

BATH & NORTH EAST SOMERSET CORE STRATEGY EXAMINATION

Council Addendum to clarify HRA processes and documentation

All stages of the preparation of the Bath & North East Submitted Core Strategy have been subject to Habitat Regulation Assessments (HRA) including liaison and consultation with Natural England. An iterative process of assessing impacts and modifying plan policies and proposals has been adopted.

This process will culminate with production of a final Habitat Regulations Assessment (HRA) of the Core Strategy drafted for adoption.

During preparation for the Hearings in spring 2014 the following points have been identified which need clarification or correction:

- 1) Core Document (CD9/A2): "HRA Review of All Proposed Policy Changes to the Submitted Core Strategy March 2013" and "Supporting document" is published on the Council's web site in an incomplete form and with sections in the wrong order. The complete and correct document (core document CD9/A2/A) is now published on the web site and re-submitted to the Inspector.
- 2) Questions have been raised about the tests applied in both the March and November HRAs, and whether they are the correct tests in the context of the Habitat Regulations, and the Waddenzee case in particular. For the avoidance of doubt it should be noted that the Council, when assessing likely significant effect, used a precautionary approach to determine whether it could be sure that, taking into account mitigation, no likely significant effect would occur.
- 3) It has been agreed through the Statement of Common Ground with the Hignett Family Trust (ref BNES/53C) that use of the term 'compensation' in Policy B3B, Placemaking Principle 5, is incorrect and should be removed. Therefore, reference to 'compensation' in paragraph 5 of appendix 4 of the November HRA (CD10/A2) is also incorrect and should be removed.
- 4) A query has been raised whether all relevant SAC bat species were considered in the HRA of the November changes. For avoidance of doubt it should be noted that the table used in appendix 2 (of CD10/A2) was used to structure the process of assessing potential impacts on the key attributes of the SSSI components that make up the Bath & Bradford on Avon Bat SAC, and that all SAC species were considered in the assessment. The focus was on Greater Horseshoe bats which is the more vulnerable bat in terms of foraging and flyway impacts, and also is the least prevalent of the Horseshoe species. It is widely accepted that safeguarding Greater Horseshoe interest will safeguard Lesser Horseshoe bat interests.

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