

# Habitat Regulation Assessment for the Bath & North East Somerset Draft Core Strategy Publication Document



November 2010

# **Habitat Regulation Assessment for the Bath & North East Somerset Draft Core Strategy Publication Document**

This report summarises the approach and findings of the Habitats Regulations Assessment (HRA) of the Bath & North East Somerset Draft Core Strategy Publication Document . It follows an Interim HRA of the Core Strategy Options Document published in September 2009, and subsequent Core Strategy iterations.

## ***Habitat Regulations Assessment (HRA), European sites and Land Use Plans***

Habitat Regulations Assessment (HRA) is essentially a process and tool defined by statute to prevent development plans or projects causing significant adverse effects to habitats and species of European importance.

Sites of European importance form part of a Europe wide network of sites known as Natura 2000. They provide ecological infrastructure for the protection of rare, endangered or vulnerable natural habitats and species of exceptional importance within the European Union. The network comprises Special Areas of Conservation (SACs), designated for their important habitats and species under the EC Habitats Directive 1992, and Special Protection Areas (SPAs) classified under the EC Birds Directive 1979.

Within England these sites are now protected through the The Conservation of Habitats and Species Regulations 2010. These replace the Conservation (Natural Habitats &c) Regulations 1992 which were amended a number of times. In particular, the Regulations were amended in August 2007 to implement a judgement of the European Court of Justice. A principle requirement of this amendment was for Local Planning Authorities to assess the potential impacts of land use plans upon the conservation objectives of any European site that could be affected.

The purpose of HRA of land use plans is to ensure that the protection of European sites is a clear part of the planning process, and to ensure that development plans do not promote development that could contravene the Regulations.

## ***Local Context and approach to HRA***

An important ambition for the Bath & North East Somerset Core Strategy is to achieve a strategy that will avoid any reasonable likelihood of significant negative effects upon sites of European Importance, either within, or adjacent, to the district.

An interim HRA of the Bath & North East Somerset Core Strategy Options Document was published in September 2009. This assessment comprised an initial screening and review of the European Sites likely to be affected by the options considered, an initial assessment of likely impacts, and also included a series of recommendations to enable the final Core Strategy to avoid any likely significant effects upon European sites. The interim HRA was included within the public consultation on Core Strategy Options and was subject to consultation with Natural England.

Given the evolving and complex nature of development plan production an iterative approach to the HRA of the Publications Document has been adopted involving close

officer working and frequent meetings between the HRA author and the planning policy team.

The HRA process draws upon a range of national guidance documents as detailed at the end of this report. The key stages to the process are:-

- Step 1 :Evidence gathering and scoping of Natura 2000 sites that could be affected by the plan
- Step 2: Screening plan proposals for likely significant effect
- Step 3. Appropriate Assessment of any plan elements considered likely to effect the integrity of a Natura 2000 site, and plan modification where necessary.

The Interim HRA of the Core Strategy Options Document did not progress to Step 3 but identified a number of issues that needed to be addressed through amendment or further development of the Core Strategy Options to avoid any likely significant effects.

Following on from the consultation stage of the Options Document, quite significant changes to the Core Strategy have evolved, resulting in lower overall levels of development. The original recommendations to help prevent significant impacts to European Sites have been addressed where still relevant and, as detailed below, the final publication document has been amended to address all the issues raised including the residual issues identified through the last stages of this HRA process and as set out in the assessment matrices in Appendix 2.

This final HRA does not progress to Step 3 because it is concluded that the Core Strategy is not likely to have a significant effect upon any European site within or adjacent to the District.

## ***Approach***

The approach adopted is intended to be rigorous. It checks each element of the plan –all spatial strategies and policies, both alone and in-combination, for the likelihood of causing significant negative effects upon the features of importance to European sites within and adjacent to B&NES. It also considers the effects of the plan as a whole.

## ***Stage 1: Evidence gathering and scoping of European sites within and adjacent to Bath & North East Somerset***

The plan area is 570km<sup>2</sup>. It comprises a land locked rural district, characterised with high quality landscapes and natural environment. Large parts of the rural areas are designated as green belt and much are within the Mendip Hills or Cotswolds Areas of Outstanding Natural Beauty. The economic character of the area is grounded in agriculture. It is well known as an important area for Horseshoe bats. It includes 3 main urban areas – the City of Bath, Keynsham, and the Somer valley. In total there are 13 European sites either within the district or within the 15km radius of the District (see Appendix 1 and Map 1).

The interim HRA of the B&NES Core Strategy Options Document filtered out 8 of these sites on the basis that they were too far from B&NES and the effects of Core

Strategy options to be at any risk of significant effects. Through more detailed screening the interim HRA then filtered out an additional 2 sites. This process identified the following 3 sites as needing more detailed review and consideration:-

- Bath & Bradford on Avon SAC
- North Somerset and Mendip SAC
- Chew Valley SPA.

The Bath & Bradford on Avon SAC was identified as being at greatest risk of negative impacts from the proposed urban extension option area. It was concluded that further information would be needed detailing comprehensive mitigation principles for the urban extension. A series of recommendations were also made to avoid the likelihood of core strategy policies affecting European sites.

The broad screening approach has been revisited for the final publications document, and the findings are broadly similar. Details are listed in Appendix 1. However, the Mells Valley SAC has not been filtered out at this stage due to the possibility that horseshoe bat foraging habitat could be affected. Four European sites are therefore identified as needing further review and scrutiny within this HRA:

1. Bath & Bradford on Avon SAC
2. North Somerset and Mendip SAC
3. Mells Valley SAC
4. Chew Valley Lake SPA.

Sites 1-3 are each designated for their bat interest, in particular for their importance as hibernating and/or maternity roost sites for Horseshoe bats. These sites therefore require similar considerations and assessments. The following types of impact will need to be considered for these sites:

- Loss & damage to roost sites
- Disturbance to bats
- Loss & damage of foraging habitats
- Loss & damage of flight-lines

It is widely accepted that the presence of good quality foraging habitat within a 5km radius of roost sites is critically important to greater horseshoe bats. In order to prevent harm to the integrity of bat SACs, development should not be directed close to these sites, and ideally not within undeveloped areas which are within 5km of bat SACs.

Site 4 is a large artificial lake that provides an important wintering site for Shoveler duck. The following types of impact will need to be considered for this site.

- Damage to habitat through reduction of water levels
- Damage to habitat through changes to water quality;
- Disturbance to birds
- Disruption/ fragmentation of flight lines

## Core Strategy Overview

The Core Strategy sets out a broad framework for change within the District over the next 16 years. It sets out a district wide spatial strategy, along with a series of more detailed spatial strategies for the main urban areas, and sets out a number of strategic policies for the district. It does not propose any urban extensions nor does it specify specific green-field development. Instead it aspires to achieve sustainable growth based upon existing centres. There are strong ambitions for the District to reduce its consumption of carbon and its dependence upon the car, and to increase the nature, extent and functionality of its green spaces through the development of Green Infrastructure.

## Strategic objectives and key principles

8 strategic objectives and a number of key principles are identified to guide delivery of the vision. A number of the strategic cross cutting objectives are of particular relevance to the HRA and are listed here:-

1. Pursue a low carbon and sustainable future in a changing climate  
The LDF will deliver this by:
  - reducing the need to travel by achieving closer alignment of new homes, jobs, infrastructure and essential services
2. Provide & protect green infrastructure  
The LDF will deliver this by:
  - maintaining and enhancing an accessible and multifunctional network of well linked green spaces
  - helping to conserve, enhance and restore the diversity and resilience of the District's wildlife sites
3. Protect and enhance the District's natural, built and cultural heritage  
The LDF will deliver this by:
  - ensuring that growth and development takes place within the environmental capacity of the District
  - helping to conserve and enhance the quality & character of our built and natural heritage
8. Deliver well connected places accessible by sustainable means of transport
  - In conjunction with the Joint Local Transport Plan, the LDF will deliver this by: locating and designing new development in a way that reduces the need and desire to travel by car and encourages the use of public transport, walking and cycling

In terms of specific change the Core Strategy promotes:

- About a 14% increase in the population of the District over the next 16 years to 2026.
- 1500 new dwellings & 1500 new jobs at Keynsham;
- 6100 new dwellings & 4900 new jobs at Bath
- 2700 new dwellings & 1000 jobs within the Somer Valley . NB: 2200 dwellings are already committed, so this results in a change of 500 additional dwellings
- 800 new dwellings & 100 new jobs with the rural district.

The main infra- structure associated with the Core Strategy is as follows:

### Transport

*Greater Bristol Bus Network*:- major improvements to existing bus corridors, new buses and improvements to existing facilities. This is an existing initiative with funding and planning approval.

*Bath Package*:-\_this includes a new Eastern Park & Ride, and expansion of the existing Park & Ride facilities at Lansdown; Newbridge, and Odd Down. This is an existing initiative with planning approval.

### Waste treatment

The Joint Waste Core Strategy identifies two strategic sites for residual waste treatment within B&NES: Broadmoor Lane, Keynsham, and Former Fullers Earth's works, Odd Down Bath. The Fuller's Earth's works is identified as being very close to components of the Bath & Bradford SAC and is a site with historical records of a Greater Horseshoe Bat summer roost (Billington 2000). The *Joint Waste Core Strategy Habitats Regulations Assessment (August 2009)* found this site to be unsuitable for a thermal treatment facility based on the technologies and all parameters assessed, but potentially suitable for the other waste facility types considered. It states "Any proposal for thermal treatment at BA12 would require further assessment which would have to demonstrate that it could meet the requirements of the Habitats Regulations and that it would not have an adverse effect on the integrity of European designated sites" It also clarifies the need to protect bats. Given these measures no adverse effects are considered likely to arise to the Bath & Bradford on Avon SAC as a result of the Joint Waste Core Strategy.

Flood defences- provision of compensatory storage off-site is proposed, requiring a storage area of 345000m<sup>3</sup>. This is to be located within the District upstream of the City, and will be guided by policy DW1. Within the final Publication Document policy DW1 includes the requirement to protect European sites.

## ***Step 2: Screening plan proposals for likely significant effect***

Elements of the Core Strategy were reviewed to gain an initial understanding of where and what the main changes to the district would be, and how these changes could affect European sites. Specifically, the type, quantity, location and nature of change were considered. Given the nature and extent of development proposed the following sections were identified as needing detailed review:-

Chapter 1: Vision & District-wide spatial strategy

Chapter 2: Shaping the future of Bath - a spatial strategy

Chapter 5: Rural Areas Spatial Strategy

Chapter 6: Core policy framework

The spatial strategies and policies for these sections are subject to detailed review as set out in the HRA matrices listed in Appendix 2.

It is considered that, Chapters 3, 4 & 7 of the Core Strategy do not need to be subject to detailed review. Chapter 3, sets out a spatial strategy for Keynsham. This town is more than 5km from any European Site, and development proposals are limited to the existing or approved town footprint, with no changes to the green belt and no significant new infra-structure. Chapter 4 sets out a spatial strategy for the Somer Valley. This prioritises development on brownfield sites within Midsomer Norton and Radstock Town Centres, and the redevelopment of vacant and underused industrial land and factories. 500 new housing units are to be accommodated. The Somer Valley is more than 5km from any Natura 2000 site. No significant new infra structure is proposed, and development within both Radstock & Mid-somer Norton is focussed within the existing developed town footprints, or on the committed site at Old Mills.. Chapter 7 sets out the core strategy approach to monitoring and review and will have no detrimental impacts upon the SAC sites. The monitoring should help to ensure that SAC sites are adequately protected.

### **Dealing with uncertainty**

Given the character of the plan area; the degree of change proposed, and the nature of European sites that could be affected, the main areas of uncertainty identified through the assessment process relates to the implementation of some of the overarching policies, and to the general development and housing policies that are not spatially specific. In order to address these uncertainties the overarching policy DW1 has been amended to include a specific clause to protect biodiversity and sites, species and habitats of European importance. Similarly, other district wide policies have been amended to include clauses to protect the integrity of European habitats. In addition, the lower tier Place Making Development Plan Document proposed is identified as having a major role to play in the protection of European sites.

The Place Making DPD will need to identify how the core strategy policies should be applied to avoid adverse impacts to European sites. It will need to provide clear guidance on what potentially damaging impacts would need to be avoided, including the following:

- Habitat fragmentation;
- loss of important dark corridors;
- reduction of important stock grazing
- It will also assess allocated sites with respect to the HRA regulations to ensure that allocations do not result in significant harm to any European site.

### ***Findings***

The detailed review set out in Appendix 2 represents the final stage of an iterative and interactive HRA process. Close liaison with the Core Strategy authors led to strategy changes along the way, and to a final “officer 13/10/10 version” of the Publication Document. This was subject to the final detailed HRA of relevant sections, as set out in Appendix 2. This resulted in a final series of requirements to ensure that European sites would not be affected and a series of accepted plan changes as listed in the final column of appendix 2.

Two main issues of potential concern are identified within the HRA matrices in Appendix 2. These are as follows:

- 1) the possibility of development within outer Bath, or the within the wider rural areas impacting upon important bat foraging habitat. This could result in indirect impacts to the bat SACs.
- 2) the potential for renewable energy provision in the form of wind turbines having an effect upon both bat and shoveler flight lines, again resulting in potential indirect impacts to European sites.

Addressing the bat issue first, our knowledge of key foraging areas indicates that much of the important habitat occurs in areas that would be unsuitable for development. Normal development management requirements, including the protection of the green belt; Areas of Outstanding Natural Beauty and designated sites, would tend to steer development away from these important areas in any case. The likelihood that significant adverse effects would result from these policies is therefore low at the outset. Furthermore, amendment of policy DW1 to include for the protection of European sites, and the opportunity to further control the location and approach to development through the place making DPD (which would itself be subject to HRA), provides further assurance that the type and scope of change proposed is unlikely to lead to significant adverse effects.

A few other residual issues were identified, which, whilst not significant, needed attention and the policy team’s response to these is provided within the HRA matrices. These responses have been actioned in the final draft of the Publication Document .

It is therefore concluded that the different elements of the Core Strategy as amended to address the issues raised in Appendix 2, and when considered along side the



requirements of the Place Making DPD proposed, are not likely to result in significant effects upon any European site within or adjacent to B&NES.

When the plan is considered as a whole, predicting the effects of the total change proposed through to 2016, it is also concluded that no significant adverse effects are likely. Moreover the requirements for European site protection within the strategy and the policy for green infrastructure suggest that some benefits could be secured.

### **Consideration of potential In-combination effects**

The HRA process requires the consideration of possible in-combination effects resulting from the influences of the main plan or project under consideration, acting together with influences from other plans or projects. Given the findings above it is unlikely that in-combination effects will be identified. However for completeness the following plans and projects have also been considered:

- Core Strategy Infra-structure Delivery Programme for Bath & North East Somerset 2010. This includes the infra-structure referred to above. The *Greater Bristol Bus Network*: this includes major improvements to existing bus corridors, new buses and improvements to existing facilities. This is an existing initiative, with planning approval for sections within B&NES. The associated HRA concluded that there was no likelihood of significant adverse effects, and no in-combination effects are considered likely.  
*This plan also includes the Bath Package*: which includes a new Eastern Park & Ride, together with expansion of Lansdown, Newbridge and Odd Down Park & Ride sites. This is an existing initiative with planning approval. Each Park & Ride element is associated with specific provision for ecological mitigation and compensation. Subject to the specific mitigation for bats for the new Eastern Park & Ride, the HRA concluded no likelihood of significant effects to European sites.. No in combination effects are considered likely.
- *This plan also includes “Future Strategic Transport Intervention Package”*. No capital projects have been defined but this includes existing Local Plan safeguarded routes e.g. Whitchurch bypass and Temple Cloud/Clutton bypass. It could also include improvements to the A4 between Bristol and Bath and the introduction of an A36/A46 link to the East of Bath. Such a link would have the potential to adversely affect the Bath & Bradford on Avon SAC should it be progressed. However such a scheme will only come forward through either a review of the Core Strategy or the production of a Development Plan Document, both of which would be subject to an HRA. The Core Strategy includes an overarching policy for infrastructure that requires the protection of European sites. No in-combination effects are considered likely.
- Sustainable Community Strategy for Bath & North East Somerset. This is the overarching strategy for B&NES and sets out the vision for the area to become a distinctive place, with vibrant communities, where everyone fulfils their potential. This has guided the development of the Core Strategy. No in-combination effects are identified.
- JLTP3 The prioritised Major Scheme Programmes of relevance to B&NES within this plan have been considered elsewhere (Bath Package; Greater Bristol Bus Network. No in-combination effects are identified.
- West of England Joint Waste Core Strategy Submission Document This includes the residual waste treatment sites for B&NES referred to above. It includes Key

Development Criteria designed to protect European sites and no in-combination effects are identified.

- Bristol City Council Core Strategy (BCCCS). –The focus for major regeneration within south Bristol is approximately 15km from the nearest component of the Bath & Bradford on Avon SAC within B&NES. The high quality bat foraging habitat within B&NES lies further east again, and so impacts to this SAC from the BCCCS seem very unlikely. Similarly, this area is approximately 8km from Chew Valley SPA. Measures are in place to manage water resource demand and potential recreational pressures. The HRA for the Bristol Core Strategy concludes that development within Bristol is not likely to have a significant effect upon either Chew Valley SPA, or the Bath & Bradford on Avon Bat SAC. Potential in-combination effects from this strategy do not seem likely.
- South Gloucestershire Council Core Strategy – The nearest notable development proposed within this strategy is a new neighbourhood and Science Park at Emerson’s Green East. This is at least 10km from the nearest component of the Bath & Bradford on Avon SAC within B&NES. The high quality bat foraging habitat within B&NES lies further south again, and so potential in-combination impacts to this SAC from the S.Glos Core Strategy are considered unlikely.
- North Somerset Council Core Strategy - The main focus of development is within existing towns and through an urban extension to Weston. Limited development is proposed within Service Villages. These sites are well away from the European Sites within B&NES and their supporting habitat. Proposals for the airport are not clear but further expansion and new flight paths could adversely affect Chew Valley Lake SPA. However, this would not exacerbate any effects caused by the B&NES Core Strategy. Potential in-combination impacts from the emerging N.Som Core Strategy are therefore considered unlikely.
- Wiltshire Council Core Strategy Consultation Document 2009 – this identifies that the nearest development of potential concern is at Bradford on Avon where a preferred strategic site option for 150 dwellings has been identified. This is to the east of the town. The associated HRA concludes that any potential impacts associated with housing and transport provision are limited and can be controlled through the provision and implementation of design guidance. Given this and the location of development potential in-combination impacts from the emerging Wiltshire Core Strategy are therefore considered unlikely
- Mendip District Council emerging options – the emerging proposals for Mendip District Council focus upon existing urban areas, (with very limited housing provision within some rural villages). The nearest towns to B&NES are Frome and Shepton Mallet where 2300 and 1300 houses are being considered. These towns are at least 10km from the European sites within B&NES. Potential in-combination impacts from the emerging Mendip Core Strategy Options are considered unlikely.
- Sustrans Two Tunnels Project – this project was approved in February 2007. Whilst not subject to HRA, this scheme includes detailed mitigation to protect bats and important habitat. No significant in-combination effects are considered likely.

### **Conclusion**

The Core Strategy is not likely to result in significant effects to any European site within or adjacent to the District, either alone or in combination with other plans or projects.

## **References**

Core Strategy Infrastructure Delivery Programme for Bath & North East Somerset  
September 2010

DCLG 2006, Planning for the Protection of European Sites: Appropriate  
Assessment

English Nature (2000) Managing landscapes for the greater horseshoe bat

Ransome (2009) Bath Urban Surveys: Dusk Bat Surveys for horseshoe bats around  
south-western Bath. Assessments Summer 2008 & Spring 2009

B&NES Sustainable Community Strategy 2009-2026

Tyldesley, D, 2009, The Habitat Regulations Assessment of Local Development  
Documents Revised Draft guidance for Natural England.

West of England Joint Waste Core Strategy Submission Document July 2010-11-04

Wiltshire 2026 Planning for Wiltshire's Future Consultation document to inform the  
Wiltshire Core Strategy October 2009.

Wiltshire Core Strategy – Assessment of the Core Strategy Options under the Habitat  
Regulations 2009

## **Appendices**

Appendix 1: Habitats Regulations - Broad Scoping Matrix.

Appendix 2: Detailed scoping matrix of Likely Significant Effect

## **Maps**

Map 1: Natura 2000 sites within and adjacent to Bath & North East Somerset.

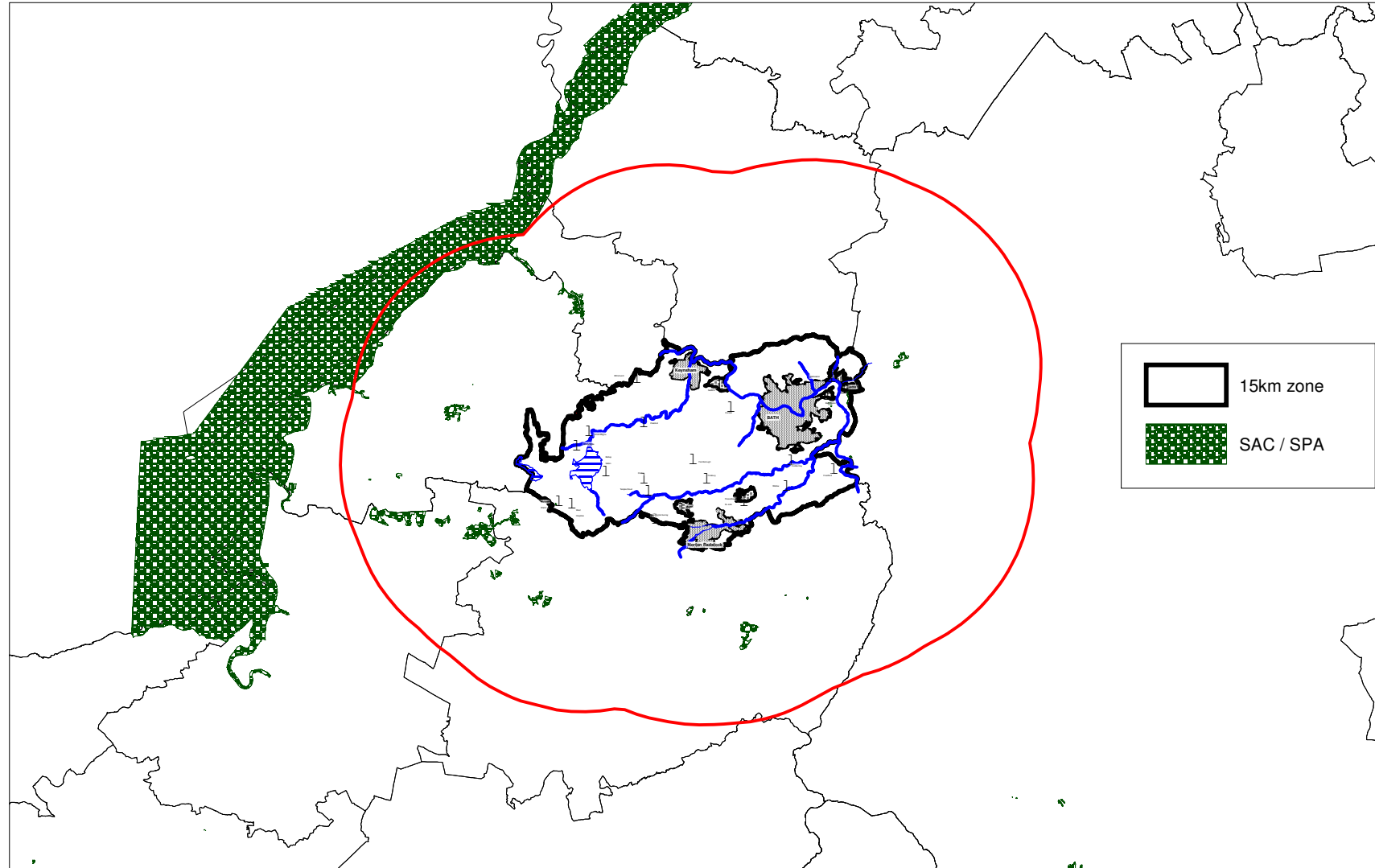
# Nature 2000 Sites within and adjacent to B&NES

Sites within 15km zone

Compiled by KR on 28 October 2010

Scale 1:453124

Bath & North East Somerset Council  
Trimbridge House  
Trim Street  
Bath BA1 2DP  
Tel 01225 477000



Appendix 1: Habitats Regulations - Broad Scoping

NATURA 2000 SITE NAME	QUALIFYING FEATURES	CONSERVATION OBJECTIVES SUMMARY	Vulnerabilities	Scope for effects to occur	Reasons/Comments
Avon Gorge Woodlands SAC	<p><b>Annex I Habitats that are a primary reason for selection:</b></p> <p><i>Tilio-Acerion</i> forests of slopes, screes and ravines</p> <p><b>Annex I Habitats present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>)</p>	CO's are by SSSI. COs relevant to the SAC: To maintain, in favourable condition, the <i>Tilio-Acerion</i> forests of slopes, screes and ravines; Semi-natural dry grasslands and scrubland facies on calcareous substrates.	Air quality - this site suffers from traffic generated road pollution. APIS report suggest site already exceeds the critical load for woodlands. Any increase in traffic generation could have an effect on this site. Habitat damage & disturbance from increased recreational pressures.	Not likely	Possible air pollution issue if Core Strategy generates traffic movements along the Portway. Polluting effects feasible due to configuration of gorge and road. Likelihood of significant increased traffic movements along the Portway considered low.
Bath & Bradford-on-Avon Bats SAC	<p><b>Annex II species that are a primary reason for selection of the site:</b></p> <p><i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat)</p> <p><i>Myotis bechsteinii</i> (Bechstein's bat)</p> <p><b>Annex II species present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p><i>Rhinolophus hipposideros</i> (Lesser horseshoe bat)</p>	CO's are by SSSI. COs relevant to the SAC: To maintain, in favourable condition, habitats for the population of <i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat), <i>Rhinolophus hipposideros</i> (Lesser horseshoe bat) and <i>Myotis bechsteinii</i> (Bechstein's bat).	Potential for loss of foraging areas due to development; increased habitat disturbance & detriroation from urban impacts -noise, light pollution, domestic pets, increased recreational pressures. Horseshoe bats need suitable feeding areas close to their roosts (GHB typically forage 3-5km from roost & generally <1km in Spring & autumn; LHB forage v. close to roosts, in summer 2-3km) but ,will forage 9km+ from roosts at times. Their foraging requires permanent pasture grazed by stock,and a network of hedges and other linear features. Expansion of urban fringe areas could reduce livestock farming and adversely affect foraging habitat.	likely	Possible impacts upon bat foraging grounds
Chew Valley SPA	Internationally important bird assemblage. This site qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species: Over winter: <i>Anas clypeata</i> (Shoveler)	No significant decrease in relation to water reference level. No significant displacement of birds attributable to human disturbance. No significant reduction in presence and abundance of food species including aquatic plants and aquatic invertebrates.	The lake is the main source of drinking water for the District with the exception of Bath, and is also a key recreational site (trout fishing, sailing and walking).The site is owned and managed by Bristol Water Plc, who implement a nature conservation strategy for the site, including a zoning scheme for the lake to safeguard wildlife. Potential for increase in visitors to the site and increased pressure on the quiet refuge area, and increases in water consumption.Shoveler numbers, and those of the other ducks, tend to be higher in years when there is significant late summer drawdown of water at Chew Valley Lake. The Draft Bristol Water Plan takes account of forecast growth to plan water supply for the next 25years.	possible	Possible issues related to wind turbines if migratory routes affected, and increased water consumption

Mells Valley SAC	<b>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</b>	CO's are by SSSI. COs relevant to the SAC: To maintain, in favourable condition, the Caves not open to the public and Semi-natural dry grasslands. And, to maintain, in favourable condition, habitats for the population of <i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat).	Potential for loss of foraging areas due to development; increased habitat disturbance & deterioration from urban impacts -noise, light pollution, domestic pets, increased recreational pressures. Greater Horseshoe bats need suitable feeding areas close to their roosts (GHB typically forage 3-5km from roost & generally <1km in Spring & autumn) but ,will forage 9km+ from roosts at times. Their foraging requires permanent pasture grazed by stock, and a network of hedges and other linear features. Expansion of urban fringe areas could reduce livestock farming and adversely affect foraging habitat. Grassland & cave habitat vulnerable to increased recreational pressures and grassland vulnerable to increased. Vulnerable to air pollution from increased nitrogen deposition and acidic dust deposition.	possible	No direct impacts to SAC habitats and indirect impacts through air pollution and recreational pressures not likely to be significant. Greater Horseshoe Bats from Mells are known to forage within B&NES (Bob Corns pes com 2009), also Geof Billingtons report identified a link between the BBA SAC bats and the Mells SAC. Further information needed to assess likelihood of any knock on effects.
	Semi-natural dry grasslands and scrubland facie: on calcareous substrates ( <i>Festuco-Brometalia</i> )				
	Caves not open to the public				
	<b>Annex II species that are a primary reason for selection of the site:</b>				
	<i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat)				
Mendip Limestone Grasslands SAC	<b>Annex I habitats that are a primary reason for the selection of the site:</b>	CO's are by SSSI. COs relevant to the SAC: To maintain, in favourable condition, the Tilio-Acerion forests of slopes, screes and ravines; Caves not open to the public; European dry heaths and Semi-natural dry grasslands and scrubland facies on calcareous substrates ( <i>Festuco brometalia</i> ). And, to maintain, in favourable condition, habitats for the population of <i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat). <i>Rhinolophus hipposideros</i> (Lesser horseshoe bat) are also included in the COs.	Habitat disturbance and degradation from increased recreational pressure and dog walking, and would be vulnerable to a reduction in live stock farming thats sustains the habitat. Vulnerable to air pollution from increased nitrogen deposition and acidic dust deposition.	no	Significant distance (approx 9km) from B&NES - no direct or indirect effects anticipated
	Semi-natural dry grasslands and scrub facies on calcareous substrates ( <i>Festuco-Brometalia</i> )				
	<b>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</b>				
	European dry heaths				
	<i>Tilio-Acerion</i> forests of slopes, screes and ravines				
	Caves not open to the public				
	<i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat)				
Mendip Woodlands SAC	<b>Annex I habitats that are a primary reason for the selection of the site:</b>	CO's are by SSSI. COs relevant to the SAC: To maintain, in favourable condition, the <i>Tilio-Acerion</i> forests of slopes, screes and ravines.		no	Significant distance from B&NES - no indirect effects anticipated - potential for air pollution issues from road traffic generation discounted due to opportunities for dispersal of pollutants.
	<i>Tilio-Acerion</i> forests of slopes, screes and ravines				

North Somerset and Mendip Bats SAC	<p><b>Annex I habitats that are a primary reason for the selection of the site:</b></p> <p>Semi-natural dry grasslands and scrub facies on calcareous substrates (<i>Festuco-Brometalia</i>)</p> <p><i>Tilio-Acerion</i> forests of slopes, screes and ravines</p> <p><b>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p>Caves not open to the public</p> <p><b>Annex II species that are a primary reason for selection of the site:</b></p> <p><i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat)</p> <p><i>Rhinolophus hipposideros</i> (Lesser horseshoe bat)</p>	CO's are by SSSI. COs relevant to the SAC relate to Annex II species: To maintain, in favourable condition, habitats for the population of <i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat) and <i>Rhinolophus hipposideros</i> (Lesser horseshoe bat).	Potential for loss of foraging areas due to development; increased habitat disturbance & deterioration from urban impacts -noise, light pollution, domestic pets, increased recreational pressures. Horseshoe bats need suitable feeding areas close to their roosts (GHB typically forage 3-5km from roost & generally <1km in Spring & autumn; LHB forage v. close to roosts, in summer 2-3km) but ,will forage 9km+ from roosts at times. Their foraging requires permanent pasture grazed by stock, and a network of hedges and other linear features. Expansion of urban fringe	possible	Possible impacts upon bat foraging grounds
River Usk / Afon Wysg SAC	<p><b>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation</p> <p><b>Annex II species that are a primary reason for selection of the site:</b></p> <p><i>Petromyzon marinus</i> (Sea lamprey)</p> <p><i>Lampetra planeri</i> (Brook lamprey)</p> <p><i>Lampetra fluviatilis</i> (River lamprey)</p> <p><i>Alosa fallax</i> (Twait shad)</p> <p><i>Salmo salar</i> (Atlantic salmon)</p> <p><i>Cottus gobio</i> (Bullhead)</p> <p><i>Lutra lutra</i> (Otter)</p> <p><b>Annex II species present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p><i>Alosa alosa</i> (Allis shad)</p>		Vulnerable to riparian habitat degradation from increased recreational pressures, reduced farming viability, and vulnerable to increased water abstraction.	no	Significant distance from B&NES - no direct or indirect effects anticipated

River Wye / Afon Gwy SAC	<p><b>Annex I habitats that are a primary reason for the selection of the site:</b></p> <p>Water courses of plain to montane levels with the <i>Ranunculon fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation</p> <p><b>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p>Transition mires and quaking bogs</p> <p><b>Annex II species that are a primary reason for selection of the site:</b></p> <p><i>Austropotamobius pallipes</i> (White-clawed crayfish (or Atlantic stream) crayfish)</p> <p><i>Petromyzon marinus</i> (Sea lamprey)</p> <p><i>Lampetra planeri</i> (Brook lamprey)</p> <p><i>Lampetra fluviatilis</i> (River lamprey)</p> <p><i>Alosa fallax</i> (Twaite shad)</p> <p><i>Salmo salar</i> (Atlantic salmon)</p> <p><i>Cottus gobio</i> (Bullhead)</p> <p><i>Lutra lutra</i> (Otter)</p> <p><b>Annex II species present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p><i>Alosa alosa</i> (Allis shad)</p>	<p>CO's are by SSSI. <b>These are dated 2001 and should be used with caution.</b> COs relevant to the SAC: To maintain, in favourable condition, floating formations of water crowfoot (<i>Ranunculus</i>) of plain and sub-mountainous rivers. Also populations of atlantic salmon (<i>Salmo salar</i>), allis shad (<i>Alosa alosa</i>), twaite shad (<i>Alosa fallax</i>), bullhead (<i>Cottus gobio</i>), brook lamprey (<i>Lampetra planeri</i>), river lamprey (<i>Lampetra fluviatilis</i>), sea lamprey (<i>Petromyzon marinus</i>), white-clawed crayfish (<i>Austropotamobius pallipes</i>). Also the river adjoining land as habitat for populations of otter (<i>Lutra lutra</i>).</p>	<p>Vulnerable to increased water abstraction and recreational pressures.</p>	no	Significant distance from B&NES - no indirect effects anticipated
Severn Estuary cSAC, SPA and Ramsar	<p><b>cSAC</b></p> <p><b>Annex I habitats that are a primary reason for the selection of the site:</b></p> <p>Estuaries</p> <p>Mudflats and sandflats not covered by seawater at low tide</p> <p>Atlantic salt meadows</p> <p><b>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p>Sandbanks slightly covered by sea water all the time</p> <p>Reefs</p> <p><b>Annex II species that are a primary reason for selection of the site:</b></p> <p><i>Petromyzon marinus</i> (Sea lamprey)</p> <p><i>Lampetra fluviatilis</i> (River lamprey)</p> <p><i>Alosa fallax</i> (Twaite shad)</p> <p><b>SPA</b></p>	<p><b>cSAC &amp; Ramsar: Note CO tables are to be completed in 2009.</b> To maintain, in favourable condition estuaries subtidal sandbanks; intertidal mudflats and sandflats; Atlantic salt meadows; reefs. Also, to maintain in favourable condition, River lamprey (<i>Lampetra fluviatilis</i>), sea lamprey (<i>Petromyzon marinus</i>) and Twaite shad (<i>Allosa fallax</i>).</p> <p><b>SPA &amp; Ramsar:</b> To maintain, in favourable</p>	<p>Habitats vulnerable to increased recreational pressures; habitat degradation from domestic &amp; industrial pollution, &amp; development; Habitat loss from Port expansion &amp; other development.</p>		



<p><b>This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</b></p>	<p>condition, habitats for and the population of Berwick's swan and populations of regularly occurring migratory species including shelduck, dunlin, redshank, European white-fronted goose. And to maintain, in favourable condition habitat for and the assemblage of wintering waterfowl.</p>			
<p>Over winter:</p>				
<p><i>Cygnus columbianus bewickii</i> (Bewick's swan)</p>				
<p><b>Internationally important bird assemblage. This site qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:</b></p>				
<p>On passage:</p>				
<p><i>Charadrius hiaticula</i> (Ringed plover)</p>				
<p>Over winter:</p>				
<p><i>Numenius arquata</i> (Curlew)</p>				
<p><i>Calidris alpina alpina</i> (Dunlin)</p>				
<p><i>Anas acuta</i> (Pintail)</p>				
<p><i>Tringa totanus</i> (Redshank)</p>				
<p><i>Tadorna tadorna</i> (Shelduck)</p>				
<p><b>Ramsar</b></p>	<p>See above (there are no individual COs for the Ramsar designation.</p>			
<p><b>Assemblage qualification: A wetland of international importance.</b></p>				
<p>The area qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl</p>				
<p><i>Criterion 1:</i> Presence of <i>Annex I</i> features listed above for cSAC.</p>				
<p><i>Criterion 3:</i> Unusual estuarine communities.</p>				
<p><i>Criterion 4:</i> Run of migratory fish between sea and river via estuary.</p>				
<p><i>Criterion 5/6:</i> Bird assemblages and species of international importance.</p>				
<p><i>Criterion 8:</i> Diverse fish populations, important feeding, nursery ground and migration route.</p>			<p>no</p>	<p>Significant distance from B&amp;NES - no indirect effects anticipated</p>

Wye Valley & Forest of Dean Bat Sites SAC	<p><b>Annex II species that are a primary reason for selection of the site:</b></p> <p><i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat)</p> <p><i>Rhinolophus hipposideros</i> (Lesser horseshoe bat)</p>	CO's are by SSSI. COs relevant to the SAC: To maintain, in favourable condition, habitats for the population of <i>Rhinolophus ferrumequinum</i> (Greater horseshoe bat), and <i>Rhinolophus hipposideros</i> (Lesser horseshoe bat). <b>Also contact CCW.</b>	Vulnerable to loss of foraging areas and roost disturbance due to increased development pressures; Expansion of urban fringe areas could reduce livestock farming and adversely affect foraging habitat.	no	Significant distance from B&NES - no indirect effects anticipated
Wye Valley Woodlands SAC	<p><b>Annex I habitats that are a primary reason for the selection of the site:</b></p> <p><i>Aspergo-fagetum</i> beech forests</p> <p><i>Tilio-acerion</i> forests of slopes, screes and ravines</p> <p><i>Taxus baccata</i> woods</p> <p><b>Annex II species present as a qualifying feature, but not a primary reason for selection of this site:</b></p> <p><i>Rhinolophus hipposideros</i> (Lesser horseshoe bat)</p>	CO's are by SSSI. COs relevant to the SAC: to maintain <i>Tilio-acerion</i> forests of slopes, screes and ravines; <i>Asperulo-Fagetum</i> beech forests and <i>Taxus baccata</i> woods in a favourable condition. And, to maintain in favourable condition habitats for the population of Lesser Horseshoe Bat ( <i>Rhinolophus hipposideros</i> ). <b>Also contact CCW.</b>	main vulnerability lack of and inappropriate management; potential increase in recreational pressures and habitat disturbance	no	Significant distance from B&NES - no indirect effects anticipated
Somerset Levels & Moors SPA and Ramsar	<p><b>This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</b></p> <p>Over winter:</p> <p><i>Cygnus columbianus bewickii</i> (Bewick's swan)</p> <p><i>Pluvialis apricaria</i> (Golden plover)</p> <p><b>This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:</b></p> <p>Over winter:</p> <p><i>Anas clypeata</i> (Shoveler)</p> <p><i>Anas crecca</i> (Teal)</p> <p><i>Anas penelope</i> (Wigeon)</p> <p><b>Ramsar</b></p> <p><b>Assemblage qualification: A wetland of international importance.</b></p> <p>The area qualifies under <b>Article 4.2</b> of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl</p>	CO's have not been requested as part of the West of England Joint Waste Core Strategy HRA.	habitat loss and degradation from increased development, increased recreational pressures and any reduction in sympathetic farming activities; water abstraction; sea level change.	no	Significant distance from B&NES - no indirect effects anticipated

# ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON A EUROPEAN SITE

## CONSERVATION OF SPECIES AND HABITAT REGULATIONS 2010-06-18

<b>PART A: THE PROPOSAL</b>	
<b>Type of plan or project:</b>	Development Plan – Core Strategy Publications Document – <b>District Wide Spatial Strategy (Draft Core Strategy: LDF Steering Group Version 13/10/10))</b>
<b>Application / plan reference no:</b>	NR
<b>National grid reference:</b>	Bath & North East Somerset - District wide
<b>Application site:</b>	NR
<b>Brief description of proposal:</b>	

### Introduction

The interim assessment and screening for Likely Significant Effects of the equivalent section of the Options document (District Wide Locational strategy) identified that the then proposed Urban extension to the south of Bath was likely to have a significant effect upon the Bath & Bradford on Avon Bat SAC. No other significant and unmitigatable issue was identified. The proposal for an Urban Extension to Bath has been dropped and a lower overall level of development is now proposed. The District Wide Spatial Strategy includes one overall policy which will guide the principles of development across the district. This will be amended to include the requirement to protect species, habitats and sites of European importance.

<b>PART B: THE EUROPEAN SITES AFFECTED:</b>	
<b>Site names:</b>	Bath & Bradford on Avon Bat SAC North Somerset & Mendips Bat SAC Mells Valley Bat SAC
	Chew Valley SPA

## Conservation objectives and special interest features:

<i>European Site</i>	<i>Conservation Objectives</i>	<i>Interest Features</i>
<b>Bath &amp; Bradford on Avon Bat SAC</b>	<p><i>to maintain*, in favourable condition, the habitats for the population of:</i></p> <p>1) Greater Horseshoe Bat (<i>Rhinolophus ferrumequinum</i>) (all component SSSIs)</p> <p>2) Lesser Horseshoe Bat (<i>Rhinolophus hipposideros</i>) (all component SSSIs)</p> <p>3) Bechstein's Bat (<i>Myotis bechsteinii</i>) (Box Mine SSSI)</p>	<p><b>**Greater horseshoe bat (GHB) <i>Rhinolophus ferrumequinum</i></b> - This site in southern England includes the hibernation sites associated with 15% of the UK Greater Horseshoe bat population and is selected on the basis of the importance of this exceptionally large over-wintering population. The Combe Down and Bathampton Down SAC component has both a hibernation and maternity roost function for greater horsehoes.</p> <p><b>*Lesser horseshoe bat <i>Rhinolophus hipposideros</i></b> - The Bath &amp; Bradford on Avon SAC site comprises an extensive network of caves, mines and manmade tunnels which are used by bats for hibernation, mating and as a staging post prior to dispersal. The stone mines have been identified as a hibernation site for Lesser horseshoe bats.</p> <p><b>**Bechstein's bat <i>Myotis bechsteinii</i></b> - Small numbers of Bechstein's bats have been recorded hibernating in abandoned mines in this area, though maternity sites remain unknown.</p>
<b>North Somerset &amp; Mendip Bats SAC</b>	<p><i>to maintain*, in favourable condition, the habitats for the population of:</i></p> <p>1) Greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)</p> <p>2) Lesser horseshoe bat (<i>Rhinolophus hipposideros</i>)</p>	<p><b>** Greater horseshoe bat - (GHB) <i>Rhinolophus ferrumequinum</i></b> - this site is selected on the basis of the size of population represented (3% of the UK greater horseshoe bat population) and its conservation structure and function, having both maternity and hibernation sites. This site contains an exceptionally good range of sites used by the population, comprising two maternity sites in lowland north Somerset and a variety of cave and mine hibernation sites in the Mendip Hills</p> <p><b>*Lesser horseshoe bat <i>Rhinolophus hipposideros</i></b> - The limestone caves of the Mendips provide a range of important hibernation sites for lesser horseshoe bat and greater horseshoe bat</p>
<b>Mells Valley SAC</b>	<p><i>to maintain*, in favourable condition, the habitats for the population of:</i></p> <p>Greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)</p>	<p><b>Greater horseshoe bat - (GHB) <i>Rhinolophus ferrumequinum</i></b> – this site is selected on the basis of the size of its exceptional breeding population. It contains the maternity site associated with a population comprising about 12% of the UK <b>greater horseshoe bat</b> population. A proportion of the population also hibernates at the site, though other hibernation sites remain unknown.</p>
<b>Chew Valley Lake SPA</b>	<p>No significant decrease in relation to water reference level. No significant displacement of birds attributable to human disturbance. No significant reduction in presence and abundance of food species including aquatic plants and aquatic invertebrates.</p>	<p><b>Shoveler <i>Anas cipeata</i></b> - the site supports up to 1.3% of the wintering Northwestern / central European population</p>

Is the proposal directly connected with or necessary to the management of the European sites for nature conservation? No

**PART C: ASSESSMENT OF LIKELY EFFECTS AND THEIR SIGNIFICANCE**

**Scope of potential effects**

a) Effects of proposed Publications Document Policies

Policy	European sites potentially affected	Range of potential impacts	Potential occurrence and mechanism of impact	Likely significant effect	Response
<p><b>Policy DW1: District-wide spatial Strategy</b></p> <p>The overarching strategy for B&amp;NES is to promote sustainable development by:</p> <p>1.focussing new housing, jobs and community facilities in Bath, Keynsham, Midsomer Norton and Radstock particularly ensuring;</p> <p>a.there is the necessary modern office space in Bath within or adjoining the city centre to enable diversification of the economy whilst maintaining the unique heritage of the City</p> <p>b.sufficient space is available in Keynsham to reposition the town to become a more significant business location whilst retaining its separate identity</p> <p>c.there is deliverable space to enable job growth in the towns and principal villages in the Somer Valley to create a thriving and vibrant area which is more self-reliant socially and economically.</p> <p>e.development in rural areas is located at settlements with a good</p>	<p>Bath &amp; Bradford on Avon SAC</p> <p>North Somerset Bat SAC</p> <p>Mells Valley SAC</p> <p>Chew Valley Lake SPA</p>	<p>Loss &amp; damage to roost sites</p> <p>Disturbance to bats</p> <p>Loss &amp; damage of foraging habitats</p> <p>Loss &amp; damage of flight-lines</p> <p>Damage to habitat through reduction of water levels</p> <p>Damage to habitat through changes to water quality;</p> <p>Disturbance to birds</p> <p>Disruption/ fragmentation of flight lines</p>	<p>This policy seeks to achieve sustainable development that is focussed upon existing urban areas and established centres. No strategic change to the green belt is proposed, and no specific sites are identified. Its sits within an overall vision to protect and enhance the district's environmental attractiveness &amp; unique heritage. The protected roosts for the Bat SAC lie on the very edge of the urban area or within rural areas and the main foraging areas and flight lines lie within the greenbelt. These SAC features lie away from areas where significant change is anticipated. No new strategic infra-structure is proposed that is likely to affect these features. Site specific development is to be guided by a Place Making DPD which will</p>	<p>None provided that a sentence is added to the policy which clarifies the requirement to protect species, habitats &amp; sites of European importance.</p>	<p>Agree that Policy DW1 is amended to clarify the requirement to protect species, habitats and sites of European importance.</p>

<p>range of local facilities and with good access to public transport</p> <p>2. making provision for a net increase of 8,700 jobs and 11,000 homes between 2006 and 2026, of which around 3,400 affordable homes will be delivered through the planning system,</p> <p>3. prioritising the use of brownfield opportunities for new development in order to limit the need for development on greenfield sites.</p> <p>4. retaining the general extent of Bristol – Bath Green Belt within B&amp;NES with no strategic change to the boundaries,</p> <p>5. requiring development to be designed in a sustainable way and is resilient to the impacts of climate change,</p> <p>6. ensuring infrastructure is aligned with new development</p> <p>In order to respond to changing circumstances, flexibility in the nature, density and mix of uses in the Western Corridor of Bath and on MoD sites will provide contingency in line with the principles of the overall strategy.</p>			<p>clarify the measures required to protect European Sites and species. Therefore, assuming normal detailed planning controls, it is considered unlikely that a significant negative effect upon the European Sites will result. It is recommended that a sentence is added to the policy however which clarifies the requirement to protect species, habitats &amp; sites of European importance.</p>		
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**b) Possible incombination effects**

No in combination effects are considered likely

## Discussion and assessment of Likely Effects and their significance

This policy guides the main form and approach to development across the district. It clarifies that development will be focussed upon the main urban centres and priorities the re-use of previously developed or under used sites. No changes to the green belt are proposed and no major new transport infra structure is proposed. The detail of development will be guided by a place making DPD. The recommendation to add a clause to the policy to protect species, habitats and sites of European importance, has been accepted and so it is concluded that the district-wide spatial strategy is not likely to have significant effects upon European sites within or adjacent to the District.

Is the potential scale or magnitude of any effect likely to be significant:

- a) Alone ? No
- b) In combination with other plans or projects? No

## ***PART D: COUNCIL'S CONCLUSIONS***

### **Conclusion:**

Is the proposal likely to have a significant effect on a European site? No

Name of assessing officer:	Kären Renshaw	Job Title:	Ecologist
Signed:		Date:	
Name of Supervising Officer	Mark Minkley	Job Title:	Team Leader – Environment Team
Signed		Date:	

***PART E: CONSULTATION WITH NATURAL ENGLAND***

Natural England's comment on conclusion:

Name of Natural England Officer:		Job Title:	
Signed:		Date:	

***IF THE PROPOSAL IS LIKELY TO HAVE A SIGNIFICANT EFFECT AN APPROPRIATE ASSESSMENT WILL BE REQUIRED***



# ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON A EUROPEAN SITE

## CONSERVATION OF SPECIES AND HABITAT REGULATIONS 2010-06-18

<b>PART A: THE PROPOSAL</b>	
<b>Type of plan or project:</b>	Development Plan – Core Strategy Publications Document – <b>Bath Spatial Strategy (Draft Core Strategy: LDF Steering Group Version 13/10/10)</b>
<b>Application / plan reference no:</b>	NR
<b>National grid reference:</b>	Bath & North East Somerset – City of Bath
<b>Application site:</b>	NR
<b>Brief description of proposal:</b>	Spatial strategy and strategic policies for the City of Bath

### Introduction

The interim assessment and screening for Likely Significant Effects of the equivalent section of the Options document (Bath) identified that the then proposed urban extension to the south of Bath was likely to have a significant effect upon the Bath & Bradford on Avon Bat SAC. The use of the river corridor to the east of the City Centre by Horseshoe Bats was identified for further investigation. The proposal for an Urban Extension to Bath has been dropped and a lower overall level of development is now proposed. The change is from 8000 to 6000 new homes, and the proposals are to make provision for 3300 homes within the Central Area and Western corridor of the city, and 2700 homes within the outer neighbourhoods, including 1200 on surplus MOD land. The Bath Spatial Strategy includes four strategic policies which will guide the general location and principles of development across the city.

The initial screening assessment concluded that only the Bath & Bradford on Avon Bat SAC warranted detailed scrutiny with respect to any likely significant effects from this spatial strategy.

**PART B: THE EUROPEAN SITES AFFECTED:**

Site names:	Bath & Bradford on Avon Bat SAC
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**Conservation objectives and special interest features:**

<b>European Site</b>	<b>Conservation Objectives</b>	<b>Interest Features</b>
<b>Bath &amp; Bradford on Avon Bat SAC</b>	<p><i>to maintain*, in favourable condition, the habitats for the population of:</i></p> <ol style="list-style-type: none"><li>1) Greater Horseshoe Bat (<i>Rhinolophus ferrumequinum</i>) (all component SSSIs)</li><li>2) Lesser Horseshoe Bat (<i>Rhinolophus hipposideros</i>) (all component SSSIs)</li><li>3) Bechstein's Bat (<i>Myotis bechsteinii</i>) (Box Mine SSSI)</li></ol>	<p><b>**Greater horseshoe bat (GHB) <i>Rhinolophus ferrumequinum</i></b> - This site in southern England includes the hibernation sites associated with 15% of the UK Greater Horseshoe bat population and is selected on the basis of the importance of this exceptionally large over-wintering population. The Combe Down and Bathampton Down SAC component has both a hibernation and maternity roost function for greater horsehoes.</p> <p><b>*Lesser horseshoe bat <i>Rhinolophus hipposideros</i></b> - The Bath &amp; Bradford on Avon SAC site comprises an extensive network of caves, mines and manmade tunnels which are used by bats for hibernation, mating and as a staging post prior to dispersal. The stone mines have been identified as a hibernation site for Lesser horseshoe bats.</p> <p><b>**Bechstein's bat <i>Myotis bechsteinii</i></b> - Small numbers of Bechstein's bats have been recorded hibernating in abandoned mines in this area, though maternity sites remain unknown.</p>

Is the proposal directly connected with or necessary to the management of the European sites for nature conservation? No

**PART C: ASSESSMENT OF LIKELY EFFECTS AND THEIR SIGNIFICANCE**

**Scope of potential effects**

a) Effects of proposed Publication Document policies					
European site	Policy: B1: Spatial Strategy and Delivery Headlines for Bath	Range of potential impacts	Potential occurrence and mechanism of impact	Likely significant effect	Response
Bath & Bradford on Avon Bat SAC	<p><b>Natural and Built Environment</b> Protect, conserve, and where possible, enhance.</p> <ul style="list-style-type: none"> <li>The World Heritage Site and its setting</li> <li>The Cotswolds Area of Outstanding Natural Beauty.</li> <li>Listed buildings, the conservation area and their settings.</li> <li>Archaeology, scheduled ancient monuments, historic parks and gardens.</li> <li>The city's network of green spaces and wildlife corridors including the River Avon and Kennet and Avon Canal corridors, Local Nature reserves, formal and informal parks, trees and woodlands.</li> <li>The city's biodiversity resource including species and habitats of European importance.</li> </ul> <p><b>Economic Development</b></p> <ul style="list-style-type: none"> <li>Enable the expansion of knowledge intensive and creative industries by enabling the development of 75-100,000 sq.m. of modern office space focused primarily within and adjoining the city centre.</li> <li>Sustain a mixed economy to support Bath's multi skilled workforce by retaining industrial land in the Newbridge Riverside area. This has the potential to cater for displaced activities from elsewhere in the river corridor where major regeneration is proposed.</li> <li>Make provision for about 5,700 new jobs, acknowledging that these could be tempered by the loss of about 2,500 due to the anticipated departure of the MoD. This will result in a net increase of 3,200 jobs, raising the total within the city from 63,000 to 66,200.</li> </ul> <p><b>Housing</b></p> <ul style="list-style-type: none"> <li>Make provision for 6,000 new homes within the city, increasing the overall stock of housing from</li> </ul>	<p>Loss &amp; damage to roost sites</p> <p>Disturbance to bats</p> <p>Loss &amp; damage of foraging habitats</p> <p>Loss &amp; damage of flight-lines</p>	<p>This policy does not allocate development to any specific location but guides the nature and scale of change desired.</p> <p>The majority of housing and economic development proposed is within the heart of the City, with 4500 new homes proposed within previously developed land within the heart of the City, or within already developed land within the outer neighbourhoods. So the main focus is away from the pristine bat habitat that supports the SAC. 1500 homes are to be accommodated within outer Bath. The Combe Down Stone Mines component of the Bath &amp; Bradford on Avon SAC lies within the Combe Down neighbourhood and any significant expansion of the urban area here could, without specific controls, significantly affect the integrity of the SAC. However, the strategic</p>	<p>Any likelihood avoided by protective clause within policy B1 &amp; use of Place making DPD to control this.</p>	<p>Noted. Any allocations/policies relating to Bath in the Place making DPD will need to take account of the recommended advice.</p>

	<p>35,000 to 41,000.</p> <ul style="list-style-type: none"> <li>• Make provision for 3,300 homes within the Central Area and Western Corridor, focused on ‘Western Riverside’ and 2,700 homes within the outer neighbourhoods, including about 1,200 on surplus Ministry of Defence land as part of residential-led mixed use redevelopment.</li> <li>• Enable the redevelopment of areas of substandard housing association managed properties and smaller scale private sector infilling.</li> <li>• Not direct housing development to the Green Belt surrounding Bath or Cotswolds AONB</li> </ul> <p><b>The Relationship between Population, Labour Supply and Employment</b></p> <ul style="list-style-type: none"> <li>• Rebalance the relationship between resident workforce and jobs by enabling the resident workforce to grow at a faster rate than new jobs (taking into account the combined impact of new housing, falling household sizes, population growth, and future economic participation rates).</li> <li>• Seek to reduce the proportion of the resident workforce who out commute and enable a return to 1991 levels of self containment of about 80% (through the realisation of the economic development strategy for Bath)</li> </ul> <p><b>Previously developed land</b></p> <ul style="list-style-type: none"> <li>• Regenerate and repair a number of areas within the Central Area and Western Corridor to create new areas of attractive and productive townscape and a much improved relationship between the city and its river.</li> <li>• Transform Western Riverside area into a contemporary residential neighbourhood in line with existing planning policy.</li> <li>• Redevelop surplus Ministry of Defence land at Foxhill, Ensleigh and Warminster Road to optimise the contribution that these areas can make to the city.</li> </ul> <p><b>Shopping</b></p> <ul style="list-style-type: none"> <li>• Enable the redeveloped Southgate centre to be absorbed into the trading patterns of the city centre. This means not making provision for further large sale comparison retail projects - however, there remains</li> </ul>		<p>policy includes a direct reference to and requirement to protect species &amp; habitats of European Importance. This is very positive and provides clarity from the outset that any new development with the City must protect the integrity of the European site. This and the Place making DPD will be sufficient to protect the SAC.</p>		
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scope for small to medium sized comparison retail development that furthers the shopping offer and enhances the reputation of the city centre.

- Protect and where possible enhance the vitality and viability of local centres.
- Make provision for additional convenience retail floor space that will improve existing centres and/or the spatial pattern of provision across Bath and enable a greater share of expenditure to be retained within the city. (NB: subject to conclusions of updated retail capacity assessment)

#### Higher Education

- Make provision for an additional 3,150 on-campus student bed spaces, enabling a mixture of growth in the overall number of students and some shrinkage of the private lettings market.
- Make provision for additional on campus and in-city teaching and research space.

#### Tourism, Culture and Rugby

- Make provision for 500-750 new hotel bedrooms which will widen the accommodation offer of the city, increase overnight stays and the competitiveness of the city as a popular visitor destination.
- Make provision for a new stadium Bath RFC within the Central Area.
- Make provision for a new cultural / performance / arts venue within the Central Area.

#### Public Realm

- Facilitate enhancement of the public realm and delivery of a wayfinding and city information system

#### Transportation, Car Parking and Other Infrastructure

- The strategy for Bath is dependent on the implementation of necessary transport and other infrastructure (see page xx).

#### Energy conservation and sustainable energy generation

Enable the development of a district heating network within Bath.

European site	Policy: B2: Central Area Strategic Policy	Range of potential impacts	Potential occurrence and mechanism of impact	Likely significant effect	
	<p><b>1. The Role of the Central Area</b> Change within the Central Area will be supported if it improves Bath's profile and performance as:</p> <ol style="list-style-type: none"> <li>1. An important cultural asset for the world.</li> <li>2. One of the country's most desirable and beautiful places in which to live and work.</li> <li>3. A more dynamic place for business, enterprise, creativity and innovation.</li> <li>4. An attractive centre for shopping, leisure and recreation.</li> <li>5. A spa town that inspires relaxes and entertains.</li> <li>6. A visitor destination of international renown.</li> <li>7. A place that connects people to the natural environment.</li> <li>8. A place to, and in which people increasingly travel by walking, cycling or by using public transport</li> </ol> <p><b>2. Placemaking Principles</b> Change within the Central Area will be supported where proposals demonstrate how they can reinforce and contribute to its unique character and identity.</p> <p><b>Assets of the Central Area</b> The following characteristics combine to provide an exceptional urban environment. Development proposals must demonstrate that they have been inspired and shaped by these characteristics.</p> <ol style="list-style-type: none"> <li>1. There are many areas of exemplary urban design where the relationship between buildings, streets and public spaces presents a high quality environment for people to enjoy.</li> <li>2. The urban landscape of streets, blocks and plots within the core of the city is of a fine grain.</li> <li>3. There are extensive areas of high quality architecture where individual buildings (in terms of height, scale, massing and architectural treatment) combine to form a harmonious townscape ensemble.</li> </ol>	<p>Loss &amp; damage to roost sites</p> <p>Disturbance to bats</p> <p>Loss &amp; damage of foraging habitats</p> <p><b>Loss &amp; damage of flight-lines</b></p>	<p>This policy is especially concerned with change &amp; development within the heart of the City, including the city centre, and neighbouring locations at Bath Quays &amp; Riverside East. The emphasis is on better use of existing or previously used developed sites, and key development opportunities are identified. These locations are well away from the pristine bat habitats that support the integrity of the Bath &amp; Bradford on Avon SAC. No potential for SAC roost damage or disturbance is therefore anticipated The river corridor is an important habitat of the city, and lies within the focus zone for much of much of the proposed development of the City. Whilst it is recognised as an important natural corridor and habitat, and has some Horseshoe Bat activity associated with its eastern reaches it is not recognised as a strategic Horseshoe Bat foraging or access corridor.</p>	<p>None, subject to adequate wording in Place Making DPD to protect function of the river corridor as a bat foraging corridor.</p>	<p>Noted. Any allocations/policies relating to the river corridor in the Place making DPD will need to take account of the recommended advice.</p>

<p>4. The limited palette of materials and the quality, detailing, skill of craftsmanship and authenticity of construction presents a coherent and high quality finish to the urban scene. Many buildings have a proven track record as being adaptable to a range of uses over time.</p> <p>5. There is a strong visual relationship between the built environment and its landscape setting providing many pleasant glimpses and views, out of, within and into the Central Area.</p> <p>6. The Central Area enjoys good proximity and connectivity to high quality urban parks and waterways for recreation. These act as attractors for walking and cycling to and from the Central Area.</p> <p>7. The River Avon and its banks are of nature conservation value and provide opportunities to connect people to the natural environment.</p> <p>8. The compactness and continuity of the primary shopping area, the high representation of independent, specialist and multiple retailers and incidence of historic shop fronts....</p> <p>9. The prevalence of active street frontages contributes to lively streets and public areas.</p> <p>10. There are a wide range of uses and activities within a walkable distance from each other and the rail and bus stations.</p> <p>11. A series of public spaces allow for temporary uses such as festivals, markets and events which contribute to the cultural identity and local economy of the city.</p> <p><b>Risks to the Central Area</b></p> <p>The following issues are identified as key risks to enhancing the function and appearance of the Central Area. Development proposals must, where possible, address these issues:</p> <p>1. There are areas of poor quality post war development which have disrupted and fractured the urban grain. A number of these result in underutilised and poorly connected areas of riverside.</p>		<p>Significant impacts are therefore not considered likely The river corridor is recognised as a feature that can help provide better connections between people and nature, and the expectation is that the habitat value of the river corridor through Bath will be enhanced. This and the requirement to protect existing bat corridor functions will need to be guided by the Place making DPD.</p> <p>No significant new transport infra-structure is proposed beyond already approved schemes</p>		
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2. There are locations where the river acts as a barrier to pedestrian and cycling desire lines.
3. The poor quality of much of the public realm has a negative impact on the experience of the city centre, the World Heritage Site and Bath's external image.
4. The volume of traffic harms the environmental quality of a number of streets and spaces and impedes the movement of pedestrian and cyclists. It therefore acts as a barrier to the expansion of a walkable city centre.
5. Whilst the incidence of independent and local retailers remains high compared to other centres, there has been a slow decline in their presence.
6. There is a lack of capacity on the highway network to absorb increased vehicular travel.
7. Congestion affects the free flow of public transport to and from the Central Area.
8. Parts of the Central Area fall within flood zones 2 and 3b (See 'Delivery and Infrastructure Matters')
9. The lack of flexible modern offices and other workspaces and an over reliance on Georgian office space impedes economic growth, productivity and diversification.
10. The building stock of the Central Area is energy inefficient.

### 3. Key Development Opportunities

..... Within the context of PPS4, mixed use development proposals at the following locations that contribute to the scope and scale of change listed in part '4' of this policy will be welcomed.

#### City Centre

- North of Pulteney Bridge (Cornmarket, Cattlemarket, Hilton Hotel, and The Podium)
- Manvers Street Car Park, Avon & Somerset Police Station and Royal Mail Depot area
- Green Park Road
- Bath Quays North (Avon Street Car and Coach Park and City College)
- Kingsmead (Rosewell Court / Kingsmead House / Telephone Exchange Plymouth House)



<p><b>Neighbouring the City Centre</b></p> <ul style="list-style-type: none"> <li>• Recreation Ground and Leisure Centre</li> <li>• Bath Quays South (Stothert and Pitt to Travis Perkins)</li> <li>• Green Park Station and Sainsbury's</li> <li>• Homebase / Pinesway industrial estate <u>and gyratory</u>.</li> </ul> <p><b>4. Scope and Scale of Change</b></p> <p>The key activities to be accommodated within the Central Area are:</p> <ul style="list-style-type: none"> <li>• Small to medium sized city centre retail projects that strengthen the primary shopping area.</li> <li>• 75,000-100,000 sq.m. of modern office floorspace and creative workspace, to enable the growth of sectors targeted in the Economic Strategy.</li> <li>• Reduction in the reliance on Georgian office space.</li> <li>• 3,000 sq.m. of convenience shopping space to address the overtrading of existing stores.</li> <li>• 500-750 hotel bedrooms to widen the accommodation offer of the city, increase overnight stays and the competitiveness of the city as a popular visitor destination.</li> <li>• About 500 dwellings as part of mixed use schemes on key redevelopment opportunities.</li> <li>• Rejuvenated public transport interchange including improvements to Bath Spa Rail Station.</li> <li>• Comprehensive programme for public realm enhancement and implementation of a Wayfinding and City Information System</li> <li>• New sports stadium</li> <li>• Cultural / performance / arts venue</li> <li>• Retention and enhancement of leisure facilities</li> <li>• Major riverside access and habitat enhancements</li> </ul>				
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European site	Policy: B3: Newbridge & Twerton Riverside Strategic Policy	Range of potential impacts	Potential occurrence and mechanism of impact	Likely significant effect	
	<p><b>B3: Newbridge and Twerton Riverside Strategic Policy</b></p> <p><b>1. Role of Newbridge and Twerton Riversides</b>  This part of the Western Corridor will function predominantly as an economic development area to support the overall employment structure the city, complimenting the Central Area as the focus for business and enterprise.</p> <ol style="list-style-type: none"> <li>Newbridge Riverside will retain, as necessary and practicable, its principal function as a place for industrial activity. If, due to structural changes in the economy, falling demand for industrial land and floorspace is evident, proposals for other uses will be welcomed, subject to the considerations set out in parts 2-4 of this policy.</li> <li>Twerton Riverside will function primarily as multi-use economic development area. Its already reduced role as a place for industrial activity will be allowed to contract further. Proposals for other uses will be welcomed, subject to the considerations set out in parts 2-4 of this policy.</li> </ol> <p><b>2. Placemaking Principles</b>  <b>Assets of Newbridge and Twerton Riverside</b>  Development proposals must be informed and shaped by the following characteristics.</p> <ol style="list-style-type: none"> <li>Newbridge Riverside functions as Bath's most important location for industrial enterprise, providing about 12 hectares of land for a range of activities including advanced manufacturing.</li> </ol>	<p>Loss &amp; damage to roost sites</p> <p>Disturbance to bats</p> <p>Loss &amp; damage of foraging habitats</p> <p>Loss &amp; damage of flight-lines</p>	<p>No potential impacts are anticipated. This policy seeks to guide further economic development within existing developed areas, located away from the pristine bat habitats associated with the Bath &amp; Bradford on Avon SAC.</p>	<p>None, subject to adequate wording in Place Making DPD to protect function of the river corridor as a bat foraging corridor</p>	<p>Noted.</p>

	<p>2. There is a good relationship between the industries and occupations at Newbridge Riverside and the skills and labour prevalent in surrounding neighbourhoods, benefits for enabling sustainable travel patterns. The eastern part of Twerton Riverside is closely related to the Western Riverside Policy Area which will experience a significant uplift in its environmental quality.</p> <p>3. There are a number of heritage assets in the area pertaining to its industrial past.</p> <p>4. Views in and out of the area e.g. from to Newbridge Hill and Bath City Farm are important.</p> <p>5. The river including its banks and open land at the western section of the area are an important wildlife resource.</p> <p>6. There is good yet not fully realised connectivity with the city centre including via public transport and national cycle route no.4.</p> <p><b>Risks to Newbridge and Twerton Riverside</b> The following issues are identified as key risks to the success of these areas that should be addressed in development proposals.</p> <p>1. An excessive loss of industrial space would harm Bath's mixed economic profile.</p> <p>2. Single storey and large footprint buildings result in the under utilisation of land with reasonably good accessibility credentials.</p> <p>3. There are areas of conflict between industrial activity and residential areas - particularly with regard to the movement of heavy goods vehicles in the Newbridge Riverside area.</p> <p>4. Much existing development has a poor relationship with the river, including a lack of access and limited pedestrian crossing points. Development should therefore take the opportunity to connect to the river corridor and enable the creation of a continuous riverside walking and cycling route.</p> <p>5. The pattern of open space is fragmented.</p> <p>6. There is often a poor relationship of Twerton Riverside to the Lower Bristol Road</p>				
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<p>7. There is congestion along Upper Bristol Road (A4) and Lower Bristol Road (A36) including the Windsor Bridge junctions.</p> <p>8. Parts of this location fall within areas of flood risk</p> <p><b>3. Key Development Opportunities</b> Development proposals in this area that contribute to the scope and scale of change listed in part '4' will be welcomed. Key regeneration opportunities in the area include.</p> <ul style="list-style-type: none"><li>• The Bath Press</li><li>• Roseberry Place</li></ul> <p><b>4. Scope and Scale of Change</b></p> <p><u>Industrial land and premises</u></p> <ul style="list-style-type: none"><li>• Proposals for the loss of industrial land and floorspace at Newbridge Riverside will be assessed against evidence of likely future demand and/or the availability of on-site or off-site replacement provision for displaced occupiers.</li></ul> <p><u>Offices, other workspaces and other economic development uses</u></p> <ul style="list-style-type: none"><li>• Proposals for offices, other workspaces and other economic development uses must have regard to the sequential and impacts tests of PPS4. Proposals for the loss of office space will be rejected.</li></ul> <p><u>Non-economic development uses</u></p> <ul style="list-style-type: none"><li>• Residential and other non economic development uses will be welcomed as part of mixed-use employment led proposals, or where economic development proposals fail the sequential and impact tests of PPS4.</li></ul>				
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European site	Policy: B4:Strategic Policy for Universities	Range of potential impacts	Potential occurrence and mechanism of impact	Likely significant effect	
	<p><b>University of Bath - Claverton Down Campus</b> The strategy seeks the development of about 2,000 purpose built bed spaces on an expanded Claverton Down campus alongside 40,000 sq.m. of academic floorspace. Policy GDS.1/B11 of the B&amp;NES Local Plan will be saved as part of the Development Plan.</p> <p><b>Bath Spa University - Newton Park Campus</b> Within the context of a strategic framework plan for all twelve sites that the university occupies the strategy seeks the development of 850 purpose built bed spaces alongside 8,000 sq.m. of new academic space at the Newton Park Campus (a Major Existing Site in the Green Belt). The Placemaking Plan will make more detailed policy allocations subject to further capacity work being undertaken with regard to Newton Park.</p>		<p>Expansion of the Claverton Down Campus already has approval in principle and so no new impacts will result from this part of Policy B4. The possible expansion of the Newton Park Campus could impact upon HB foraging grounds associated with the Bath &amp; Bradford on Avon SAC.</p> <p>However, the likelihood of significant adverse effects will be prevented by the amended over arching Bath policy, BI; together with appropriate provision within the Placemaking DPD.</p>	None, subject to adequate wording in Place Making DPD to protect the integrity of the SAC.	Noted. Any allocations/policies relating to the universities in the Place making DPD will need to take account of the recommended advice.
	<b>B5: Protection of the Wold Heritage Site and its setting</b>				
	<ul style="list-style-type: none"> <li>Proposals which would harm the Outstanding Universal Value of the City of Bath World Heritage Site, including its authenticity and integrity, or which would harm the setting of the World Heritage Site will be refused.</li> </ul>		No negative impacts anticipated	None	Noted.

## B) Potential in-combination effects

The waste treatment site at Fullers Earths works was a potential concern when combined with the urban extension, but details for the site have been amended to ensure protection of any roost site present. This together with the reduced housing numbers proposed for Bath; removal of the adjacent urban extension search area within the CS, and approaches to control effects are sufficient to prevent any likely in-combination effects.

No new significant transport infra structure is proposed, and the district-wide infrastructure policy requires adequate protection of European sites and species.

Development outside of the district is focussed upon existing centres and is of a sufficiently small scale to not raise any in-combination concerns.

### **Discussion and assessment of Likely Effects and their significance**

The type, extent, general location, and approach to change within Bath now proposed appears to be generally, benign with respect to impacts upon the Bath & Bradford on Avon SAC, or, is at least capable of being benign subject to detailed implementation to be guided by a Placemaking DPD. The move away from planning for an urban extension to the south of Bath is a key influence in this respect. The overall spatial strategy for Bath is also now very clear in its ambition to protect, conserve, and where possible, enhance the City's biodiversity resource including species and habitats of European Importance. This approach is welcomed.

#### Main concern and recommendations for Place Making DPD

The overarching principles and ambitions for change in the city do not raise concern, and as noted above the form of policy B1 is welcomed. It is the more detailed strategic policies that raise some concern due to lack of clarity with respect to the numbers of new dwellings proposed at different locations in outer Bath. At least 1500 new homes are to be accommodated within the outer neighbourhoods of Bath. Medium to large scale housing development to the south and south east of Bath, particularly within the Horsecombe Vale area could impact significantly upon SAC bat habitat unless carefully controlled and guided. The Placemaking DPD will be used to address this and will include very clear requirements for the protection of the SAC, including measures to protect and enhance key foraging areas and flightlines

#### Other concerns and recommendations requiring coverage within Place Making DPD

The river corridor is an important natural asset that runs through the City but which is also the key locational zone for much of the proposed economic development and change within the city. Whilst this river corridor is not recognised as a Horseshoe Bat foraging corridor of strategic importance to the Bath & Bradford on Avon SAC, the eastern zone is known to be used by Horseshoe Bats. Detailed development proposals will need to address this, and the Place making DPD will clarify requirements.

Development of the Newton Park campus raises some concerns due to its proximity and contribution to important Horseshoe Bat habitat. However, it is considered that the Place Making DPD and Development management policies will be sufficient to avoid any likelihood of significant adverse effects to the integrity of the SAC.

It is notable that the proposals and policies for Bath do not include any major new transport infra-structure projects above and beyond what is already formally approved.

## B) Potential in-combination effects

Given the neutrality of the likely impacts associated with the Bath Spatial Strategy once recommendations are adopted, no in combination effects are considered likely.

Is the potential scale or magnitude of any effect likely to be significant:

- a) Alone ? No
- b) In combination with other plans or projects? No

### ***PART D: COUNCIL'S CONCLUSIONS***

#### **Conclusion:**

Is the proposal likely to have a significant effect on a European site? No

Name of assessing officer:	Kären Renshaw	Job Title:	Ecologist
Signed:		Date:	
Name of Supervising Officer	Mark Minkley	Job Title:	Team Leader – Environment Team
Signed		Date:	

***PART E: CONSULTATION WITH NATURAL ENGLAND***

Natural England's comment on conclusion:

Name of Natural England Officer:		Job Title:	
Signed:		Date:	

***IF THE PROPOSAL IS LIKELY TO HAVE A SIGNIFICANT EFFECT AN APPROPRIATE ASSESSMENT WILL BE REQUIRED***



# ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON A EUROPEAN SITE

## CONSERVATION OF SPECIES AND HABITAT REGULATIONS 2010-06-18

<b>PART A: THE PROPOSAL</b>	
<b>Type of plan or project:</b>	Development Plan – Core Strategy Publications Document – <b>Rural Areas Spatial Strategy (Draft Core Strategy: LDF Steering Group Version 13/10/10)</b>
<b>Application / plan reference no:</b>	NR
<b>National grid reference:</b>	Bath & North East Somerset - District wide
<b>Application site:</b>	NR
<b>Brief description of proposal:</b>	

### Introduction

The interim assessment and screening for Likely Significant Effects of the equivalent section of the Options document (Rural Spatial Options) identified the policy option on rural diversification as having potential to effect European sites within & adjacent to B&NES. It was considered this could be addressed by appropriate policy wording. No other significant issues were identified.

The Rural Areas Spatial Strategy now set out in the Publications Document clarifies that there will be little change across the rural area. Some small scale housing and employment is directed to the most sustainable villages where up to 30 houses may be accommodated. The detailed approach for each listed village is to be guided by the Place Making DPD. Need for local affordable housing and employment will be met through the exception policy and a rural diversification policy. In total 6 rural area policies are proposed. These are each assessed below:

<b>PART B: THE EUROPEAN SITES AFFECTED:</b>	
<b>Site names:</b>	Bath & Bradford on Avon Bat SAC North Somerset & Mendips Bat SAC Mells Valley Bat SAC
	Chew Valley SPA

## Conservation objectives and special interest features:

<i>European Site</i>	<i>Conservation Objectives</i>	<i>Interest Features</i>
<b>Bath &amp; Bradford on Avon Bat SAC</b>	<p><b><i>to maintain*, in favourable condition, the habitats for the population of:</i></b></p> <p>1) Greater Horseshoe Bat (<i>Rhinolophus ferrumequinum</i>) (all component SSSIs)</p> <p>2) Lesser Horseshoe Bat (<i>Rhinolophus hipposideros</i>) (all component SSSIs)</p> <p>3) Bechstein's Bat (<i>Myotis bechsteinii</i>) (Box Mine SSSI)</p>	<p><b>**Greater horseshoe bat (GHB) <i>Rhinolophus ferrumequinum</i></b> - This site in southern England includes the hibernation sites associated with 15% of the UK Greater Horseshoe bat population and is selected on the basis of the importance of this exceptionally large over-wintering population. The Combe Down and Bathampton Down SAC component has both a hibernation and maternity roost function for greater horseshoes.</p> <p><b>*Lesser horseshoe bat <i>Rhinolophus hipposideros</i></b> - The Bath &amp; Bradford on Avon SAC site comprises an extensive network of caves, mines and manmade tunnels which are used by bats for hibernation, mating and as a staging post prior to dispersal. The stone mines have been identified as a hibernation site for Lesser horseshoe bats.</p> <p><b>**Bechstein's bat <i>Myotis bechsteinii</i></b> - Small numbers of Bechstein's bats have been recorded hibernating in abandoned mines in this area, though maternity sites remain unknown.</p>
<b>North Somerset &amp; Mendip Bats SAC</b>	<p><b><i>to maintain*, in favourable condition, the habitats for the population of:</i></b></p> <p>1) Greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)</p> <p>2) Lesser horseshoe bat (<i>Rhinolophus hipposideros</i>)</p>	<p><b>** Greater horseshoe bat - (GHB) <i>Rhinolophus ferrumequinum</i></b> - this site is selected on the basis of the size of population represented (3% of the UK greater horseshoe bat population) and its conservation structure and function, having both maternity and hibernation sites. This site contains an exceptionally good range of sites used by the population, comprising two maternity sites in lowland north Somerset and a variety of cave and mine hibernation sites in the Mendip Hills</p> <p><b>*Lesser horseshoe bat <i>Rhinolophus hipposideros</i></b> - The limestone caves of the Mendips provide a range of important hibernation sites for lesser horseshoe bat and greater horseshoe bat</p>
<b>Mells Valley SAC</b>	<p><b><i>to maintain*, in favourable condition, the habitats for the population of:</i></b></p> <p>Greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)</p>	<p><b>Greater horseshoe bat - (GHB) <i>Rhinolophus ferrumequinum</i></b> – this site is selected on the basis of the size of its exceptional breeding population. It contains the maternity site associated with a population comprising about 12% of the UK <b>greater horseshoe bat</b> population. A proportion of the population also hibernates at the site, though other hibernation sites remain unknown.</p>
<b>Chew Valley Lake SPA</b>	<p>No significant decrease in relation to water reference level. No significant displacement of birds attributable to human disturbance. No significant reduction in presence and abundance of food species including aquatic plants and aquatic invertebrates.</p>	<p><b>Shoveler <i>Anas clypeata</i></b> - the site supports up to 1.3% of the wintering Northwestern / central European population</p>

**Is the proposal directly connected with or necessary to the management of the European sites for nature conservation? No**

**PART C: ASSESSMENT OF LIKELY EFFECTS AND THEIR SIGNIFICANCE**

**Scope of potential effects**

a) Effects of proposed Publication Document Policies

Policy	European sites potentially affected	Range of potential impacts	Potential occurrence and mechanism of impact	Likely significant effect	Response
<p><b>RA1: Appropriate development in the villages meeting the listed criteria</b>  Proposals for residential and employment developments of a scale and character appropriate to the village will be acceptable in and adjoining the housing development boundary provided the proposal is in accordance with the spatial strategy for the District set out under policy DW1 and has;</p> <ul style="list-style-type: none"> <li>- at least 3 of the key facilities listed in this policy within the village (post office, school, community meeting place and shop)</li> <li>- at least a Monday-Saturday public transport service to main centres</li> <li>- local community support for the principle of development can be demonstrated.</li> </ul>	<p>Bath &amp; Bradford on Avon SAC</p> <p>North Somerset Bat SAC</p> <p>Mells Valley SAC</p>	<p>Loss &amp; damage to roost sites</p> <p>Disturbance to bats</p> <p>Loss &amp; damage of foraging habitats</p> <p>Loss &amp; damage of flight-lines</p>	<p>There is some potential that expansion of the villages listed could cause loss and damage to the foraging habitat and flight lines associated with the SACs identified. Habitat loss &amp; degradation could result. The likelihood that significant effects would result are considered to be low but the Place Making DPD should be used to ensure adequate safeguards for European sites and habitats.</p>	<p>None subject to safeguards within DPD with respect to safeguarding European sites and habitats.</p>	<p>Noted. Any allocations/policies relating to residential and employment development in the Rural Areas in the Place making DPD will need to take account of the recommended advice.</p>
<p><b>RA2: Appropriate development in villages outside the Green Belt not meeting policy RA1 criteria</b></p>	<p>Bath &amp; Bradford on Avon SAC</p>	<p>Loss &amp; damage to roost sites</p> <p>Disturbance to bats</p>	<p>This policy raises similar issues &amp; solutions to policy RA1</p>	<p>None subject to safeguards within DPD with respect to</p>	<p>Noted. Any allocations/policies relating to residential</p>

<p>In villages outside the Green Belt with a housing development boundary defined on the Proposals Map and not meeting the criteria of Policy RA1 proposals for:</p> <ul style="list-style-type: none"> <li>- residential development will be acceptable within the housing development boundary</li> <li>- employment development will be acceptable within and adjoining the housing development boundary</li> </ul> <p>where proposed development is of a scale and character appropriate to the village.</p>	<p>North Somerset Bat SAC Mells Valley SAC</p>	<p>Loss &amp; damage of foraging habitats Loss &amp; damage of flight-lines</p>		<p>safeguarding European sites and habitats</p>	<p>to and employment development in the Rural Areas outside the Green Belt in the Place making DPD will need to take account to the recommended advice.</p>
<p><b>RA3: Development in villages washed over by the Green Belt</b></p> <p>In villages washed over by the Green Belt with a housing development boundary as defined on the Proposals Map proposals for residential and employment development will be determined in accordance with national policy set out in PPG2</p>	<p>None (this policy does not direct or propose development that wouldn't otherwise happen)</p>	<p>NR</p>	<p>NR</p>	<p>None</p>	<p>Noted.</p>
<p><b>RA4: Community Facilities and shops</b></p> <p>Across all villages, proposals for the development of community facilities or shops will be acceptable provided that they are of a scale and character appropriate to the village and meet the needs of the</p>	<p>None likely to be significantly affected</p>	<p>NR</p>	<p>No likely significant effect</p>	<p>None subject to safeguards within DPD with respect to safeguarding European sites and habitats</p>	<p>Noted. Any allocations/policies relating community facilities and shops in Place making DPD will need to take account to the recommended advice.</p>

parish and adjoining parishes.					
<p><b>RA5: Rural Exceptions Sites</b></p> <p>As an exception to other policies of the Plan, residential development of 100% affordable housing will be permitted provided that:</p> <ol style="list-style-type: none"> <li>I. it meets a demonstrated local need for affordable housing</li> <li>II. the housing remains affordable in perpetuity</li> <li>III. occupancy of the affordable housing would remain, as a first priority, for those with demonstrated local connections</li> <li>IV. the development is in scale and keeping with the form and character of its location</li> <li>V. the development is well related to community services and facilities</li> </ol> <p>A small proportion of market housing will be appropriate only where it can be demonstrated that the market housing is essential to cross-subsidise the affordable housing and that the site would be unviable without this cross-subsidy.</p>	<p>Bath &amp; Bradford on Avon SAC</p> <p>North Somerset Bat SAC</p> <p>Mells Valley SAC</p>	<p>Disturbance to bats</p> <p>Loss &amp; damage of foraging habitats</p> <p>Loss &amp; damage of flight-lines</p>	<p>Medium(&lt;10) to large scale developments could damage or destroy foraging habitats and flight lines associated with the Bat SACs.</p> <p>Guidance on European site protection within the Place making DPD will be required.</p>	<p>None subject to safeguards within DPD with respect to safeguarding European sites and habitats</p>	<p>Noted. Any allocations/policies relating to rural exceptions sites in the Place making DPD will need to take account of the recommended advice.</p>

## B) Potential in-combination effects

The assessments above show that the rural policies, when combined with the requirements identified for the place making DPD, are not likely to result in significant adverse effects upon the European sites within or adjacent to B&NES. Consequently, no significant in-combination effects will result from these policies.

## Discussion and assessment of Likely Effects and their significance

The scale of development proposed for the rural areas is low. The policies seek to ensure that change is restricted to established villages, and no major new infra-structure is proposed to serve the rural areas. The proposed place making DPD will specifically address the ways in which implementation of rural policies will safeguard the integrity of European Sites and so avoid the likelihood of harm resulting from these policies.

Is the potential scale or magnitude of any effect likely to be significant:

- a) Alone ? No
- b) In combination with other plans or projects? No

## ***PART D: COUNCIL'S CONCLUSIONS***

### **Conclusion:**

Is the proposal likely to have a significant effect on a European site? No

Name of assessing officer:	Kären Renshaw	Job Title:	Ecologist
Signed:		Date:	
Name of Supervising Officer	Mark Minkley	Job Title:	Team Leader – Environment Team
Signed		Date:	

***PART E: CONSULTATION WITH NATURAL ENGLAND***

Natural England's comment on conclusion:

Name of Natural England Officer:		Job Title:	
Signed:		Date:	

***IF THE PROPOSAL IS LIKELY TO HAVE A SIGNIFICANT EFFECT AN APPROPRIATE ASSESSMENT WILL BE REQUIRED***

# ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON A EUROPEAN SITE

## CONSERVATION OF SPECIES AND HABITAT REGULATIONS 2010-06-18

<b>PART A: THE PROPOSAL</b>	
<b>Type of plan or project:</b>	<b>Development Plan – Core Policy Framework– (Draft Core Strategy: LDF Steering Group Version 13/10/10)</b>
<b>Application / plan reference no:</b>	NR
<b>National grid reference:</b>	Bath & North East Somerset – District wide
<b>Application site:</b>	NR
<b>Brief description of proposal:</b>	Strategic, district wide policies for Bath & North East Somerset

### Introduction

The interim assessment and screening for Likely Significant Effects of the equivalent section of the Options document (District wide core policies) identified potential problems with 5 of the district-wide policies then proposed. The policies promote specific types of development within the B&NES area, but with no specific spatial allocation (Gypsies, travellers and travelling show people; minerals; renewable energy; rural diversification; re-use of historic buildings). Given that these development types could be located anywhere it was concluded that there was some potential to adversely affect the three 3 European sites located within B&NES, and potentially impacts could affect sites in neighbouring authority areas as well. However, it was also concluded that the issue could be overcome by appropriate Core Strategy policy wording designed to prevent harm to European sites and associated features of importance (e.g. bat foraging areas and flight lines).

The publications document now includes revised and reworked policies, and also includes some new policy areas and amalgamated policies. For completeness the policies are re-assessed here. The policies are considered with specific reference to the four sites listed below.



**PART B: THE EUROPEAN SITES AFFECTED:**

Site names:	Bath & Bradford on Avon Bat SAC North Somerset & Mendips Bat SAC Mells Valley Bat SAC
	Chew Valley SPA

**Conservation objectives and special interest features:**

<i>European Site</i>	<i>Conservation Objectives</i>	<i>Interest Features</i>
<b>Bath &amp; Bradford on Avon Bat SAC</b>	<p><i>to maintain*, in favourable condition, the habitats for the population of:</i></p> <p>1) Greater Horseshoe Bat (<i>Rhinolophus ferrumequinum</i>) (all component SSSIs)</p> <p>2) Lesser Horseshoe Bat (<i>Rhinolophus hipposideros</i>) (all component SSSIs)</p> <p>3) Bechstein's Bat (<i>Myotis bechsteinii</i>) (Box Mine SSSI)</p>	<p><b>**Greater horseshoe bat (GHB) <i>Rhinolophus ferrumequinum</i></b> - This site in southern England includes the hibernation sites associated with 15% of the UK Greater Horseshoe bat population and is selected on the basis of the importance of this exceptionally large over-wintering population. The Combe Down and Bathampton Down SAC component has both a hibernation and maternity roost function for greater horsehoes.</p>
		<p><b>*Lesser horseshoe bat <i>Rhinolophus hipposideros</i></b> - The Bath &amp; Bradford on Avon SAC site comprises an extensive network of caves, mines and manmade tunnels which are used by bats for hibernation, mating and as a staging post prior to dispersal. The stone mines have been identified as a hibernation site for Lesser horseshoe bats.</p> <p><b>**Bechstein's bat <i>Myotis bechsteinii</i></b> - Small numbers of Bechstein's bats have been recorded hibernating in abandoned mines in this area, though maternity sites remain unknown.</p>

<b>European Site</b>	<b>Conservation Objectives</b>	<b>Interest Features</b>
<b>North Somerset &amp; Mendip Bats SAC</b>	<p><i>to maintain*, in favourable condition, the habitats for the population of:</i></p> <p>1) Greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)</p> <p>2) Lesser horseshoe bat (<i>Rhinolophus hipposideros</i>)</p>	<p><b>** Greater horseshoe bat - (GHB) <i>Rhinolophus ferrumequinum</i></b> - this site is selected on the basis of the size of population represented (3% of the UK greater horseshoe bat population) and its conservation structure and function, having both maternity and hibernation sites. This site contains an exceptionally good range of sites used by the population, comprising two maternity sites in lowland north Somerset and a variety of cave and mine hibernation sites in the Mendip Hills</p> <p><b>*Lesser horseshoe bat <i>Rhinolophus hipposideros</i></b> - The limestone caves of the Mendips provide a range of important hibernation sites for lesser horseshoe bat and greater horseshoe bat</p>
<b>Mells Valley SAC</b>	<p><i>to maintain*, in favourable condition, the habitats for the population of:</i></p> <p>Greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)</p>	<p><b>Greater horseshoe bat - (GHB) <i>Rhinolophus ferrumequinum</i></b> – this site is selected on the basis of the size of its exceptional breeding population. It contains the maternity site associated with a population comprising about 12% of the UK <b>greater horseshoe bat</b> population. A proportion of the population also hibernates at the site, though other hibernation sites remain unknown.</p>
<b>Chew Valley Lake SPA</b>	<p>No significant decrease in relation to water reference level. No significant displacement of birds attributable to human disturbance. No significant reduction in presence and abundance of food species including aquatic plants and aquatic invertebrates.</p>	<p><b>Shoveler <i>Anas clypeata</i></b> - the site supports up to 1.3% of the wintering Northwestern / central European population</p>

**Is the proposal directly connected with or necessary to the management of the European sites for nature conservation? No**

**PART C: ASSESSMENT OF LIKELY EFFECTS AND THEIR SIGNIFICANCE**

**Scope of potential effects**

a) Effects of proposed Publications Document Policies

Policy	European sites potentially affected	Range of potential impacts	Potential occurrence and mechanism of impact	Likely significant effect	Response
<p align="center"><b>CP1 RETROFITTING EXISTING BUILDINGS</b></p> <p>Retrofitting measures to improve the energy efficiency and appropriate incorporation of micro-renewables on existing buildings will be encouraged.</p> <p>Priority will be given to facilitating carbon reduction through retrofitting at whole street or neighbourhood scales to reduce costs, improve viability and support coordinated programmes of improvement.</p> <p>Masterplanning and major development in the district should explicitly demonstrate that opportunities for the retention and retrofitting of existing buildings have been included within the scheme. All schemes should consider retrofitting opportunities as part of their design brief and measures to support this will be introduced.</p> <p><b>Retrofitting Historic Buildings</b></p> <p>The Council will also seek to encourage and enable the sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings and conservation areas, whilst retaining the special characteristics of our heritage assets</p>	<p>Bath &amp; Bradford on Avon SAC</p> <p>North Somerset Bat SAC</p> <p>Mells Valley SAC</p>	<p>Loss &amp; damage to roost sites</p> <p>Disturbance to bats</p> <p>Loss &amp; damage of foraging habitats</p> <p>Loss &amp; damage of flight-lines</p>	<p>Potential loss damage or disturbance to bat roosts within buildings. However, the likelihood of a major roost being adversely affected which would affect the integrity of the bat SACs is considered low. It is recommended that wording is added to the supporting text to Policy CP1 to clarify the need to protect European Protected species.</p>	<p>None – but need additional wording (similar to that used for historic building elsewhere) in the supporting text to Policy CP1.</p>	<p>Noted. Agree to amend the supporting text to Policy CP1 to protect European Protected species.</p>
<p align="center"><b>CP2 SUSTAINABLE CONSTRUCTION</b></p> <p>Sustainable design and construction will be integral to new development in Bath &amp; North East Somerset. Planning applications should include evidence that the following issues</p>	<p>None</p>	<p>NR</p>	<p>NR</p>	<p>None</p>	<p>Noted.</p>

have been addressed, in both the Council's Sustainable Construction Checklist and in the Design & Access Statement:

- Maximising energy efficiency and integrating the use of renewable and low-carbon energy;
- Waste and recycling during construction and in operation;
- Conserving water resources and minimising vulnerability to flooding;
- The type, life cycle and source of materials to be used;
- Flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting;
- Consideration of climate change adaptation.

For major development a BREEAM and/or Code for Sustainable Homes (CfSH) (or equivalent) design stage assessment will be required alongside a Planning Application. The appropriate post-occupancy assessments will also be required. These assessments must be undertaken by an accredited assessor. New residential development should meet in full Code Level 3 of the Code for Sustainable Homes, and the following standards will be requirements over the plan period:

Type of Development	2011-2012	2013	2016	2019
Residential Development	Code for Sustainable Homes Code 3 (in full)	Code for Sustainable Homes Code 4 (in full)	Code for Sustainable Homes Code 6 (in full i.e. zero carbon)	n/a
Non-Residential	-	-	-	BREEAM Excellent (in full i.e. zero carbon)

### CP3 RENEWABLE ENERGY

Development should contribute to achieving the following minimum level of Renewable Electricity and Heat generation by 2026.

Electricity Capacity (Megawatt)  
110 MWe (Megawatt Electricity)

Bath & Bradford on Avon SAC  
  
North Somerset Bat SAC  
  
Mells Valley SAC  
  
Chew Valley Lake SPA

Loss & damage to roost sites  
Disturbance to bats  
Loss & damage of foraging habitats  
Loss & damage of flight-lines

Large scale freestanding installations could potentially impact upon flight lines and foraging area for bats using the three bat sacs, and also upon flight lines for Shoveler Ducks

None, subject to re-wording of CP5 and safeguards within DPD with respect to safeguarding European sites and habitats

Noted. Allocations/policies relating to renewable energy provision in the Place making DPD will need to take account of the recommended advice. See response against

<p>Heat 165 MWth (Megawatt Thermal)</p> <p>These standards will be revised and updated as sustainability methodologies, technologies and initiatives develop.</p> <p>Proposals for low carbon and renewable energy infrastructure, including large-scale freestanding installations, will be considered according to the national policies and against the following:</p> <ul style="list-style-type: none"> <li>• potential social and economic benefits including local job creation opportunities</li> <li>• contribution to significant community benefits</li> <li>• the need for secure and reliable energy generation capacity</li> <li>• environmental impact (see policy CP5)</li> </ul>		<p>Damage to habitat through reduction of water levels  Damage to habitat through changes to water quality;  Disturbance to birds  Disruption/ fragmentation of flight lines</p>	<p>using the Chew Valley Lake SPA. This was identified as an issue in the options paper and re-wording was recommended. This recommendation has been followed to some extent citing that environmental impact must be considered and including a cross reference to CP5. However, the wording in CP5 in particular should be improved to provide greater clarity on the requirement to safeguard European sites. The place making DPD should also define the requirements for safeguarding European sites.</p>		<p>Policy CP5.</p>
<p><b>CP4 DISTRICT HEATING</b></p> <p>The use of combined heat and power (CHP), and/or combined cooling, heat and power (CCHP) and district heating will be encouraged. Development will be expected to incorporate, where feasible, low carbon energy generation and distribution by these means. Within the identified “district heat priority areas”, as shown on <b>diagram 1</b> and shown on the Proposals Map, development will be expected to incorporate infrastructure for district heating, and will be expected to connect to existing systems where and when this is available.</p>	<p>None –the major development sites are away from the European sites and important habitats.</p>	<p>NR</p>	<p>NR</p>	<p>None</p>	<p>Noted.</p>

<p>Masterplanning and major development in the district should demonstrate a thermal masterplanning approach considering efficiency/opportunity issues such as mix of uses, anchor loads, density and heat load profiles to maximise opportunities for the use of district heating.</p> <p>The Council will expect all major developments to demonstrate that the proposed heating and cooling systems (CHP/CCHP) have been selected considering the heat hierarchy, in line with the following order of preference:</p> <ol style="list-style-type: none"> <li>1. Connection with existing CHP/CCHP distribution networks</li> <li>2. Site wide CHP/CCHP fed by renewables</li> <li>3. Gas-fired CHP/CCHP or hydrogen fuel cells, both accompanied by renewables</li> <li>4. Communal CHP/CCHP fuelled by renewable energy sources</li> <li>5. Gas fired CHP/CCHP</li> </ol>					
<p style="text-align: center;"><b>FLOOD RISK MANAGEMENT</b></p> <p><b>NB : This policy was added to the Publications document after the 10/10/10 and becomes CP5</b></p> <p>Development in the district will follow a sequential approach to flood risk management, avoiding inappropriate development in areas at risk of flooding and directing development away from areas at highest risk in accordance with national planning policy (PPS 25). Any development in areas at risk of flooding will be expected to be safe throughout its lifetime, by incorporating mitigation measures, which may take the form of on-site flood defence works and / or a contribution towards or a commitment to undertake such off-site measures as may be necessary.</p> <p>All development will be expected to incorporate sustainable</p>	<p>None – this will influence which sites come forward within urban areas and centres for development and how they are developed.</p>	<p>None</p>	<p>None</p>	<p>None</p>	<p>None</p>

<p>drainage systems to reduce surface water run-off and minimise its contribution to flood risks elsewhere.</p> <p>All development should be informed by the information and recommendations of the B&amp;NES Strategic Flood Risk Assessments and Flood Risk Management Strategy.</p>					
<p align="center"><b>CP5 ENVIRONMENTAL QUALITY</b></p> <p align="center"><b>(NB this becomes policy CP6 in final publication document)</b></p> <p>The distinctive quality, character and diversity of Bath and North East Somerset’s environmental assets will be promoted, protected, conserved and enhanced through:</p> <p><i>High Quality Design</i></p> <ol style="list-style-type: none"> <li>1. implementation of high quality and inclusive design which reinforces and contributes to its specific local context, creating attractive, inspiring and safe places.</li> <li>2. ensuring that all housing schemes meet CABE’s Building for Life (BfL) good standard, as a minimum.</li> </ol> <p><i>Historic Environment</i></p> <ol style="list-style-type: none"> <li>3. the preservation or enhancement of the cultural and historic environment, and the protection of sites, buildings, areas and features of recognised national and local importance and their settings. Proposals that contribute to the mitigation of climate change will be considered against policy HE1 in PPS5.</li> </ol> <p><i>Landscape</i></p> <ol style="list-style-type: none"> <li>4. the protection and enhancement of the distinctive character and quality of Bath and North East Somerset’s landscapes, supporting opportunities to reinforce landscape character primarily as identified in relevant character assessments, action plans and management plans.</li> </ol> <p><i>Nature Conservation</i></p> <ol style="list-style-type: none"> <li>5. the protection and enhancement, and where possible extension, of designated sites of national and local biodiversity and geodiversity importance and habitat types and species of principal importance. Networks of priority habitats will be restored or created to facilitate</li> </ol>	<p>Bath &amp; Bradford on Avon SAC</p> <p>North Somerset Bat SAC</p> <p>Mells Valley SAC</p> <p>Chew Valley Lake SPA</p>	<p>Improved extent &amp; quality of natural habitats</p>	<p>Where new development or land management projects result in habitat enhancements or restoration.</p> <p>The policy would be Improved with measures to protect the integrity of European sites.</p>	<p>Potential positive effects subject to amendment to Policy CP5 to protect the integrity of European sites.</p>	<p>Noted. Agree to amend Policy CP5 to safeguard the integrity of international/ European sites.</p>

<p>migration through the natural and built environment, and the fragmentation of existing habitats reduced, in accordance with the aims of national and local Biodiversity Action Plans and restoration targets.</p> <p>The Council will promote the active management, conservation, enhancement or restoration of all assets whilst seeking to address the impact of climate change.</p> <p>Sustainable opportunities for improved access to and enjoyment of these assets will be promoted where it does not compromise the integrity of the asset.</p>					
<p><b>CP6 GREEN INFRASTRUCTURE</b> <b>(NB this becomes policy CP7 in final publication document)</b></p> <p>The integrity, multi-functionality, quality and connectivity of the strategic Green Infrastructure (GI) network will be maintained, protected and enhanced. Opportunities will be taken to connect with, improve and extend the network.</p> <p>Existing and new GI must be planned, delivered and managed as an integral part of creating sustainable communities.</p>	<p>Bath &amp; Bradford on Avon SAC</p> <p>North Somerset Bat SAC</p> <p>Mells Valley SAC</p> <p>Chew Valley Lake SPA</p>	<p>Improved extent &amp; quality &amp; connectivity of natural habitats</p>	<p>Where new development or land management projects result in habitat enhancements or restoration, or better links.</p>	<p>Potential positive effects</p>	<p>Noted.</p>
<p><b>CP 7 GREEN BELT</b> <b>(NB this becomes policy CP8 in final publication document)</b></p> <p>The general extent of the Green Belt is set out on the Core Strategy Key Diagram. The detailed boundaries are defined on the Proposals Map.</p> <p>The openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy.</p> <p><i>Note: This core policy will replace Policy GB.1</i></p>	<p>None</p>	<p>NR</p>	<p>NR</p>	<p>None</p>	<p>Noted.</p>





<p><i>Tenure</i></p> <p>The tenure of the affordable housing will typically be based on a 75/25 split between social rent and intermediate housing.</p> <p><i>Property Size and Mix</i></p> <p>Residential developments delivering on-site affordable housing should provide a mix of affordable housing units and contribute to the creation of mixed, balanced and inclusive communities. The size and type of affordable units will be determined by the Council to reflect the identified housing needs and site suitability.</p> <p>The type and size profile of the affordable housing will be guided by the Strategic Housing Market Assessment and other local housing requirements but the Council will aim for at least 60% of the affordable housing to be family houses including some large 4/5 bed dwellings.</p> <p><i>Other</i></p> <p>All affordable housing units delivered through this policy should remain at an affordable price for future eligible households.</p> <p><i>Note: this policy will replace Policy HG.8 and the current requirements in the Planning Obligations SPD</i></p>					
<p align="center"><b>CP9 HOUSING MIX</b></p> <p align="center"><b>(NB this becomes policy CP10 in final publication document)</b></p> <p>New housing development, both market and affordable must provide for a variety of housing types and size to accommodate a range of different households, including families, single people and low income households as evidenced by local needs assessments (e.g. B&amp;NES Residential Review, 2007) and the Strategic Housing Market Assessments or future evidence.</p> <p>The mix of housing should contribute to providing choice in tenure and housing type, having regard to the existing mix of dwellings in the locality and the character and accessibility of the location.</p>	None	NR	NR	None	Noted.

<p>Housing developments will also need to contribute to the provision of homes that are suitable for the needs of older people, disabled people and those with other special needs (including supported housing projects), in a way that integrates all households into the community</p> <p><i>Note: this is a new policy</i></p>					
<p><b>CP10 GYPSIES, TRAVELLERS &amp; TRAVELLING SHOWPEOPLE</b></p> <p><b>(NB this becomes policy CP11 in final publication document)</b></p> <p>The following criteria will be followed when identifying suitable locations for gypsies, travellers and travelling showpeople:</p> <ul style="list-style-type: none"> <li>- good access (by foot or cycle) to local community services and facilities, including shops, schools and health facilities, and public transport</li> <li>- satisfactory means of access can be provided and the existing highway network is adequate to service the site</li> <li>- the site is large enough to allow for adequate space for on-site facilities and amenity, parking and manoeuvring, as well as any commercial activity if required</li> <li>- the site blends with the character and appearance of the surrounding area</li> <li>- adequate services including utilities, foul and surface water and waste disposal can be provided and any necessary pollution control measures</li> <li>- use of the site must have no harmful impact on the amenities of neighbouring occupiers</li> <li>- the site should avoid areas at high risk of flooding and have no adverse impact on protected habitats and species, nationally recognised designations and natural resources</li> </ul> <p><i>Note: this policy will replace Policy HG.16 in the B&amp;NES Local Plan</i></p>	None	None	None	None	Noted.

<p style="text-align: center;"><b>CP11 CENTRES AND RETAILING</b></p> <p style="text-align: center;"><b>(NB this becomes policy CP12 in final publications document)</b></p> <p>The centres within the hierarchy of shopping centres set out below and as defined on the Proposals Map will be maintained and enhanced:</p> <p><b>City Centre</b></p> <ul style="list-style-type: none"> <li>• Bath City Centre</li> </ul> <p><b>Town Centres</b></p> <ul style="list-style-type: none"> <li>• Keynsham Town Centre</li> <li>• Midsomer Norton Town Centre</li> <li>• Radstock Town Centre</li> </ul> <p><b>District Centres</b></p> <ul style="list-style-type: none"> <li>• Moorland Road, Bath</li> </ul> <p><b>Local Centres (urban)</b></p> <p>In Bath: Walcot Street, Margaret’s Buildings, St. James’ Street, River Street Place, Lansdown Road, Nelson Place East and Cleveland Terrace/Place, London Road, Fairfield Park, Larkhall, Chelsea Road (Lower Weston), Weston High Street, Twerton,</p> <p>Southdown, 65-86 Lower Bristol Road, Wellsway (Bear Flat), Widcombe, Combe Down, Bradford Road (Combe Down), Frome Road/Bloomfield Road (Odd Down), Upper Bloomfield Road (Odd Down), Bathwick Hill and Bathwick Street</p> <p>In Keynsham: Queen’s Road and Chandag Road Westfield</p> <p><b>Local Centres (rural)</b></p> <ul style="list-style-type: none"> <li>• Bathampton, Batheaston, Chew Magna, Paulton,</li> <li>• Peasedown St. John, Saltford, Timsbury and Whitchurch</li> </ul> <p>Retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within,</p>	None	NR	NR	None	Noted.
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<p>or where appropriate, adjoining the centres in the identified hierarchy of centres. Centres will also be the focus for higher density forms of residential development provided the centre is suitable for such development and has a high level of accessibility by public transport, cycling and walking.</p> <p>Uses which contribute to maintaining the vitality, viability and diversity of centres within the hierarchy will be encouraged.</p> <p>Retail development within the centres listed within the hierarchy and defined on the Proposals Map will be permitted where it is:</p> <ul style="list-style-type: none"> <li>i. Of a scale and type consistent with the existing retail function and character of the centre and</li> <li>ii. Well integrated into the existing pattern of the centre</li> </ul>					
<p style="text-align: center;"><b>CP12 INFRASTRUCTURE PROVISION</b> <b>(NB this becomes policy CP13 in final publication document)</b></p> <p>New developments must be supported by the timely delivery of the required infrastructure to provide balanced and more self contained communities.</p> <p>The Council will work in partnership with local communities and relevant agencies and providers to ensure that social, physical and green infrastructure is retained and improved for existing communities.</p> <p>Developer contributions will be based on the Planning Obligations SPD and its successors.</p> <p>Infrastructure proposals that have an unacceptable impact on the environment, climate change, local communities and the integrity of European wildlife sites which cannot be mitigated will not be permitted.</p>	None	NR	NR	None	Noted.

## B) Potential in-combination effects

The assessments above show that the core policies, when combined with the requirements identified for the place making DPD, and with amendments to Policy CP5, are not likely to result in significant adverse effects upon the European sites within or adjacent to B&NES. Consequently, no significant in-combination effects will result from these policies.

### Discussion and assessment of Likely Effects and their significance

The policy amendments originally recommended as a result of the interim assessment of the Option Document have been taken on board where still relevant, and with the responses listed to recommendations made it is concluded that policies CP1-CP13 would not raise any significant concerns with respect European sites. No in-combination effects are considered likely either.

Is the potential scale or magnitude of any effect likely to be significant:

- a) Alone ? No
- b) In combination with other plans or projects? No

## ***PART D: COUNCIL'S CONCLUSIONS***

### **Conclusion:**

Is the proposal likely to have a significant effect on a European site? No

Name of assessing officer:	Kären Renshaw	Job Title:	Ecologist
Signed:		Date:	
Name of Supervising Officer	Mark Minkley	Job Title:	Team Leader – Environment Team
Signed		Date:	

***PART E: CONSULTATION WITH NATURAL ENGLAND***

Natural England's comment on conclusion:

Name of Natural England Officer:		Job Title:	
Signed:		Date:	

***IF THE PROPOSAL IS LIKELY TO HAVE A SIGNIFICANT EFFECT AN APPROPRIATE ASSESSMENT WILL BE REQUIRED***

Date: 17 November 2010  
Our ref: N/WoE/B&NES/LDF/CS/CS HRA response  
Your ref:

NATURAL  
ENGLAND

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Natural England  
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Tel: 0300 060 1314

**By email and special delivery**

Dear Richard

**Habitats Regulations Assessment for the Bath & North East Somerset Draft Core Strategy  
Publication Document (November 2010): Fit for purpose**

1. Thank you for forwarding the record of the Habitats Regulations Assessment of the B&NES Core Strategy Publications Document. It was received by this office on 16 November 2010.
2. We are pleased to confirm that Natural England considers that the Habitats Regulations Assessment is "fit for purpose" and sets out conclusions on the likelihood of significant impacts upon European sites with which we agree.
3. We believe that the authority has followed best practice in its approach to the Assessment and are pleased to see that it has formed an integral part of the plan making process. We have had some useful dialogue in the late stages of the process and we appreciate the degree to which our comments have been taken into account.
4. The various changes that have been made to the Core Strategy as a result of the process are welcome and, in our view, have improved the environmental soundness of the document.
5. We would particularly highlight the safeguards that have been introduced to policies B1 and CP5 (which will become CP6) in respect of European Sites as both necessary and welcome. In addition, we note the role which the forthcoming Place Making DPD will play in the protection of European Sites. We are pleased to note that the text of the supporting document to the HRA refers to the guidance on European Sites which the Place Making DPD will include. We should make clear at this stage that Natural England looks forward to working closely with the authority on the development of this important DPD.
6. Please do not hesitate to contact us if we can be of further assistance at this stage.

Yours sincerely



**Chris Bentley**  
Team Leader (West of England team)

chris.bentley@naturalengland.org.uk