

**Bath & North East Somerset  
Local Plan 2016 - 2036**

**Options Consultation  
Winter 2018**

# **Habitat Regulations Assessment**

**Emerging HRA Issues for B&NES Local Plan**



# Contents

---

<b>Review of Options Document</b>	<b>1</b>
<hr/>	
<b>Review of HRA issues for each plan element &amp; chapter</b>	<b>2</b>
<hr/>	
<b>Chapter 2 Vision &amp; Spatial priorities</b>	<b>2</b>
<hr/>	
<b>Chapter 3 Spatial Strategy</b>	<b>2</b>
<hr/>	
<b>Chapter 4 Bath Chapter</b>	<b>5</b>
<hr/>	
<b>Chapter 5 Keynsham Chapter</b>	<b>5</b>
<hr/>	
<b>Chapter 7 Somer Valley Chapter</b>	<b>6</b>
<hr/>	
<b>Chapter 8 Development Management Policies</b>	<b>7</b>
<hr/>	
<b>Conclusion</b>	<b>7</b>
<hr/>	

# Emerging HRA Issues for B&NES Local Plan

## 1. Review of Options Document

- 1.1 The options document has been reviewed in terms of potential issues and requirements of the Habitat Regulations. All options and policy areas have been screened for Likely Significant Effects to identify any areas of potential concern and any policy amendments that may be required, and to determine the need for an Appropriate Assessment. This early stage assessment has involved some iterative review and input to the development of different plan options, and is informed by the emerging approach and requirements of the West of England Joint Spatial Plan (JSP) Habitats Regulations (HRA)
- 1.2 The JSP HRA has identified the need and scope for strategic mitigation solutions to be adopted at Local Plan level for some situations where potential impacts to European Sites are identified, and these measures will need to be included and incorporated into final plan preparation as appropriate.
- 1.3 A key element for B&NES will be use of the emerging SAC Horseshoe Bat Consultation Zones approach identified. This will need to be used as appropriate to guide use of the Habitat Suitability Index (North Somerset Bat SAC Supplementary Planning Document) to determine Bat SAC habitat value of the development locations and to define the nature and extent of habitat retention or provision required.
- 1.4 The findings of the review, including mitigation solutions available for each plan element, are summarised below. In summary the review indicates that the emerging policy approach, with incorporated mitigation measures, would not raise significant concerns in terms of the Habitat Regulations.
- 1.5 For some policy areas further work will nonetheless be needed to shape detailed policy wording and site allocations but the assessments at this stage of plan making do indicate that mitigation solutions and policy

approaches can be developed and refined to avoid harm to the integrity of European Sites. An Appropriate Assessment of the final plan would nonetheless be required.

## **2. Review of HRA issues for each plan element & chapter**

### **Chapter 2 Vision & Spatial priorities**

- 2.1 Spatial priorities include the protection and enhancement of natural environment. This sets the scene for detailed plan making and is welcomed.

### **Chapter 3 Spatial Strategy**

#### **Strategic Development Locations**

- 2.2 North Keynsham Strategic Development Location (SDL) – this location raised potential concerns due to its proximity to the River Avon river corridor. This is known to be used by horseshoe bats associated with the Bath & Bradford on Avon Bat Special Area of Conservation (SAC).
- 2.3 JSP policy 7 includes requirements to *incorporate a well integrated, multifunctional green infrastructure network that includes new wetland features, restored floodplain meadows and new woodland*. In addition it will be necessary to avoid light spill to the river corridor and to deliver zero increase in light spill to river corridor as essential design parameter.
- 2.4 In addition, the emerging SAC Horseshoe Bat Consultation Zones approach identified through the JSP HRA, will be used to guide use of the Habitat Suitability Index (North Somerset Bat SAC Supplementary Planning Document) to determine Bat SAC habitat value of development locations and to define the nature and extent of habitat retention or provision required.
- 2.5 These measures must be included as or must inform the Development Requirements for any site allocations within the SDL as appropriate. These measures would sustain the foraging, flightline and habitat qualities of the location. Movement of Avon Valley Park provides both a risk and opportunity to these requirements.

- 2.6 Whitchurch Strategic Development Location (SDL) - Chapter 6 – This location raises some potential concerns in terms of increased recreational pressures at Chew Valley Lake Special Protection Area (SPA), and Avon Gorge Woodlands SAC. This stems from the location of the SDL and its proximity to these sites and the known distance people are prepared to travel for recreation. Small parts of the SDL fall within the 7km ‘travel distance’ buffers for these sites, and cycle connections are proposed to improve connectivity with Chew Valley Lake.
- 2.7 There is a risk therefore of increased disturbance to birds using the Chew Valley Lake from walkers and dog walkers in particular, and a risk of habitat decline at Avon Gorge woodland due to increased visitor pressure and inappropriate access and antisocial behaviour (including littering, dogs attacking livestock, fires, mountain biking). Work is currently underway to help determine the scale and extent of these risks through the JSP and West of England Green Infrastructure Plan (WoE GI Plan), and findings will be used to inform the development requirements for the Whitchurch SDL.
- 2.8 JSP policy 7 includes the requirement to *establish a Green infrastructure network that meets the need of development*. This will need to address the potential requirements to provide Green Infrastructure (GI) that delivers additional informal nature based recreational opportunities to offset additional recreational pressures at Chew Valley Lake and Avon Gorge Woodland. In addition it may be a requirement for development at Whitchurch to contribute to offsite recreational facilities such as access improvements at Chew Valley Lake, or the provision of more strategic informal open space at Whitchurch / Stockwood Vale.

#### **Grey Infrastructure Requirements for SDLs**

- 2.9 The transport mitigations required for the B&NES SDLs do not raise HRA issues due to their distance from key habitat features (key roosts and buffer zones).

#### **Non-strategic Growth – urban living**

- 2.10 There is a potential issue from this element subject to the location of allocated sites. The risk can be avoided by:

- 1) use of the emerging Bat Consultation Zone and Horseshoe Bat Habitat Suitability Index (North Somerset Bat SAC SPD) or similar to guide site allocation and then to determine BAT SAC habitat value of allocated sites and the extent and location of mitigation required
- 2) specific site development requirements as informed by 1 above.
- 3) detailed use of lighting policies
- 4) detailed use of Nature Conservation Policies
- 5) detailed use of Green Infrastructure Policies

### **Non-strategic growth – rural areas**

2.11 There is a potential issue from this element and options subject to final location of allocated sites. The risk can be avoided by:

- 1) use of the emerging Bat Consultation Zone and Horseshoe Bat Habitat Suitability Index (North Somerset Bat SAC SPD) or similar to guide site allocation and then to determine BAT SAC habitat value of allocated sites and the extent and location of mitigation required
- 2) specific site development requirements as informed by 1 above.
- 3) detailed use of lighting policies
- 4) detailed use of Nature Conservation Policies
- 5) detailed use of Green Infrastructure Policies

### **Small windfall sites**

2.12 There is a potential issue from this element due to land take and loss of key habitat features such as hedgerow networks and access to grazed pasture. This will depend upon the location of any proposal. The risk can be avoided by:

- 1) use of the emerging Bat Consultation Zone and Horseshoe Bat Habitat Suitability Index (North Somerset Bat SAC SPD) or similar to determine BAT SAC habitat value of windfall site and the extent and location of mitigation required

- 2) detailed use of lighting policies
- 3) detailed use of Nature Conservation Policies
- 4) detailed use of Green Infrastructure Policies

## **Chapter 4 Bath**

2.13 The main issue for the Bath Chapter relates to the delivery of 300 homes through the urban living element required by the JSP. Detailed site allocations will need to address potential SAC issues as detailed above. Other elements that will need careful consideration and further work include the options for a Park and Ride to the East of Bath; the replacement of the Household Re-use and recycling facility, and any new access proposals at Odd Down (Core Strategy Policy B3a). Each option would have some potential to effect habitat of importance to the Bath & Bradford on Avon SAC. The significance of any effects would be subject to the precise location, scale and form of development. It is anticipated that measures could be secured through plan development and plan implementation to avoid the risk of significant effects, including the following:

- 1) use of the emerging Bat Consultation Zone and Horseshoe Bat Habitat Suitability Index (North Somerset Bat SAC SPD) or similar to guide site allocation and then to determine BAT SAC habitat value of allocated sites and the extent and location of mitigation required
- 2) specific site development requirements as informed by 1 above.
- 3) detailed use of lighting policies
- 4) detailed use of Nature Conservation Policies
- 5) detailed use of Green Infrastructure Policies

## **Chapter 5 Keynsham**

2.14 The main issues for the Keynsham Chapter are the Strategic Development Location at North Keynsham, and associated requirements. The issues and requirements are detailed above, and

relate to the different policy areas outlines for the SDL (moorings; Avon Valley Park etc.). It is anticipated that measures could be secured through plan development and plan implementation to avoid the risk of significant effects, including the following:

- 1) use of the emerging Bat Consultation Zone and Horseshoe Bat Habitat Suitability Index (North Somerset Bat SAC SPD) or similar to guide site allocation and then to determine BAT SAC habitat value of allocated sites and the extent and location of mitigation required
- 2) specific site development requirements as informed by 1 above.
- 3) detailed use of lighting policies
- 4) detailed use of Nature Conservation Policies
- 5) detailed use of Green Infrastructure Policies

## **Chapter 7 Somer Valley**

2.15 The main issues for the Somer Valley Chapter are the non-strategic growth areas. The three options being considered raise similar issues. It is anticipated that measures could be secured through plan development and plan implementation to avoid the risk of significant effects, including the following:

- 1) use of the emerging Bat Consultation Zone and Horseshoe Bat Habitat Suitability Index (North Somerset Bat SAC SPD) or similar to guide site allocation and then to determine BAT SAC habitat value of allocated sites and the extent and location of mitigation required
- 2) specific site development requirements as informed by 1 above.
- 3) detailed use of lighting policies
- 4) detailed use of Nature Conservation Policies
- 5) detailed use of Green Infrastructure Policies



## **Chapter 8 Development Management Policies**

- 2.16 There are only a few major policy change options to consider. Most of the existing Development Management policies will be continued with only minor changes. All policy options and minor changes have been reviewed in terms of Likely Significant Effect. All new policy options were screened out in terms of likely significant effect.
- 2.17 Similarly, all minor policy change was screened out in terms of likely significant effects.

### **3. Conclusion**

- 3.1 In summary the review indicates that the emerging policy approach, with incorporated mitigation measures, would not raise significant concerns in terms of the Habitat Regulations. The final plan would however need to be subject to an Appropriate Assessment.