

BATH AND NORTH EAST SOMERSET COUNCIL: PLACEMAKING PLAN

Placemaking Plan Options Document –initial scoping of HRA issues

Context

The Place Making Plan Options Document is not a formal Planning Policy Document, but provides a series of Options to consider for inclusion within Part 2 of the B&NES Local Plan. As such the Options Document is a stepping stone to the preparation of the Draft Plan, which is the next stage of the Placemaking Plan preparation and the point at which formal Site Allocations and Policies are confirmed prior to submission for Examination. The HRA work at this stage must therefore respond to the possible outcomes from the policies and allocations, and judge whether these options, if translated into formal planning policies and site allocations would be likely to have a significant effect on any European Site. An initial scoping exercise has therefore been undertaken with a view to determining any serious issues and what measures may be needed to moderate the plan and avoid significant effects on any European Site. It represents an initial scoping and recommendation exercise. Its recommendations will be used to inform the Draft Plan.

Background

The Core Strategy, as Part 1 of the B&NES Local Plan, was subject to HRA work at all stages of production using an iterative review process. The final document included policy modifications and design requirements that mitigated any likelihood of adverse effects.

The Core strategy included the statement ,

“ 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.”

The Place Making Plan must ensure that policies and allocations do not deliver developments that would or could have adverse impacts upon the integrity of European sites within or adjacent to the District.

The HRA work for the Core Strategy determined that 3 European sites are of main concern for planning policy across the district, namely :

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

Placemaking Plan policies and site allocations must therefore be considered in terms of likely impacts to these sites.

Placemaking Plan Development Management Policy Options

Each policy area has been considered for possible impacts to these European sites, or associated species. The Placemaking Plan includes very clear generic policies to protect European sites, and protected species, and also requires the enhancement of ecological interests. In addition the plan includes an approach to protect Ecological networks. This is very positive and would contribute to the safeguarding of important habitat and habitat networks of importance to European sites. However, it is recognised that the protection of European sites should not be left to stand alone nature conservation policies, particularly where a policy is directing development to specific sites or features, or the use of land that could clearly have impacts to European sites, or the species associated with them. Within B&NES the presence of BAT SACs and the mobility of these species is a key factor to consider.

A summary of findings of the review of policies and a series of recommendations is provided in the table attached. This suggests that whilst some policies as currently written leave room for some level of effect, there is scope to tighten wording and add clauses to minimise any likely effect. It is recommended therefore that these changes (or wording with equivalent effect) should be made in preparing the Draft Plan. (NB term ecological function used could be replaced by “nature conservation interests” if necessary).

Placemaking Plan Site Allocations.

The principle areas of concern from the site allocations in the Placemaking Plan are the river corridor based allocations in Bath, and at Radstock. Both river systems are known to be used by SAC bats, and so will trigger HRA issues.

Within Bath a series of sites are allocated along much of the river corridor through the City. Whilst a full picture of SAC bat activity on and associated with the river has not been completed, it is reasonable to assume that the river is supporting functional habitat for the SAC, providing foraging, a commuting route, roosting opportunities, and a link to other habitat networks. The significance of this use in relation to the SAC is not known, but there is clear and recent evidence to show that the river corridor functions as an ecological corridor for a variety of important species, including 'SAC Bats' amongst others. (The whole of the river corridor through B&NES is designated as an SNCI.)

At Radstock the development sites located around the Cam and the Wellow could raise similar issues.

Whilst development at any individual development site may not result in a significant impact to the SAC it is likely that the cumulative impacts of comprehensive riverside development, with no regard to SAC bat interests, could be significant. For this reason a consistent approach to development along the river corridor is required. This must protect and sustain

the function of the river corridor as an ecologically permeable corridor that provides foraging, roosting and flight-paths to other habitat networks.

To achieve this, a consistent approach to riverside development must be adopted:

- The presumption that riverside development will protect and enhance SAC bat interests
- Retention and enhancement a valuable bankside habitat
- Minimisation of light spill from new buildings, including from internal and external lighting solutions (acceptable levels of light spill will be guided by the Lighting strategy and baseline light levels survey).
- The continued provision of viable dark corridors for bats

A working “position statement for development along the river corridor through Bath” is being prepared by B&NES and NE officers, together with a technical guidance note for development close to the SAC. A lighting strategy and river strategy are also being prepared by the Council to help guide development and management of the river corridor. The ambition is to achieve the clarity and guidance needed to facilitate high quality development without compromising economic viability or SAC bat interests.

If the findings of these guidance notes and strategies are used to guide site and strategic development requirements for the PMP a robust approach to avoiding significant effects upon the SACs should be achieved.

Placemaking Plan: HRA Scoping of Policies

POLICY	Detail	HRA ISSUE	SOLUTION/MITIGATION
H1	Housing and facilities for the elderly and people with other supported housing or care needs	Possible affect – if sensitive site	add clause to permit only where doesnt cause environ impacts; including severence to eco corridor or network, or add 'within HB'
H2	Housing density	Possible affect – if sensitive site	Add reference that environmental sensitivity could justify lower densities
H3	Houses in Mutliple Occupation	x	
H4	Subdivision of dwellings	x	
H5	Self build housing	x	
H6	Retention of existing housing stock	x	
H7	Boat dwellers/residential moorings	x	
ED1A	New office development	x	
ED1B	Change of use of office to residential	Possible – if riverside change	add criteria if eco corridor standards cant be met
ED1C	Change of use of office to other town centre uses	Possible – if change to resturants etc & riverside change	add " <i>unless nature conservation interests are adversely affcted</i> " or " <i>unless the ecological function of the ecological networks are adversely affected</i> " and amenity
ED2A	Strategic economic development sites	x	
RE1	Employment uses outside RA1 and RA2 villages	x	
RE2	Agricultural development	possible- if sensitive location	need to ensure permit only where doesnt cause wider environ impacts (not just environ health) including severence to eco corridor / networks
RE6	Re-use of rural buildings	Possible – if sensitive site	add clause if doesnt harm eco function, could add at point 5, after amenity "or ecological function (eg bat roost)"
CR1	Retail and town centre uses (sequential approach)	x	within HB
CR2	Retail development outside centres	x	
CR3	Development in primary shopping frontages	x	
CR4	Tables & chairs outside a ground floor A3 or A4 use	possible if sensitive location and evening, lit use	add clause or " where any additional external lighting would adversely affect ecological interests"
CR5	Dispersed local shops	x	within HB
GB1	Visual amenity of the Green Belt	x	high level policy – other policies will control if dev happens
GB2	Residential development in villages within the Green Belt	x	within HB
UD1	General design principles	x	

Placemaking Plan: HRA Scoping of Policies

POLICY	Detail	HRA ISSUE	SOLUTION/MITIGATION
UD2	Local character/distinctiveness	x	includes requirement to enhance natural features
UD3	Urban fabric	x	
UD4	Streets and spaces	x	
UD5	Building design	x	
UD6	Amenity	x	
UD7	Infill & backland development	x	
UD8	Lighting	x	designed to avoid detrimental impacts on key bat species
NE.1	GI	x	
NE.3	Ecology & sites	x	
NE.4	Ecosystem services	x	
NE5	Ecological networks	x	
NE6	Trees and woodlands	x	
HE1	Historic environment	x	
LCR1	Safeguarding local community facilities	x	high level policy – other policies will control if dev happens
LCR2	New / replacement community facilities	x	high level policy – other policies will control if dev happens
LCR3	Safeguarding land for schools	x	m
LCR4	Safeguarding land for cemeteries	?	
LCR5	Safeguarding sport and recreational facilities	?	add clause "the open space is not critical component of eco/ GI network and any redevelopment improves habitat connectivity"
LCR6	New & replacement sport and recreational facilities	?	add to land scape character "and maintains and enhances ecological function"
LCR7	Recreational development affecting waterways	x	includes no adverse impacts to nat con
LCR8	Protecting existing allotments	possible – if used by SAC species	add "unless the site is of no value to SAC bats"
LCR9	Providing new allotments	possible if landuse change from grazing to allotments	sustain any existing function and value for SAC bats
ST1	Promoting sustainable travel	x	includes clause to reduce impacts on natural environment
ST2	Sustainable Transport Routes	x	
ST3	Development of transport infrastructure	possible subject to location and extent	include need to safeguard integrity of SAC sites
Lower bristol road widening	approach to widen rail corridor for sustainable transport	x	
ST3	new transport infrastructure	?	at clause 1 add after character "ecological function"
ST4	Rail freight facility Westmoreland Road, Bath	?	

Placemaking Plan: HRA Scoping of Policies

POLICY	Detail	HRA ISSUE	SOLUTION/MITIGATION
ST6	Park & Ride	X / ?	at 1a) add impacts to SAC
ST7	Transport, access and development management	X	
ST8	Airport and Aerodrome Safeguarding Areas	x	
SCR.1	Energy Efficiency in existing dwellings	X	
Scr2	Energy Efficiency in non-domestic dwellings	X	
SCR3	Allowable solutions	X	
Scr4	On site renewable energy solutions	X	
SCR5	Domestic Scale Solar Energy	X	imp includes clause to protect bio
Scr 6	Ground Mounted Solar Arrays	X	
Scr7	Community Led Renewable Energy & Community Involvement	X	
Scr8	Water Efficiency	X	
SCR9	Cycle Storage	X	
SU1	Site Specific Suds	X	
PCS1	Pollution and nuisance	X	
PCS1	Noise and Vibration	X	
Pcs3	Air quality	X	
PCS4	Major hazards and hazardous substances	?	need clause to avoid protected sites
PCS5	Contamination	X	
Pcs6	Unstable land	X	
PSC7	Water source protection zones	X	
Psc8	Bath hot springs	X	
M1	Mineral safeguarding Areas	X	
M2	Minerals allocations	possible subject to loaction	add clause to avoid harm to european sites
M3	Aggregate recycling facilities	X	
M4	?	X	Includes clause to protect environment
M5	Energy Minerals	?	add to WHC –" SAC impacts not acceptable"