

# HRA of policy amendments to the Submitted Core Strategy (November 2013)

## Conservation of Habitats and Species Regulations (2010)

This HRA considers the impacts of two key policy amendments being made in response to the Inspector's comments of the B&NES Submitted Core Strategy. Whilst other amendments are also proposed these are not likely to have any impacts upon the integrity of any European site either within or adjacent to the district and so they are not considered here.

This assessment focuses upon two specific housing allocations and associated Green Belt amendments at Odd Down and Weston. It follows and builds upon the findings of previous assessments undertaken at different stages of Core Strategy production, and an iterative approach has been adopted. The advice and guidance from Natural England has been sought and considered at each stage, and has helped shape and inform production of the evidence base required to support these core strategy amendments.

The previous HRA work and consultation identified that housing and employment provision at other locations within the District is unlikely to result in any adverse effect upon any European Site either within or adjacent to the District, but that development at both Weston & Odd Down in Bath could potentially affect components of the Bath & Bradford SAC. The previous HRA (March 2013) concluded that with very specific site development requirements, no adverse effects upon the SAC were considered likely. This conclusion was supported by Natural England and the Planning Inspector for the Odd Down area, where significant bat evidence was in place, but not for the Weston area which at that time had not been subject to detailed bat studies.

## PART A: The Proposal

Policy amendments to the B&NES Core Strategy which include changes to the Green Belt boundary at Bath, and specific site allocations for an additional 450 houses at Odd Down and Weston

**Type of application:** Core Strategy – Policy amendments

**Application site:** Map Attached

**Brief description of proposal:** Amendments of the Core Strategy which includes removal of land from the Green Belt at Odd Down to accommodate around 300 houses (Policy B3A), and at Weston to accommodate around 150 houses (Policy B3B).

**European site name(s):**

Bath & Bradford on Avon Bats (SAC)

### Introduction

These Core Strategy Policy amendments have been considered under The Conservation of Habitats and Species (Amendment) Regulations 2012. In particular, the amendments are examined with regards to their impact on the “special interest features” of the Bath and Bradford on Avon Bats Special Area of Conservation (SAC). The policy change “must be compliant with the legal obligation to maintain in ‘favourable condition’ the conservation objectives of this Natura 2000 site (SACs and SPAs)”.

As the competent authority, B&NES is required to carry out this initial assessment and if a likely significant effect is identified, to then continue on with investigating the potential effects more fully in the form of ‘Appropriate Assessment’. Ultimately the policy change must be compliant with the legal obligation to maintain in ‘favourable condition’ the bat conservation objectives of the SAC. An essential attribute to the SAC Conservation objectives are the

flight lines and foraging areas for bats in surrounding habitat. Most pertinently, in the case of Greater Horseshoe Bat (*Rhinolophus ferrumequinum*), flight lines must be free of any unnatural night-time illumination, and good foraging habitat should ideally be retained within at least the 5km (Billington 2000) sustenance zones of each SAC.

The Core Strategy amendments now being considered comprise changes to the Green Belt boundary, and provision of detailed site allocations and detailed development requirements (or place-making principles) which are indicated on site concept diagrams, for the Odd Down and Weston locations. Both Policy Amendments are considered here.

## **PART B: The European Sites (Natura 2000) potentially affected**

### **1) Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC)**

Component Sites of Special Scientific Interest (SSSIs): Combe Down and Bathampton Down Mines; Winsley Mines; Box Mine; Browns Folly

#### **Conservation Objectives**

The conservation objectives for the European interest on the SSSI are:

to maintain\*, in favourable condition, the habitats for the population of:

- Greater Horseshoe Bat (*Rhinolophus ferrumequinum*) (all component SSSIs)
- Lesser Horseshoe Bat (*Rhinolophus hipposideros*) (all component SSSIs)
- Bechstein's Bat (*Myotis bechsteinii*) (Box Mine SSSI)

\*maintenance implies restoration if the feature is not currently in favourable condition.

## **LIST OF SENSITIVE INTEREST FEATURES**

### **1) Bath & Bradford on Avon Bats SAC**

The site is designated under Article 4(4) of the Habitats Directive as it hosts the following species listed in Annex 2:-

Annex II species that are a primary reason for selection of this site.

Greater Horseshoe Bat (GHB) *Rhinolophus ferrumequinum*

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.

Bechstein's Bat *Myotis bechsteinii*

Small numbers of Bechstein's bats have been recorded hibernating in abandoned mines in this area, though maternity sites remain unknown.

Annex II species present as a qualifying feature, but not a primary reason for site selection.

Lesser Horseshoe Bat *Rhinolophus hipposideros*

The Bath & 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.

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

## **PART C: Risk Assessment**

### **Discussion and Assessment of likely effects and their significance**

The policy change would result in site allocation for 300 dwellings at Odd Down, Bath; and a site allocation of 150 dwellings at Weston, Bath, and associated Green Belt boundary changes. The allocations are located to avoid harm to key foraging areas of the SAC and are associated with clear with specific development requirements, which are indicated on site concept diagrams, to prevent harm to bat SAC interests. The Core Strategy also includes clear guidance and policy requirements to protect European sites.

The broad screening of the likelihood of these policy amendments resulting in negative effects upon any European sites is provided in **Appendix 1**. This identifies the possibility of impacts of the allocations at Odd Down and Weston. These allocations lie either in whole or in part within the 5km roost sustenance zones of components of the Bath & Bradford on Avon SAC. These locations therefore required further investigation and systematic assessments of likely impacts on site specific features and attributes of the European sites considered likely to be affected. These assessments are provided in **Appendix 2**, and are explored below.

Neither location would result in either direct or indirect impacts upon the physical aspects of the designated SAC components. (see **Appendix 2**).

The only concern for the Bat SACs therefore arises from the potential to damage or disturb important foraging grounds or flight lines. It is feasible that foraging areas and flight lines of importance to different SAC units could be adversely effected, either through direct habitat loss, or through disturbance and degradation of habitat quality (from increased urban fringe pressures including increased recreation pressures and lighting issues). The specific locations and site development requirements proposed have been selected to avoid direct or indirect loss or disturbance of key foraging areas and flight lines.

#### **Site allocation at Odd Down.**

The Odd Down area has been subject to detailed bat monitoring over time. This area was included in the Council's urban area bat surveys conducted in 2008 and 2009, and has been subject to site specific surveys by external consultants during 2013. These surveys have shown that the main part of the proposed allocated area is not utilised by SAC bats. However, the ash plantation at the southern boundary of the site, and the farm land to the south and east is well used by SAC bats. The previous HRA of the Core Strategy Change that identified 300 homes for the Odd Down area concluded that, "with specific development requirements a significant impact upon the integrity of the Bat SACs is not likely". This conclusion was supported by Natural England. The approach has been developed further here and the site development requirements are supplemented with a clear concept map which shows features to be retained and created. The full policy, including the full list of placemaking principles and the concept diagram is provided in **Appendix 4**.

The development requirements proposed specifically in relation to the protection of SAC integrity include the following:

*Provision of Green infrastructure including multifunctional green space (formal, natural and allotments); well integrated Sustainable Urban Drainage Systems and habitat, pedestrian and cycle connectivity within the site and to the surrounding area.*

*Include new Public Rights of Way and provide enhanced public access within the site and connecting well to the surrounding area.*

*A Landscape and Ecological Mitigation Strategy and Management Plan is required, as part of the Masterplan, to ensure satisfactory mitigation and protection to include:*

## *Ecological Requirements*

- *Protection of dark skies to the south and east of the location including zones of no artificial light adjacent to the protected tree belt and other ecological features retained or created within the site and in adjacent grazing lands. Light spill should be limited to no more more than 1 lux (equivalent to a moonlit night)*
- *Retention and cultivation of planting features and off-site habitat including the retention of hedgerows and tree belts, as indicated on the Concept Diagram*
- *Safeguard skylark interest*
- *New woodland planting along the southern boundary of the plateau, particularly to the east of Sulis Manor (i) within the site and (ii) off-site within the plateau in order to strengthen bat foraging and flight links with Horsecombe Vale*
- *A recreational strategy to minimise harm to adjacent grazing regimes and habitats*

*Particular attention is to be given to ensure satisfactory compensation, mitigation and protection of European protected bat species and their habitat, and the protection of Priority Species.*

To summarise these requirements include provision for: controlled lighting; new woodland buffer habitat; protecting and enhancing the bat foraging corridor along the southern and eastern boundary of the site, new recreational routes within and beyond the housing site, and the long-term management of these features.

### **Site allocation at Weston**

The Weston area was first proposed for housing within the Core Strategy in March 2013 and so was not surveyed as part of the Council's urban area bat surveys of 2008 and 2009. However, the area has been studied during 2013. These studies include a desktop review of ecological records, a walkover survey of habitat conditions, and detailed bat foraging studies during July and September 2013. Previous radio tracking studies (Billington 2000) did not track bats to this location, and few historic records exist for the area, which suggested low SAC bat activity in this area.

The findings of the Bat Pro 2013 field surveys confirm the conclusions of the desk top review and peer reviews that the area is not well used by SAC bats. A total of four passes by lesser horseshoe bats were recorded in July just to the east of the "East of Lansdown Lane" allocation. In September similar low level activity was recorded for Lesser Horseshoe Bats (LHB) further south, to the east of existing housing at Weston. In September a single LHB was recorded commuting along a hedgeline to the west of Lansdown Lane just beyond the area proposed for allocation. A single Greater Horseshoe Bat (GHB) was recorded and observed foraging for 12 minutes in the field to the west of Lansdown Lane proposed for allocation. This foraging was likely to be in response to very recent grazing of the field.

This activity is summarised in Table 5 of the Bat Pro 2013 field surveys and indicates a low level of SAC bat activity in the area. The level and timing of SAC bat activity recorded suggests that this area is not of critical importance to the SAC bats. Furthermore the development proposed is of a type and scale that, with adequate design and GI provision, would not preclude the continued low level use of the area by SAC bats. This conclusion was supported by Natural England following a meeting to discuss the findings of the July BatPro survey (see **Appendix 3**). The provision of new woodland planting and well-designed lighting could in fact enhance local bat foraging conditions.

To secure this outcome the site allocation is associated with a detailed site concept map and the following placemaking principles:-

*Provision of Green Infrastructure including multifunctional green space (formal, natural and allotments); habitat connectivity; pedestrian/cycle connectivity with the wider area including towards Weston local centre.*

*New Public Rights of Way should be provided to enhance public access. This could include a new circular walking route, within the sites and linking them together. The existing public right of way from Greenacres should be improved by redirection through the East of Lansdown Lane site.*

*A Landscape and Ecological Mitigation Strategy and Management Plan is required, as part of a Masterplan, to ensure satisfactory, mitigation and protection, to include:*

- *Retention and protection of existing trees and significant hedgerows by inclusion within public open space and enhance hedgerows by provision of additional planting*
- *New on/off-site woodland buffers around exposed housing areas, as indicated on the Concept Diagrams*
- *Provision of a permanent pond at a suitable location for bats to drink from*
- *A recreational strategy to minimise harm to adjacent grazing regimes and habitats*
- *Minimisation of light spill onto new habitat, retained features and adjacent grazing lands of no more than 1 lux (equivalent to a moonlit night)*
- *Use of new tree planting as a framework throughout the proposed development, with sufficient set back to allow growth of trees*
- *Avoid or minimise detrimental impacts on (and provide enhancements to important landscape features and significant views):*
  - *the Cotswolds AONB, particularly the character of the Cotswolds escarpment and the Lansdown Plateau*
  - *The City of Bath Conservation Area and its setting*
  - *Lansdown Lane and its open rural character*
  - *Long distance views such as Bath City Farm and Alexandra Park*
  - *Beckford's Tower and Lansdown Cemetery & Prospect View*
  - *The Cotswolds Way at Dean Hill*

*Particular attention is to be given to ensure satisfactory compensation, mitigation and protection of European protected bat species and their habitat, and the protection of Priority Species.*

To summarise these include a requirement for controlled lighting; the requirement for new woodland buffer habitat; the retention of existing boundary hedgerows; the provision of a pond; the requirement for new recreational routes within and beyond the housing site, and the long-term management of these features. The full policy, including the full list of placemaking principles and the concept diagram is provided in **Appendix 5**.

### **Possible In combination effects**

Major projects or plans that are active or which may come forward during the lifetime of this policy change, and which are relevant in terms of potential impacts and proximity to Natura 2000 sites are assessed as:

- **Wiltshire Core Strategy** : notably housing provision at Bradford on Avon
- **West of England Joint Local Transport Plan 3, 2011 — 2026** : notably the Greater Bristol Bus Network; Bath Transport Package, and longer term aspirations (Temple Cloud/Clutton Bypass; Whitchurch Bypass; Salford Bypass)
- **West of England Joint Waste Core Strategy March 2011**; includes provision of a residual waste treatment facility at the former Fuller's Earth Works, at the Fosseyway, Bath
- **Electrification of the Railway** – main railway line through B&NES

- 1) HRA work for the Wiltshire Core Strategy resulted in recommendations for further guidance for developers in relation to developing in close proximity to SAC bats, and notes:

*'Wiltshire Council is developing guidance for development surrounding the Bath and Bradford Bats SAC and associated roost sites. This will include guidance for developers and planners, and a procedure to ensure that any likely significant effects upon the SAC are identified and assessed at the application stage. Any development that would have an adverse effect on the integrity of a European nature conservation site will not be in accordance with the Core Strategy'.*

This will help to protect and sustain key SAC bat foraging areas and flight-lines and so no significant 'in-combination' effects are considered likely.

- 2) The main elements of the West of England Joint Transport Plan were considered within the HRA of the B&NES Core Strategy Publication Document. It was noted that the Core Strategy includes an over-arching policy for the provision of infra-structure that requires protection of European Sites. This remains the case, and in parallel with the development requirements associated with this policy change, no 'in-combination' effects are considered likely.
- 3) The West of England Joint Waste Core Strategy March 2011 includes provision of a residual waste treatment facility at the former Fuller's Earth Works, at the Fosseyway, Bath, well within the Bath & Bradford on Avon SAC 5km sustenance zone. There are historic records of a GHB Night Roost at this location and so impacts upon SAC bat foraging conditions are feasible. However, the Strategy includes development requirements at this location to ensure no adverse effects on the integrity of the SAC or bat species. No 'in-combination' effects are therefore considered likely.
- 4) The Electrification of the main line railway through B&NES is a major government initiative (largely with Permitted Developments rights within existing Network Rail's operational boundaries). If the railway corridor, either in whole or in part, is used by SAC bats for foraging or commuting, there is some potential for adverse impacts to result from any habitat clearance required. Some sections through B&NES are well wooded and could contribute to key flight lines or foraging areas. However, Core Strategy policy requirements for protection of the integrity of SAC sites, and the specific development requirements for the policy change, dictate that no adverse impacts on the integrity of the SAC are anticipated. No 'in-combination' effects are therefore considered likely.
- 5) The Bath Enterprise area – this is adjacent to the River Avon through Bath and will result in significant economic development and change. The river is utilised by various bat species including low level Horseshoe Bat activity. The enterprise area will be supported by a River Strategy to safeguard environmental quality including its function as a bat corridor, and the area is covered by the Core Strategy requirement to protect European sites (see core strategy clarification below).

## **Conclusions and final recommendations**

It is considered that the approach to site allocation and the use of site development requirements and concept diagrams provides a robust approach to the protection and enhancement of SAC bat foraging conditions at Weston and Odd Down. (These details have been developed in discussion and consultation with Dr Roger Ransome of Bat Pro Ltd and with officers from Natural England).

In addition the Core Strategy includes the following clarification:

**“For clarity, development likely to have a significant effect on a European site either alone or in combination with other plans or projects, and which cannot be adequately mitigated, would not be in accordance with the development plan.”**

On the basis of objective information available, and on the assumption that all development requirements are secured and properly implemented, the likelihood of a significant effect on the SAC identified is excluded in relation to these policy amendments.

This applies to the implementation of the policy change individually and ‘in combination’ with other plans.

This process was informed by discussions with Natural England and the Council ecologist.

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

**a) Alone?**

**(explain conclusion, e.g. in relation to de minimus criteria)      No**

**b) In combination with other plans or projects?**

**(Explain conclusion and which plans/projects have been included, including those associated with other functions).      No**

Nov-13

**Appendix 1: Habitats Regulations Assessments - Broad Screening of likelihood of policy amendments to result in negative effects upon any European Site**

Natura 2000 sites within 15km of the District, only 4 were likely to be at any risk of negative impacts and so would warrant further review. These are: Bath & Bradford on Avon Bat SAC; Mells Valley SAC; Chew Valley SAC & the North Somerset and Mendip Hills SAC

NATURA 2000 SITE NAME	QUALIFYING FEATURES	CONSERVATION OBJECTIVES SUMMARY	Odd Down allocation of 300 dwellings		Weston allocation of 150 dwellings	
			Scope for effects to occur	Reasons	Scope for effects to occur	Reasons
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 bechsteini</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 bechsteini</i> (Bechstein's bat).	Likely	Proximity to SAC and position within 5km sustenance zone; and proximity and inclusion of optimum habitat features: potential impacts upon foraging grounds and flight lines.	Possible	Position within/adjacent to 5km sustenance zone; and inclusion and proximity to optimum habitat: potential impacts upon foraging grounds and flight lines.
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.	unlikely	Distance from SPA	unlikely	Distance from SPA
Mells Valley SAC	<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 facie: on calcareous substrates (<i>Festuco-Brometalia</i>)</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>	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).	unlikely	Allocation avoids & protects foraging & commuting corridor to south and east of site	unlikely	distance from SAC
North Somerset and mendip Bats SAC	<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 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: 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)	unlikely	distance from SAC	unlikely	distance from SAC



## Appendix 2: Assessment of likely impacts resulting from policy amendments upon the Bath & Bradford on Avon SAC

Likely impacts on key attributes: Weston 150 dwellings		
	Attribute	Likelihood of significant effect
Bat Hibernation Site (Greater Horseshoe Bat)	Populations size	Possible if key foraging & flightlines affected
Bat Hibernation Site (Greater Horseshoe Bat)	Disturbance (noise; human activity)	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	State of Roost Entrance	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	Entrance / Site Security	None due to distance to SAC components
H Bat Hibernation Site (Greater Horseshoe Bat)	Conditions of site (external and internal; lighting; temperatures etc)	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	Site accesses	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	Use by Bats	Possible if key foraging & flightlines affected
Bat Hibernation Site (Greater & Lesser Horseshoe Bat)	Woodland site (Box mines)	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Population size	Possible if key foraging & flightlines affected
Bat Maternity Roost (Greater Horseshoe Bat)	State of roost entrance	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Site / entrance security	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Light levels	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Flight lines from roost in surrounding habitat and feeding habitat	Possible if key foraging & flightlines affected
Bat Maternity Roost (Greater Horseshoe Bat)	Conditions of site (internal / external)	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Temperature of roost area (Discretionary)	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Disturbance	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Signs of Bats	Unlikely due to distance to SAC components

Likely impacts on key attributes: Odd Down 300 dwellings		
	Attribute	Likelihood of significant effect
Bat Hibernation Site (Greater Horseshoe Bat)	Populations size	Possible if key foraging & flightlines affected
Bat Hibernation Site (Greater Horseshoe Bat)	Disturbance (noise; human activity)	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	State of Roost Entrance	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	Entrance / Site Security	None due to distance to SAC components
H Bat Hibernation Site (Greater Horseshoe Bat)	Conditions of site (external and internal; lighting; temperatures etc)	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	Site accesses	None due to distance to SAC components
Bat Hibernation Site (Greater Horseshoe Bat)	Use by Bats	Possible if key foraging & flightlines affected
Bat Hibernation Site (Greater & Lesser Horseshoe Bat)	Woodland site (Box mines)	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Population size	Possible if key foraging & flightlines affected
Bat Maternity Roost (Greater Horseshoe Bat)	State of roost entrance	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Site / entrance security	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Light levels	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Flight lines from roost in surrounding habitat and feeding habitat	Possible if key foraging & flightlines affected
Bat Maternity Roost (Greater Horseshoe Bat)	Conditions of site (internal / external)	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Temperature of roost area (Discretionary)	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Disturbance	None due to distance to SAC components
Bat Maternity Roost (Greater Horseshoe Bat)	Signs of Bats	Possible if key foraging & flightlines affected

## Sarah Johnston

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**From:** Grundy, Amanda (NE) <Amanda.Grundy@naturalengland.org.uk>  
**Sent:** 04 September 2013 15:34  
**To:** Karen Renshaw  
**Cc:** Lucy Corner; Richard Daone; Cleo Newcombe-Jones; Howell, Alison (NE)  
**Subject:** RE: Weston Slopes Bat surveys

Hi Karen

In answer to your questions re Weston Slopes, I can confirm that Natural England is satisfied that the bat surveys undertaken, coupled with your and Roger's professional opinion, provide sufficient evidence to support the conclusions of the Core strategy HRA i.e. that development within the Weston area of up to 300 houses is not likely to cause significant harm to the SAC, provided it accords with other core strategy policies, such as that for green infrastructure. Further surveys in September are therefore not necessary to further inform the Core Strategy HRA.

However development here could still impact on bats (and other ecological interests) and Natural England would expect the emerging Place Making plan to provide further details on ecological and other assessments that will be required to support proposed development.

I hope this email is clear and helpful but happy to discuss further.

Best wishes, Amanda

Amanda Grundy  
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**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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**From:** Karen Renshaw [mailto:Karen\_Renshaw@BATHNES.GOV.UK]  
**Sent:** 04 September 2013 14:18  
**To:** Howell, Alison (NE)  
**Cc:** Lucy Corner; Richard Daone; Cleo Newcombe-Jones; Grundy, Amanda (NE)  
**Subject:** RE: Weston Slopes Bat surveys

Hi Alison,

Many thanks for this – its really interesting and I think confirms the need to review HB activity along the river, as well as elsewhere! We have now commissioned Simecology to look at three sites along the river.

With respect to Weston, Roger has reported that 4 lesser horseshoe passes were recorded late on during the August survey. These were recorded at locations 3 and 5 to the north west of the study area. This still supports the emerging view that this area does not support a significant HB roost. We need to clarify as a matter of urgency whether the evidence from Roger's August survey is sufficient to support the conclusions of the Core strategy HRA, namely, that limited development within the Weston area of up to 300 houses, would not cause significant harm to the SAC.

Through work on the Placemaking plan, specific areas for housing are emerging, and as discussed, it would make sense to focus the additional September bat survey on these areas. However, we need to be certain that Natural England would be content with the bat evidence now available for the broader Weston area based on the August

findings. If there is any doubt, we would have to ask Roger to re-visit the whole area in September. We need to advise Roger of the next level of survey required as a matter of urgency, and so would really value your urgent feedback on this.

Best regards,

Karen

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**From:** Howell, Alison (NE) [mailto:Alison.Howell@naturalengland.org.uk]  
**Sent:** 03 September 2013 12:06  
**To:** Karen Renshaw; roger@batpro.co.uk  
**Cc:** Grundy, Amanda (NE)  
**Subject:** Weston Slopes Bat surveys

Dear Roger and Kären (and cc Amanda for info)

At our meeting on 30 July I promised to let you know the results of some bat surveys undertaken for a proposed development just off Lansdown Road, immediately to the South of Lansdown Crescent ie close to the centre of Bath. The ecologist has let me have some preliminary numbers only but the surveys picked up both Greater and Lesser on each occasion from May through to August, with 35 Greater and 13 Lesser recorded on a single night in May. (Numbers for other nights were much lower than this). The location is a school, set in grounds with mature trees, and the area in front of Lansdown Crescent is grassed and occasionally grazed.

Horseshoes tended to be recorded by static detectors only because they turned up after the walked transects had finished. Without seeing the final report, I am presuming that this means there isn't a roost nearby but would be interested in your views.

This is just for information but I thought it was really interesting given our discussion about Weston slopes.

Regards

Alison

Alison Howell

Lead Advisor

Worcester Land Use Operations

(Part time - Monday, Tuesday and Wednesday 10-4)

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## Land adjoining Odd Down, Bath Strategic Site Allocation

### Policy B3A

Land is removed from the Green Belt as shown on the *Key Diagram* and *Policies Map* and allocated for residential development and associated infrastructure during the Plan period.

The requirements that need to be met to enable development are set out in the Placemaking Principles, Core Policies and indicated on the *Concept Diagram*. The Placemaking Principles, being site specific, take priority over the Core Policies.

#### Placemaking Principles:

- 1 Residential led mixed use development (to include 40% affordable housing) of around **300 dwellings**, in the plan period. The site should be developed at an average density of 35-40dph.
- 2 Preparation of a comprehensive **Masterplan**, through public consultation, reflecting best practice as embodied in 'By Design' (or successor guidance), ensuring that it is well integrated with neighbouring areas.
- 3 Provision of **Green infrastructure** including multifunctional green space (formal, natural and allotments); well integrated Sustainable Urban Drainage Systems and habitat, pedestrian and cycle connectivity within the site and to the surrounding area.
- 4 Include new **Public Rights of Way** and provide enhanced public access within the site and connecting well to the surrounding area.
- 5 A **Landscape and Ecological Mitigation Strategy and Management Plan** is required, as part of the Masterplan, to ensure satisfactory mitigation and protection to include:

#### *Ecological Requirements*

- Protection of dark skies to the south and east of the location including zones of no artificial light adjacent to the protected tree belt and other ecological features retained or created within the site and in adjacent grazing lands. Light spill should be limited to no more more than 1 lux (equivalent to a moonlit night)
- Retention and cultivation of planting features and off-site habitat including the retention of hedgerows and tree belts, as indicated on the *Concept Diagram*
- Safeguard skylark interest
- New woodland planting along the southern boundary of the plateau, particularly to the east of Sulis Manor (i) within the site and (ii) off-site within the plateau in order to strengthen bat foraging and flight links with Horsecombe Vale
- A recreational strategy to minimise harm to adjacent grazing regimes and habitats

Particular attention is to be given to ensure satisfactory compensation, mitigation and protection of European protected bat species and their habitat, and the protection of Priority Species.

### *Landscape Requirements*

- Retention and protection of existing trees and significant hedgerows by inclusion within public open space and enhance hedgerows by provision of additional planting
  - Protect the tree belt on the southern edge of the site and enhance with additional planting to ensure visual screening of the site from views to the south
  - Avoid or minimise detrimental impacts on (and provide enhancements to important landscape features and significant views):
    - the Cotswolds AONB
    - South Stoke Conservation area and its setting
    - The character of the Cam Brook valley and Sulis Manor Plateau
    - The character of South Stoke and Combe Hay Lanes
    - Midford Road and the Cross Keys junction including maintaining open rural views over the plateau
    - The Wansdyke Scheduled Ancient Monument
    - Medium and long distance views such as Upper Twinhoe and Baggridge Hill
- 7 Development causing substantial harm to designated heritage assets, or non-designated heritage assets of demonstrably equivalent significance, and/or their settings should be avoided. In addition, all opportunities should be taken to avoid or minimise other harm. As part of the Masterplan, the following should be addressed:

### *World Heritage Site*

- The Southern boundary of the site should remain undeveloped to limit the visibility of development in wider views. An acceptable southerly extent of development and appropriate building heights will need to be established as part of the Masterplan.
- The Easterly extent of development and appropriate Eastern boundary treatment should be established as part of the Masterplan.
- Control light pollution to protect the visual screening of the site from views to the south.

### *Wansdyke Scheduled Ancient Monument*

- Avoid built development in areas that would cause substantial harm to the Wansdyke. An acceptable northerly extent of development and development heights will need to be established as part of the Masterplan. To mitigate impacts tree planting should be retained as indicated on the *Concept Diagram*.
- A Management Plan setting out a strategy for the long-term and effective management of the monument including detailed measures for its positive enhancement will be developed in consultation with English Heritage and form part of any development proposals. This should include a recreational and movement solution which serves the new community and minimises harm to the Scheduled Ancient Monument.

- Limit development height and density in more prominent areas, such as higher ground and development edges, in order to avoid the development breaking the skyline in views from the Wansdyke.
- Limit lighting column heights to that of the development to minimise vertical features within the view from the Wansdyke.

*South Stoke Conservation Area*

- Limit the height and/or density of development closest to South Stoke Conservation Area to avoid and minimise harm to its setting

*Sulis Manor*

- Incorporate Sulis Manor and garden into development sensitively, retaining the framework of trees, and considering the conversion/retention of the Manor House and/or a low density development

- 8 In relation to **transport**, the following apply:
- Provide vehicular access, and junction enhancement, to facilitate access to the site from Combe Hay Lane
  - Interconnect with Sulis Meadows Estate and Sulis Manor, connecting existing roads into the new development. This should include pedestrian and cycle links.
  - Links to the National Cycle Route 24 and Two Tunnels should be facilitated.
  - There is a potential vehicle access to the site from South Stoke Lane which would necessitate upgrading the Cross Keys junction. Any access road from South Stoke Lane would need to be sensitively designed to enable the maintenance of an open down landscape in views from Cross Keys and Midford Road.
  - Provide a sensitively designed and improved pedestrian/cycle link, following the desire line to Cranmore Place/Frome Road to allow access to Threeways School and the Supermarket
  - Provide a safe and attractive pedestrian/cycle link to the Odd Down Park and Ride from the site.
  - Ensure sufficient car parking in the vicinity of St Gregory's School to meet the school's needs
- 9 Contributions will be required to facilitate the expansion of St Martin's Garden **Primary School**.
- 10 The provision of additional **local employment** will be supported at Manor Farm, through conversion and redevelopment.
- 11 Retain and/or enhance the **Odd Down Football Club** (Football Pitches, Clubhouse and changing facilities, play area, local market and car park) either:
- (i) in its current location; or
  - (ii) by re-providing the Football Club with an equivalent facility within the area
- 12 **Sustainable Construction** will be required, with all new housing meeting Code for Sustainable Homes Level 5, or its successor, from 2014. The solar energy potential of sites should be facilitated by design and orientation. Development will be expected to provide sufficient renewable energy

generation to reduce carbon dioxide emissions from expected energy use in the buildings by at least 20%. Third party delivery options will be expected to have been considered and in exceptional circumstances Allowable Solutions may be utilised.

- 13 Localised areas of **land instability** must be either avoided or addressed with appropriate remediation.



## Land adjoining Weston, Bath Strategic Site Allocation

### Policy B3B

Land is removed from the Green Belt as shown on the *Key Diagram* and *Policies Map* and allocated for residential development, and associated infrastructure during the Plan period.

The requirements that need to be met to enable development are set out in the Placemaking Principles, Core Policies and indicated on the *Concept Diagram*. The Placemaking Principles, being site specific, take priority over the Core Policies.

#### Placemaking Principles:

1. Residential led mixed use development (to include 40% affordable housing) of around **150 dwellings** in the plan period. The site should be developed at an average density of 35-40dph.
2. Preparation of a comprehensive **Masterplan(s)**, through public consultation, reflecting best practice as embodied in 'By Design' (or successor guidance), ensuring that it is well integrated with neighbouring areas. This is likely to include development facing onto Lansdown Lane, and rear gardens of new properties backing onto rear gardens of adjoining properties.
3. Provision of **Green Infrastructure** including multifunctional green space (formal, natural and allotments); habitat connectivity; pedestrian/cycle connectivity with the wider area including towards Weston local centre.
4. **Sustainable Urban Drainage** solutions should be well integrated and should serve the sites needs entirely. They should not prejudice the existing funded DEFRA scheme in the Weston area, which deals with existing flooding and surface water problems. In relation to the land behind Eastfield Avenue, any required flood remediation on the lower slopes could use features such as swales.
5. New **Public Rights of Way** should be provided to enhance public access. This could include a new circular walking route, within the sites and linking them together. The existing public right of way from Greenacres should be improved by redirection through the East of Lansdown Lane site.
6. A **Landscape and Ecological Mitigation Strategy and Management Plan** is required, as part of a Masterplan, to ensure satisfactory, mitigation and protection, to include:
  - Retention and protection of existing trees and significant hedgerows by inclusion within public open space and enhance hedgerows by provision of additional planting
  - New on/off-site woodland buffers around exposed housing areas, as indicated on the *Concept Diagrams*
  - Provision of a permanent pond at a suitable location for bats to drink from
  - A recreational strategy to minimise harm to adjacent grazing regimes and habitats

- Minimisation of light spill onto new habitat, retained features and adjacent grazing lands of no more than 1 lux (equivalent to a moonlit night)
- Use of new tree planting as a framework throughout the proposed development, with sufficient set back to allow growth of trees
- Avoid or minimise detrimental impacts on (and provide enhancements to important landscape features and significant views):
  - the Cotswolds AONB, particularly the character of the Cotswolds escarpment and the Lansdown Plateau
  - The City of Bath Conservation Area and its setting
  - Lansdown Lane and its open rural character
  - Long distance views such as Bath City Farm and Alexandra Park
  - Beckford's Tower and Lansdown Cemetery & Prospect View
  - The Cotswolds Way at Dean Hill

Particular attention is to be given to ensure satisfactory compensation, mitigation and protection of European protected bat species and their habitat, and the protection of Priority Species.

- 7 Development causing substantial harm to designated heritage assets, or non-designated heritage assets of demonstrably equivalent significance, and/or their settings should be avoided. In addition, all opportunities should be taken to avoid or minimise other harm. As part of the Masterplan, the following should be addressed:

#### *World Heritage Site*

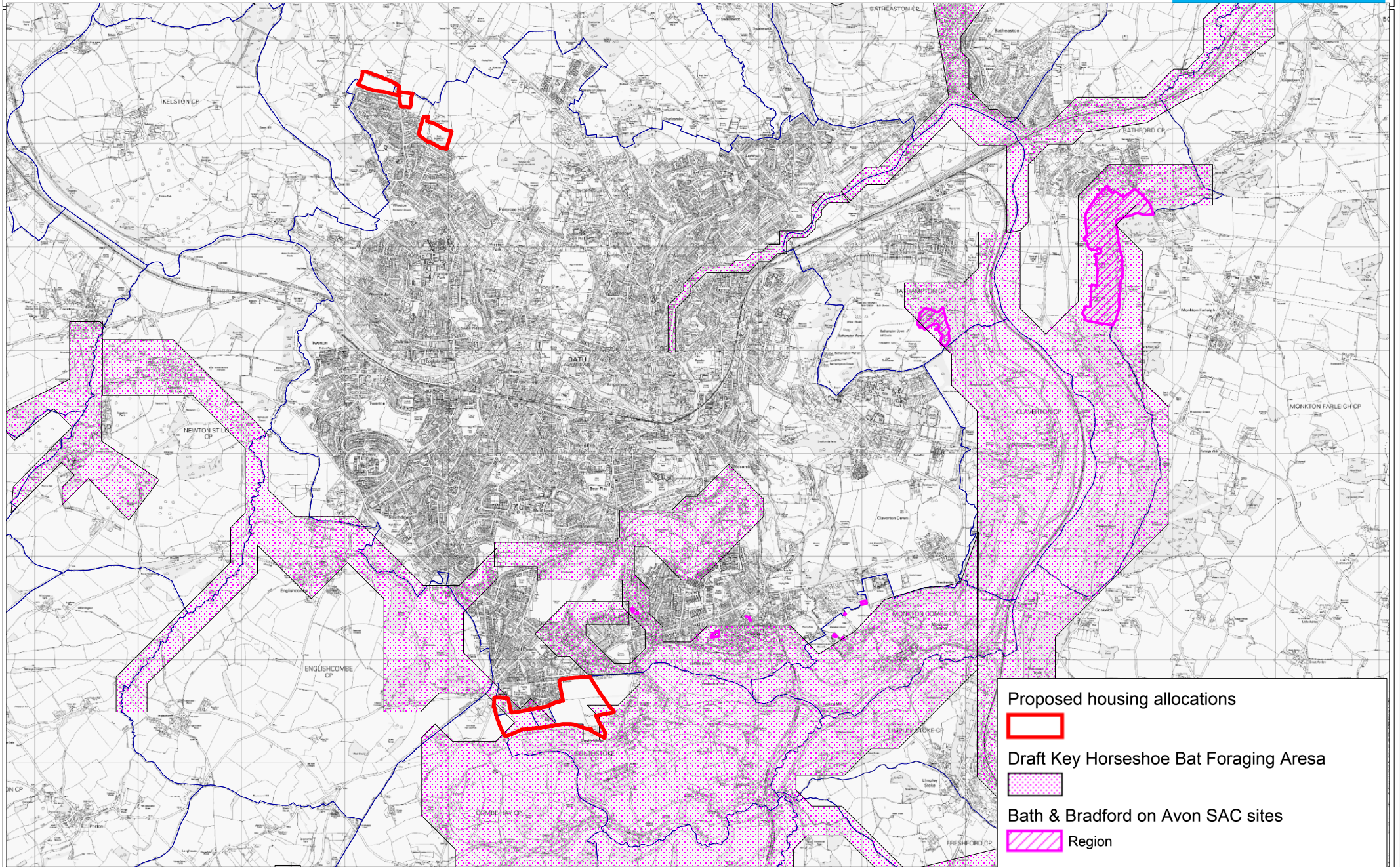
- The western part of the West of Lansdown Lane site should remain undeveloped to limit the visibility of development in wider views. An acceptable westerly extent of development and appropriate building heights will need to be established as part of the Masterplan. To mitigate impacts of development, new tree planting on the new boundary edge will be required.
- The eastern part of the land behind Eastfield Avenue should remain undeveloped to protect the World Heritage Site setting and Beckford's Tower. An acceptable easterly extent of development and appropriate building heights will need to be established as part of the Masterplan. To mitigate impacts of development, substantial new tree planting on the north-south break of slope will be required.




#### *Bath Conservation Area and Listed Buildings*

- Use high quality design to avoid or minimise harm to the setting of the Bath Conservation Area and Prospect Place
- Limit development height and density in more prominent areas in order to avoid development of high impact areas including those that would break the skyline in views from the Grade I Listed Beckford's Tower
- Limit lighting column heights to that of the development to minimise vertical features within views from across the valley

- 8 In relation to **transport** requirements, the following apply:

- Development should provide good connections to and support existing public transport provision (on Napier Road, Lansdown Lane and Eastfield Avenue)
  - Contributions towards measures to reduce vehicle speeds on Lansdown Lane will be required
  - The land behind Eastfield Avenue should be accessed from a new vehicle access point from Eastfield Avenue; engineering works will be required to achieve acceptable gradients
  - Land either side of Lansdown Lane should have vehicle accesses from Lansdown Lane
  - Development adjoining Lansdown should provide a new footway on either frontage
  - Land to the East of Lansdown Lane, has a level difference between the site and carriageway and requires engineering works are needed to achieve acceptable gradients
- 10 Contributions will be required to facilitate the expansion of **primary schools** in the North West Bath Primary School Planning Area.
- 11 **Sustainable Construction** will be required, with all new housing meeting Code for Sustainable Homes Level 5, or its successor, from 2014. The solar energy potential of sites should be facilitated by design and orientation. Development will be expected to provide sufficient **renewable energy** generation to reduce carbon dioxide emissions from expected energy use in the buildings by at least 20%. Third party delivery options will be expected to have been considered and in exceptional circumstances Allowable Solutions may be utilised.
- 12 Avoid development of areas of High Risk in terms of **slope or underlying geology**, unless satisfactory remediation work can be demonstrated by the developer to be effective and safe. A full ground investigation survey to determine the site specific ground conditions should be undertaken to inform the Masterplan.



Proposed housing allocations  
  
Draft Key Horseshoe Bat Foraging Area  
  
Bath & Bradford on Avon SAC sites  
  
Region  
