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**HRA Site Appraisal Report of Torbay Local Plan  
Strategic Delivery Areas  
(Proposed Submission Plan)**

**Addendum November 2014**

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**October 2014**

**Report for Torbay Council**

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# **HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan)**

## **Addendum November 2014**

**Prepared by Kestrel Wildlife Ltd**

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A report by Kestrel Wildlife Ltd on behalf of Torbay Council.

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## 1. Introduction and Background

### 1.1 Introduction

- 1.1.1. The following report, commissioned by Torbay Council (TC), forms an addendum to the full HRA Site Appraisal produced for the Council through the summer of 2014. As such the methods to undertake the Appraisal are the same as described in Section 2 of the main HRA Appraisal Document.
- 1.1.2. This addendum has been specifically prepared to examine four sites on the edge of Brixham. These are:
- St Mary Industrial Estate, SHLAA No. H1:21 (yield 25 dwellings)
  - Beverly Court, Upton Manor Road, SHLAA No. T894 (yield 9 dwellings)
  - King's Barton, Summer Lane, SHLAA No. T886 (yield 7 dwellings)
  - North Cliff Hotel, SHLAA No. T822 (yield 15 dwellings)

### 2.3 Structure of This Report

- 2.3.1 An appraisal is presented in Section 4 of this report and examines whether the four sites listed above are likely to affect the Berry Head Component of the South Hams SAC.
- 2.3.2 This appraisal provides information on the following:
- a. Key physical characteristics of the site;
  - b. Whether future development of the site has the potential to impact the integrity of the South Hams SAC;
  - c. Whether it is likely that potential impacts will require Habitat Regulations Assessment (HRA);
  - d. Whether it is likely that likely impacts can be mitigated effectively.
- 2.3.3 A colour code is provided alongside the title of each site report to give an 'at-a-glance' impression of the site's suitability for development.



Green indicates that the integrity of the SAC is unlikely to be affected and proposals could be taken forward that would not require HRA.



Amber indicates that the issue of whether or not the integrity of the SAC is likely to be affected by development depends on the details of the proposal and the form of mitigation provided. HRA would be required.



Red indicates that initial screening suggests that this site should not be brought forward for development because the site is considered key to the integrity of the SAC and it is unlikely that effective mitigation or compensation would be possible. HRA would be required.

## 4. SITES IN BRIXHAM

### 4.1 St Mary Industrial Estate (H1:21)



#### Key Characteristics

- 4.1.1. See Figure 1 of this HRA.
- 4.1.2. This site lies on the edge of the built up area on the southern side of Brixham and most significantly it is adjacent to open countryside, to the east, that connects directly via pasture, hedges and narrow lanes with Sharkham Point and the GHB Strategic Flyway along the coast in St Mary's Bay.
- 4.1.3. The area of this site that lies on the southern side of St Mary's Lane is surrounded to the east, south and west by existing built development, and as such, offers virtually no opportunities for foraging and very limited – if any – routes for commuting.
- 4.1.4. In contrast, according to the GHB radio-tracking evidence (e.g. the recorded flight lines shown on Natural England's SAC Map), the area of the site that lies to the north of St Mary's Lane is likely to form part of the Strategic Flyway through this part of Brixham.
- 4.1.5. The majority of this northern part of the site is occupied by existing buildings that form the St Mary's Industrial Estate. As such, this offers no foraging opportunities. However, the eastern part of the site is undeveloped and is separated from the industrial estate by a line of mature trees (see Figure 1 of this HRA) and as such may offer limited foraging habitat.
- 4.1.6. Also, immediately to the north of the industrial estate there is a single residential property with extensive undeveloped grounds with mature trees and shrubs. This property lies between the industrial units and Castor Road (to the north) and appears to offer suitable unlit habitat for GHBs moving through this location. A line of semi-mature trees marks the boundary between the industrial estate and the residential property.
- 4.1.7. There is no permanent built development to the east of H1.021, but the Upton Manor Farm Camp Site (tents and touring caravans) does mean that the fields to the immediate east are of only limited foraging value to greater horseshoe bats. Similarly, the camping site to the south on the other side of St Mary's Lane means that these fields are also not cattle/stock grazed through the summer.
- 4.1.8. While St Mary's Lane is narrow and has hedges on either side for much of its length up to the industrial estate, there are street lamps along it from just east of the entrance to Upton Manor camp site. This lighting may reduce the extent to which GHBs commute along the lane itself.
- 4.1.9. Unfortunately, the radio-tracking routes shown as red lines on the NE SAC map are not sufficiently accurate to identify within a few tens of metres exactly what route is taken by the bats. All we can be sure of is that they fly along the corridor formed by the hedges, fields and camping sites on either side of St Mary's Lane. They are most likely to use landscape features between the two dashed yellow lines shown on Figure 1 of this HRA. They may use the lane as well, since the individuals recorded appear to be light tolerant to some extent – as evidenced by radio-tracking of their route beyond Beverly Court.
- 4.1.10. The lines of mature and semi-mature trees on the northern boundary may assist this movement by providing a strong linear feature that will cast significant amounts of shadow, thereby minimizing light spill. However, it must be acknowledged that the bat(s) that take this route through the edge of Brixham must be subject to higher light levels than are normally tolerated by this species.

### **Does future development of the site have the potential to impact the integrity of the South Hams SAC?**

- 4.1.11. The site is currently occupied with light industrial buildings. While, as a result, the main area of the site offers no foraging opportunities, GHBs have been recorded commuting through this area. Consequently, disturbance from new development (through increased light pollution and/or loss of lines of trees and habitat on the eastern part of the site) could result in a likely effect on the South Hams SAC; particularly by severing this established flyway known from the radio-tracking studies.
- 4.1.12. From the previous radio-tracking studies, it is clear that GHBs use St Mary's Lane and the adjacent fields on either side to reach open countryside to the south-west of Brixham. It is therefore important that any development proposals for the St Mary Industrial Estate do not impair potential flight routes. It is apparent from the radio-tracking studies that the bats will, over limited distances, pass through built up areas in this part of Brixham and indeed it appears that they must fly through the gaps between buildings around the existing development at St Mary's Industrial Estate.

### **Is it likely that potential impacts will require Habitat Regulations Assessment (HRA)**

- 4.1.13. Any development proposals for this site should be informed by full GHB bat surveys undertaken to establish in detail the extent and regularity of their movement through and around this site (concentrating on features most likely to be used e.g. between the yellow dashed lines on Figure 1 of this HRA).
- 4.1.14. The bat surveys should be undertaken in accordance with Natural England's SAC guidance (or any successor guidance), so that use of the area can also be established throughout the whole season (e.g. April to October). This is important to identify whether there are any particular periods of the year when this flight route is more important. The bat surveys should be of sufficient detail to also inform future monitoring that would be required subsequent to any development taking place.
- 4.1.15. It is very likely that development proposals will require HRA and it is almost certain that, as a minimum, a Likely Significant Effect (LSE) screening assessment should be undertaken, informed by adequate survey information. This would inform whether full Appropriate Assessment (AA) would be required to determine the risk of a likely 'significant adverse effect' on the integrity of the Berry Head component of the South Hams SAC.

### **Is it likely that impacts can be mitigated effectively?**

- 4.1.16. It is important that all existing mature trees and hedge lines are retained and protected to provide continued commuting habitat/features for the bats as they pass through this point. In addition, development should seek to retain the rural character of the St Mary's Lane (e.g. narrow and relatively unlit) with no light spill greater than 0.5 lux outside the boundaries of any new development e.g. a dark corridor must be retained. Effective mitigation measures would have to be provided to ensure:
- no additional light spill into adjacent areas and boundary features (e.g. tree lines along the eastern and northern boundaries);
  - no loss of these boundary features so that they continue to function as strong linear features in the landscape;
  - retention of as much of the eastern undeveloped part of the site as is necessary to provide a fully functional dark unlit corridor around the northern side of the industrial estate.
- 4.1.17. While it is clearly possible that the tree lines can be retained, and for lighting on site to be designed in such a way as to limit light spill, it must be recognised that development may need

to be set back at sufficient distance from the northern hedge line to achieve mitigation objectives. Similarly, depending on the degree of use of the undeveloped eastern part of the site, it may not be possible to develop all or any of this area. This would may reduce the developable footprint within the site and therefore the number of dwelling that may be built.

## 4.2 Beverly Court, Upton Manor Road (T894)



### Key Characteristics

- 4.2.1. Beverly Court sits in the middle of existing built development comprised of a network of small roads and residential properties with large gardens. Radio-tracking studies have shown that in the past, GHBs have flown past the Court - presumably using the small roads in the vicinity to both navigate and to find shade from the street lights.

### Does future development of the site have the potential to impact the integrity of the South Hams SAC?

- 4.2.2. In view of its location among other residential properties, and the fact that GHBs have already been recorded as flying past (or very near to) Beverly Court, it is unlikely that development on the scale of the existing property would be likely to significantly affect the SAC.

### Is it likely that potential impacts will require Habitat Regulations Assessment (HRA)?

- 4.2.3. If development is of a similar scale as to the existing footprint and does not generate any additional light spill, then it is unlikely that it would require HRA.

### Is it likely that impacts can be mitigated effectively?

- 4.2.4. The key issue for development proposals here is to ensure that light spill is minimised and does not exceed current levels or extent.

## 4.3 King's Barton, Summer Lane (T886)



### Key Characteristics

- 4.3.1. This is another small plot that is land-locked by surrounding residential development and small roads. It is different from the above two sites in that it is not directly on a radio-tracked flight line. Instead it is some hundred(s) of metres away from the recorded line of GHB flight

### Does future development of site have the potential to impact the integrity of the South Hams SAC?

- 4.3.2. It is difficult to see how development of the type and scale proposed is likely to impair future movement of GHBs through this part of Brixham.

### Is it likely that potential impacts will require Habitat Regulations Assessment (HRA)?

- 4.3.3. If development is of a similar scale as to the existing footprint and does not generate any additional light spill, then it is unlikely that it would require HRA.

### Is it likely that impacts can be mitigated effectively?

- 4.3.4. The key issue for development proposals here is to ensure that light spill is minimised and does not exceed current levels.

#### 4.4 North Cliff Hotel (T822)



##### Key Characteristics

- 4.4.1. This site sits on top of the cliffs overlooking Brixham Harbour. The site is relatively flat and open and provides little or no semi-natural foraging habitat (although the adjacent allotments may be a source of invertebrates). Nor are any obvious opportunities for roosting and commuting opportunities would also appear limited by virtue of its position on the cliff tops.
- 4.4.2. If in the future it is confirmed that GHBs cross Brixham Harbour from Berry Head, it is more than likely that they will stay low and close to the sea surface. Consequently, it is also likely that they will make landfall at sea level in or near Fishcombe Cove rather than gaining considerable height to reach the top of the cliffs.

##### Does future development of site have the potential to impact the integrity of the South Hams SAC?

- 4.4.3. In light of site's characteristics, development is unlikely to have a significant adverse effect on the Berry Head component of the South Hams SAC.

##### Is it likely that potential impacts will require Habitat Regulations Assessment (HRA)?

- 4.4.4. For the reasons set out above, it is unlikely that the development of this site would require HRA.

##### Is it likely that impacts can be mitigated effectively?

- 4.4.5. The key issue for development in this location is to ensure that light spill is minimised and does not extend to the west or over the open water in Brixham harbour (something that is considered highly unlikely from a residential development as is being considered).

# HRA Site Appraisal Addendum

## Maps and Figures

**Map 1 Potential development sites BPNP primarily housing**  
**Showing H1.021 (yield 25 dwellings), T894 (yield 9 dwellings), T886 (yield 7 dwellings) and T822 (yield 15 dwellings)**

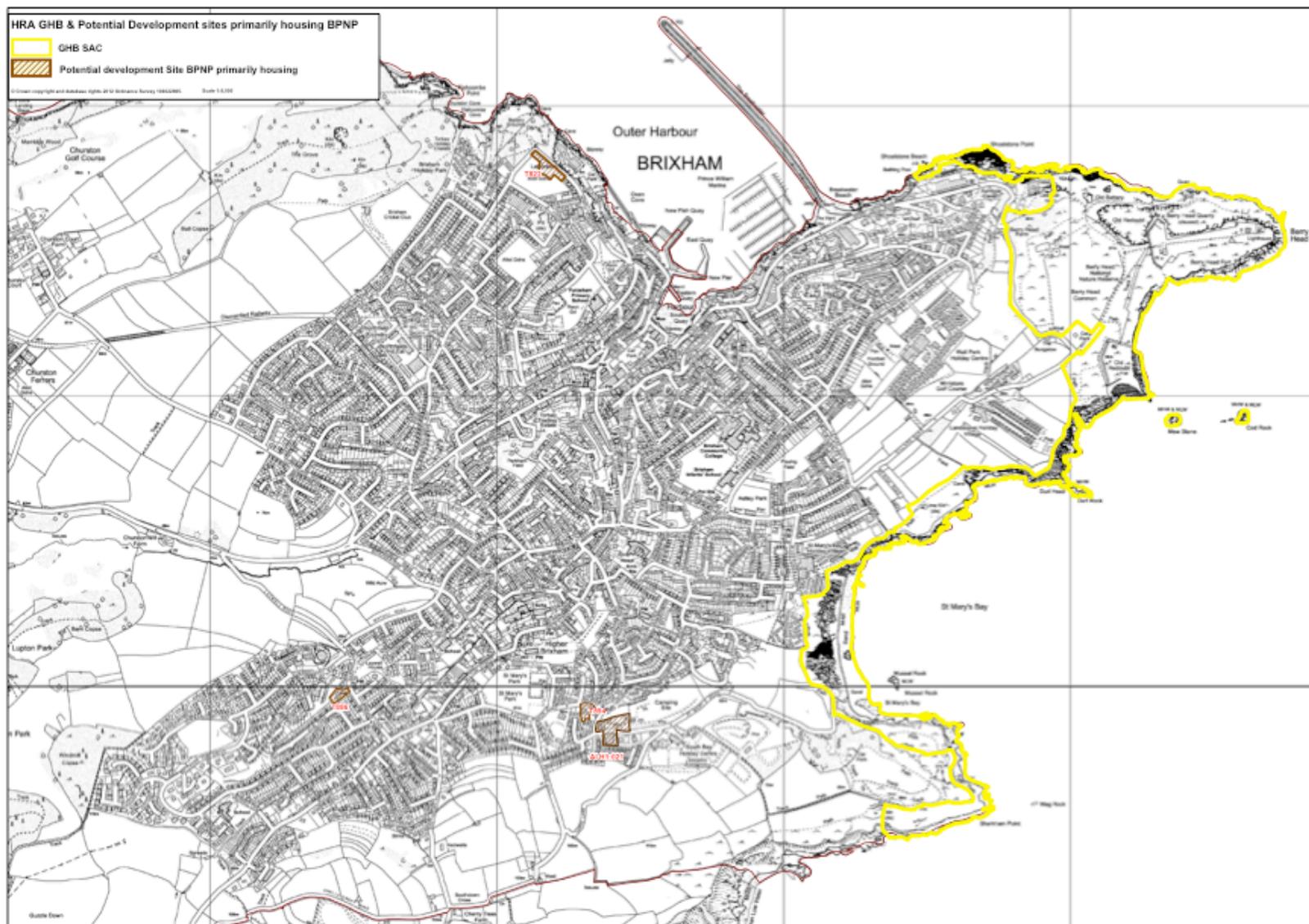


Figure 1 St Mary's Industrial Estate (H1.021) and Beverly Court, Upton Manor Road (T894) – Brixham

