

Draft: Advice on commenting on the Ecological aspects of Teignbridge District Council's Local Plan Consultation on Development Sites.

Development sites for the 2020-2040 Local Plan Review are out for consultation **NOW** and the public has until noon 9th August to give their views. You can do this as individuals, but if you would like us to incorporate any observations into the combined ACT Ecology response, we will need you to copy your comments to us by **Friday July 30th at the latest**.

The whole document is worth reading, but if you don't have time, then this document gives some hints and links that may make commenting easier.

Given that the current government intends to completely redesign the planning system, this may be your last opportunity to comment on future development, so please use it!

If your Parish is wholly in Dartmoor National Park, then this consultation will not affect your Parish.

Please be aware that we have no right to go into the consultation sites – any on-site observations should be made from Public Footpaths, Bridleways and Roads.

Please consider safety – especially if a site is beside a road!

This document is far from perfect. We can't guarantee its accuracy – but we hope it helps.

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To look at the Plan Review, go to: <https://www.teignbridge.gov.uk/localplanreview>
<https://www.teignbridge.gov.uk/planning/local-plans-and-policy/local-plan-review-2020-2040/local-plan-review-part-2-site-options-consultation/>

1. What Teignbridge Council is asking you to do: taken from
<https://www.teignbridge.gov.uk/planning/local-plans-and-policy/local-plan-review-2020-2040/local-plan-review-part-2-site-options-consultation/>

They say:

It is important to note that no decisions have been taken at this stage as to where development might take place. The purpose of this consultation is to seek views from the public on the community's preferred options for development.

In doing so, you are asked to comment on:

- Particular preferences for sites within individual settlements
- Whether any particular site(s) could help to resolve or improve existing issues within a settlement
- Whether any particular site(s) could increase existing issues within a settlement
- Any local knowledge which would improve our understanding of a site option

- Any private or community interests which could be positively or negatively affected by development of a potential site option

2. What the ACT Ecology Group would like you to do:

We would like you to

- a) comment on as many of the sites within your Parish as possible (if you are able to help with sites in Parishes that won't otherwise be covered, please let us know: audrey@boveyclimateaction.org.uk)
- b) submit your comments to TDC **as an individual**
- c) share your comments with the ACT Ecology Group asap, so that we can put the most important bits together and send in as an Ecology Group/Wildlife Wardens combined comment. We will use your local wildlife knowledge where it will have an effect on decisions – for example where protected species and habitats are at risk. If a site appears to have a very diverse habitat – especially grassland – it is useful to make a species list and/or find out the National Vegetation Classification (if you send us a species list, we may be able to help with the NVC).
- d) we will only be submitting comments that support our ecology and biodiversity – but we do, of course, realise that you will be commenting on all of the 'sensitivities' of your local sites.

To do this, we will need your comments **by Friday July 30th at the latest** – it will take some time for us to combine them and to make comments on any gaps!

3. An explanation (in blue) of how sites are chosen, taken from TDC's 'Need to Know' document that tells us about the Stage 2 Local Plan Consultation - without the jargon! See [Need to Know](#)

How have housing and employment sites been chosen?

In 2017 and 2018, two 'call for sites' took place. Each of these invited land owners or site promoters to submit their land to us to be considered as future development sites.

In response to these calls, we received over 300 sites. Each of these has been rigorously assessed to determine whether they are physically capable of accommodating new development. By physically capable, we mean that there are no issues on the site - such as flooding, steep slopes, ancient woodland, or ecology constraints - that cannot be overcome by either design or mitigation.

All of the sites assessed are included within the Housing and Economic Land Availability Assessment (HELAA). This assessment involved detailed officer assessments followed by the independent scrutiny of a stakeholder panel including planning specialists (such as drainage officers and highways officers), representatives from the development industry, and Elected Members.

The HELAA process discounted a significant number of sites on the basis of issues identified, leaving around **100 sites** to be put forward as site options in this Draft Plan. The site options presented are only those which have successfully been through the HELAA process and are considered to be feasible options for future development.

However, each site will still have some constraints that would need to be overcome to make development acceptable. These details are set out under each site option heading in the Chapters 3-9 of the Local Plan (Part 2) 2020- 2040 consultation document.

Nb you may find that there are sites that your Neighbourhood Plan **didn't want developed!**

4. Some help from ACT on using the Consultation document.

Below is an extract from the Consultation.

The ACT Ecology Group's comments are in **brown** to help you understand and respond to the consultation. We have done our best to explain things, but cannot be responsible for omissions or inaccuracies.

Each site has its name and details and a map. **Here is an example** (without the map) -

Land at Manor Road, Abbotskerswell

A greenfield site which comprises of fields divided by hedgerows with watercourse running through the middle. The land rises up from the village with an area of woodland along the western part.

Site size: Total size is 3.61 hectares, of which 3.01 hectares is developable.

Indicative number of homes factoring in sensitivities and requirements: 36 - 54 homes

Opportunities

Sustainable travel: Land at Manor Road is within 300m of a bus stop with a frequent and peak hours bus services to Newton Abbot and Totnes. The site is within walking distance of the village centre.

Green space: The site is large enough to be able to provide for play spaces, tree planting, biodiversity enhancement and restoration.

Flooding: The site lies mainly within Flood Zone 1. There is a small strip of land at southern end which is Flood Zone 3 which has been discounted from having any potential for residential or economic development.

(Flood Zone 1 is the least likely to flood - Zone 3 is the most likely to flood. Local planning authorities have classified areas at significant risk of flooding to be within Flood Zone 3b. These are functional floodplains, and are deemed to be the most at risk of flooding from rivers or the sea).

Minerals: No minerals constraints. **(If there constraints, you can find out more at [DCC mineral plan](#))**

Sensitivities.

Ecology: The site lies within the South Hams SAC (**Special Area of Conservation**) Landscape Connectivity Zone with potential to affect habitats and connectivity features. Greater horseshoe bats have been recorded following the northern boundary and fields may generate prey. Main protected species are cirl bunting, great crested newts, dormouse, along with Greater horseshoe bats.

Land is within 250m of Conitor Copse County Wildlife Site (**CWS – see Topics that may be mentioned, below**).

Priority habitat of species-rich hedges and stream.

Heritage: No heritage concerns in relation to Listed Buildings and Conservation Areas. In terms of archaeology there is potential for evidence of prehistoric activity, including prehistoric earthworks or later post-medieval quarrying activity.

Landscape: Development will have potential to erode rural character of the village.

Education: Limited opportunities for Abbotskerswell Primary School to expand but some spare capacity.

Highways: Roads by the site are narrow and there is no footway.

Site Requirements

- Carbon neutral development
- Electric vehicle supporting infrastructure
- Open space including pocket play and children's play Allotments not required
- Active travel and roads within development and to nearest main settlement

- Retention of the existing boundary hedges and trees, and biodiversity offsetting on site. / Protection of trees, hedges and woodlands / Protect, enhance and restore biodiversity and achieve a minimum of 10% uplift
- Preliminary Ecological Appraisal and protected species surveys to inform mitigation and enhancement measures
- Bat friendly lighting
- Affordable housing
- Adaptable and accessible home provision
- 5% custom and self-build plots
- Highways – highway improvements would be required. Access likely to be from Manor Road at southeast end of site
- Ecological mitigation – For greater horseshoe bats, as a minimum, a dark flyway corridor will need to be retained and protected. Other species are likely to be present. In relation to loss of tree roosts/ foraging habitat/tree roosts and from lighting impacts, mitigation/ compensation needed. For dormouse, in relation to loss of trees, hedges, scrub and from lighting, mitigation/compensation needed.
- Design requirements - Design Principles, Parameter Plans, Design Code and Parcel Plans

Topics that may be mentioned in a site's details are:

- **AQMAs (Air Quality Management Areas)**
- **SSSI (Site of Special Scientific Interest)**
- **Ancient Woodland:** these are areas of woodland that have persisted since 1600. There is a Government inventory of UK woodlands over 2 ha, but many smaller, yet very valuable, woods may not be in it. See [ancient woodlands info](#))
- **Non Statutory Sites:** County Wildlife Sites (CWS) have been surveyed by experts and have been made a CWS by Devon Biodiversity Records Centre because of their good range of species, or the presence of especially rare or protected species. There are many unconfirmed County Wildlife Sites (uCWS); these have not yet been surveyed - either because there are not enough resources to survey them, or because the landowner hasn't given permission for a survey. Similarly there are Local Nature Reserves (LNRs) and Regionally Important Geological Sites (RIGS). They don't have legal protection, but their presence is taken into consideration in the Local Plan.
- **Priority Habitats:** Click here for more about [Priority Habitats](#) These must be taken into consideration and if development is likely to damage them, mitigation must be within the application and agreed by the Biodiversity Officers, Natural England and other conservation bodies.
- **European Protected Species:** Go to [European Protected Species](#)
- **Soils and Contamination: Grade 1 is the best land, Grade 5 is the poorest)**

5. How to find sites that have been put forward for development in your Parish.

To access all of these and the Appendices, **and to submit your comments**, go to <https://www.teignbridge.gov.uk/planning/local-plans-and-policy/local-plan-review-2020-2040/local-plan-review-part-2-site-options-consultation/>

Here are links to the document, to help you to find your Parish quickly – **please don't just look at housing**, the urban renewal, the employment site options and other sections are very important too!

Consultation documents:

Chapter 1: [Introduction](#)

Chapter 2: [Development Strategy](#)

Chapter 3: [Urban Renewal Site Options](#)

Chapter 4: [Housing Site Options in the Heart of Teignbridge](#)

Chapter 5: [Housing Site Options in the Coastal Towns](#)

Chapter 6: [Housing Site Options in the Rural Towns](#)

Chapter 7: [Housing Site Options on the Edge of Exeter](#)

Chapter 8.1: [Housing Site Options for Villages \(A-E\)](#)

Chapter 8.2: [Housing Site Options for Villages \(I-Z\)](#)

Chapter 9: [Employment Site Options](#)

Chapter 10: [Gypsy and Traveller Pitch Provision](#)

Chapter 11: [Low Carbon](#)

Chapter 12: [Secondary School Options for Newton Abbot](#)

6. How to survey sites.

- Find your local sites on maps, such as <https://magic.defra.gov.uk/> and [Devon Environment Viewer](#) and explore the layers.
- **Find out which [habitats](#) and [protected areas](#) are important ecologically.**
- Look at Local Plan Environmental policies³, especially EN8, EN9, EN10, EN11 and EN12 (see section 9, below).
- Use mapping tools and aerial photography to see if there are any important habitats in the areas. [Devon Environment Viewer](#) and [Magic Maps](#) have lots of useful layers, which show different habitats as well as protected areas. The Devon Environment Viewer has information about [priority species](#), such as greater horseshoe bats, curlew buntings and great crested newts.
- When using aerial photography look out for features such as hedgerows, watercourses, unimproved grassland and woodland. Nb be aware that aerial photos don't easily show species-rich grassland that has just been grazed/cut.
- Print off a basic map and visit the site to check any information gained from online mapping tools. Please stick to Public Rights of Way and observe from a distance if necessary.
- Make a list of species and habitats. There are useful links to wildlife apps, websites and species guides on the [wildlife wardens website](#)
- The presence of any diverse or priority habitats should be cited in your objection.

Contact us if you feel that there is a very important habitat and you need help – but be aware that our resources are going to be very stretched over the next weeks!

7. How to put together a comment:

Given that the current government intends to reform the planning system, this may be your last opportunity to comment, so do use it!

The most effective comments are those that highlight where TDC's own criteria has not been met, coupled with providing alternatives which allow them to meet their legal obligations. You may want to refer to Local Plan Biodiversity and Wildlife Policies – we've copied them into **part 9**. (below).

a) If there are several sites and several WWs in your Parish, you may be able to split them amongst yourselves.

b) Some Parishes have several sites under consultation, but no Wardens – so if you are able to help with neighbouring Parishes (or sites in other Parishes that you know about) PLEASE get in touch with me: audrey@boveyclimateaction.org.uk If you are part of the Ecology Group or a Wildlife Warden with enough time to look at other sites, so that you can help with this important consultation, please let me know, so that we can effectively allocate sites.

c) **Commenting favourably on sites** which DO meet your local criteria can help to protect sites that don't!

TDC have calculated the approx number of houses needed in each town/Parish/area – but because landowners put land forward (not the Council), not enough land will have been put forward in some areas, while in others much more land will have been proposed than is needed.

For example, it seems that over 90% of the land near Exeter that is in the Consultation will need to be in the Local Plan in order to provide enough housing there – whereas in other areas, less than half is needed. This probably means that public comments will have less weight in areas that are short of sites.

The density of houses proposed for each site is also a key issue. Some of the Urban developments could be built more densely than has been suggested in the consultation - for example, as flats rather than houses; this would save space in the countryside. Much of TDC's housing need is for 1 person flats. You can put this in your comments, to encourage denser housing – especially in areas where there is good provision of open spaces and Local Nature Reserves to make up for lack of garden space.

Try to assess the site in terms of the criteria/approach specified in chapter 2 of the consultation, check if the site actually meets these and highlight where it doesn't. Specifically for WW volunteers see Sustainability Appraisal. Avoid highlighting aspects like mineral deposits as these will have been checked against regulation, arguably flooding should also be well tested against government criteria.

TDC's own criteria states that they want to maximise urban-expansion/brown-field sites to minimise Climate/Ecological impacts. We can suggest which sites best meet these and how many dwellings they could deliver.

8. How to submit your comment: In the consultation document, TDC says:

How can I comment?

We can only accept comments in writing (**ACT thinks that by this, they mean not by phone or video**)

Comments should be made using the [online survey](#)

Alternatively you can comment by [downloading the questions](#) and returning them by email or post to;

Spatial Planning & Delivery, Teignbridge District Council, Forde House, Newton Abbot Devon, TQ12 4XX.

Notes for using the online survey:

- I was pleased to find this straightforward to use, but you may want to prepare your comments before you go online and then copy and paste them.
- We are very keen for you to comment under the first category offered – **Natural Environment and Landscape**.
- There are also the following categories which you may also want to comment in: History and Built Environment; Land use (including brown field and agriculture); Housing (various types such as social); Health and Well-being; Access, transport and connectivity; Employment, Economy and Town Centres; Infrastructure (including healthcare and education); Anything else.
- **You must continue to number 7** (even if you don't fill in all of the gender etc detail) **and finish by clicking on SUBMIT**. If you don't click the final SUBMIT, your views won't be seen!

9. A list of Local Plan Policies for Biodiversity & Wildlife – copied from the Adopted Teignbridge Local Plan 2013-33. <https://www.teignbridge.gov.uk/media/1669/local-plan-2013-33.pdf>

These are just the policies – there is much more detail about each policy in the Plan (see link above). Please note that other policies in other parts of the Plan may also help to protect wildlife.

EN8 Biodiversity Protection and Enhancement (page 67)

The Council will work with statutory and other partners to protect, enhance and restore the biodiversity of the area, as follows:

- a) ensure that decisions on development are taken in the light of proportionate biodiversity information and assessments about the site;
- b) seek net increases in biodiversity in association with new development through habitat enhancement and creation, and through the introduction of appropriate biodiversity offsetting measures;
- c) investment in habitat management and creation particularly within important existing habitats, green infrastructure networks, and other priority areas;
- d) minimise fragmentation and maximise opportunities to provide more, bigger, better and connected habitats, particularly of local, regional or national priority (including connections to those outside the Plan area);
- e) identify and map components of the local ecological networks, prioritising areas of growth e.g. the Heart of Teignbridge;
- f) apply policy EN9 to the protection of existing biodiversity and the approach to mitigation and compensation;
- g) development proposals where the principle objective is to conserve or enhance biodiversity or geodiversity will be supported in principle; and
- h) recognise ecosystem services and the benefits they provide.

EN9 Important Habitats and Features (page 68)

To protect and enhance existing areas of biodiversity and geodiversity, development proposals will take account of the importance of any affected habitats or features, taking account of the following hierarchy of sites:

- a) internationally important sites including existing, candidate or proposed Special Protection Areas, Ramsar sites, Special Areas of Conservation, European Marine Sites plus sites required as compensatory measures for adverse impacts on such sites;
- b) nationally important sites including Sites of Special Scientific Interest, National Nature Reserves and Marine Conservation Zones;
- c) locally important sites including county wildlife sites, local nature reserves, ancient woodlands, county geological sites, and other identified priority habitats;

- d) the network of linear and other linking features important for wildlife movement and climate change adaptation, including wider identified priority areas; and
- e) other areas of land or features of value to biodiversity.

Development which would be likely to directly or indirectly harm such a site or feature will not be permitted unless, taking account of the weight to be attached to the site's protection:

- f) the public interest benefits of the development outweigh the harm;
- g) the benefits cannot be provided through an alternative, less harmful location, design or form of development;
- h) losses are mitigated where possible;
- i) any unavoidable losses are fully compensated; and
- j) for internationally designated sites favourable conservation status must be maintained. Development which includes or impacts any such site or feature will be required to include measures to protect, manage and enhance it where possible.

EN10 European Wildlife Sites (page 69)

European Wildlife Sites including Dartmoor, South Dartmoor Woods, South Hams, Exe Estuary, Dawlish Warren, East Devon Pebblebed Heaths and Lyme Bay to Torbay will be protected. Development that is likely to have a significant effect on the integrity of a European Wildlife Site will be subject to assessment under the Habitats Regulations 2010 and will not be permitted unless adverse effects can be fully mitigated and/or compensated. Further specific requirements are set out below.

Roosts, strategic flyways and sustenance zones for greater horseshoe bats, which constitute the special interest of the South Hams Special Area for Conservation, will be protected and, where possible, enhanced to reflect the specific requirements of that species. In locations within or adjoining such roosts, strategic flyways and sustenance zones, there may be the need to include protection zones or remove certain permitted development rights (particularly lighting and wind turbines) to protect their continued use. Additional financial contributions and other measures, in line with the Joint Interim Approach or equivalent, will be required from new development to enable management and other mitigation measures at the Exe Estuary and Dawlish Warren. Where evidence emerges, a similar approach will be used for other European sites, for example the Pebblebed Heaths and Dartmoor.

As set out in policy EN9, the most important sites for biodiversity are those identified through European Directives. A Habitat Regulations Assessment (HRA), required under the Habitats Directive, has been undertaken on the policies within the Local Plan to ensure there will not be an adverse impact on any such site. Additionally, it is a requirement under the Habitat Regulations that any development proposals which may have an impact on a European Site are subject to further assessment in order to avoid harm to those sites.

EN11 Legally Protected and Priority Species (page 70)

To protect and expand the presence of legally protected and S41 List priority species, development which would be likely to directly or indirectly harm such a species will not be permitted unless:

- a) sufficient up to date information is available on which to base a decision;
- b) the public benefits of the development outweigh the harm;
- c) these benefits cannot be provided through an alternative, less harmful location, design or form of development;
- d) appropriate mitigation and compensation is provided to offset any harm to the species and their habitats;
- e) for legally protected species favourable conservation status is maintained.

Where appropriate, proposals should consider including opportunities for species within the built environment, for example bird, bat and invertebrate boxes.

EN12 Woodlands, Trees and Hedgerows (previously Trees and Hedgerows) (page 71)

Development should contribute to the protection and enhancement of woodlands, trees and hedgerows in the area. The loss of woodland, healthy trees and hedgerows with visual, historic or wildlife importance will be resisted.

Particularly strong protection will be given to ancient woodland and aged or veteran trees. Development proposals should:

- a) incorporate important woodlands, trees and hedgerows into the overall design and landscape scheme wherever possible;
- b) prevent damage to root systems and ensure a satisfactory spatial relationship between trees and hedgerows and new development, taking account of expected future growth;
- c) where possible incorporate retained trees and hedgerows within public open space rather than private space to safeguard their long-term management;
- d) ensure protection measures before and during the development process and appropriate management and protection thereafter;
- e) take opportunities for new planting consistent with landscape, wildlife and historic interests.