

**Paignton Neighbourhood Plan  
Post Examination Version**

**Draft**

**Habitats Regulations Assessment  
Appropriate Assessment  
November 2018**

# CONTENTS

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<b>Contents.....</b>	<b>2</b>
1. Introduction.....	3
2. The Screening Report Outcome .....	3
3. Appropriate Assessment.....	6
4. In-combination Assessment.....	12
5. Conclusions and Recommendations.....	13
6. References .....	14
Appendix A: Appropriate Assessment Matrix .....	15

# 1. Introduction

This Report sets out stage 2, Appropriate Assessment (AA), of the Paignton Neighbourhood Plan (PNP) Habitats Regulations Assessment (HRA) based on the Examiner's recommendations and further modifications made post examination. The AA considers the policies and identified sites that were screened out with recommended mitigation measures in the submitted HRA screening stage<sup>1</sup>. It is of note that the PNP does not allocate housing or employment sites. However, sites have been identified which are also identified within the Torbay Local Plan.

The Examiner's Report (para. 11.6.10) states that *"On the basis that the Paignton Neighbourhood Plan does not make any site allocations I am satisfied that the HRA 'Screening Stage' does substantively meet the requirements"*. The Council, as the competent authority, considers the information provided at the screening stage is sufficient to meet the HRA regulations.

The approach to considering mitigation measures at stage1 screening has been influenced by the Judgment of the European Court of Justice, case C-323/17 on 12 April 2018, which interpreted that *"it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of a plan or project on the site"*.

## 2. The Screening Report Outcome

The PNP policies as well as the identified housing and employment sites, as also identified in the Torbay Local Plan for Paignton area; were screened out with or without mitigation measures as set out in the Screening Report<sup>2</sup> submitted with the PNP. The policies and sites that were screened out subject to mitigation measures will undergo an Appropriate Assessment to ensure the Plan accords with the recent EU ruling. Despite this the sites in the PNP are identified only and are not allocated.

### 2.1 Paignton Neighbourhood Plan Policies

Out of 27 policies 13 were screened out at screening stage and therefore will not be considered in this AA, these are:

PNP1, PNP2, PNP4, PNP5, PNP9, PNP10, PNP11, PNP15, PNP16, PNP18, PNP19, PNP23, PNP26.

The remaining 14 policies were screened out at screening stage with recommended mitigation measures and therefore will be considered in this AA these are:

PNP3, PNP6, PNP7, PNP8, PNP12, PNP13, PNP14, PNP17, PNP20, PNP21, PNP22, PNP24, PNP25, PNP27.

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<sup>1</sup> [https://www.torbay.gov.uk/media/10329/pnpsa\\_hra.pdf](https://www.torbay.gov.uk/media/10329/pnpsa_hra.pdf)

<sup>2</sup> Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary, 2017

## 2.2 Housing Sites

This assessment does not consider the committed sites that are already within the planning system. Out of 26 housing sites identified for consideration by the PNP, sixteen sites were screened out at the screening stage. These are listed below:

1. Land at Preston Down Road North (PNPH1)
2. Land at Preston Down Road South (PNPH2)
3. Vauxhall Garage, Torquay Road (PNPH3)
4. Land r/o Quarry Terrace, Marldon Road (PNPH8)
5. Lyndhurst Hotel, Lower Polsham Road (PNPH9)
6. Vacant Land, Warefeild Road (PNPH10)
7. Crossways Shopping Centre (PNPH11)
8. Lighthouse, Esplanade Road (PNPH12)
9. Victoria Square/Multi Story Car Park (PNPH13)
10. Corner of Hyde Road and Torbay Road (PNPH14)
11. 4 Palace Avenue (PNPH15)
12. Station Lane (PNPH16)
13. Queens Park and Rugby Club (PNPH17)
14. Silverlawns Nursing Home, 31 Totnes Road (PNPH18)
15. 20 Roundham Road (PNPH 21)
16. Alan Kerr Garage, Brixham Road (PNPH26)

The remaining ten sites identified for consideration by the PNP were screened out at screening stage with recommended mitigation measures. As the housing sites are identified by the PNP, and despite not being allocated, they have been considered in this AA. These are:

1. Land at 4-6 Eugene Road (PNPH4)
2. Modern Motoring, Torquay Road (PNPH5)
3. 63 Manor Road (PNPH6)
4. Great Parks Phase 2 (PNPH7)
5. Angleside House, Cleveland Road (PNPH19)
6. Paignton Harbour (PNPH 20)
7. Sunhill Apartments, 19 Alta Vista Road (PNPH22)
8. Council Depot, Borough Road (PNP23)
9. Grange Road Golf Driving Range (PNPH24)
10. Land off Grange Road (PNPH25)

## 2.3 Employment sites

The submitted HRA screening report noted that all eight employment sites identified for consideration by the PNP were screened out at screening stage with recommended mitigation measures. However, it is

not considered necessary for four of the sites given their location and effect on the Marine SAC. The sites screened out of the scope of the AA are:

1. Crossways (PNPE1)
2. Victoria Square/Multi Story Car Park (PNPE2)
3. Corner of Hyde Road and Torbay Road (PNPE3)
4. Station Lane/Great western Car Park (PNPE4)

It is considered necessary for the remaining four sites that were screened out at screening stage with recommended mitigation measures to be considered in this AA. This is because although they are only identified by the PNP, and despite not being allocated, they are included in the Plan. These are:

1. Paignton Harbour (PNPE5)
2. Yalberton Industrial Estate (PNPE6)
3. Claylands (PNPE7)
4. White Rock (PNPE8)

### 3. Appropriate Assessment

This section addresses stage two Appropriate Assessment of the HRA process (Article 6(3) of Council Directive 92/43/EEC). The AA assesses the adverse effects on European sites in light of the conservation objectives and mitigation measures required. The Screening Report has considered the two European sites within Torbay i.e. the South Hams SAC and the Lyme Bay and Torbay Marine SAC. Section 4.21 of the Screening Report<sup>3</sup> summarises the main factors that could potentially affect the integrity of the two European sites as a result of the in-combination effect of the identified development sites and Neighbourhood Plan proposals. These are:

- Increased water discharges (consented), which can lead to reduced water quality at European sites.
- Increased surface water runoff, which can lead to reduced water quality at European sites.
- Increased recreational activity, which can lead to increased disturbance at European sites.
- Increased noise and light pollution, which can lead to increased disturbance at European sites.
- Land take, which can lead to habitat loss and fragmentation of designated and/or supporting habitats.

The AA examines the following policies and sites (with the above caveats) in more detail, the mitigation measures included in this assessment were extracted from the HRA Screening Report and other available sources such as the Torbay Local Plan HRA and planning application (relevant references were provided in Appendix A).

Along with the strategic policy mitigations already in place, the strategic mitigation recommended in Appendix A should be incorporated into the PNP.

#### 3.1 PNP3, PNP6, PNP7, PNP8, PNP12, PNP13, PNP14, PNP17 & PNP27

General policies could potentially have adverse effects on water quality from contaminated run-off which could have adverse effect on Lyme Bay and Torbay Marine SAC.

#### Mitigation Strategy

- The Local Plan Policies W5 and ER2 restrict development that could have adverse effects on the Lyme Bay and Torbay Marine SAC.
- These sites are also subject to Policy PNP1(i) Surface Water, (as modified) which requires a range of measures aimed at reducing the risk of combined sewer outflows and other polluting incidents.

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<sup>3</sup> Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary, 2017

- Amend PNP1<sup>4</sup> (Area wide) to clarify development proposals will not be supported that would result in an adverse impact on a European protected site.

### 3.2 PNP20, PNP21, PNP22, PNP24, PNP25

These are areas Policies that lie within sustenance zone and adjacent to strategic flyways of the South Hams SAC Greater Horseshoe Bats (GHB). Without appropriate design and mitigation, is likely to adversely affect the South Hams SAC integrity, both alone and in combination with other plans or projects. The policies could potentially have adverse effects on water quality from contaminated run-off resulting from insufficient sewer capacity, which in turn could have adverse effects on Lyme Bay and Torbay Marine SAC.

#### Mitigation Strategy

- Strategic Local Plan Policy SS2 and NC1 require bespoke GHB mitigation plans before planning permission can be granted.
- Strategic Local Plan Policies W5 and ER2 restrict development that could have adverse effect on the Lyme Bay and Torbay Marine SAC.

### 3.3 PNP4 -PNP6, PNP19, PNP 20, PNP 22 & PNPE5

The identified sites are adjacent to Lyme Bay and Torbay Marine SAC and also lie within a flood risk zone. This could potentially have negative effects on water quality from contaminated run-off, which in turn could have adverse effect on Lyme Bay and Torbay Marine SAC.

#### Mitigation Strategy

Development proposal would be subject to the Local Plan Policy W5 and ER2, which restrict development that could have adverse effect on Lyme Bay and Torbay Marine SAC.

It is noted that the PNP does not propose additional development in these areas, but introduces local considerations which will either strengthen, or are at worst neutral to, the protection of European protected sites.

### 3.4 Great Parks Phase 2 (PNPH7)

Great Parks Phase 2 is a Greenfield site lies on the edge urban area, currently in the planning process (P/2014/0938) awaiting decision of LPA. Although the site lies outside the South Hams SAC 'Greater Horseshoe Bat Consultation Zone', it offered potential commuting and foraging habitat for bats. The activity surveys<sup>5</sup> show the site supported low numbers greater horseshoe bat. The Annex II species greater horseshoe bat was recorded using the western boundary of the site.

<sup>4</sup> It is noted that Policy PNP20 does NOT allocate site, but rather identifies local requirements to steer developments including habitats safeguards and as such will support the implementation of the mitigation strategy outlined in this report.

<sup>5</sup> EAD Ecological Consultants (2014)

The potential issues arising as a result of proposed development are:

- 1 Loss and fragmentation of commuting routes during the construction phase;
- 2 Habitat fragmentation associated with artificial illumination during construction and operational phases; and
- 3 Loss of potential roosting features within trees.

### Mitigation Strategy

Mitigation and enhancement during construction:

- All contractors' compounds would be located away from hedgerows and mature trees to minimise potential lighting and disturbance impacts. No lighting would be left on during the night during the construction period.
- Any security lighting would be positioned at low-height and motion activated on short-timers.
- The retained hedgerows would be maintained as corridors and would remain suitable for use by foraging and commuting bats; new habitats on the site would provide new commuting and foraging opportunities for bats, particularly as they matured.
- A minimum of 15 bat tubes or bat bricks would be installed within new buildings, and a further five boxes placed on suitable trees within the site. Boxes would be placed above 3m height in locations facing boundary hedgerows that are not subject to lighting, avoiding north-facing aspects.
- Exact locations and specifications would be specified in the LEMP. This would enhance the site for bats by providing additional roosting opportunities

Mitigation and enhancement post-construction:

- The proposed development would include an integrated landscape and ecological design that will benefit a range of wildlife as it established and matured. This would include:
- New native tree and shrub planting, new native hedgerow, new wildflower-rich grassland, and wetland habitat associated with the 'rain garden' that would form part of the SUDS design for the development.
- A Landscape and Ecological Management Plan (LEMP) would be produced and would detail appropriate long-term management and monitoring of the wildlife habitats.
- To minimise post-construction impacts on bats, lighting along roads and footpaths would be kept to the minimum required for security and public health and safety. Low-level directional lighting would be used where possible and low pressure sodium lights would be used in preference to high pressure sodium or mercury lights. There would be no lighting on hedgerows around the boundary of the site.

## 3.5 Council Depot (PNP23) and Yalberton Industrial Estate (PNPE6)



These identified sites are within an estate where there are very limited opportunities for the South Hams SAC foraging greater horseshoe bats, but there are possible routes through it that might be used by commuting bats. The most likely of which would follow the line of the watercourse that flows into the estate in the north from the direction of Collaton St Mary. This line is also marked by a tall mature hedgerow. Much of this hedgerow is bordered by industrial units and/or areas of parking and/or outdoor storage; all of which are normally well lit at night for security reasons. Greater horseshoe bats may also use the thick mature wooded margins of the industrial estate for both foraging and commuting.

Development of Yalberton Industrial Estate is likely to cause increased disturbance and/or severance of the linear features through the estate, or of the wooded margins.

### **Mitigation Strategy**

There is potential for some of the linear route through the western part of the site area to be enhanced and to be made more attractive to commuting horseshoe bats. There may also be opportunities to bring tree and hedgerow planting up to the road edge, thus reducing the gap that bats would have to bridge when crossing Aspen Way.

Further enhancements may also be possible with the cooperation of the owners/occupiers of some of the industrial units adjacent to the brook and hedgerow, such as the introduction or reduced lighting, or lighting set to come on with motion sensors or timers.

Any future major redevelopment of any of the individual units within the Industrial Estate should maintain the existing hedgerows and consider opportunities for more substantial habitat enhancements e.g. through the reduction of disturbance (e.g. from artificial lighting) and through more sympathetic landscaping planting to enhance permeability for bats moving through the area.

### **3.6 PNP24 Collaton St Mary and PNP25 Clennon Valley and PNP25**

The two Policy areas lie within the South Hams SAC greater horseshoe bat sustenance zone and a strategic flyway. Development of the sites could result in loss of semi-natural vegetation and/or introduction of new light sources in Clennon Valley.

The two areas also lie within flood risk zone adjacent to Lyme Bay and Torbay Marine SAC. The level of growth in these sites could potentially have adverse effects on Lyme Bay and Torbay Marine SAC.

### **Mitigation Strategy**

The South Hams SAC:

- Provision of landscape buffers between development and areas of semi-natural vegetation in the valley;
- Control of light spill;
- Mitigation for the loss of potential foraging and commuting habitat to ensure retention of connectivity along the valley;
- Retention, where appropriate, of features through development that are likely to be used by GHBs; and developer contributions towards the provision of bespoke purpose-built roosts in appropriate locations along the valley.

The Lyme Bay and Torbay Marine SAC:

Development proposal would be subject to the Local Plan Policy W5 and ER2, which restrict development that could have adverse effect on Lyme Bay and Torbay Marine SAC.

Policy PNP24- Collation St Mary does not allocate the area for development, but sets out local requirements to support the sustainable development of the Local Plan Future Growth Area and adopted Masterplan. In addition the overarching Policy PNP1 will apply to the area. Both the Local Plan and masterplan note the need for habitats surveys. The PNPP is considered to either strengthen (or at worst is neutral to) these environmental controls.

Policy PNP25 is largely a conservation policy that seeks to retain the area for its biodiversity and recreation value, and is as such likely to strengthen HRA objectives. However it does include the potential for all weather tourist attractions that could attract the need for mitigation at project level.

### 3.7 Claylands (PNPE7)

Development of the identified site at Claylands could have adverse effects on the South Hams SAC. It is likely to cause loss of some semi-natural woody vegetation and is also likely to increase levels of disturbance e.g. through increased level of light. Development may also represent a future barrier to greater horseshoe bat commuting in and out of the Clennon Valley in an east-west direction (and vice versa) over the A3022.

Whilst not proposed (or listed) in the Neighbourhood Plan, the site is listed in the PNP SA and HRA Screening Assessment (Appendix 17 Table (B)). Applications for the site would in any event be subject to Policy be subject to Policy PNP1 (and appendices) which are likely to strengthen environmental protection.

#### Mitigation Strategy

Retention of the wooded margins and control of light spill from new development will be required to mitigate for likely effects greater horseshoe bats. The amount of semi-natural habitat to be retained

should be informed by detailed bat surveys – that should also establish whether a local flyway should be retained through or around the site to enable movement back and forth across the A3022 to the west.

### 3.8 White Rock (PNPE8)

The identified site currently in the planning process (P/2017/1042) awaiting decision of LPA. It lies within the South Hams SAC greater horseshoe bat sustenance zone and provides suitable foraging and commuting opportunities for bats in form of grassland and hedgerows habitats. Connectivity to surrounding habitats is good as most of the surrounding areas consists of rural fields.

A number of bat surveys<sup>6</sup> showed that the area was regularly used by greater horseshoe bats, although activity levels were considered to be generally low. The surveys indicated that greater horseshoe bats more frequently used the woodland edge within the site and also the hedgerow. The site was likely to be used for commuting, rather than foraging.

Natural England state that they will not object to the scheme subject to suitable mitigation being secured.

#### Mitigation Strategy

The White Rock Masterplan has been designed to ensure continues opportunities for horseshoe bats and the LEMP has been compiled to ensure the establishment of landscape features and coherent ecological network. In particular to enhance connectivity across the site for foraging and commuting bats including greater horseshoe bats.

The mitigation and enhancement strategy would be controlled through the provision of:

- Additional planting hedgerows using native species to enhance foraging opportunities for bats;
- The provision of a purpose designated and managed flyway across the landscape provides sufficient compensation for the loss of low quality foraging habitats;
- A sensitive lighting scheme will be implemented on the site, to include directional lighting away from retained trees and green corridors. Light levels should not increase by more than 0.5 lux as a result of development; and
- Consideration will also be given for enhancing the site for bats through installing bat roosting features on to building and retained trees and additional planting including night-scented plant species such as honeysuckle<sup>7</sup>.

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<sup>6</sup> Tyler Grange (2017) & Ecosulis (2016)

<sup>7</sup> Ecosulis (2016)

## 4. In-combination Assessment

In-combination assessment was covered in the Screening Report (par. 4.15 and Appendix 4). Subject to implementation of the proposed mitigation measures, the impacts of additional development in Paignton would be reduced to an insignificant level and therefore the Paignton Neighbourhood Plan policies will not affect the integrity of any of the European sites identified alone or in-combination with other plans and projects, and the conservation objectives of these sites would be sustained.

## 5. Conclusions and Recommendations

The PNP has been screened to check for the likelihood of significant effects on any European site. Torbay Council as a competent authority needs to ascertain whether the plan is likely to have a significant effect on European sites (either alone or in combination with other plans or projects). The assessment only considers the habitats and species that are qualifying interest features of the European sites.

These initial findings, identify that PNP will not have a likely significant effect on the integrity of four out of the six European sites identified within 20 km of Torbay boundaries (see Table 4.1 in the Screening Report); either alone or in combination with other plans or projects. Based on the precautionary principle, the likely significant effects on Lyme Bay and Torbay Marine SAC and South Hams SAC have been assessed at stage 2 Appropriate Assessment.

The AA involves an assessment of the policies and, whilst understanding and making clear that there are no housing or employment site allocations, the identified housing and employment sites that have were screened out with recommended mitigation measures. The assessment the likelihood of adverse effects on European sites was set out in section 3 above and Appendix A.

Many of the Policies in the PNP contain environmental and/or flood control policies which are likely to reduce the environmental impact on development including the Lyme Bay and Torbay Marine SAC and South Hams SAC. Nevertheless, in response to the draft of this document, the Local Planning Authority has proposed an addition to Policy PNP1 –Area Wide as follows:

*Development will not be supported where:*

*f) The development proposal would result in an adverse impact on a European protected site.*

Subject to implementation of the proposed mitigation measures, the impacts of additional development in Paignton would be reduced to an insignificant level and therefore the Paignton Neighbourhood Plan policies will not affect the integrity of any of the European sites identified and the conservation objectives of these sites would be sustained.

## 6. References

1. Paignton Neighbourhood Forum (2017) - Paignton Neighbourhood Plan Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary.
2. Kestrel Wildlife Consultants Ltd (2014) - HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan).
3. Tyler Grange LLP (2017) – Units C&E Torbay Business Park, Woodview Road Paignton Ecological Assessment – Bat Addendum
4. Ecosulis (2016) – White Rock, Western Bowl, Paignton, Preliminary Ecological Appraisal.
5. EAD Ecological Consultants (2014) Great Parks, Luscombe Road, Paignton, Devon

## Appendix A: Appropriate Assessment Matrix

Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
PNP1, PNP2, PNP4, PNP5, PNP9, PNP10, PNP11, PNP15, PNP16, PNP18, PNP19, PNP23 & PNP26.	General policies with specific elements to conserve and enhance natural, built and historic environment. They will not adversely affect European sites.	Yes	No	N/A	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017)
PNP3, PNP6, PNP7, PNP8, PNP12, PNP13, PNP14, PNP17 & PNP27	General policies have the potential to adversely affect the Lyme Bay and Torbay Marine SAC.	No	Yes	Development proposal would be subject to the Local Plan Policy W5 and ER2, which restrict development that could have negative effect on the Lyme Bay and Torbay Marine SAC.  Amend PNP1 (Area wide) to clarify development proposals will not be supported that would result in an adverse impact on a European protected site.	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017)
PNP20, PNP21, PNP22, PNP24, PNP25.	Area Policies that lie within sustenance zone and proximity of strategic flyways for Greater Horseshoe Bats (GHB). Without appropriate design and mitigation, is likely to have significant effect on integrity of the South Hams SAC both alone and in combination with other projects. Could potentially have negative impacts on water quality from contaminated run-off resulting from insufficient sewer capacity.	No	Yes	Strategic Local Plan Policy SS2 and NC1 require bespoke GHB mitigation plans before planning permission can be granted. Strategic Local Plan Policies W5 and ER2 restrict development that could have negative effect on the Lyme Bay and Torbay Marine SAC.  Amend PNP1 (Area wide) to clarify development proposals will not be supported that would result in an adverse impact on a European protected site.	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017)

Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
PNPH1- PNPH3, PNPH8 - PNPH18, PNPH 21 & PNPE1 – PNPE4	The sites are not within the South Hams SAC Sustenance Zone, nor they are in an identified Strategic Flyway, and they are unlikely to affect the Lyme Bay and Torbay Marine SAC due to the distance involved.	Yes	No	N/A	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017)
PNPH4 - PNPH6, PNPH19, PNPH 20, PNPH 22 & PNPE5	The sites lie within flood risk zone and could potentially have negative impact on the Lyme Bay and Torbay Marine SAC.	No	Yes	Development proposal would be subject to the Local Plan Policy W5 and ER2, which restrict development that could have negative effect on the Lyme Bay and Torbay Marine SAC.	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017)
Great Parks Phase 2 (PNPH7)	<p>Although the site lies outside the South Hams SAC 'Greater Horseshoe Bat Consultation Zone, it offered potential commuting and foraging habitat for bats. The activity surveys<sup>8</sup> show the site supported low numbers greater horseshoe bat. The Annex II species greater horseshoe bat was recorded using the western boundary of the site. The potential issues arising as a result of proposed development are:</p> <ul style="list-style-type: none"> <li>• Loss and fragmentation of commuting routes during the construction phase;</li> <li>• Habitat fragmentation associated with artificial</li> </ul>	No	Yes	<p>Mitigation and enhancement during construction:</p> <ul style="list-style-type: none"> <li>• All contractors' compounds would be located away from hedgerows and mature trees to minimise potential lighting and disturbance impacts. No lighting would be left on during the night during the construction period.</li> <li>• Any security lighting would be positioned at low-height and motion activated on short-timers.</li> <li>• The retained hedgerows would be maintained as corridors and would remain suitable for use by foraging and commuting bats;</li> </ul>	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017); & EAD Ecological Consultants (2014)

<sup>8</sup> EAD Ecological Consultants (2014)



Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
	<p>illumination during construction and operational phases;</p> <ul style="list-style-type: none"> <li>• Potential for buildings to become inhabited by bats; and</li> <li>• Loss of potential roosting features within trees.</li> </ul>			<p>new habitats on the site would provide new commuting and foraging opportunities for bats, particularly as they matured.</p> <ul style="list-style-type: none"> <li>• A minimum of 15 bat tubes or bat bricks would be installed within new buildings, and a further five boxes placed on suitable trees within the site. Boxes would be placed above 3m height in locations facing boundary hedgerows that are not subject to lighting, avoiding north-facing aspects.</li> <li>• Exact locations and specifications would be specified in the LEMP. This would enhance the site for bats by providing additional roosting opportunities</li> </ul> <p>Mitigation and enhancement post-construction:</p> <ul style="list-style-type: none"> <li>• The proposed development would include an integrated landscape and ecological design that will benefit a range of wildlife as it established and matured. This would include:</li> <li>• New native tree and shrub planting, new native hedgerow, new wildflower-rich grassland, and wetland habitat associated with the 'rain garden' that would form part of the SUDS design for the development.</li> </ul>	

Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
				<ul style="list-style-type: none"> <li>• A Landscape and Ecological Management Plan (LEMP) would be produced and would detail appropriate long-term management and monitoring of the wildlife habitats.</li> <li>• To minimise post-construction impacts on bats, lighting along roads and footpaths would be kept to the minimum required for security and public health and safety. Low-level directional lighting would be used where possible and low pressure sodium lights would be used in preference to high pressure sodium or mercury lights. There would be no lighting on hedgerows around the boundary of the site.</li> </ul>	
Council Depot, PNP23	<p>The site lies within sustenance zone and nearby strategic flyway for greater horseshoe bats. Without appropriate design and mitigation, is likely to have significant effect on integrity of the South Hams SAC both alone and in combination with other projects.</p> <p>Development of Yalberton Industrial Estate is likely to cause increased disturbance and/or severance of the linear features through the estate, or of the wooded margins.</p>	No	Yes	See PNPE6 below	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017); & HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (2014)

Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
PNP24 & PNP25	<p>The two sites lie within the South Hams SAC greater horseshoe bat sustenance zone and a strategic flyway. Development of the sites could result in loss of semi-natural vegetation and/or introduction of new light sources in Clennon Valley.</p> <p>The two sites also lie within flood risk zone. The level of growth in these sites could potentially have negative impact on Lyme Bay and Torbay Marine SAC.</p>	No	Yes	<p>The South Hams SAC Mitigation measures should include:</p> <ul style="list-style-type: none"> <li>• provision of landscape buffers between development and areas of semi-natural vegetation in the valley;</li> <li>• control of light spill;</li> <li>• mitigation for the loss of potential foraging and commuting habitat to ensure retention of connectivity along the valley;</li> <li>• retention, where appropriate, of features through development that are likely to be used by GHBs; and developer contributions towards the provision of bespoke purpose-built roosts in appropriate locations along the valley.</li> </ul> <p>The Lyme Bay and Torbay Marine SAC: Development proposal would be subject to the Local Plan Policy W5 and ER2, which restrict development that could have adverse effect on Lyme Bay and Torbay Marine SAC.</p>	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017); & HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (2014)
PNPH26	The site is brownfield land surrounded by well-lit areas lies within the South Hams SAC greater horseshoe bat sustenance zone. Due to its modern construction and location in a highly illuminated urban area is both, unsuitable and with no potential roosting provision for greater horseshoe bats.	Yes	No	N/A	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017)

Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
Yalberton Industrial Estate, PNPE6	While there are very limited opportunities for foraging greater horseshoe bats within the estate, there are possible routes through it that might be used by commuting bats. The most likely of which would follow the line of the watercourse that flows into the estate in the north from the direction of Collaton St Mary. This line is also marked by a tall mature hedgerow. Much of this hedgerow is bordered by industrial units and/or areas of parking and/or outdoor storage; all of which are normally well lit at night for security reasons. Greater horseshoe bats may also use the thick mature wooded margins of the industrial estate for both foraging and commuting. Development of Yalberton Industrial Estate is likely to cause increased disturbance and/or severance of the linear features through the estate, or of the wooded margins.	No	Yes	There is potential for some of the linear route through the western part of the site area to be enhanced and to be made more attractive to commuting horseshoe bats. There may also be opportunities to bring tree and hedgerow planting up to the road edge, thus reducing the gap that bats would have to bridge when crossing Aspen Way. Further enhancements may also be possible with the cooperation of the owners/occupiers of some of the industrial units adjacent to the brook and hedgerow, such as the introduction or reduced lighting, or lighting set to come on with motion sensors or timers.  Any future major redevelopment of any of the individual units within the Industrial Estate should maintain the existing hedgerows and consider opportunities for more substantial habitat enhancements e.g. through the reduction of disturbance (e.g. from artificial lighting) and through more sympathetic landscaping planting to enhance permeability for bats moving through the area.	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017) & HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (2014)
Claylands, PNPE7	Development of Claylands could have adverse effect on the South Hams SAC. It is likely to cause loss of some semi-natural woody vegetation and is also likely to increase levels of disturbance e.g. through increased level of light. Development may also represent a future barrier to greater horseshoe bat commuting in and out of the Clennon Valley in an east-west	No	Yes	Retention of the wooded margins and control of light spill from new development will be required to mitigate for likely effects greater horseshoe bats. The amount of semi-natural habitat to be retained should be informed by detailed bat surveys – that should also establish whether a local flyway should be retained through or around the site to enable	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017); &

Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
	direction (and vice versa) over the A3022.			movement back and forth across the A3022 to the west.	HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (2014)
White Rock, PNPE8 (committed site)	<p>The site lies within the South Hams SAC greater horseshoe bat sustenance zone. It provides suitable foraging and commuting opportunities for bats in form of grassland and hedgerows habitats. Connectivity to surrounding habitats is good as most of the surrounding areas consists of rural fields.</p> <p>A number of bat surveys<sup>9</sup> showed that the area was regularly used by greater horseshoe bats, although activity levels were considered to be generally low. The surveys indicated that greater horseshoe bats more frequently used the woodland edge within the site and also the hedgerow. The site was likely to be used for commuting, rather than foraging.</p> <p>Natural England state that they will not object to the scheme subject to suitable mitigation being secured.</p>	No	Yes	<p>The White Rock Masterplan has been designed to ensure continues opportunities for horseshoe bats and the LEMP has been compiled to ensure the establishment of landscape features and coherent ecological network. In particular to enhance connectivity across the site for foraging and commuting bats including greater horseshoe bats.</p> <p>The mitigation and enhancement strategy would be controlled through the provision of:  Additional planting hedgerows using native species to enhance foraging opportunities for bats;  The provision of a purpose designated and managed flyway across the landscape provides sufficient compensation for the loss of low quality foraging habitats;  A sensitive lighting scheme will be implemented on the site, to include directional lighting away from retained trees and green corridors. Light levels should not increase by more than 0.5 lux as a result of development;</p>	PNP Sustainability Appraisal, Habitats Regulations Assessment & Non-Technical Summary (2017); Tyler Grange (2017); & Ecosulis (2016)

<sup>9</sup> Tyler Grange (2017) & Ecosulis (2016)

Site	Screening Assessment	Screened out?	AA required?	Mitigations Strategy	Reference
				Consideration will also be given for enhancing the site for bats through installing bat roosting features on to building and retained trees and additional planting including night-scented plant species such as honeysuckle <sup>10</sup> .	

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<sup>10</sup> Ecosulis (2016)