



**Placemaking Plan Development Plan Document
Revised Sustainability Appraisal Scoping Report (October 2014)**

Schedule of Consultation Responses

**Bath & North East
Somerset Council**

Introduction

Scoping Report 2013

Under section 19(5) of the Planning and Compulsory Purchase Act 2004 and the Environmental Assessment of Plans and Programmes Regulations 2004, the Council is required to undertake a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) as part of the preparation of its Development Plan Documents (DPDs). Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) is a process of appraising the social, environmental and economic effects of plans strategies and policies from the outset of plan preparation.

This scoping report sets out the SA framework which will be used to test the plan and will help to identify the most sustainable options available. The Scoping Report represents the first stage of the SA process and has been prepared for consultation on the scope and level of detail that should be included in the Sustainability Appraisal of the Bath & North East Somerset Placemaking Plan DPD.

The Core Strategy provides a policy framework for the Placemaking Plan DPD so the decision has been made to base this SA process on the SA process used for the Core Strategy. The scoping report for the Placemaking Plan DPD is much more concise and focused due to the information already available as part of the Core Strategy SA process which does not need to be repeated. Updates of the policy reviews, the baseline data and the SA framework have been undertaken to ensure they are up to date and relevant to the Placemaking Plan DPD.

In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 the SA Scoping Report for the Placemaking Plan was published for a five week period of consultation with English Heritage, Natural England and the Environment Agency between 5th September and 10th October 2013. Other relevant Statutory Consultees were informed of the consultation. The report was also made available on the Council website for information and comment from other stakeholders.

Revised Scoping Report 2014

With the integration of public health functions (from the NHS) into Local Authorities in April 2013, and subsequent joint work, there is an aspiration to integrate Health Impact Assessment into the SA process. With this in mind, the Council's Public Health team have now suggested some additional detailed appraisal questions. In parallel with this officers within the Council's Corporate Sustainability Team have raised concerns that the SA objectives adequately reflect climate change issues. This has resulted in a review of the SA Scoping Report and amendments to the SA Framework and the relevant updated baseline information has been incorporated into Section 3 and Annex A.

The Council consulted on the revised SA Scoping Report and Annex A (Annex B remains unchanged) which also include changes that have arisen from the consultation with statutory consultees as required by the 2014 Regulations **between 8th September and 10th October 2014**.

The table below sets out the comments received in full, together with the Council's response and the changes proposed. Where there is a change, new text is shown as underlined and deleted text is shown as struck through.

RESPONDENT	COMMENT	COUNCIL RESPONSE	CHANGE
Environment Agency	<p>Thank you for consulting the Environment Agency on the revised SA Scoping report that has been prepared to inform preparation of the Placemaking Plan. We note that the majority of the changes to the report are to taken into account the integration of public health functions within the Council. We therefore remain broadly happy with the report and proposed SA Framework. We do however have the following detailed comments to make:</p> <p>Baseline & relevant policies, plans & programmes</p> <p>As well as referring the Council's SFRA the Council may wish to consider updating these sections to include reference to the additional flood risk evidence work undertaken by Black & Veatch to inform the Core Strategy. The additional flood risk modelling and outputs from this recent work are likely to be important considerations (e.g. in terms of recommended conveyance areas) in the preparation of the placemaking plan policies.</p>	<p>Noted. Information on the Scoping Report will be updated accordingly.</p>	<p>Add the following references to Table 3.3: Climate Change Policy Summary under Policy</p> <p>Key Local Policy</p> <ul style="list-style-type: none"> • <u>B&NES Flood Risk Management Strategy (May 2009)</u> • <u>Core Strategy Flood Risk Topic Paper (May 2011)</u> • <u>Bath Flood Risk Management Technical Note B&V (Jan and Nov 2013)</u> • <u>Core Strategy Sequential Test March 2013)</u> <p>Under Details of relevance to the plans and SA</p> <p><u>Options to provide compensatory flood storage upstream of Bath have been considered by B&NES Flood Risk</u></p>

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			<p><u>Management Strategy as a means of mitigating the increase in flood risk. The modelling prepared by the B&V has confirms that the principal impact of raising developments is a loss of flow conveyance, rather than a loss of flood storage, therefore upstream storage is no longer being considered as part of any flood mitigation measures for these development sites in the Enterprise Area. B&V Technical Notes contains detailed locations for the mitigation measures.</u></p> <p>Amend Annex A 'Policy Plan and Programme Review' to include the following under 'Local' (page 23):</p> <p><u>Bath Flood Risk Management Technical: Note Black & Veatch (B&V) (Jan and Nov 2013)</u></p> <p><u>Options to provide compensatory flood storage upstream of Bath have been considered by B&NES Flood Risk Management Strategy as a means of mitigating the increase in flood risk. The modelling prepared by B&V has confirms that the principal impact of raising developments is a loss of flow conveyance, rather than a loss of flood storage, therefore upstream storage is no longer being considered as part of any flood mitigation measures for these development sites in the Enterprise Area. B&V Technical Notes contains detailed locations for the mitigation</u></p>

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	<p>SA Framework</p> <p>We note the wording changes proposed to the SA Framework. Generally we are happy with these amendments. However for objective 10 we would look for the wording to still refer to reducing the vulnerability to flood risk, as it did previously. The reference to just increasing resilience does not place enough emphasis of avoidance of risk in the first instance. The wording at the moment also gives the impression that flood risk is just a climate change consideration, when in reality it is a real threat to communities in BANES today. We would therefore recommend objective 10 wording and the appraisal questions/prompts are given further thought. It may be more appropriate to have a separate SA objective relating to climate change as well as the flood risk one.</p>	<p>Agree to review Objective 10 and separate the flooding and climate elements into two separate objectives.</p>	<p><u>measures.</u></p> <p>Amend Objective 10 to read: Objective 10: Reduce vulnerability to, and manage flood risk (taking account of climate change). Increase resilience to climate change.</p> <ul style="list-style-type: none"> • Development which supports and corresponds with appropriate flood risk management guidance including applying a sequential approach and policies for any form of flooding including surface water flooding? • Development designed to be resilient to future climate of increased extremes of heat, cold and rainfall in line with latest guidance, e.g. passive cooling measures such as deciduous trees and blue infrastructure to adapt to hotter summers? <p>Include a new objective relating to climate change as follows: <u>Objective 11 Increase resilience to climate change</u></p> <ul style="list-style-type: none"> • <u>Development designed to be resilient to future climate of increased extremes of heat, cold and rainfall in line with latest guidance, e.g. passive cooling measures such as deciduous trees and blue infrastructure to adapt to hotter summers?</u>

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			Renumber subsequent Objectives
English Heritage	I note and appreciate the process of review and acknowledge the proposed revisions.	Comments noted.	No change required.
Natural England	<p>Thank you for your consultation on the above dated 05 September 2014 which was received by Natural England on the same date.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We have considered the proposed revisions to the Scoping Report which in our view appear reasonable and to be generally positive for the natural environment and for people's access to and enjoyment of it. However, we would like to make the following comments in line with the consultation questions set out in section 1.4:-</p> <p>Additional plans and policies</p> <p>We are pleased to note the Cotswolds AONB Management Plan has been identified in the policy review; however we did not see any references to the Mendip Hills AONB Management Plan. If you have not already done so, we would encourage the Council to add the Mendip Hills</p>	<p>Agree to add the Mendip Hills Management Plan to the policy review section and update the reference to the Habitats Regulations in Table 3.2.</p>	<p>Amend reference in Table 3.2: Biodiversity, Flora and Fauna Policy Summary under Key National / Regional Policy</p> <ul style="list-style-type: none"> • The Conservation (Natural Habitats &c) Regulations 1994 and 2000 amendment <u>The Conservation of Habitats and Species Regulations 2010 (as amended)</u>, commonly referred to as

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	<p>Management Plan to the policy review section to ensure it is taken into account in the Sustainability Appraisal.</p> <p><i>Table 3.2 Biodiversity, Flora and Fauna Policy Summary</i> refers to the Conservation (Natural Habitats &c) Regulations 1994 and 2000 amendment. Please note this has been replaced by The Conservation of Habitats and Species Regulations 2010 (as amended), commonly referred to as the “Habitats Regulations”.</p> <p>Baseline</p> <p><i>3.2.1 Scope of the plan for biodiversity, fauna and flora</i> – We would like to see this section reworded to properly reflect the need to firstly avoid impacts on biodiversity, particularly with regard to designated sites to properly reflect the avoidance-mitigate-compensate hierarchy. The plan should be choosing locations which avoid impacting on biodiversity. We would also wish to see the plan recognise the importance of</p>	<p>Agree to amend 3.2.1 along the lines suggested.</p>	<p><u>the “Habitats Regulations”.</u></p> <p>Amend Annex A ‘Policy Plan and Programme Review’ to include the following under ‘Local’ (page 28):</p> <p><u>Mendip Hills Area of Outstanding Natural Beauty Management Plan</u></p> <p><u>The management Plan is a statutory document and relates specifically to the designated areas of the Mendip Hills AONB. It also covers any developments outside the area which may impact upon its conservation and enhancement</u></p> <p><u>The Plan sets out what the special qualities of the Mendip Hills AONB are in the Statement of Significance. It has considered current issues and future trends to devise objectives to address these in order to retain and enhance the special qualities in order to achieve the Vision for the Mendip Hills AONB</u></p> <p>Amend the following sentence in the box under 3.2.1:</p> <p>Sensitive location of development sites in order to:</p> <ul style="list-style-type: none"> • <u>Avoid impacts on habitats, species and designated and undesignated sites, especially those designated; irreplaceable habitats and priority habitats and species; greenspace networks and habitat connectivity,</u>

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	<p>irreplaceable habitats as well as priority habitats and species.</p> <p><i>3.4.1 Scope of the plan for heritage, archaeology and landscape</i> – We would like to see this section reworded to reflect the need to afford the highest level of protection to the 2 AONBs which are within the district. As explained above the plan should be seeking to firstly avoid impacts on protected landscapes to ensure the avoidance-mitigate-compensate hierarchy is properly reflected in the decision on making process with respect to choosing sites for development.</p> <p>SA framework</p> <p><i>Objective 1: Improve the health and well-being of all communities:</i></p> <p>We welcome many of the additional questions and prompts for this objective, particularly those that relate to the provision of and access to open space, local food production and high quality walking and cycling opportunities, which should help to ensure the importance of these and other ‘green infrastructure’ functions and ecosystem services to people’s health and well-being is fully recognised and provided for within new development.</p> <p><i>Objective 6: Protect and enhance local</i></p>	<p>Agree to amend 3.4.1 along the lines suggested.</p> <p>Comments of support welcomed.</p> <p>Agree that reference to impacts on all local</p>	<p>including river and stream corridors <u>by employing the avoidance-mitigate-compensate hierarchy.</u></p> <p>Amend 3.4.1 by including the following sentence in the box:</p> <ul style="list-style-type: none"> <u>Avoid harmful impacts on protected landscapes (Cotswolds and Mendip Hills AONBs) by employing the avoidance-mitigate-compensate hierarchy</u> <p>No change necessary.</p> <p>Amend the following appraisal question</p>

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	<p><i>distinctiveness:</i></p> <p>We are pleased the appraisal questions include the avoidance of impacts on AONB landscape character; however according to the European Landscape Convention, all landscapes matter and it will important that impacts on local landscape character outside AONBs are taken into account as part of the assessment of the Placemaking Plan.</p> <p><i>Objective 7: Protect and enhance the district's historic, environmental and cultural assets:</i></p> <p>We would encourage the Council to include an additional appraisal question to ensure Ancient Woodland is recognised as an important resource within the assessment and that objectives are established to protect ancient woodland and aged or veteran trees.</p> <p><i>Objective 8: Encourage and protect habitats and biodiversity (taking account of climate change):</i></p> <p>We are pleased that an additional appraisal question refers to the avoidance of impacts on designated sites. However the avoidance-mitigation-compensation hierarchy for adverse impacts on all biodiversity should be made explicit and appraisal questions should distinguish more clearly between international, national and local sites. The objective or additional</p>	<p>landscapes should be included in the appraisal questions under Objective 6. Also amend the question to qualify that it is the <u>harmful</u> impacts of development that will be appraised.</p> <p>Agree to amend Objective 7 to make reference to the protection of ancient woodland and aged or veteran trees</p> <p>Agree to amend Objective 8 and appraisal questions along the lines suggested.</p>	<p>under Objective 6 to read:</p> <ul style="list-style-type: none"> Avoidance of potential harmful impacts of development on <u>all landscapes including AONB landscape character and its statutory purpose?</u> <p>Include an additional appraisal question as follows for Objective 7:</p> <ul style="list-style-type: none"> <u>Avoidance of potential impacts or loss of ancient woodland and aged or veteran trees</u> <p>Amend Objective 8 and appraisal questions to read:</p> <p>Objective 8: Encourage and protect habitats and biodiversity <u>and geodiversity</u> (taking account of climate change)</p> <ul style="list-style-type: none"> Avoidance of potential impacts of development on designated sites (<u>international, national, local</u>)? Avoidance of net loss, damage to, or fragmentation and positive

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	<p>questions should refer to geodiversity sites and we would also wish to see an appraisal question relating to the conservation, restoration and re-creation of priority habitats as is being proposed for protected and priority species. We would also wish to see a clear reference to achieving a net gain in biodiversity and enhanced ecological networks.</p> <p><i>Objective 9: Reduce land, water, air, light, noise pollution:</i></p> <p>We would encourage the Council to consider including an appraisal question relating to tranquillity. Tranquillity is an important landscape attribute in certain areas (see CPRE maps) and Local Planning Authorities should consider whether there are any such areas of tranquillity in their areas, and map (or otherwise spatially identify) them and provide appropriate policy protection.</p> <p><i>Objective 11: Encourage careful and efficient use of natural resources including energy and encourage sustainable construction:</i></p> <p>We note the appraisal questions include whether the development is on a brownfield site; however consideration should also be given to the potential ecological value of some brownfield sites.</p> <p>Baseline data that is missing or</p>	<p>Agree to include reference to tranquillity in the appraisal questions under Objective 9.</p> <p>The Council will also consider whether the issue of tranquillity is adequately addressed in the Placemaking Plan landscape policy when preparing the Draft Plan.</p> <p>Disagree. It is felt that issues of ecological value are adequately dealt with under Objective 8 where the potential ecological value of some brownfield sites would be addressed.</p> <p>Noted. The Council is aware that this</p>	<p>enhancement of designated and undesignated wildlife sites protected species and priority species?</p> <ul style="list-style-type: none"> • <u>Conservation, restoration and re-creation of priority habitats?</u> • Development which enhances the ecological services of the wider area? • Development which incorporates biodiversity into the design e.g. green corridors, linking open space etc.? <p>Amend the following appraisal question under Objective 9 to read:</p> <ul style="list-style-type: none"> • Avoidance of location of potentially noisy activities in areas that are sensitive to noise, <u>including areas of tranquillity?</u> <p>No change.</p> <p>No change.</p>

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	<p>inaccurate</p> <p>We note the Scoping Report policy review for Biodiversity, Flora and Fauna advises under <i>Recent Changes and trends</i> that trend data is not available in relation to priority species and habitats. This information will be essential to understand the effects of the plan and is a significant omission of the scoping report. Some of this information may be available from the Local Wildlife Trusts and Biodiversity Partnerships. You could also consider trend information on the number of planning applications that have been granted which have resulted in the loss, partial destruction, creation or enhancement of priority habitats and species. This would help to give a picture of what impact development is having on biodiversity. We would be happy to discuss this further with you.</p> <p>We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.</p>	<p>information is not available at present but agrees that the impact of development on priority species and habitats should be monitored along the lines suggested. The Council would welcome a discussion with Natural England and other relevant bodies as appropriate with the view of taking this forward and putting place a mechanism for recording relevant data.</p>	
Highways Agency	<p>Thank you for giving the Highways Agency the opportunity to comment on the above consultation document. We have reviewed the revised Sustainability Appraisal Scoping Report and we find the revisions to be practical and clear. We have no further comments to make.</p>	<p>Comments noted.</p>	<p>No change required.</p>