

BATH AND NORTH EAST SOMERSET COUNCIL 2025 LOCAL PLAN OPTIONS DOCUMENT: Initial scoping of issues relating to the Habitat Regulations

Introduction

The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) protect the sites of greatest significance and international importance for nature, for which the UK has a special responsibility. These sites include breeding and resting sites for rare and threatened species, and/or important natural habitats that are at risk.

The Regulations provide these sites with protection through the designations of Special Areas of Conservation (SACs), which provide protection to a variety of special species and habitats, and Special Protection Areas (SPAs), which provide protection for rare and vulnerable birds and their habitats. Functionally linked land that supports the sites or species assemblages also receive protection. These designated sites are collectively referred to as European sites.

The Habitats Regulations designations (SAC and SPA), give a higher level of legal protection than domestic protections, such as Sites of Special Scientific Interest (SSSIs), including through a legal requirement to assess the potential impacts of development plans or projects on protected sites prior to their approval (Habitats Regulations Assessment or HRA). Where derogation does not apply, development projects or plans that would result in adverse impacts to the integrity of any European site should not be approved without recourse to the secretary of state.

There are 3 species (Bat) SACs, 2 habitat SACs, 1 SPA and extensive areas of functionally linked land of relevance to spatial planning and policy making for B&NES. This scoping document considers potential issues arising from the 2025 Options Document in the light of the regulations and designations.

Context

The 2025 Local Plan Options Document is prepared for consultation under Reg 18 of the Town and County Planning (Local Planning) (England) Regulations 2012. It does not set out policies or proposals but provides a series of options to consider for inclusion in the new Local Plan. A formal Habitats Regulations Assessment (HRA) is therefore not required at this stage. An initial scoping of potential issues is considered helpful and appropriate to support consideration of the options and the next stage of plan making.

The 2025 Local Plan Options Document is being prepared in response to changes to national policy and revisions to the standard method figure of housing need made by government in late 2024, and follows a previous spring 2024 reg18 options consultation. The policy options considered then are still live and were subject to an [initial HRA scoping](#). The findings of that scoping remain valid for those policy areas and reflect many of the issues identified through this scoping exercise. The findings

of both scoping exercises will need to be considered when the new Local Plan is prepared.

Purpose

This report provides a brief overview of potential issues relating to the Habitat Regulations arising from the options set out in the 2025 Local Plan Options Consultation document. It considers the scope of possible impacts to the European Sites within and adjacent to the district and provides recommendations to guide the next stage of plan preparation.

The intention is to judge whether these new options, if translated into formal planning policies and site allocations would be likely to have a significant effect on any European Site, and to then consider if, and what, changes or mitigation measures may be needed for the drafting and refining of policies and site allocations.

The objective being to support the drafting of a new local plan that would not result in adverse impacts to the integrity of European sites within and adjacent to the district.

It represents an initial scoping and recommendation exercise for the 2025 Options Document. A precautionary approach has been taken.

Reset 2025 Local Plan Options Document

The 2025 Options Document sets out options, or 'reasonable alternatives' for addressing identified needs and to help deliver healthy and sustainable places. These are set out as follows:

- **Site Options** to set out potential sites in our area for new development to meet our housing and employment needs with green space and supporting infrastructure.
- **Policy Options** to describe how we propose to address issues such as climate change, building vibrant, well-connected communities and protecting our heritage.

It builds on the previous 2024 Options Document

The previous recommendations from the 2024 Options Document HRA Scoping Appraisal remain valid and will need to be considered alongside any recommendations within this report when the New Local Plan HRA is drafted.

Methods and approach

Both the new site allocation options and new policy options have been screened for potential impacts/ areas of concern. Policy options have been screened using defined screening criteria set out in the HRA Handbook published and updated by Tyldesley and Chapman (2013)¹ and with an understanding of the sites

Conservation Objectives, Conservation Condition reports and Site Improvement Priorities. Given the nature of the policy options, this is a high-level screening. The screening results are included in the appendices.

The policies remain unchanged from the existing local plan, and those considered in the 2024 options HRA scoping Exercise have not been revisited at this point, but potential cumulative effects will need to be considered during the HRA of the draft Local Plan (that will be consulted upon under Reg 19).

The site allocation options have been screened using mapped buffer zones and consultation zones, with an understanding of the sites Conservation Objectives, Conservation Condition reports and Site Improvement Priorities.

Screening categories	Code
A general statement of policy	A
Policy listing general criteria for testing proposals	B
proposals referred to but not proposed by the plan	C
environmental protection policies	D
steering change away from positive sites	E
do not propose change, but control approach (e.g. design)	F
no conceivable effect	G
actual or theoretical effects cannot undermine conservation objectives	H
LSE on a site alone	I
no LSE alone but an effect - check in combination	J
no LSE even in combination	K
LSE in combination	L
<i>Any policy or site allocated screening category I, J or L and highlighted in yellow will require action / amendment.</i>	

Alert buffers and SAC bat consultation zones

A series of alert buffers around European sites have been used, firstly, to identify the European sites of relevance to the B&NES Local Plan, and then to determine the possible impact pathways and effects of each new site allocation option or policy area. This reflects best practice. The details of the buffer zones used, and their justification are provided in Appendix 1. (These zones were developed in consultation with WECA in 2019).

Alert buffers are designed to filter in areas where different types of development pressure could conceivably have an impact on the priority issues that have been identified for each European site. These are set out in Site Improvement Plans (SIPs) which are published by Natural England.

These consider the Conservation Objectives for each site and the factors that impact most significantly on the conservation status of each site. The buffers have been used to scope the likelihood of significant issues and impacts arising from the options document.

A series of more nuanced consultation zones around the Bat SACs are then used to consider the nature of potential impact pathways, and the scope for mitigation for the Bat SACs. Potential cumulative impacts are also considered. The additional BAR SAC consultation zones are evidenced in unpublished guidance produced for B&NES by Larry Burrows (2019) and reflect adopted SPD/ Guidance in North Somerset and Somerset CC.

These Bat Consultation Zones illustrate the geographic areas where SAC bats may be found in Functionally Linked Land. The zones are divided into three bands, A, B and C, reflecting the density at which SAC Bats are likely to be found at a distance from a roost site, with zone A being the highest expected density and zones C being the lowest expected density mapped.

In addition, juvenile bat sustenance zones and adult sustenance zones have also been considered. These screening buffers and consultation zones are precautionary areas provided to aid decision making and are based on our best knowledge and shared understanding of what and where significant impacts are most likely to occur.

Maps showing the HRA alert buffer zones, SAC bat consultation zones and site allocation options are provided in the appendices, together with a series of spreadsheets that summarise where impacts could potentially occur. The approach is precautionary.

The European sites and key vulnerabilities considered to be of relevance to the 2025 Local Plan Options are:

European Site Key vulnerability to development with B&NES

Chew Valley Lake SPA	vulnerable to unmitigated increased water demands and recreational pressures
Bath & Bradford on Avon Bat SAC	vulnerable to unmitigated loss or disturbance (including lighting impacts) to green field land that provides key foraging habitat and flightlines; & to unmitigated air pollution from increased traffic generation, air pollution and to unmitigated impacts of illegal access & disturbance
North Somerset & Mendips Bat SAC	vulnerable to unmitigated loss or disturbance (including light impacts) to

	green field land that provides key foraging habitat and flightlines; & to unmitigated air pollution from increased traffic generation, air pollution and to unmitigated impacts of illegal access & disturbance
Mells Valley Bat SAC	vulnerable to unmitigated loss or disturbance (including light impacts) to green field land that provides key foraging habitat and flightlines & to unmitigated air pollution from increased traffic generation, air pollution and to unmitigated impacts of illegal access & disturbance
Mendip Woodlands SAC	vulnerable to unmitigated air pollution from increased traffic generation, and to unmitigated impacts of illegal access & disturbance
Avon Gorge SAC	vulnerable to unmitigated air pollution from increased traffic generation, air pollution and to unmitigated impacts of recreational access & disturbance

Using the buffers and consultation zones to assess the spatial likelihood of impacts and risks to the European sites, each site allocation option has been considered for possible impacts to the relevant European sites, and associated species (see Appendix 3).

Within B&NES the presence of the bat SACs and the mobility of bat species is a key factor to consider across much of the district

For the bat SACs that may be impacted by development within B&NES, the formal HRA must consider whether site allocations and /or policies are likely to result in:

- the destruction of a SAC bat roosts (maternity, hibernation or subsidiary roost)
- loss of foraging habitat for SAC bats
- fragmentation of commuting habitat for SAC bats
- increase in luminance in close proximity to a roost and/or increase in luminance to foraging or commuting habitat
- impacts on foraging or commuting habitat which supports the SAC bat populations structurally or functionally.

These potential issues have been considered during the screening and scoping exercise.

Policy Options – early review and scoping of potential issues

New or updated policy approaches/areas that are addressed in the 2025 Options Document are as follows.

- **Housing**
 - Including: Affordable Housing; Co-living Schemes; Houses in Multiple Occupation (HMOs); Purpose Built Student Accommodation (PBSA); Gypsies, Roma, Travellers and Travelling Show People; and Housing Development Boundaries (HDBs).
- **Climate Change**
 - Including: Climate Adaptation and Resilience; Retrofit First; District Heating; Renewable Energy; and Low Impact Farming
- **Nature and Ecosystem Services**
 - Including: Biodiversity Net Gain; Green Infrastructure; and Conserving and Enhancing the Landscape Character
- **Green Belt**
- **Jobs and Economy**
 - Undesignated Industrial Sites Policy
- **Healthy and Vibrant Communities**
 - Including: Town Centre Retail Hierarchy and Development; Cultural Infrastructure; Local Green Spaces; and Somersetshire Coal Canal and the Wansdyke
- **Minerals and Waste**
 - Waste

The HRA appraisal of the 2024 policy options made the following recommendation:

- The re-drafting of existing policies in the Draft Local Plan may need to include additional mitigation measures and should be drafted with an awareness of the need to safeguard European sites and functionally linked land.

With the exception of the policy to review Housing Development Boundaries (HDBs) no significant issues arise with the new policy options being considered, and the 2024 recommendation remains valid for all policy options. In Appendices 6 and 7 to the 2025 options document some potential changes to HDBs are indicated. The implications of these potential changes to HDBs will be assessed as part of the Draft Local Plan once the revisions are confirmed. It should be noted the optional revisions set out in the Options document are minor in nature.

Local Plan Site Options - early review and scoping of potential issues

Growth issues of key concern to the European sites within and adjacent to B&NES:

- Population growth means increased emissions, increased water demand & increased pressures on recreational space.
- Associated development means significant greenfield development resulting in habitat loss disturbance and fragmentation.

Bath sub area

This region falls within the alert zone and consultation zones of the Bath and Bradford on Avon Bat SAC with many of the SAC components within or very close to the zone. The region does not fall within the alert buffers for any other European site.

Given the main components of the Bath & Bradford on Avon SAC are located within or in close proximity to this sub-area of the district it is the most sensitive region in terms of potential Bat SAC HRA issues.

The 2025 Local Plan Options document lists a number of existing site allocations in Bath that will be retained and proposes that these are to be refreshed and refined to reflect updated priorities and to address the climate and nature emergencies. It will be essential for the refresh to address the potential cumulative impacts of the re-development at scale along the river corridor which is considered functionally linked to the SAC.

A new option area for employment purposes is identified to the south west of the Odd Down Park and Ride, on the southern side of the A367. This in part lies within an area identified of importance for foraging greater horseshoe bats.

The new allocation options for West of Bath are close to components of the SAC and adjacent or encompass habitat features that may provide foraging and commuting habitat. Whilst potential impacts cannot be ruled out, it is anticipated that mitigation is feasible could be required to minimise and offset any negative impacts.

A new allocation option is identified at the Sulis Club at Combe Down. This is within the juvenile sustenance zone mapped for Greater Horseshoe Bats and so is a very sensitive location. The existing site use does not provide significant benefit for bats but has limited detrimental impacts. Any change of use would need to demonstrate to adverse effects. Light spill is likely to be the biggest issue.

The development and adoption of a strategic SAC Bat mitigation plan for the area, supported with suitable guidance may be a suitable and pragmatic approach to enable development that retains the SAC bat interests of this area.

Recommendations:

- The re-drafting of existing site allocation requirements will need to include additional mitigation measures and should be drafted with an awareness of the need to safeguard European sites and functionally linked land. For the riverside locations the need to retain or create a functioning dark corridor will be key.
- The development and adoption of a SAC Bat mitigation Project for the Bath region is strongly recommended. This should be guided by the WoE LNRS and developed in collaboration with Natural England, Local Landowners, developers and relevant NGOs.
- The review and updating of the council's draft SAC guidance is strongly recommended to support any mitigation plan.
- The Sulis Club site allocation will need very specific site requirements to control light spill from the development both during construction and site operation and may need to a mechanism to off-set residual impacts.

Bath to Bristol corridor and south-east edge of Bristol

Various options are being considered for site allocations at Keynsham & Salford, Hicks Gate and Whitchurch. The River Avon is a key feature of this region and is recognised as functionally linked habitat for the Bath & Bradford on Avon SAC.

Keynsham & Saltford sub areas

A variety of site options for development are being considered.

None of the Keynsham and Saltford options are flagged by the main SAC or SPA alert buffers. However, all but two of the option areas fall within a bat SAC consultation zone where strategic development could impact on the favourable conservation status of lesser horseshoe bat maternity colonies (LHB Maternity Consideration Zone). Evidence from various routine planning applications also suggest that both greater and lesser horseshoe bats will make use of much of the undeveloped landscape around Keynsham, particularly in association with the river corridors and linear habitats.

Significant green field development within these sub areas has the potential to have impacts through the loss and/or disturbance to foraging grounds and flight lines. The North Keynsham site lies adjacent to the River Avon functionally linked habitat considered of value to both Greater and Lesser Horseshoe bats.

The West Keynsham options have a requirement for 50m buffers to the west of the site. This could provide mitigation for SAC bats. Similarly, the South Keynsham allocation requires landscape mitigation and green infrastructure provision that could provide SAC bat mitigation.

The South East Keynsham, East Keynsham and West Saltford options connect to Manor Road Woodland LNR and would need to provide landscape, and habitat buffers to protect the LNR. This could also provide mitigation for SAC bats.

The South Saltford site option is adjacent to linear woodland which may be important to SAC bats. The allocation may require specific development requirements to buffer that feature and to retain key internal field hedgerows. The West Saltford option may require specific development requirements to buffer boundary habitat features and to retain key internal field hedgerows.

Whilst potential impacts cannot be ruled out, it is anticipated that mitigation measures could be required that would adequately minimise and offset any negative impacts.

The development and adoption of a strategic SAC Bat mitigation plan for the area, supported with suitable guidance may be a suitable and pragmatic approach to enable development that retains the SAC bat interests of this area.

Recommendations:

- The drafting of site allocation requirements may need to include specific mitigation measures, and should be drafted with an awareness of the need to safeguard European sites and functionally linked land. Linear site features and boundary features may be particularly important.
- Landscape mitigation requirements may also be suitable to provide SAC Bat mitigation.
- The development and adoption of a SAC Bat mitigation Project for the Keynsham and Saltford sub area is strongly recommended. This should be guided by the WoE LNRS and developed in collaboration with Natural England, Local Landowners, developers and relevant NGOs.
- The review and updating of the council's draft SAC guidance is strongly recommended to support any mitigation plan.

Whitchurch & Hicks Gate Sub Area

The use of the alert buffers identifies that the options at Whitchurch and Hicks Gate may have the potential to impact the Avon Gorge SAC through any increase in traffic caused to the road networks within 200m of the gorge. Whilst it seems unlikely that a significant increase in traffic along the Portway would result from these allocations, without detailed traffic modelling it is not possible to rule this potential impact out at this stage. This does however help to inform site requirements, for example reinforcing the need for an allocation to provide local employment opportunities to reduce the need to travel and to ensure adequate provision of and access to public transport.

Neither the options at Hick's Gate nor at Whitchurch fall within the Bat SAC alert zones, or any detailed consultation zones.

The options for Whitchurch fall within the Chew Valley Lake SPA buffer area. A potential increase in recreational pressures at the site are feasible, but probably not significant, unless in combination with impacts from strategic development projects elsewhere, including that planned in neighbouring authorities Local Plans. For the HRA of the B&NES Draft Local Plan (Reg 19) the in-combination effects of any allocation for development at Whitchurch, along with any relevant development site allocations in the Bristol Local Plan and North Somerset Local Plan, will be assessed with reference to the HRAs underpinning the respective Local Plans.

Recommendations:

- Transport modelling may be needed to determine if development at Hicks Gate would generate significantly increased traffic movements within 200m of Avon Gorge Woodland SAC
- The drafting of site allocation development requirements may need to include specific mitigation measures to reduce travel into Bristol by private car.
- The potential for cumulative impacts from increased recreational pressures at Chew Valley Lake SPA need to be considered as site options are selected, and site development requirements are designed. Specific provision of local accessible green space/ green infrastructure may be a requirement and/or there may be a requirement for developments here to contribute to a mitigation plan for Chew Valley Lake designed to address recreational impacts.

Somer Valley

Various options are being considered for strategic allocations at Midsomer Norton, Peasedown, Radstock, and Farrington Gurney. In addition, a number of non-strategic housing sites are being considered.

The Peasedown strategic options falls within the Bath & Braford on Avon Bat SAC alert buffer. Part of the South Peasedown allocation is adjacent to ancient woodland that is within the Draft Greater Horseshoe Bat Foraging Corridor used to help identify potentially linked habitat / functionally linked habitat. The development requirements for this option would need to ensure adequate protection and enhancement of the woodland to support bats, including maintenance of a dark buffer adjacent to the woodland edge and linked hedgerows.

The northern part of Bath Business Park allocation option is also close to the Draft Greater Horseshoe Bat Foraging Corridor. The existing land-use for these sites is largely arable of limited intrinsic value for bat foraging. The alignment of these strategic allocations may provide beneficial opportunities to provide additional linking bat habitat that would support SAC bats.

The North Peasedown and Lower Peasedown options may require the retention of existing habitat features of value to bats.

Whilst potential impacts cannot be ruled out for this area, it is anticipated that mitigation measures could be required that would adequately minimise and offset any negative impacts.

The development and adoption of a strategic SAC Bat mitigation plan for the area, supported with suitable guidance may be a suitable and pragmatic approach to enable development that retains the SAC bat interests of this area

Recommendations

- The drafting of site allocation development requirements for the strategic sites may need to include specific mitigation measures, such as provision of a dark corridor and adequate buffering of the adjacent woodland, the provision of on-site compensatory habitat and retention of internal and boundary hedgerows with supporting buffers.
- Landscape mitigation requirements may also be suitable to provide SAC Bat mitigation.
- The development and adoption of a SAC Bat mitigation Project for the Peasedown area is strongly recommended. This should be guided by the WoE LNRS and developed in collaboration with Natural England, Local Landowners, developers and relevant NGOs.
- The review and updating of the council's draft SAC guidance is strongly recommended to support any mitigation plan.

Radstock & Writhlington including non-strategic sites

With the exception of the North Radstock strategic option all the Radstock & Writhlington options fall within the outer zones of the Mells Valley SAC and Mendip Woodlands SAC alert buffers. The land to west of the Somer Valley Enterprise Zone (SVEZ) also falls within the outer zones of the Mells Valley Bat SAC.

In addition all of the Radstock & Writhlington options fall within the bat SAC consultation zone where strategic development could impact on the favourable conservation status of lesser horseshoe bat maternity colonies (LHB Maternity Consideration Zone).

Habitat features at these site options of importance to foraging and commuting SAC bats would need to be protected and enhanced. In addition there may be a need for additional mitigation through compensatory habitat provision.

Recommendations

- The drafting of site allocation development requirements for the strategic and non-strategic sites may need to include specific mitigation measures such as retention of boundary habitat features, and control of light spill to maintain dark bat corridors.

- The development and adoption of a SAC Bat mitigation Project for the Radstock and Writhlington area is strongly recommended. This should be guided by the WoE LNRS and developed in collaboration with Natural England, Local Landowners, developers and relevant NGOs.
- The review and updating of the council's draft SAC guidance is strongly recommended to support any mitigation plan.

Midsomer Norton including non-strategic sites

All the Midsomer Norton options fall within the outer zones of the Mells Valley SAC and Mendip Woodlands SAC alert buffers and also within the bat SAC consultation zone where strategic development could impact on the favourable conservation status of lesser horseshoe bat maternity colonies (LHB Maternity Consideration Zone).

Habitat features at these site options of importance to foraging and commuting SAC bats would need to be protected and enhanced. In addition there may be a need for additional mitigation through compensatory habitat provision.

The Farrington Road South and North non-strategic options fall within the Chew Valley SPA alert buffer. A potential increase in recreational pressures is considered unlikely given the scale of development.

Recommendations

- The drafting of site allocation development requirements for the strategic and non-strategic sites may need to include specific mitigation measures such as retention of boundary habitat features, and control of light spill to maintain dark bat corridors.
- The development and adoption of a SAC Bat mitigation Project for the Radstock and Writhlington area is strongly recommended. This should be guided by the WoE LNRS and developed in collaboration with Natural England, Local Landowners, developers and relevant NGOs.
- The review and updating of the council's draft SAC guidance is strongly recommended to support any mitigation plan.

Farrington Gurney

The site option at Farrington Gurney falls within the Chew Valley Lake SPA consultation zone, within the LHB Maternity FCS Consultation zone and within the Mells Valley Bat SAC outer zone.

A potential increase in recreational pressures at Chew Valley Lake SPA is feasible, but probably not significant, unless in combination with increased recreational pressures from other projects/developments.

Habitat features of importance to foraging and commuting SAC bats would need to be protected and enhanced. Landscape mitigation features required may contribute to bat mitigation requirements.

Recommendations

- The drafting of site allocation development requirements for the strategic and non strategic sites may need to include specific mitigation measures such as retention of boundary habitat features, and control of light spill to maintain dark bat corridors.
- The potential for cumulative impacts of increased recreational pressures at Chew valley lake SPA will need to be considered as site options are selected, and site development requirements are designed. Specific provision of local accessible green space/ green infrastructure may be a requirement.

Rural Areas

Except for Timsbury all the villages identified for limited proportionate growth within the wider rural area are within bat SAC buffers or within the Chew Valley Lake SPA buffer. The individual sites may not cause significant impacts, but cumulative impacts may result and require mitigation. The option at Bishop Sutton raises specific concerns in relation to the SPA both during site construction and operation. Specific site development requirements may be necessary.

Recommendations

- The drafting of site allocation development requirements for the villages may need to include specific mitigation measures such as retention of boundary habitat features, and control of light spill to maintain dark bat corridors for impacts to Bat SACs.
- Specific site requirements at Bishop Sutton may be required to address construction noise and disturbance, and also operational noise and disturbance.
- The potential for cumulative impacts of increased recreational pressures at Chew Valley Lake SPA need to be considered as site options are selected, and site development requirements are designed. Specific provision of local accessible green space/ green infrastructure may be a requirement and/or contributions to the management of public facilities at the Lake may be appropriate.

Potential for Cumulative Effects

Until the full extent and location of new housing and employment sites is defined it is not possible to fully assess the likelihood of the plan resulting in cumulative significant effects on the European sites of relevance to B&NES. It is however potentially instructive to look briefly at the extent and location of cumulative impacts from the options identified for each European Sites. (NB. This does not consider cumulative impacts from other plans or projects).

Bath & Bradford on Avon Bat SAC

Potential site allocations at West of Bath, Odd Down, and the Sulis Club, in combination with the proposals for Bathford and at Peasedown and in combination with the retained Bath allocations could result in significant cumulative effects.

A strategic mitigation strategy/approach may be appropriate requiring developer contributions to an agreed costed SAC action plan.

North Somerset & Mendip Bat SAC

This SAC could be affected by cumulative impacts of development options at West Clutton in combination with the identification of Chew Magna, Chew Stoke, and Bishop Sutton as relatively sustainable villages for limited proportionate growth. Chew Magna and Chew Stoke, and potentially Bishop Sutton, have habitat connectivity and are linked by the draft key horseshoe bat corridor. However, these villages are likely to have only modest growth. Site development requirements to maintain and enhance foraging and flight line corridors, including strict control of lighting may be sufficient to avoid significant cumulative effects.

Mells Valley SAC

This SAC is potentially affected by the strategic site allocations at MSN and West of SVEZ, and by a number of the non-strategic site allocation options. However, these options all fall within the outer zones of concern, and with appropriate site development requirements are considered unlikely to result in significant cumulative effects.

Mendip Woodland SAC

This SAC is potentially affected by the strategic allocations south of Radstock and at Writhlington and by two of the non-strategic sites. These options all fall within the outer zones of concern, and with appropriate site development requirements are considered unlikely to result in significant cumulative effects.

Avon Gorge Woodland SAC

This SAC is potentially affected by strategic allocations at Whitchurch and Hicks Gate. The potential impacts relate to increased traffic movements and if demonstrated through traffic modelling are likely to be modest. Measures to reduce car use would mitigate against this impact.

Chew Valley Lake SPA

This SAC is potentially affected by the strategic allocations at Whitchurch, Farrington Gurney, and at Bishop Sutton. In addition, the identification of Chew Magna, Chew Stoke, Clutton, Temple Cloud, High Littleton and Farmborough as villages for limited proportionate growth may impact the site. Given the option at Bishop Sutton there is potential for site specific impacts and also potential for cumulative effects. Specific site developments may be required together with specific provision of local accessible green space/green infrastructure may be a requirement and/or contributions to the management of public facilities at the Lake may be appropriate. The latter could be through an agreed costed action plan.

Conclusions

In terms of compliance with the habitat regulations it is the options for strategic and non-strategic housing growth, and policy options for wind power, and the cumulative effects of these, that pose the biggest risks to the plan.

Policy issues

With the exception of the policy to review Housing Development Boundaries (HDBs) no significant issues arise with the new policy options being considered, and the 2024 recommendation remains valid for all policy options. The implications of optional minor changes to HDBs will be assessed at the Draft Local Plan stage once any HDB changes are confirmed.

Site Allocations

None of the site allocation options being considered raise significant concerns alone. It is considered that the potential impacts at individual site options could be minimised and mitigated through the development of specific site development requirements, and area specific bat mitigation plans.

However, the potential cumulative impacts to the Bradford on Avon Bat SAC, and to the Chew Valley Lake SPA, cannot be ruled out. This would increase the need for specific mitigation action plans (not yet developed) and guidance. Consultation with Natural England to explore this has been initiated.

Given these findings it is possible to conclude that the Local Plan is likely to raise significant effects to the European sites within the District, and that a full HRA will be needed to support the Draft Local Plan.

It is also evident that the scale and distribution of development will require significant mitigation for impacts to the Bath & Bradford on Avon SAC. To help address this the following approach is recommended:

- Development and publication of Special Area of Conservation (SAC) Bat Guidance for B&NES
- Development of strategic costed mitigation projects to provide robust core areas for SAC bat foraging and commuting incorporating some robust grazing areas, to support bat foraging, which could also provide some access to greenspace and deliver some of the landscape mitigation requirements.
- Development of regional approach to lighting, including standards for new highway/cycle paths infrastructure that may or may not need planning permission

Similarly, a costed action plan to enable mitigation of cumulative recreational impacts to the Chew Valley Lake SPA may need to be considered.

References

1. Tyldesley, D and Chapman, C, (2013) The Habitat Regulation Assessment Handbook DTA

Publications Ltd.

2. Burrow, L (unpublished) Bath and Bradford on Avon Bats Special Areas of Conservation (SAC) Guidance on Development Version 1.2 – April 2019

Appendix 1: Alert Buffer Zones for European Sites within and around

Bath and North East Somerset used for screening (developed in consultation with WECA 2019)

Buffer zone	Reasoning
8km buffer SAC	To identify the area around SACs (or important satellite roosts linked to SACs) designated for greater horseshoe bats where loss of bat foraging and commuting habitat would be most likely to affect the ability of the SAC to continue to support its bat population. The area of greatest bat activity surrounding a roost is defined as the Core Sustenance Zone (CSZ)¹. This term refers to the area surrounding a communal bat roost within which habitat availability and quality will have a significant influence on the resilience and conservation status of the colony using the roost. This bat species uses commuting corridors along linear landscape features and forages in permanent pasture and woodland. The Bat Conservation Trust identifies a weighted average CSZ of 3km for greater horseshoe bats² based on weighted averages from four studies. However, confidence in this zone size is described in the guidance as Moderate because the calculation is based on a reasonable sample size from multiple colonies and studies but is rounded down from weighted average. Other radio-tracking research on greater horseshoe bats has shown that they make longer foraging trips foraging from their roost sites than lesser horseshoe bats, up to 9-10km from their roost^{3 4} and the West of England LTP4 HRA cites studies⁵ that identify greater horseshoe bats have shown to have a maximum home range of up to 8km from a roost. Given the somewhat conflicting evidence, on balance an 8km zone would be reasonable to define the area of greatest importance for a greater horseshoe colony, being precautionary (compared to the CSZ approach) but without trying to encapsulate every area that might be visited by greater horseshoe bats associated with a given SAC.

¹ https://cdn.bats.org.uk/pdf/Resources/Core_Sustenance_Zones_Explained_04.02.16.pdf?mtime=20190219173135 [Accessed on the 26/05/21]

² Schofield H.W. 2008. The Lesser Horseshoe Bat Conservation Handbook.

³ Billington G. 2008. Radio-tracking Study of Greater Horseshoe Bats at Dean Hall, Littledean, Cinderford. Natural England Commissioned Report NERR012.

⁴ Billington G. 2009. Radio Tracking Study of Greater Horseshoe Bats at Dean Hall, Littledean, Cinderford. Natural England Commissioned Report. NECR021.

⁵ Billington, G. 2003. Radio tracking study of Greater Horseshoe bats at Buckfastleigh Caves Site of Special Scientific Interest:

English Nature Research Report no. 573. Peterborough: English Nature.

Billington, G. 2001. Radio tracking study of Greater Horseshoe bats at Brockley Hall Stables Site of Special Scientific Interest,

May – August 2001. English Nature Research Report No. 442. Peterborough: English Nature

Buffer zone	Reasoning
8km buffer SAC	The use of such a zone would not mean that greater horseshoe bat habitat more than 8km from the SAC (or a key satellite roost) did not also need preserving, but more distant habitat could be dealt with as part of the Ecological Impact Assessment process for any planning application since bats are protected species and material considerations in the planning process wherever they are found.
	To identify potential risk of water pollution/litter applicable to all European sites where water quality is a priority issue currently affecting or threatening the condition of a feature of the site. Considering dilution factors, it is reasonable for a zone of this size upstream from Severn Estuary SAC/SPA/Ramsar to be considered precautionary. For example, the average depth of the River Avon is 6m so an 8km buffer upstream from the Severn Estuary SAC/SPA/Ramsar would provide 48,000m³ (10.4 million gallons) of dilution, which is very likely to render any pollution reaching the European site from the kind of activities associated with the SDS well below the limit of detection. Moreover, it is in any event illegal to pollute watercourses irrespective of designation, under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 and the Environmental Permitting (England and Wales) Regulations 2016. It should be noted that if a 'nutrient neutrality' approach were deemed necessary (such as is required for Somerset Levels SPA/Ramsar) then a whole catchment approach would need to be taken, Natural England have confirmed that this is not planned for Severn Estuary SAC/SPA/Ramsar.
7km buffer SPA	To identify potential risk of increased recreational pressures applicable to all European sites where recreational is a priority issue currently affecting or threatening the condition of a feature of the site. Recreational catchments vary from European site to European site but for catchments for inland sites are often in the range of 2-7km while those for coastal sites are often larger. Various research reports have provided compelling links between changes in housing and access levels. The results of studies compiling visitor survey data for a range of European sites¹ demonstrate that more housing consistently means more visitors to protected sites, across most habitats. This is particularly the case for on-foot visitors that originate from housing within studies compiling visitor survey data for a range of European sites² demonstrate that more housing consistently means more visitors to protected sites, across most habitats. This is particularly the case for on-foot visitors that originate from housing within

¹ Weitowitz D.C., Panter C., Hoskin R. & Liley D. 2019. The effect of urban development on visitor numbers to nearby protected nature conservation sites. Journal of Urban Ecology 5. <https://doi.org/10.1093/jue/juz019>

² Weitowitz D.C., Panter C., Hoskin R. & Liley D. 2019. The effect of urban development on visitor numbers to nearby protected nature conservation sites. Journal of Urban Ecology 5. <https://doi.org/10.1093/jue/juz019>

7km buffer SPA	1.5 km, highlighting that additional housing development in close proximity to protected sites is likely to significantly increase recreation pressure. For those sites with car parks, levels of housing within 15 km of protected sites were also a significant predictor of visitor pressure but depended on habitat type. In the Combined Authority region, the Severn Estuary SAC/SPA/Ramsar site is likely to have the largest recreational catchment. For this site, a range of visitor surveys have been undertaken by different local councils including Lydney³, Stroud District⁴ and unpublished survey work by AECOM for Monmouthshire and Torfaen Councils in Wales, and survey work undertaken for Combined Authority itself. The Lydney survey indicated that the visit patterns in the Severn Estuary SAC, particularly those of dog walkers, walker and joggers, highlight that visitors tend to live very close to the SAC. For example, dog walkers travelled a median distance of 2.3km. The Stroud visitor survey identified that the 75th percentile for Stroud residents was 7.7km (i.e. 75% of visitors living in Stroud lived within 7.7km of the SAC/SPA/Ramsar site). The surveys for Monmouthshire and Torfaen are identified a core recreational catchment for residents of those authorities of 6.8km. Visitor survey work undertaken for Combined Authority by Land Use Consultants in February 2019 covered four survey locations: two in North Somerset and two in South Gloucestershire. It led to a proposed core catchment/zone of influence of 7.36km. This distance captured 86.8% of respondent's postcodes within the West of England boundary. The buffer also covers 93.4% of respondents who reported visiting the sites at least once a week and included 89.6% of dog walkers. One notable aspect of the various surveys undertaken is that the core recreational catchments, even though the surveys have been undertaken for different local councils, have a broad consistency of c. 7km for the zone within which 75% of visitors derive. This is useful since it is standard practice when European sites are involved for the affected local councils to agree on an applicable core catchment rather than each authority setting its own core catchment. Since it is typical to draw the zone of influence or core catchment around the 75th percentile and Severn Estuary SAC/SPA/Ramsar is likely to have the largest zone of influence of any European site in the Combined Authority area, 7km is a reasonable precautionary recreational buffer for all European sites in the West of England. Based on 2019 surveys undertaken for Combined Authority itself that broadly fits with a range of other surveys of different parts of the SPA/SAC/Ramsar undertaken for other local councils, and recent advice from NE, it is not considered that further survey is essential to inform HRAs.
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³ Liley D., Panter C. & Hoskin R. 2017. Lydney Severn Estuary Visitor Survey and Recreation Strategy. Unpublished report by Footprint Ecology for the Forest of Dean District Council. 55pp. Available at: <https://www.footprint-ecology.co.uk/reports/Liley%20et%20al%202017%20Lydney%20Severn%20Estuary%20Visitor%20Survey%20and%20Recreation%20Strategy.pdf> [Accessed on the 05/11/2019]

⁴ Southgate J. & Colebourn K. 2016. Severn Estuary (Stroud District) Visitor Survey Report. Report for Stroud District Council. Ecological Planning & Research, Winchester. 68pp. Available at: <https://www.stroud.gov.uk/media/2902/severn-estuary-vis-report-15581c-final-060616.pdf> [Accessed on the 05/11/2019]

Buffer zone	Reasoning
7km buffer SPA/SAC	To identify potential risk of invasive species applicable to all European sites where invasive species is priority issue currently affecting or threatening the condition of a feature of the site. It makes sense for this to be similar to that for recreational pressure as recreational visits to a site could be accompanied by fly tipping (for example).
4km buffer SAC	To identify the area around SACs (or important satellite roosts) designated for lesser horseshoe bats where loss of bat foraging and commuting habitat would be most likely to affect the ability of the SAC to continue to support its bat population. The area of greatest bat activity surrounding a roost is defined as the Core Sustenance Zone (CSZ)⁵. This term refers to the area surrounding a communal bat roost within which habitat availability and quality will have a significant influence on the resilience and conservation status of the colony using the roost. Generally, lesser horseshoe bats forage between 2 and 3km from their roost but they have been observed to range up to 4km in their nightly foraging trips⁶. The Bat Conservation Trust identifies a weighted average CSZ of 2km for lesser horseshoe bats. Confidence in this zone size is described in the guidance as good, because the calculation is based on a reasonable sample size from multiple colonies and studies. As a result, 4km sounds a reasonable precautionary distance. The use of a 4km zone would also identify the area within which positive habitat creation and enhancement should be targeted. The use of such a zone would not mean that lesser horseshoe bat habitat more than 4km from the SAC (or a key satellite roost) did not also need preserving, but more distant habitat could be dealt with as part of the Ecological Impact Assessment process for any planning application since bats are protected species and material considerations in the planning process wherever they are found.

⁵ https://cdn.bats.org.uk/pdf/Resources/Core_Sustenance_Zones_Explained_04.02.16.pdf?mtime=20190219173135

[Accessed on the 26/06/21]

⁶ Schofield H.W. 2008. The Lesser Horseshoe Bat Conservation Handbook.

Buffer zone	Reasoning
4km buffer SPA	To identify potential risk of habitat loss around the SPA designated for wintering waterfowl and wader bird assemblages not including golden plover. The Natural England document 'Impact Risk Zones Guidance Summary Sites of Special Scientific Interest Notified for Birds Version 1.1' (dated March 2019) identifies that for SSSIs designated for wintering waterfowl and waders (other than golden plover and lapwing) a maximum of 2km is appropriate for the identification of potential functionally-linked land for development with the exception of wind energy (3km) and airports (10km). Chew Valley Lake SPA is only designated for shoveler. It is reasonable (and precautionary) to use a 4km buffer.
1km buffer	To identify potential risk of urban effects i.e. fire/arson or fly tipping applicable to all European sites where urban effects are priority issues currently affecting or threatening the condition of a feature of the site. Research has shown that urban effects including arson and damage/disturbance are more likely to occur where developments occur within 500m of a European Site⁷ although they do occasionally occur at greater distances. A 1km buffer zone is considered precautionary for the purposes of screening. Also used as a juvenile sustenance zone for horseshoe bats and a core sustenance zone for Bechstein bats.

⁷ Kirby, J. S. & Tantram, D.A.S. (1999) 'Monitoring heathland fires in Dorset: Phase 1' Report to Department of the Environment, Transport and the Regions: Wildlife and Countryside Directorate

19 Rylatt, F. Garside, L. Robin, S (2017) Human Impacts on Nature Reserves – The Influence of Nearby Settlements. In Practice Issue 97.

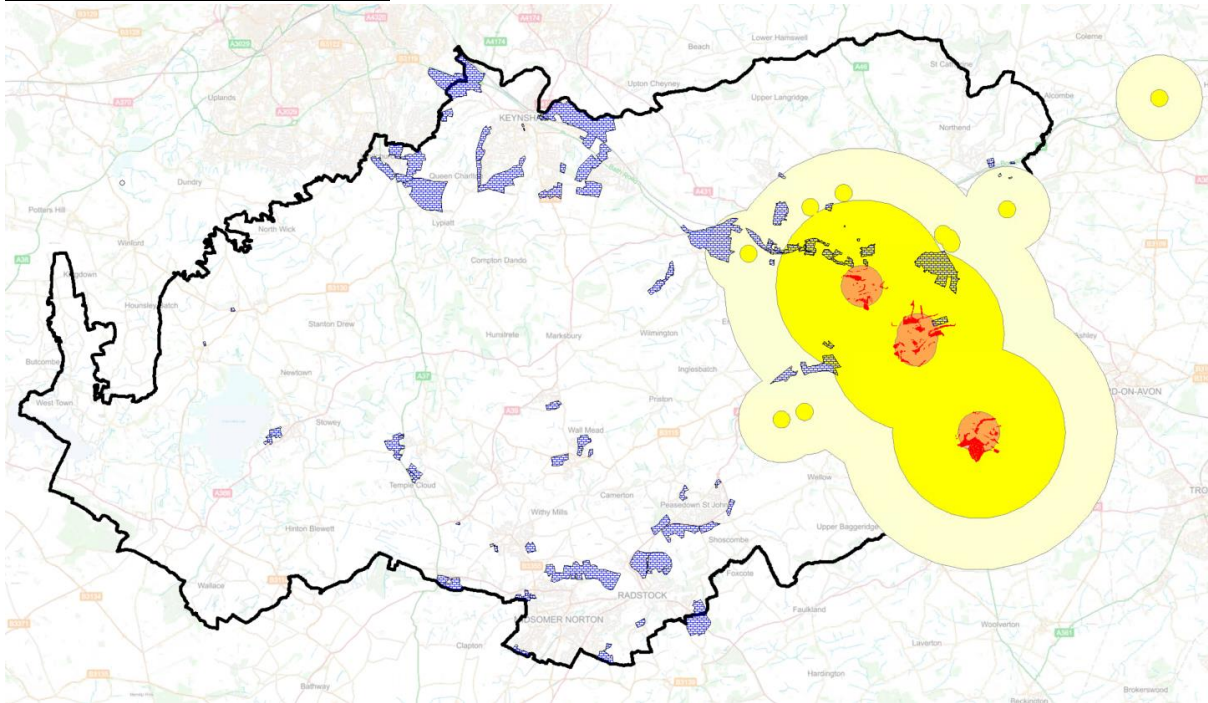
Buffer zone	Reasoning
500m buffer	A 500m zone is also used on a precautionary basis to identify Broad Locations for Growth where the greatest risk of disturbance during construction of development (or operation of non-residential development). Studies indicate that noise levels in excess of 84 dB(A) typically elicit a flight response in birds⁸ and the same research recommends that construction noise levels are kept below 70 dB to avoid excessive disturbance of birds⁹. The noisiest construction activity is generally impact piling, where a hammer is dropped on the pile. This has a typical maximum noise level of 100-110dB at 1m from source. Noise attenuates by 6dB for every doubling of distance, such that impact piling typically results in noise levels below 70 dB at distances of more than 100m from source. Therefore, a 500m separation between construction activity and the SPA/Ramsar is very unlikely to result in any disturbance.
200m buffer	To identify potential risk of localised (rather than dispersed) effects on air quality applicable to all European sites where air quality is a priority issue currently affecting or threatening the condition of a feature of the site. The 200m zone is well evidenced, based on monitoring data, is in line with the standard approach in Design Manual for Roads and Bridges and will cover the zone along each relevant road where traffic pollution will be most elevated.

⁸ Cutts N & Allan J. 1999. Avifaunal Disturbance Assessment. Flood Defence Works: Saltend. Report to Environment Agency).

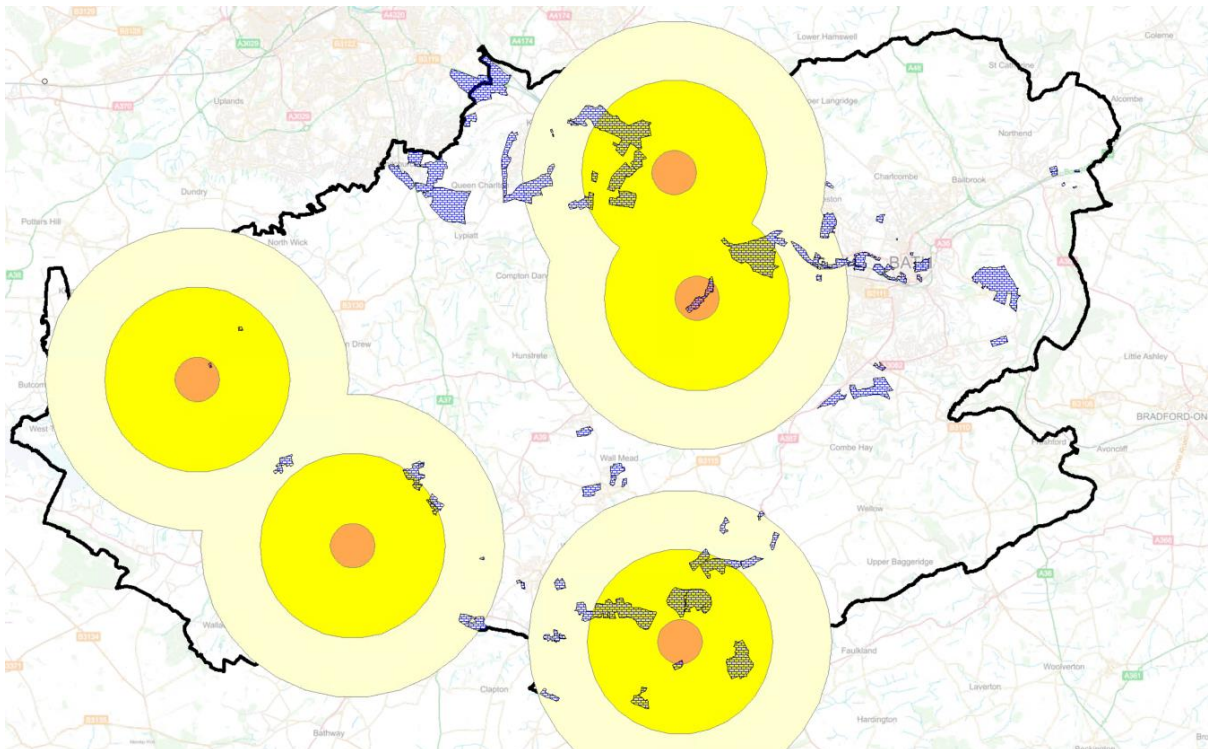
⁹ Cutts, N., Phelps, A. and Burdon, D. (2009) Construction and waterfowl: Defining Sensitivity, Response, Impacts and Guidance. Report to Humber INCA, Institute of Estuarine and Coastal Studies, University of Hull

Appendix 2: Bat SAC Consultation Zones

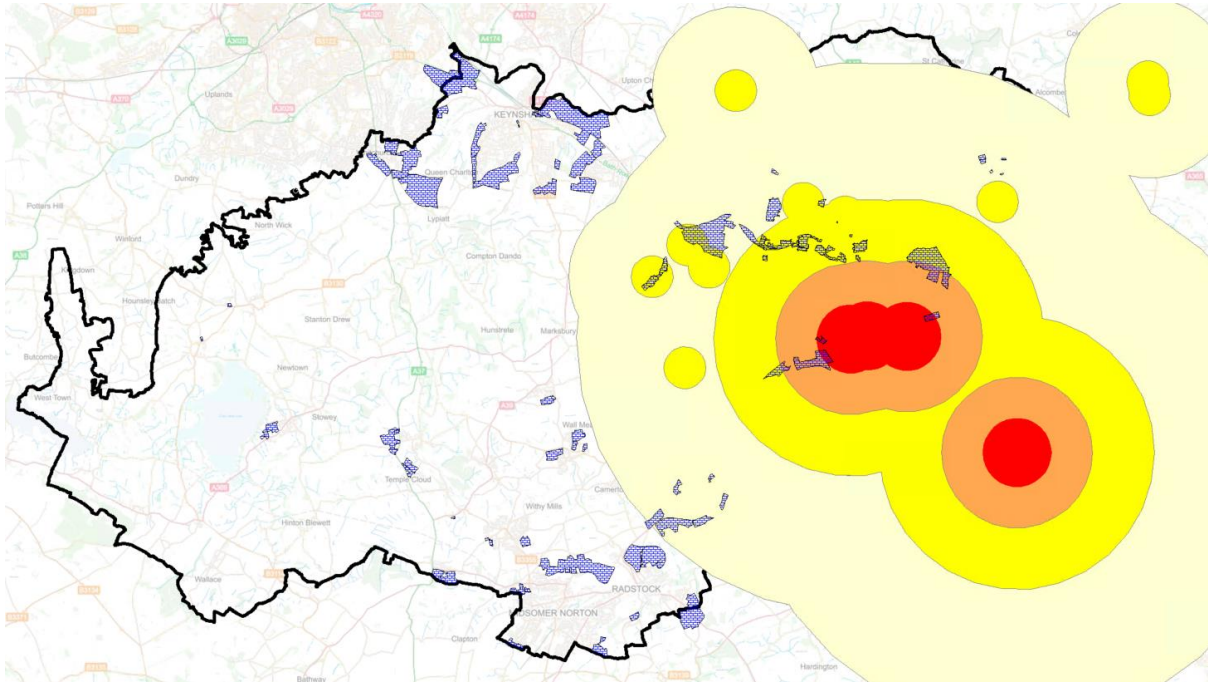
Lesser Horseshoe Bat Juvenile Sustenance Zones (red) and Consultation Zones (A-amber; B-yellow; C-pale yellow) with site allocation options



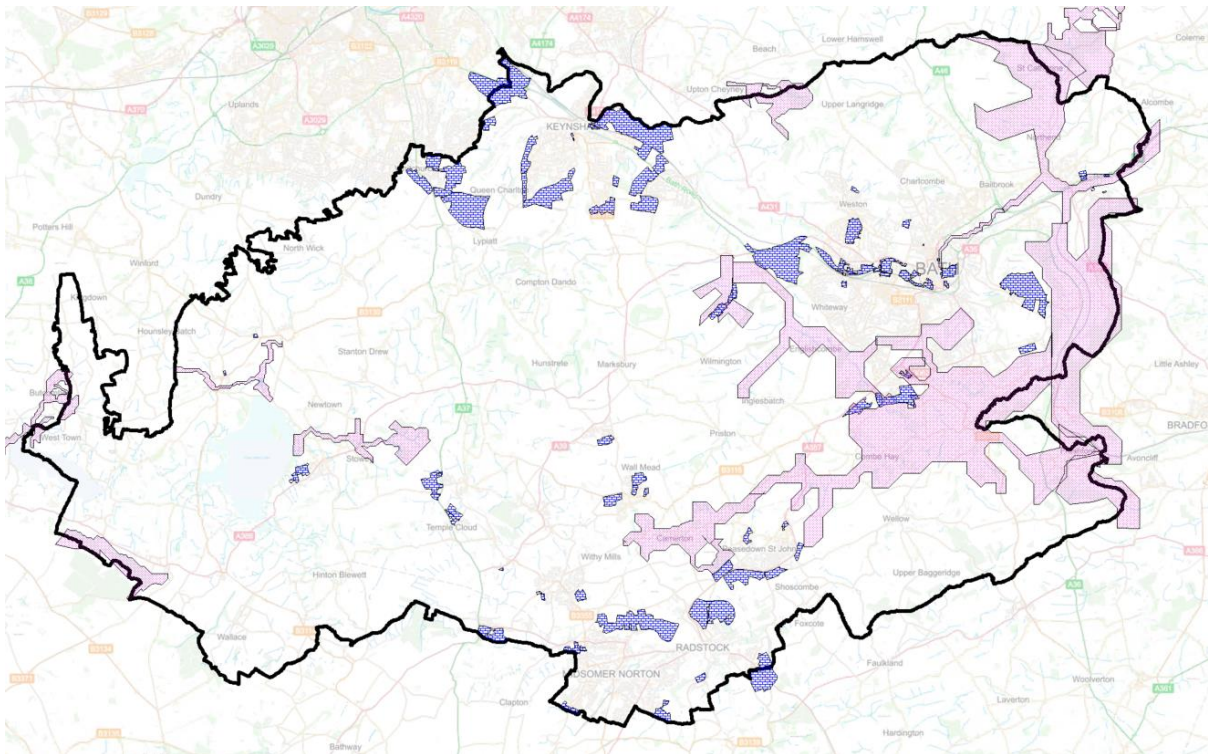
Lesser Horseshoe Bat Consideration Zones for other Maternity Colonies with site allocation options



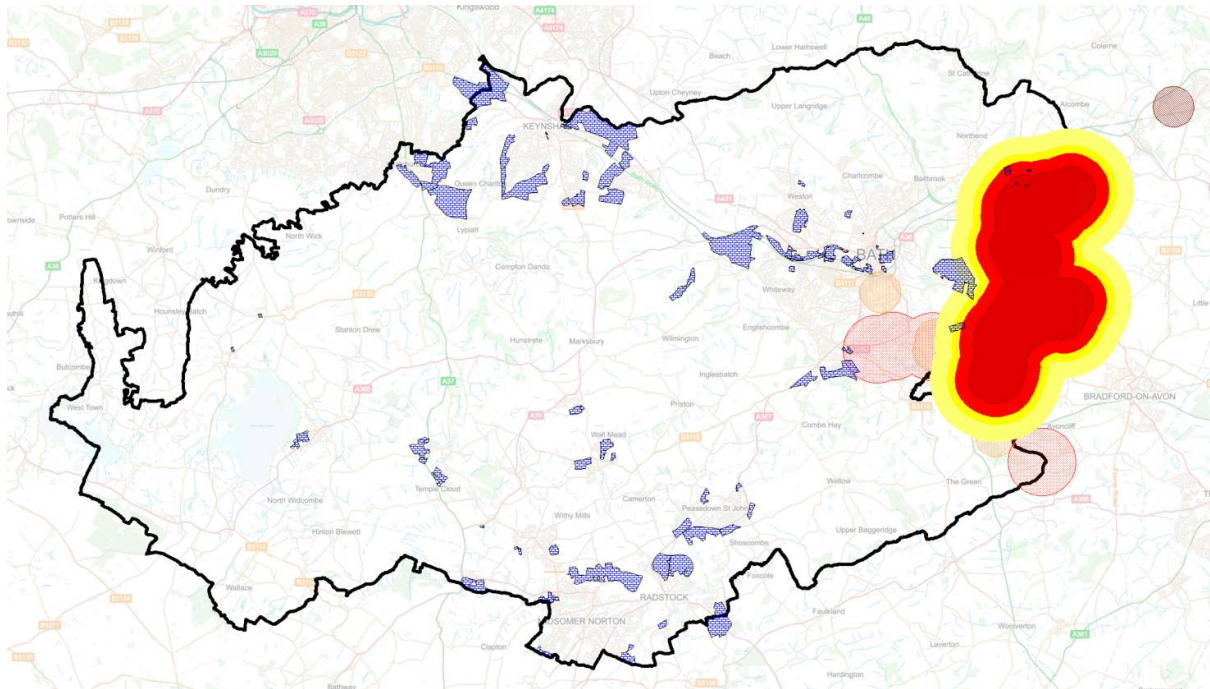
Draft Greater Horseshoe Bat Juvenile Sustenance Zones (red) and Consultation Zones (A-amber; B-yellow; C-pale yellow) with site allocation options



Draft Key Horseshoe Bat Corridors with site allocation options



Bechstein's bat zone (red hatched) and Consultation Zones (A-amber; B-yellow; C-pale yellow) with site allocations



Appendix 3: Screening summaries of site allocation options

[illegible]

Alert Buffers for European Sites within or adjacent to B&NES													
Bath & Bradford Bat Special Area of Conservation (SAC)						North Somerset Bat Special Area of Conservation (SAC)	Mells Valley Bat Special Area of Conservation (SAC)	Mendip Woodland Special Area of Conservation (SAC)	Avon Gorge Woodland Special Area of Conservation (SAC)	Chew Valley Special protection Area (SPA)	SAC/SPA LSE Flag Occurrence		
100% favourable or unfavourable recovery						Unfavourable	Unfavourable	Mixed	favourable	favourable or			
Option	8km	7km	4km	1km	500m	200m	8km	8km	7km	8km	8km	8km	7km
BATH AREA													
Bath allocated sites Existing allocations already subject to HRA													
Land to North of Rec Ground													
Sulis Club													5
Box Road													5
Bathford Nurseries South													5
Bathford Nurseries North													5
Ashley Road													5
St Martins													5
Odd Down													3
West of Bath													2
Keynsham & Saltford													
North Keynsham													0
West Keynsham Op1													0
West Keynsham Op2													0
South Keynsham													0
S E Keynsham													0
East Keynsham													0
S Saltford													0
W Saltford SA4													0
W S altford NA4													0
Hicks Gate													
Hicks gate 1&2													3
Stockwood Lane													2
Whitchurch													
Whitchurch V1													2
Whitchurch V2													1
Whitchurch V3													2
Whitchurch V4													0
Peasdown													
Lower Peasdown													1
North Peasdown													1
Bath Business Park													1
South Peasdown													1
Radstock													
North Radstock													0
Writhlington													3
Haydon													3
Westfield Ind Est													3
MSN													
North of MSN													1
MSN South A&B													2
Thicket Mead A&B													2
Other													
Paulton East													3
Farrington RD South & North													3
Bath Equestrian Centre													3
Emlet Field													3
Farrington Gurney South													1
Combe Lane Hallatrow													0
Hedgehogs													1
Hicks Gate 1&2													0
Temple Cloud op2													0
Temple Cloud op1													0
West of Clutton South													0
West of Clutton op 2													1
West of Clutton op 1													1
Timsbury Rd Option 2													0
Timsbury Rd option 1													0
Liaplatte Lane													0
East of st Mary's													0
Old Tennis Courts													1
Bishop Sutton West 2													2
Bishop Sutton West													