

12. NATURE CONSERVATION

Torbay's habitats

12.1 Torbay is exceptionally rich in wildlife habitats, supporting a broad range of species. It is almost unrivalled nationally in terms of the diverse variety of its wildlife, not only inland but also in our coastal and marine environment. Some of these habitats are nationally important. One habitat, the calcareous grassland community at Berry Head, occurs nowhere else in Britain and its international significance is recognised by its designation as a Candidate Special Area of Conservation. **Policy NCS** refers to Torbay's Nature Conservation Strategy and **Policy NC1** to the protection of internationally important sites.

12.2 Torbay falls within the South Devon Natural Area, characterised by a rolling landscape of hill and river valleys. Defined by English Nature, Natural Areas have specific wildlife and landform characteristics which help to provide a framework for setting objectives for nature conservation. The geology of the area is also of significance both in quarries and coastal exposures where key geological and landform features can be seen. Notable habitats of this Natural Area found in Torbay include ancient woodlands, lowland farmland and hedgerows, ponds, rivers and streams in urban habitats. In relation to rare plant species, English Nature has recognised Torbay as being one of the seven most important areas in England and Wales, acknowledging that "... no other Borough of similar size in Britain, whether rural or urban, supports as many rare plant species as Torbay". **Policy NC5** seeks to protect such rare species.

12.3 Although much of Torbay is urban, some 46% of the land is undeveloped. **Figure 28** (below) summarises the range of habitats and the areas of land concerned.

12.4 Torbay also benefits from being one of Britain's 'classic' geological regions. Many sites are of national and international importance and are used for demonstration and teaching purposes. Since the early 19th Century, pioneer geologists have studied rocks and fossils in and around Torbay. This work gave rise to the first recognised geological time period - hence the name 'Devonian'. Much of Torbay's geological interest occurs in the cliffs and quarries of the coastal zone and several nationally important geological sites are scheduled as Sites of Special Scientific Interest (**Policy NC2**). Inland, there are a number of County Geological Sites, otherwise known as Regionally Important Geological Sites (RIGS), that are protected by **Policy NC3**.

12.5 Similarly, even in built-up areas along the South Devon Coast like Torbay, some 77% of the coastline still supports semi-natural habitats. A wide diversity of species exist and many specialist species tolerant of extreme exposure to wind and salt can be found. Part of Torbay has been identified by English Nature as a nationally important area for its (subtidal and intertidal) marine wildlife. Although subtidal areas fall outside the planning remit, it is important to recognise that, whilst the quality of the marine environment is affected by natural factors including tides, weather and climate, it is also affected by human activities, both on land and at sea. Land-based construction and operations can directly or indirectly damage our sensitive coastal environment. Sensitive inter-tidal areas have therefore been encompassed in **Policy NC3**.

12.6 Nature conservation also helps to maintain 'biodiversity' or the richness and variety of plants, animals and insects. The UK alone has lost over 100 species during the 19th Century. Whilst much of Torbay is urban, some 46% of its area is undeveloped, providing woodland, grassland, agricultural and heathland areas. Much of the green open space is of high nature conservation interest, providing plenty of opportunity for the public to learn about and enjoy wildlife. Many of these areas have been identified as County and Local Wildlife Sites through the Torbay Wildlife Survey.

12.7 This Survey designated various sites of wildlife importance and has been the main tool since 1991 for the protection and prioritisation of Torbay's wildlife. The information it contained was updated for Torbay Council by Devon Wildlife Trust in 1998. The Torbay Wildlife Survey recommends the drawing up of a nature conservation strategy for Torbay to co-ordinate the work of all the organisations with an impact on the area's wildlife. The new process for planning for nature conservation takes the form of the UK Biodiversity Action Plan, which can be at national, regional or local levels, combining new and existing nature conservation initiatives. Such plans are a way of focusing attention and resources on the most important habitats and species of an area. The Torbay Local Biodiversity Action Plan (LBAP) involves a partnership between interested groups and individuals. It is being co-ordinated by the Torbay Coast and Countryside Trust and identifies a list of priorities for the period 2000-2010. Torbay's sites of wildlife importance are shown on the Proposals Map. Further details of the Torbay LBAP are provided in the **Environmental Guide (Section 19)**. **Policy NC3** protects our locally important wildlife sites. Such areas are linked together by wildlife corridors identified in **Policy NC4**. **Policy NC5** addresses the issue of development and its effect on protected species.

Figure 28: Torbay's habitat range

Habitat type	Habitat area (hectares)	Habitat area (acres)	% of total undeveloped area
Woodland	532	1315	18.3
Unimproved grassland	78	193	2.7
Semi-improved grassland	151	373	5.2
Agricultural land	2116	5228	72.9
Other (e.g. heath, bracken)	25	62	0.9
Total non built-up area	2902	7171	100

Source: English Nature (1998)

Strategic considerations

12.8 Environmental conservation is a major underlying principle of the Local Plan and nature conservation is clearly a key part of this (Policy NCS refers).

12.9 The Adopted Devon Structure Plan (First Review 1995-2011) seeks to protect Devon's special features, including its wildlife and habitats, and includes the safeguarding of all statutory Nature Reserves and SSSIs. It also defines the coastal strip from Berry Head to the South Hams border as a Nature Conservation Zone. Its policies seek to protect, sustain and enhance Devon's natural character and biodiversity and generally to encourage the retention and appropriate management of all areas of wildlife importance (Policies C13 - C17). Policy CO10 of the Devon Structure Plan 2001-2016 (expected to be adopted in Summer/Autumn 2004) reiterates these principles.

12.10 Current Government guidance, in PPG9 'Nature Conservation' (1994), states that one of the essential tasks for Government, local authorities and all public agencies concerned with the use of land and natural resources, is to make adequate provision for development and economic growth whilst ensuring effective conservation of wildlife and natural features as an important element of a clean and healthy environment (paragraph 3). PPG9 advises that local plans should give "reasonable certainty" on nature conservation interests, based on fully adequate information on local species and habitats where appropriate. Local plans should include specific policies to be applied in Sites of Special Scientific Interest, and in areas identified as of local nature conservation importance (paragraphs 24 and 25).

NATURE CONSERVATION POLICIES AND PROPOSALS

NCS Nature conservation strategy

Development should preserve or enhance the biodiversity, wildlife and geological value of the terrestrial and marine environment. Planning conditions or obligations will be sought to include measures to mitigate the effects of development upon features of nature conservation value or require the provision of new or alternative features.

Explanation:

12.11 This strategic policy concerns all sites where nature conservation interests are at stake. PPG9 'Nature Conservation' (1994) (paragraph 19) states "Nature conservation objectives should be taken into account in all planning activities which affect rural and coastal land use and in urban areas where there is a wildlife importance". The Local Plan aims to establish a sustainable development framework for the protection of sites of nature conservation interest from development. The Local Plan also seeks to enhance their biodiversity and provide for mitigation measures where the case for development is considered to be overriding. Although sites of specific importance are identified in the Plan, there will undoubtedly be other sites of nature conservation value where planning conditions would be appropriate, for example, sites in close proximity to badger sets. The **Environmental Guide** identifies those sites of particular nature conservation value, whilst the Torbay Local Biodiversity Action Plan (LBAP) (co-ordinated by the Torbay Coast and Countryside Trust) will identify priorities for conserving and enhancing plants, animals and habitats in Torbay.

12.12 Nature conservation value is not limited to those sites identified. It is important to recognise that small areas of green spaces, hedges or individual trees can form the last remnants of an important habitat or wildlife corridor which in turn helps to support the biodiversity of Torbay. Many natural features of community, amenity and landscape value are equally valued for their contribution to nature conservation.

Policies L6 Urban green spaces and L8 Protection of hedgerows, woodlands and other natural landscape features are particularly relevant in this respect. A useful technique for clarifying these issues is the 'Quality of Life Capital Approach', guidance for which has been commissioned by the Countryside Agency, English Heritage, English Nature and the Environment Agency (see **Environmental Guide, Section 1**). The methodology is a useful way to clarify the environmental consequences of development. It is a process which seeks to define the important elements or attributes of the green environment, evaluate the benefits they provide and identify a wide range of environmental (and possibly social and economic) issues. It therefore enables more flexible solutions to mitigation and compensation measures that may be required. This process, in conjunction with the Torbay LBAP will assist the implementation of conditions or Section 106 Agreements for the proper management of sites to retain and enhance nature conservation features when development is permitted. This methodology is equally relevant to the evaluation of landscape interests.

NC1 Protected sites - internationally important sites

Development that would harm the integrity of a Special Area of Conservation (SAC), Special Protection Area (SPA), or which conflicts with the conservation objectives for such a site, will not be permitted.

Explanation:

12.13 SPAs and SACs are the most important sites for wildlife in the country. English Nature is responsible for identifying sites in England that qualify for this European designation and is a consultee on proposals affecting them.

12.14 Torbay's one candidate SAC is the stretch of coastline from Berry Head to Sharkham Point, following the boundary of the existing SSSI. This candidate SAC designation stems from the Habitats Regulations, due to the presence of rare species ('Annex II species'), primarily the greater horseshoe bat. English Nature is a statutory consultee when

considering planning applications in SACs and SSSIs and may need to be consulted on development in adjacent areas that could have significant effect on these bats (see **Policies NC2 and NC5**). PPG9 'Nature Conservation' (1994) states that for the purpose of considering development proposals affecting them, candidate SACs (or potential SPAs) should be treated in the same way as designated SACs (or classified SPAs).

12.15 Proposals which have a significant effect on such sites, or raise issues of more than local importance are likely to require an Environmental Assessment and may be called-in by the Secretary of State.

NC2 Protected sites - nationally important sites

Development proposals likely to affect, directly or indirectly, areas of special nature conservation significance, including designated or proposed Sites of Special Scientific Interest and National Nature Reserves, will only be permitted where:-

- (1) the development would cause no harm to the nature conservation value of the site;**
- (2) the development can be controlled through the use of planning conditions to prevent damaging impacts;**
- (3) the justification for the development can be shown to outweigh the likely harm to national nature conservation interests and no alternative sites exist elsewhere; and**
- (4) mitigation measures can be taken to minimise damage, including the provision of new habitats where practicable.**

Explanation:

12.16 Sites of nature conservation interest have been the subject of detailed survey work and this has resulted in a range of statutory and non-statutory designations. As with candidate SACs, proposals which have a significant effect on such sites or raise issues of more than local importance are likely to require Environmental Assessment and may be called-in by the Secretary of State.

12.17 Statutory measures exist for the protection of important flora, fauna and their habitats. The legislation includes a National Network of National Nature Reserves, Marine Nature Reserves and Sites of Special Scientific Interest (SSSIs) identified by English Nature. All sites of national and international importance on land should be notified as SSSIs.

12.18 National Nature Reserves have been established to protect the most important areas of wildlife habitat and geological formation in Britain, and as places for scientific research. They therefore require careful management on behalf of the nation. Parts of Berry Head to Sharkham Point have now gained National Nature Reserve status and are managed by the Torbay Coast and Countryside Trust. This status does not mean that they are ‘no-go’ areas for people but that careful management is required so that the fragile habitat and wildlife is not damaged.

12.19 SSSIs can be proposed for a number of reasons in relation to flora, fauna (especially important breeding areas) ecology or geology. Not all forms of development will necessarily prejudice the essential scientific characteristics of the area and it may be possible to ensure that these characteristics are properly protected by condition or, where necessary, by a Section 106 Agreement. The list of SSSIs and NNRs shown in **Figure 29** (below) have been designated and are protected by **Policy NC2**.

NC3 Protected sites - locally important sites

Development proposals likely to harm, directly or indirectly, locally designated wildlife or geological

sites of regional or countywide significance, local wildlife sites, local nature reserves and sensitive intertidal habitats will only be permitted where:-

- (1) there are no reasonable, less damaging, alternative sites;**
- (2) the reasons for the development can be shown to outweigh the damage to nature conservation interests;**
- (3) every effort has been made to minimise any damage to nature conservation interests; and**
- (4) mitigation measures can be provided to manage remaining wildlife features and secure habitat creation or enhancement elsewhere within the site or locally.**

Explanation:

12.20 In addition to statutory Local Nature Reserves (LNRs), other important more localised non-statutory sites for nature conservation have been identified. Much of our green open space is of high nature conservation interest, providing plenty of opportunity for the public to learn about and enjoy wildlife. Many of these areas have been identified as County and

Figure 29: Torbay’s Sites of Special Scientific Interest and National Nature Reserves

Name of SSSI / NNR	Notified
Berry Head to Sharkham Point, Brixham, amended 1986 / designated as a National Nature Reserve in 2000	1952
Hopes Nose to Walls Hill, Torquay	1952
Kents Cavern, Torquay, extended 1975 and 1993	1952
Lummaton Quarry, Torquay	1952
Saltern Cove, Goodrington, extended 1985	1952
Roundham Head, Paignton, amended 1986	1974
Babbacombe Cliffs, Torquay, amended 1986	1976
Meadfoot Sea Road, Torquay	1987
Daddyhole, Torquay	1988
Dyers Quarry (near Daddyhole Plain), Torquay	1988
Oocombe, Torquay	1992
New Cut, Lincombe Drive, Torquay	1996

Source: English Nature (1998)

Local Wildlife Sites. County Wildlife sites are selected through the use of standard guidelines developed and maintained by the Devon Biodiversity Records Centre. The Torbay Wildlife Survey, carried out by Devon Wildlife Trust with English Nature and the Council in 1991, was revised in 1998 and catalogues the most important wildlife sites within Torbay. As noted in paragraph 12.7, the revised Wildlife Survey recommends the drawing up of a Nature Conservation Strategy for Torbay which has taken the form of the Torbay Local Biodiversity Action Plan (LBAP). The Torbay LBAP incorporates the wildlife survey information and identifies a list of priorities for the period 2000-2010 and is being co-ordinated by the Torbay Coast and Countryside Trust, involving a partnership with interested groups and individuals.

Figure 30: Torbay wildlife sites

12.21 The Torbay Wildlife Survey identifies non-statutory sites under two headings:-

- those which are regarded as being of importance on a County level which represent the best examples of semi-natural habitats within the County, many of which are likely to support rare and local species and communities; and
- those which are not necessarily of County significance but which are nevertheless sites of local importance within the context of Torbay.

The following schedule lists those sites of wildlife importance that have been identified in Torbay. The location of individual sites is shown on the Proposals Map. Further information including details of the Torbay LBAP are provided in the **Environmental Guide** (see **Section 19**).

Location	Designation
Torquay	
(1) Maidencombe	CWS
(2) Sladnor Park	LWS
(3) Great Hill	LWS
(4) Brunel Woods	LWS
(5) Ashleigh	CWS and LWS
(6) Petit Tor - Watcombe Coast	CWS
(7) Barton East	DBRC* - deleted
(8) Mincent Hill	LWS
(9) Smalldon Lane	CWS
(10) Barton West	DBRC* - deleted
(10b) Barton Tip	DBRC* - deleted
(11) Lummaton Quarry	SSSI
(12) Torbay Golf Course	CWS
(13) Torbay Ring Road	LWS
(14) Marldon Road	LWS
(15) Edginswell	LWS
(16) Shiphay Hospital	LWS
(17) Chapel Hill	LWS and RIGS
(18) Mainline Railway/Rainbow Fields	LWS
(19) Chelston Slopes - Sherwell Valley	LWS
(20) Cockington Court	CWS, LWS, SINC & RIGS
(21) Windmill Hill	DBRC* - amended
(22) Daison Wood	LWS
(23) Stantaway Hill	LWS
(24) Babbacombe Cliffs	SSSI

(25) St Marychurch Downs	CWS
(26) Hopes Nose to Walls Hill	SSSI
(27) Stentiford Hill	LWS
(28) Warberry Copse	LWS
(29) Asheldon Copse - Anstey Cove Road	CWS
(30) Burial Ground - Stoodley Knowle Convent School	CWS
(31) Kents Cavern	SSSI
(32) Black Head - Stoodley Knowle Convent School	LWS
(33) Black Head Field - Stoodley Knowle Convent School	CWS
(34) Ilsham Marine Drive - Hopes Nose	CWS
(35) Thatcher Point	CWS
(36) Meadfoot	SSSI
(37) Lincombe Slopes	LWS
(38) Daddyhole	CWS and SSSI
(39) Ocombe Meadows	CWS and SSSI
(40) Scadson/Ten Acre Brake	LWS
(41) Corbyn Head/Livermead Head	CWS
Paignton	
(42) Ocombe Woods - Preston Park	CWS and LWS
(43) Shorton	LWS. DBRC* - amended
(44) Ramshill (Westerland Valley)	CWS & SINC. DBRC* - amended
(45) Higher Blagdon Woods - Butshill	LWS. DBRC* - amended
(46) Lower Blagdon	DBRC* - deleted
(47) Brake Copse - Beechdown	LWS
(48) Broomhill Plantation	LWS
(49) Yalberton - Higher Yalberton - Whitehill Copse	LWS
(50) Primley Woods	LWS
(51) Roundham Head	SSSI
(52) Paignton Zoo	LWS
(53) Clennon - Paignton Zoo, Clennon, Goodrington	LWS and CWS
(54) Waddeton Woods	LWS
(55) Torbay - Dartmouth Railway	CWS
(56) Saltern Cove	SSSI and LNR
(57) Sugar Loaf Hill	LWS
(58) Meadowside	LWS
(59) Dartmouth Road	LWS
(60) Blue Waters Drive	CWS
(61) Manor Farm, Galmpton	LWS
(62) Tor Rocks	CWS
(63) Broadsands Marsh	LWS
* (See also Site 83 at end of list)	

Brixham	
(64) Churston Quarry	LWS
(65) Galmpton Common	CWS
(66) Brokenbury Quarry (recommended to be reassessed)	LWS and RIGS
(67) Churston Railway	CWS
(68) Churston Point - Elberry Cove	CWS
(69) Elberry Cove - Churston Cove	CWS
(70) The Grove - Churston	CWS
(71) Battery Grounds	CWS
(72) Kennels Road	LWS. DBRC* - amended
(73) Alston Lane	LWS. DBRC* - amended
(74) Lupton Park	LWS
(75) Rydens	LWS
(76) New Road - Monksbridge	LWS
(77) Southdown and Huish (Yards Lane - Southdown)	CWS
(78) Sharkham Point	CWS
(79) Berry Head - Sharkham	NNR, SSSI and SAC
(80) Mudstone Lane	LWS
(81) Berry Head Farm - Landscope	LWS and CWS
(82) Haycock Lane	DBRC* - deleted
(83) Highfield Crescent - <u>Paignton</u>	LWS
(84) Lower Gabwell Fields (Labrador Bay)	SINC. DBRC* - new site
(85) Churston Ferrers	SINC. DBRC* - new site

Source: Torbay Wildlife Sites Review (1998) and Devon Biodiversity Records Centre (DBRC) (2004)

Notes:

- LWS Local Wildlife Site
 CWS County Wildlife Site
 LNR Local Nature Reserve
 NNR National Nature Reserve (N.B. These are covered by **Policy NC2**)
 SSSI Site of Special Scientific Interest (N.B. These are covered by **Policy NC2**)
 SAC Special Area of Conservation (N.B. This is covered by **Policy NC1**)
 RIGS For information only. Not identified in the Torbay Wildlife Sites Review 1998. See paragraph 12.23
 SINC Sites of Importance for Nature Conservation
 *DBRC Devon Biodiversity Records Centre site review in 2002 and 2003 following RSPB surveys

LWS and CWS sites are shown on the Proposals Map for information purposes and represent Torbay Council's interpretation of the Torbay Wildlife Survey. The Devon Biodiversity Records Centre (DBRC) based at the Devon Wildlife Trust main office in Exeter, gathers information and makes assessments relating to sites of wildlife interest. Sites of nature conservation interest may be enhanced, protected, diminished or removed from the records over time. Please contact DBRC for accurate up-to-date information.

Site numbers originate from 1991 and 1995 Torbay Wildlife Surveys

12.22 Torbay has a Local Nature Reserve at Sugar Loaf Hill and Saltern Cove, Goodrington (declared 1973).

12.23 County Geological Sites, also known as Regionally Important Sites, are designated by the Devon RIGS Group. Geology plays a significant part in the development of the wildlife environment and biodiversity through factors such as soil formation and topography. These sites do not have statutory protection but have the same status as County Wildlife Sites. Six Regionally Important Sites are situated in Torbay at the following locations:-

- (1) Chapel Hill, Torquay
- (2) Quarry Woods Quarry, Torquay
- (3) Barcombe Mews Quarry, Paignton
- (4) Goodrington Quarry / Road Cutting, Paignton
- (5) Brokenbury Quarry, Churston
- (6) Breakwater Quarry, Brixham

The boundaries of these sites are shown on the Proposals Map.

NC4 Wildlife corridors

Proposals for development which would have an adverse effect on a wildlife corridor will only be permitted where the retention, integrity and beneficial management of the links between wildlife habitats can be achieved. The policy will apply to the following wildlife corridors:-

Torquay

- (1) Browns Bridge Road / Scotts Meadow Fringes
- (2) Nutbush Lane / Sherwell Valley / Rainbow
- (3) Warberries / Walls Hill
- (4) Meadfoot / Lincombe Slopes / Ilsham
- (5) Cockington Lane / Torbay Road

Paignton

- (6) Preston Down Road / Hollicombe
- (7) Clennon Valley / Goodrington
- (8) Roselands / Grange Road

Brixham

- (9) Summercombe / St. Mary's Park

Proposals that have an adverse effect on other natural features that form important links between wildlife habitats will require appropriate mitigation measures to be implemented as part of the development.

Explanation:

12.24 It is important that nature conservation sites should not be viewed in isolation. They are parts of a system and the remnants of the former wider pattern. The loss and fragmentation of habitats has implications for wildlife. In places these areas are linked together by linear features which may include urban green corridors, river and stream corridors, copses, orchards, hedgerows and ponds or the coastal fringe. These corridors are of great importance as links between otherwise isolated wildlife areas and the rural hinterland, the coastal zone and the urban and suburban mosaics of habitat.

12.25 Wildlife corridors act as routes for mammals, birds and insects and should be preserved and enhanced. They are also important because they prevent the loss of specialisation and diversity associated with small or isolated habitats. Furthermore, they form essential stepping stones for the migration and dispersal of genetic material. By linking habitats, corridors allow colonisation by enabling movement of flora and fauna from one habitat to another and the re-colonisation of a degraded or newly created habitat from outside. **Policy C15 / C16** in the Adopted Devon Structure Plan First Review (1999) advises that local plans should define such features. The major corridors and key links are identified on the Proposals Map as **Policies NC4.1 - 9**. However, it is important to note that other natural features (streams, hedge banks etc), which are not identified on the Map may be equally important.

12.26 The size of a corridor is important. A very narrow link, such as a hedgerow or a line of trees may operate as a last link between one habitat and another. A broader belt of green space adjacent or forming part of the corridor is far more effective, acting as a refuge, a buffer to wildlife sites and as a source of food. In urban areas for example, allotments or domestic gardens (particularly mature ones) can provide a good range of habitats or the last link between habitats. At such locations, the viability of a wildlife corridor may be affected by a house extension in a garden for example. Landscape **Policies L6 Urban green spaces, L8 Protection of hedgerows, woodlands and other natural landscape features** and Recreation **Policy R8 Allotments** are also relevant.

12.27 PPG9 'Nature Conservation' (1994) recognises the need to protect the natural beauty and amenity of land especially when it has important landscape features which are of major importance to wild flora and fauna. Positive management is encouraged in such

areas. The wildlife corridors identified often perform different functions so that whilst they may allow the movement of wildlife, they can also be important in amenity and landscape terms. In such circumstances, they are likely to be covered by landscape designations (for example, **Policy L5 Urban Landscape Protection Areas**). Changes in land may provide opportunities to positively enhance and manage areas. **Policy NC4** therefore protects the function of Wildlife Corridors although this does not amount to a blanket ban on development in these areas, provided that their integrity can be maintained.

NC5 Protected species

Development which would harm, directly or indirectly, a protected species, will only be granted planning permission where there is an over-riding need. Such proposals would have to ensure:-

- (1) **the survival of populations, groups, numbers, genetic diversity and individual members of the species;**
- (2) **disturbance of the species or its habitat is reduced to a minimum; and**
- (3) **provision of adequate alternative habitats to sustain at least the current levels of population.**

Explanation:

12.28 PPG9 'Nature Conservation' (1994) (paragraph 47) states "the presence of a protected species is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat". Species such as badgers are protected by the Wildlife and Countryside Act 1981 (as amended). A higher level of protection is conferred to some species (e.g. bats) by the Habitats Regulations 1994. The consent of Defra is required for any disturbance or removal of protected species.

12.29 This policy seeks to safeguard not only the international and nationally protected species, but also a number of key plant and animal species identified by English Nature in the South Devon Natural Area of which Torbay forms a part. The presence of the colony of greater horseshoe bats at Berry Head, Brixham has primarily given rise to its candidate SAC status (**Policy NC1** refers). English Nature has carried out investigations into the dispersal, foraging and behaviour of this colony, including radio tracking to determine flight corridors. The results of this work have identified the feeding habitat and location, as well as

the two key flight corridors that provide access to Berry Head. These flight corridors are covered in part by **Policy NC4.9** and are detailed in the **Environmental Guide (Section 19)**. Applications relating to new development or those requiring the removal of hedge lines and associated linear features located to the south west of Berry Head are likely to be referred to English Nature for comment.

12.30 Developments and land use changes which may adversely affect landscape or natural features that are of major importance for wildlife and flora will only be permitted if it can be shown that the reasons for the development outweigh the need to retain such features. Mitigating measures should be provided for within the control of the developer, which would reinstate the nature conservation value of these features.

12.31 Appropriate management of these features will be achieved by the imposition of conditions on planning permissions where appropriate, the use of legal agreements and by the entering into management agreements with landowners and developers where appropriate.

