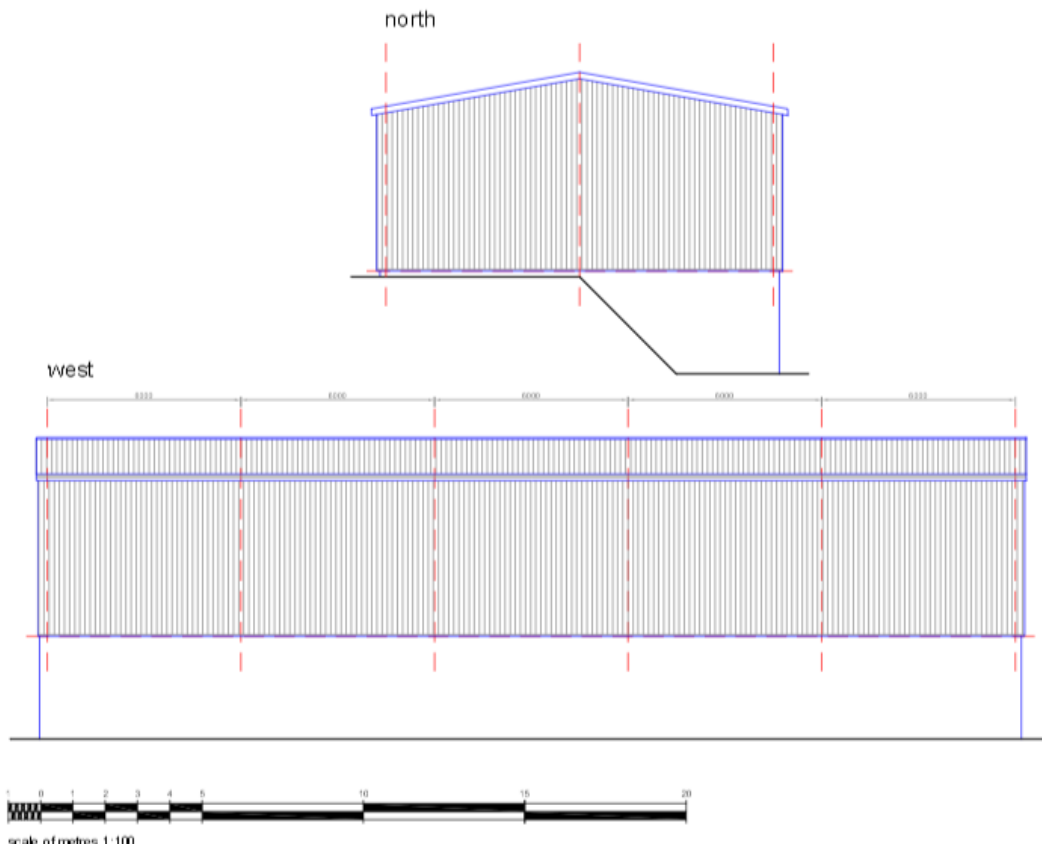
Local Authority Officer:	Mary Rush, Biodiversity Officer
Date:	23 December 2024

Appendices

Appendix 1 - Location Plan
Appendix 2 – Proposed Elevations
Appendix 3 - Location in Relation to South Hams SAC Features
Appendix 4 – Aerial Photos
Appendix 5 – Habitat Survey Map

Appendix 1 - Location Plan





Appendix 3 - Location in Relation to South Hams SAC Features

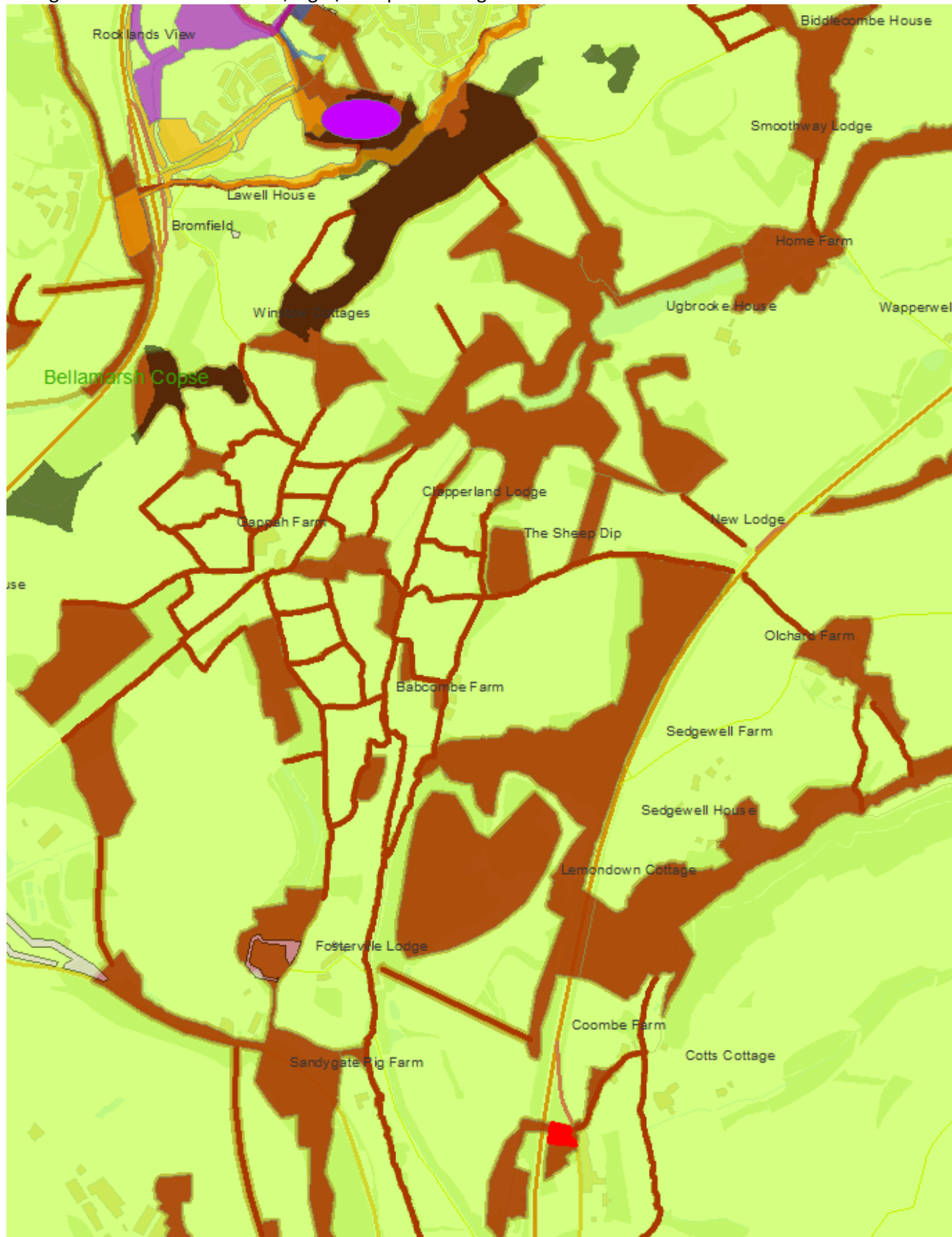
Red = site

Dark brown/dark green = SAC (Chudleigh Caves and Woods SSSI component)

Purple oval = location of SAC roost caves

Light brown = radio-tracked flyways and foraging areas

Orange and blue = 'Pinch Points', light/dark pink = mitigation measures

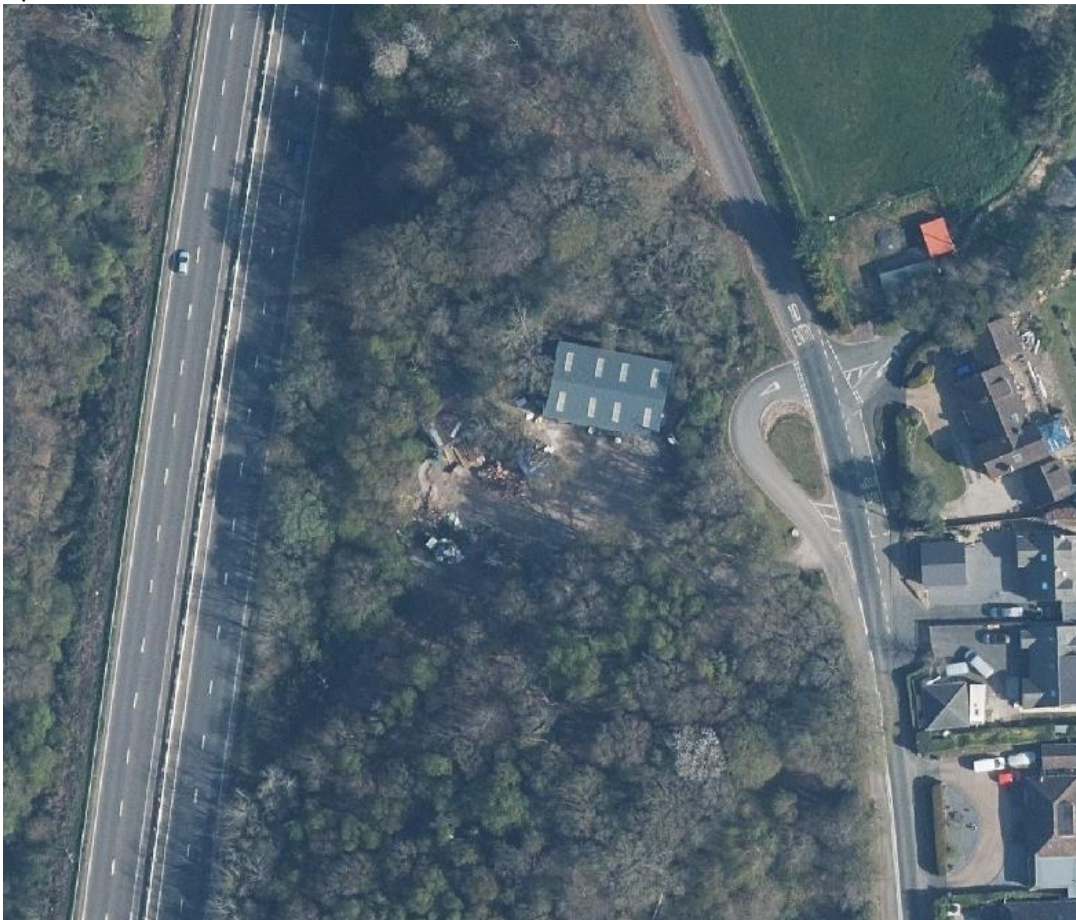


Appendix 4 – Aerial Photos

Recent Google Maps (Image dated 2025)



April 2021



2018



2014-15



2010



Appendix 5 – Habitat Survey Map

