

Cam Valley Wildlife Group statement on compliance with Statutory and Regulatory matters: Matter 1E

1.1 The Habitats Regulations assessments undertaken have not included an assessment of Chapter 4. We are unsure whether this is an ID/7 1E matter regarding sustainability considerations, from the start and otherwise, or an ID7/ 1G matter.

1.2 In 821\19, Cam Valley Wildlife Group tackles the matter of the Habitats Regulations assessment and the failure to examine Chapter 4. The Authority may have taken the view that there is no need to assess this Chapter, but we consider that this view pre-empts the result of any assessment.

1.3 We set out some of the evidence that suggests that an assessment is required in 821\1. This matter, the applicability of the Habitats Regulations to Chapter 4, is set out on page 1 in supplementary Section 1 of a supplementary paper sent to B&NES by Cam Valley Wildlife Group to support 821\19. However, B&NES did not include it in Schedule 2, although the document was described as supporting information for the representation. The original document had an error and the corrected version can be found in the Joint response by respondents 821 & 822, ID/7 1B_Appendix_supplementary.

1.4 Cam Valley Wildlife Group argues that the evidence available suggests strongly that RAD 1 site is part of an important bat commuting route between SACs and argues that this is corroborated by independent surveys and an independent desk-top and field-based exercise looking at possible routes connecting the SACs. Early surveys for Linden Homes/Norton Radstock Regeneration Company to inform applications 1102329/REN and 1102346CAR now add to this corroborative evidence, through recording of greater horseshoe bat commuting on a key element of the supposed route. The combination of this evidence and independent surveys of the Foxhills boundary suggest use of a route that appears not to have been considered as the primary commuting route by the developers, who did not survey the Foxhills boundary. It is used for foraging and commuting and has been identified in an independent study as the likely commuting route for Greater horseshoe bat between the Bath & Bradford-on-Avon SAC and the Mells Valley SAC. No other route has been identified and an assumption that a cross country route through the Somer Valley area could be used was investigated through a study of the possible routes in the field, but investigation showed that it was problematic regarding greater horseshoe bat use and most likely could be discounted. The RAD 1 site has been assumed for the purposes of the 2006 planning application to be a commuting route for this species between the SACs. There is sound recording evidence of commuting greater horseshoe bat within the site in addition to that done for the developers and physical evidence of use of structures nearby (droppings). The RAD 1 site may also provide a vital link between the individual SACs and Greater horseshoe bat summer roosts and between the SACs and male breeding roosts, which females visit. B&NES lighting engineers have tried unsuccessfully to devise a lighting scheme that would protect the commuting corridors. No light contour mapping has been provided by the developers to show the impact of lighting upon the commuting route. Mitigating the impact of lighting on this dark commuting route conflicts with the proposed southern housing proposals for the RAD 1 site that formed part of an earlier assumption about areas that could be developed in 1999. This earlier assumption about developable area without unacceptable nature

conservation losses partially informed the Inquiry into the B&NES Local Plan. Cam Valley Wildlife Group argues that, as the RAD 1 site has been considered to be a commuting route between the SACs for planning purposes (a precautionary approach), that an assessment is an absolute necessity. The route within the site is illustrated in the Joint response by respondents 821 & 822, ID/7 1B_Appendix_HeritageConstraints; this appendix contains material submitted by Cam Valley Wildlife Group that was not included by B&NES in Schedule 2 (CD7/2), although flagged up as a supporting document (submission partially recorded in 821/NPPF/1).

1.5 A remarkably high number of bat species (12 or 13), including both horseshoe species and other light-averse species, are found on Radstock Railway Land and a new bat roost was discovered on its border in 2009. The importance of the site and the area for bats has not yet been established. The location of the site at the hub of an ecological network of rivers and former industrial features such as batches, railway lines and mine sites and it is close to the only location where radio-tracking studies have established that bats from both SACs occur together outside the SACs themselves. The extent to which connectivity with local roosts affects the viability of the SACs in addition to any commuting between them has not been established.