

**DRAFT BRADFORD ON AVON NEIGHBOURHOOD PLAN VERSION 'BOA NP 03 2016' (01 March 2016)  
REVISED HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING 13 April 2016**

**1. SCREENING METHODOLOGY**

This is a review of the Habitats Regulations Assessment (HRA) previously carried out to take account of changes to the draft Bradford on Avon Neighbourhood Plan. The HRA was originally carried out on version "BOA NP 07 15 v.7" and is dated 22.09.2015.

Each policy in the draft Bradford on Avon Neighbourhood Plan (NP) version 3 2016 (reference on the front page of the document) and dated 01 March 2016 on the final page (page 40) has been re-checked and categorised against the screening criteria developed by Natural England. This process is necessary to help provide a clear audit trail for the assessment and, if necessary, identify the need for the wording of policies to be amended or new policies added to be certain that the NP will not have a significant negative effect on a European site.

The criteria used are as follows:

- Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development;
- Category A2: The policy is intended to protect the natural environment;
- Category A3: The policy is intended to conserve or enhance the natural, built or historic environment;
- Category A4: The policy would positively steer development away from European sites and associated sensitive areas;
- Category A5: The policy would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.
- Category B: No significant effect;
- Category C: Likely significant effect (LSE) alone; and
- Category D: Likely significant effects in combination

The effect of each draft policy has been considered both individually, and in combination. The effects of the whole plan have also been considered in combination with the Wiltshire Core Strategy and the neighbouring Bath and North East Somerset Core Strategy.

**If there are any subsequent changes to the policies contained within the draft Bradford on Avon NP after the date of this revised HRA, it should be reviewed again to ensure that those changes are screened out.**

***Confirmation that the recommendations made in Section 5 have been incorporated into the NP should be provided to the Ecologist carrying out this assessment in order to ensure compliance with the requirements of this HRA.***

**2. WILTSHIRE CORE STRATEGY HRA**

The Wiltshire Core Strategy HRA (October 2009) derived a set of parameters by which to determine the likelihood of potential impact of development at Bradford on Avon on Natura 2000 sites. The following issues were identified and assessed. A list of Natura 2000 sites is given for each issue.

- *Recreation – Natura 2000 sites within 5km of the plan area, or where Salisbury Plain SPA/SAC is within 15km of the plan area.*
  - Salisbury Plain SAC and SPA
  - River Avon SAC

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- *Hydrology / Hydrogeology - Sites that fall wholly or partly within either the Thames Water (Swindon) and Oxford Water Resource Zone WRZ (SWOX WRZ), or the Wessex Water North WRZ, may be susceptible to impact.*
  - Salisbury Plain SAC / SPA
  - Bath and Bradford on Avon Bats SAC
  - Pewsey Downs SAC
  - North Meadow and Clattinger Farm SAC
  - River Avon SAC
  - River Lambourn SAC
  - Kennet & Lambourn Floodplain SAC
- *Air Pollution / Nitrogen Deposition – Natura 2000 sites within 200m of a main road*
  - Porton Down SPA
  - Salisbury Plain SAC / SPA
  - Southampton Water SPA
  - Clattinger Farm SAC
  - River Avon SAC
  - Rodborough Common SAC
  - Cotswolds Beechwoods SAC
- *Physical Damage / Interruption of Flight Lines*
  - Bath and Bradford on Avon Bats SAC

### **3. SCREENING OF POTENTIAL IMPACTS**

Draft policies within the draft Bradford on Avon NP have been screened against each of the above potential issues, for those relevant Natura 2000 sites. Most of the above listed sites are not relevant to Bradford on Avon due to the distance from the town. The impacts on the majority of the sites are therefore expected to be *de minimus*.

#### *a) Recreation*

**Salisbury Plain SPA/SAC** – The Wiltshire Core Strategy HRA assessed that the issues relating to additional recreational pressure as a result of residential development growth are dealt with sufficiently in the 'Salisbury Plain SPA HRA and Mitigation Strategy', which prescribes proportionate developer contributions for development sites within 4km of the SPA or within 15km of the eastern part of the SPA, to deliver monitoring and adaptive management on the plains (which will be obtained through the Community Infrastructure Levy, CIL). Core Policy 50 of the Wiltshire Core Strategy implements this approach. Bradford on Avon lies approximately 7km to the northwest of the Salisbury Plan SPA/SAC 4km buffer zone, therefore it is concluded that this draft NP would not result in any recreational LSE upon these sites.

**River Avon SAC** – the River Avon that runs through Bradford on Avon is part of the Bristol Avon catchment rather than the Hampshire Avon, which is a SAC. It is concluded that this Neighbourhood Plan would not result in any recreational LSE upon the River Avon SAC (Hampshire).

#### *b) Hydrology/Hydrogeology*

No LSE is expected due to the distance and lack of hydrological / hydrogeological links between Bradford on Avon and the Salisbury Plain SAC/ SPA and River Avon SAC (Hampshire) / Pewsey Downs

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SAC / North Meadow and Clattinger Farm SAC / River Lambourn SAC / Kennet & Lambourn Floodplain SAC. The qualifying features of the Bath and Bradford Bats SAC are not sensitive to hydrological / hydrogeological LSE.

*c) Air Pollution / Nitrogen Deposition*

The Wiltshire Core Strategy HRA identified potential LSE upon a range of Natura 2000 sites through increased traffic, which would in turn increase atmospheric pollution and nitrogen deposition on sites with 200m of a main road, albeit such effects are considered to be very small and difficult to predict at the strategic level (WCS HRA Update February 2014). There are no specific housing site allocations in the draft Bradford on Avon NP; however, some small-scale infill and change of use developments are supported by the NP subject to specific criteria. These would be well within the projected housing numbers previously assessed in the WCS HRA, which concluded no adverse effect upon the integrity of the Natura 2000 network subject to the approach to mitigation set out in Core Policy 55. It is therefore concluded that the proposals in the draft NP would not have an adverse effect on Natura 2000 sites through nitrogen deposition.

*d) Physical Damage / Interruption of Flight Lines*

The Bath and Bradford on Avon Bats SAC and its associated core roost and core areas identified in the Council's HRA [guidance document](#) overlap the NP area. A number of policies within the plan clearly encourage the re-use or re-development of existing underused or disused buildings in the town and surrounding areas where bats are likely to be roosting. It also identifies a number of sites for re-development, including some along the river, which is likely to be used as a commuting route for bats. Therefore, although the nature and scale of development is not specified by the NP, the re-development of these sites is clearly encouraged, which could lead to LSE upon the Bath and Bradford on Avon Bats SAC through loss of roosts and damage or disturbance of flight lines (as identified in Table 1 below).

One of the main changes in the revised NP is the inclusion of policy DP1, which allocates land for housing and employment development at the "Spitfire Field" or land between Holt Road and Cemetery Lane. This was the subject of a planning application in 2014/2015 (reference no. 14/07689/OUT 'land north of Holt Road and Cemetery Lane'), which identified use by foraging and commuting bats, including greater and lesser horseshoes. The planning application was subject to a project-level HRA and extensive bat surveys were conducted to inform mitigation and compensation requirements. The application was refused, but has been granted at appeal on 24<sup>th</sup> March 2016. There are several planning conditions and a S106 agreement with specific requirements for bat mitigation.

#### **4. SCREENING OF DRAFT BRADFORD ON AVON NEIGHBOURHOOD PLAN POLICIES**

The policy themes are entitled:

- Development Policies
- The Green Belt
- Conservation and Design
- Housing for All
- Economy and Enterprise
- Green Spaces and Biodiversity
- Community Wellbeing
- Traffic and Transport
- Climate Change

All parts of the draft NP have been re-screened for potential impacts upon the Natura 2000 network, as set out in Section 5 below.

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**5. INITIAL HABITATS REGULATIONS SCREENING ASSESSMENT OF THE DRAFT BRADFORD ON AVON NEIGHBOURHOOD PLAN**

**a) Screening assessment of individual policies**

Categories A / B (Green) – Screened out

Categories C / D (Red) – Screened in

Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
Development Policies	DP1	C	<p>This policy allocates specific land for housing and employment at “<i>Site 1 north of the Holt Road and west of Cemetery Lane</i>” for 1.2ha of employment, 1.58ha for housing, 0.12ha as a public ‘park-and-walk’ site and 0.5ha of green space. The NP requires proposals to accord with the development principles shown in Figure DP1F, which includes areas of green space and wildlife corridors. A planning application for housing, employment and public open space was submitted for the development of this land (including land to the north of Cemetery Lane) in 2014 (ref. 14/07689/OUT). Extensive bat surveys were conducted, which identified use by foraging and commuting bats, including greater and lesser horseshoes, and the planning application was subject to a project-level HRA, which included a full Appropriate Assessment. With specific mitigation and compensation measures, the HRA concluded no LSE. Planning consent has been granted at appeal on 24th March 2016 with several planning conditions and a S106 agreement with specific requirements for bat mitigation. <b><u>This means that an Appropriate Assessment is also required of this NP, which is included at Section 6 of this document.</u></b></p> <p>Rather than making explicit reference to the existing planning consent, it is recommended that the policy should identify the presence of Annex II species and the need for bat mitigation to be delivered as part of any development of this site. <b>This must be added to the NP to comply with</b></p>

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Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
			<p><b>this HRA.</b></p> <p><b>Recommendation 1 – add the following to the supporting text:</b></p> <p><i>Annex II species linked to the Bath and Bradford on Avon Bats SAC have been recorded using this site, namely, greater and lesser horseshoe bats. Updated surveys, mitigation and compensation measures, including sensitive lighting and the long-term retention and management of key foraging habitats and commuting corridors, will be required as part of any development of this site.</i></p>
Development Policies	DP2	B	<p>This policy relates to the phasing of the development allocated in DP1. The NP proposes that this development is phased towards the end of the plan period.</p>
	DP3	C	<p>Disused and underused buildings within the town have been found to support colonies of horseshoe bats associated with the Bath and Bradford Bats SAC. This policy encourages the re-use and re-development of such buildings, which is likely to result in the permanent loss of bat roosts. It is therefore recommended that the policy needs to recognise this as part of the policy supporting text as suggested below. <b>This must be added to the NP to comply with this HRA.</b></p> <p><b>Recommendation 2 – add the following to the supporting text:</b></p> <p><i>Disused and underused buildings within the town may be occupied or could become occupied by roosting bats, therefore applications for demolition and re-use or re-development of such buildings should be accompanied by a bat survey and appropriate mitigation provided where necessary, having regard to the Council's Habitats Regulations Assessment (HRA) guidance document.</i></p>

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Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
Green Belt	GB1 Rural diversification within existing or redeveloped buildings	C	<p>Redundant agricultural buildings within the Greenbelt have been found to support colonies of horseshoe bats associated with the Bath and Bradford Bats SAC. This policy encourages the re-use and re-development of such buildings, which is likely to result in the permanent loss of bat roosts. It is therefore recommended that the policy needs to recognise this as part of the policy supporting text as suggested below. <b>This must be added to the NP to comply with this HRA.</b></p> <p><b>Recommendation 3 – add the following to the supporting text:</b></p> <p><i>Redundant agricultural buildings may be occupied or could become occupied by roosting bats, therefore applications for re-use and re-development of such buildings should be accompanied by a bat survey and appropriate mitigation provided where necessary, having regard to the Council's HRA guidance document.</i></p>
	GB2 Small scale infill	A3	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	GB3 Community Right to Build Order	A3	Same as previous HRA.
	GB4 Extensions to existing buildings	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	GB5 Replacement dwellings	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
Conservation and Design	BE1 High standard of development	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	BE2 Expectations for development proposals	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	BE3 3D impact assessment and impact on existing views	A1	Same as previous HRA.
	BE4 Listed building consent	A3	Same as previous HRA.

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Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
	BE5 Upgrading historic buildings to improve energy efficiency	C	Older and historic buildings within the town have been found to support colonies of horseshoe bats associated with the Bath and Bradford Bats SAC. This policy encourages upgrading materials of such buildings in order to improve energy efficiency, which is likely to result in the temporary disturbance or permanent loss of these roosts, particularly where such works involve the roof spaces or cellars. It is therefore recommended that the policy needs to recognise the potential for roosting bats as part of the policy supporting text as suggested below. <b>This must be added to the NP to comply with this HRA.</b> <b>Recommendation 4 – add the following to the supporting text:</b> <i>Historic buildings could support roosting bats, therefore applications to upgrade such buildings involving roof spaces or cellars should be accompanied by a bat survey and appropriate mitigation provided where necessary, having regard to the Council's guidance document.</i>
	BE6 Signs and advertising	A1	Same as previous HRA.
	BE7 Historic buildings of local interest	A3	Same as previous HRA.
Housing for All	H1 Small scale housing developments – housing needs assessment		Policy has been deleted.
	H2 Infill development criteria	A1	New policy H1 – same as previous HRA.
	H3 Town centre residential use above shops	A1	New policy H2 – same as previous HRA.
	H4 Small scale affordable housing outside the settlement boundary		Policy has been deleted.
	H5 Car parking standards for new housing.	A1	New policy H3 – same as previous HRA.
	H6 Positive score under 'Building for Life 12' standards	A1	New policy H4 – same as previous HRA.

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Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
Economy and Enterprise	E1 Business and employment development, including the identification of one or more strategic sites and the adaptation of former agricultural buildings	C	<p>This policy now refers to the site allocation under policy DP1, which includes employment use.</p> <p>Redundant agricultural buildings in the local area have been found to support colonies of horseshoe bats associated with the Bath and Bradford Bats SAC, while new business or employment development could have impacts upon bats where the sites support sensitive features. It is therefore recommended that the policy needs to recognise the potential for roosting bats as part of the policy supporting text as suggested below. <b>This must be added to the NP to comply with this HRA.</b></p> <p><b>Recommendation 5 – add the following to the supporting text:</b></p> <p><i>Proposals for new business and employment sites or reuse of redundant agricultural buildings should be accompanied by a bat survey and appropriate mitigation provided where necessary, having regard to the Council’s HRA Guidance on the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) to ensure no loss of site integrity.</i></p>
	E2 Support for recreational, cultural, arts and tourism facilities	A3	Same as previous HRA.
	E3 Development of area bound by the River Avon, St Margaret’s Street and railway line (including station and car park) to create new gateway and community hub	B	<p>Similar policy to previous draft; there are some minor changes to wording, but the principle is the same. The site and its boundaries include a number of buildings, mature lines of vegetation and the River Avon, which is a known commuting route for horseshoe bats. A substantial re-development of this area of the town, as proposed by the plan, could therefore have significant effects upon bats that use the site. It is therefore recommended that the policy needs to recognise this as part of the policy supporting text as suggested below. <b>This must be added to the NP to comply with this HRA.</b></p> <p><b>Recommendation 6 – add the following to the supporting</b></p>

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Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
			<p><b>text:</b>  <i>The master planning process and any resulting development proposals for this area will take account of the Council's HRA Guidance on the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) to ensure no loss of site integrity.</i></p>
	E4 Proposals for change of use of land, buildings or employment sites	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	E5 Retail change of use and temporary re-use of empty commercial premises	A1	<p>Same as previous HRA. Empty commercial premises in the local area have been found to support colonies of horseshoe bats associated with the Bath and Bradford Bats SAC and new business or employment development could have impacts upon bats where the sites support sensitive features. Although no specific sites are identified, the policy supports and encourages re-use of such premises. It is therefore recommended that the policy needs to recognise this as part of the policy supporting text as suggested below. <b>This must be added to the NP to comply with this HRA.</b></p> <p><b>Recommendation 7 – add the following to the supporting text:</b>  <i>Proposals for re-use of empty commercial premises should be accompanied by a bat survey and appropriate mitigation provided where necessary, having regard to the Council's HRA Guidance on the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) to ensure no loss of site integrity.</i></p>
Green Spaces and Biodiversity	GS1 Good quality design	A3	Same as previous HRA.
	GS2 Conservation and enhancement of areas, habitats, features and species; deliver net enhancement of biodiversity of the site	A3	<p>Same as previous HRA. Last sentence currently says "Wiltshire BAT SAC Planning Guidance must be complied with". <b>This must be changed to the following text in the NP to comply with this HRA.</b></p> <p><b>Recommendation 8 – change last sentence to:</b></p>

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Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
			<i>All developments must take account of the Council's HRA Guidance on the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) to ensure no loss of site integrity.</i>
	GS3 Specific policy re. the Bat SAC	A4	New policy added to the NP since previous HRA. It is assumed that this is a 'catch-all' for proposals that may affect bats associated with the Bath and Bradford on Avon Bats Special Area of Conservation (SAC). This is welcomed; however, the recommended explanatory text relating to the SAC should still be incorporated into the NP for ease of reference. The recommendations made only require changes to the supporting or explanatory text associated with each policy rather than the policies themselves and make it clear which policies are likely to have impacts that would have to be addressed by Development Management. <b>Recommendation 9 – retain this specific policy, but also make reference to the Bats SAC in accordance with the other recommendations of this HRA to ensure that impacts that could result from other policies are highlighted.</b>
	GS3 Developments affecting green corridors	A3	Now policy GS4 – same as previous HRA.
	GS4 Designation of Local Green Spaces	A3	New policy GS5 – same as previous HRA.
	GS5 Provision for improving quality and access to open spaces	A3	New policy GS6 – same as previous HRA.
	GS6 Development to contribute to restoration, enhancement and management of degraded, sterile or unmanaged landscapes, features and habitats	A3	New policy GS7 (wrongly appears as GS6 in the NP) – same as previous HRA.
	GS7 Loss of high grade agricultural land	A3	New policy GS8 (wrongly appears as GS7 in the NP) – same as previous HRA.

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Policy Area	Policy	Categorisation in initial screening	Comments and recommendations
Community Wellbeing	C1 Loss of community facilities	A1	Same as previous HRA.
	C2 New or improved community facilities	A1 and A3	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	C3 Campus of Public Services	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	C4 New allotments	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
Traffic and Transport	T1 Enhance and extend pedestrian network and provision for cyclists	A1	Similar policy to previous draft; there are some minor changes to wording, but the principle is the same.
	T2 Alternatives to the car	A1	Same as previous HRA
	T3 Enhanced provision for pedestrians, traffic management and improving the environment for pedestrians and cyclists, including a new footbridge from Library to Kingston Mill site.	B	New footbridge over the river would need to consider impact on commuting bats related to the Bats SAC, including loss of habitat, trees, and roosts, and disturbance due to light spillage. It is therefore recommended that the policy needs to recognise this as part of the policy supporting text as suggested below. <b>This must be added to the NP to comply with this HRA.</b>  <b>Recommendation 10 – add the following to the supporting text:</b>  <i>The development of a new footbridge over the river should take account of the Council's HRA Guidance on the Bath and Bradford on Avon Bats Special Area of Conservation (SAC) to ensure no loss of site integrity.</i>
	T4 Loss of public or private parking capacity	A1	Same as previous HRA.
Climate Change	No specific policies	A1	Same as previous HRA.

**b) Assessment of all elements of the plan 'in-combination'**

- A number of the policies could each lead to LSE upon the Bath and Bradford Bats SAC, as identified above. These policies could act together to create in-combination effects if multiple roosts were lost due to the re-use, replacement or re-development of agricultural and commercial buildings in the town and surrounding landscape, and through the upgrading of historical buildings. The plan could also encourage multiple impacts upon commuting and foraging features through re-development and lighting, particularly along the River Avon.

**c) Assessment of the effects of the plan as a whole, in combination with other plans and projects**

- The draft NP could have in combination effects with the Wiltshire Core Strategy, as the HRA for that plan identified LSE upon the Bath and Bradford Bats SAC as a result of the proposed housing under CP7 (Bradford on Avon), CP11 (Corsham) and CP27 (Trowbridge). The Bath and North East Somerset Core Strategy (BNES) HRA also identified LSE upon the SAC as a result of a number of urban extensions to the city, particularly at Odd Down, Endsleigh and Weston.

**6. APPROPRIATE ASSESSMENT OF LSE UPON THE BATH AND BRADFORD BATS SAC**

The screening in Table 1 has identified that an Appropriate Assessment of the development policy DP1 is required. This policy allocates specific land for housing and employment at land north of Holt Road, Bradford on Avon. A planning application for similar development was submitted to the Council for this site in 2014, including land to the north of Cemetery Lane as Public Open Space (application reference no. 14/07689/OUT). This application was subject to a project-level HRA, which included a full Appropriate Assessment. The Appropriate Assessment concluded no LSE subject to several bat mitigation and compensation measures. Planning consent was granted at appeal on 24th March 2016 by the Planning Inspectorate with several planning conditions and a S106 agreement with specific requirements for bat mitigation (reference APP/Y3940/W/15/3141340).

The planning consent contains the following planning conditions:

- Hedgerow translocation and semi-mature tree planting method statement (condition 9)
- Construction environmental management plan (condition 7)
- Landscape and ecology management plan (condition 6)
- Lighting design strategy for biodiversity (condition 8)
- Phasing plan (condition 5)
- Amended bat mitigation and enhancements plan (condition 10)

An additional planning condition was included to ensure that no hedgerow or tree removal is undertaken before the advance planting works are completed (condition 11).

The S106 agreement will include specific covenants to the Council by the developer/owner to establish a management company to secure the long term effective and appropriate management of the POS and bat mitigation features by implementing the approved LEMP, which will include an agreed timeframe for reviewing the plan. The exact details of the S106 agreement will be finalised through the Council's Legal department.

Although the development policy DP1 would have LSE, the development is largely similar to the approved application, and it is considered that the Council may still reasonably rely upon the conclusions of the Appropriate Assessment carried out for planning application 14/07689/OUT that the development at the site would not affect the integrity of the SAC subject to mitigation and compensation measures for bats.

## **7. CONCLUSION**

The majority of the draft policies in the emerging Bradford on Avon NP do not allocate any specific land for development and largely provide qualitative criteria for development focused on improving the parish for local people, businesses and visitors, including some environmental policies and suggestions for the design of development sites, which would therefore have no likely significant effect on Natura 2000 sites. Other policies support the re-use of old buildings, re-development of sites and infill development, which could result in some, limited LSE. Provided the plan draws attention to the sensitivity of such developments to ensure that they are planned in a sensitive manner, it is considered that any potential adverse effects upon the integrity of the SAC could be effectively avoided or mitigated. In order to reduce the risk of any such development impacting upon the qualifying features for the SAC in light of the [conservation objectives for the site](#)<sup>1</sup>, it has been recommended that where these policies are to be applied, attention is drawn to the Council's Habitats Regulations Assessment (HRA) guidance through additions to the supporting text in the NP, as suggested in Table 1 above. The Council's HRA guidance document helps applicants, planners and developers to identify those sites likely to support bats, encouraging them to commission a bat ecologist to survey the site and provide professional advice on specific ecological mitigation and compensation measures as necessary. It also advises that the scope of surveys is agreed with a Council Ecologist in advance. Provided this guidance is followed at an early stage, it should therefore be possible to develop these sites sensitively in a manner that would not affect the integrity of the SAC. This approach was also taken by the Wiltshire Core Strategy HRA, and was found to be an appropriate and effective mechanism to avoid and mitigate adverse effects upon the integrity of the SAC, as supported by Natural England<sup>2</sup>. The BNES Core Strategy also included a number of amendments and policy safeguards to ensure that development proposed and supported in the area would not affect the integrity of the SAC, which was also supported by Natural England.

Development policy DP1 allocates land for housing and employment development to the east of the town centre. This land has been subject to a planning application (ref. 14/0768/OUT), which has recently been granted at appeal on 24<sup>th</sup> March 2016. A project-level HRA was carried out to inform the development management process and the mitigation requirements have been conditioned as part of the planning approval and incorporated within a S106 agreement. The HRA proceeded to full Appropriate Assessment and concluded that although the development of the site would have likely significant effects upon horseshoe bats through the loss of flight lines, it would not have an adverse effect upon the integrity of the Bath and Bradford on Avon Bats SAC, subject to the secured mitigation measures. Natural England was consulted and agreed with the council's conclusions. The HRA process was completed on 2<sup>nd</sup> September 2015.

DEFRA guidance<sup>3</sup> states that a competent authority may adopt the conclusions of a previous Appropriate Assessment where it is satisfied that the previous assessment is still robust and has not become outdated by further information or developments. In the current case the development proposed in the NP is largely the same as that approved by the Planning Inspectorate only 3 weeks ago, and the Council is confident that its conclusions remain robust and is not aware of any new relevant evidence that would need to be considered alongside an assessment of policy DP1 at the current time. The Council is therefore satisfied that the conclusions of the Appropriate Assessment of planning application 14/07689/OUT may be adopted for the purposes of this HRA.

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<sup>1</sup> European Site Conservation Objectives for Bath and Bradford-on-Avon Bats Special Area of Conservation (Version 2, dated 30<sup>th</sup> June, 2014)

<sup>2</sup> Statement of Common Ground Between Wiltshire Council and Natural England Concerning the Wiltshire Core Strategy, dated 24<sup>th</sup> April, 2013 (Para.5)

<http://www.wiltshire.gov.uk/corestrategypositionstatement?directory=SoCG&fileref=9>

<sup>3</sup> DEFRA (2012) *Guidance on competent authority coordination under the Habitats Regulations*

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It is therefore concluded that, provided suggested amendments are incorporated into the NP, it would not have an adverse effect upon the integrity of the Bath and Bradford-on-Avon Bats SAC, either alone or in-combination with other plans and projects.

**The recommended changes or additions to the text of the NP must be incorporated within the document in order to comply with the HRA.**

***Once the recommended changes in Table 1 have been made to the NP, it should be returned to the Ecologist that carried out the assessment for a final check.***

**If any further changes or additions are made to the NP, it should be screened again to ensure that there are no associated HRA requirements.**

<b>Assessment carried out by:</b>	██████████ Ecologist, Landscape and Design <i>(With comments from ██████████ Manager, Landscape and Design)</i>
<b>Date:</b>	13 <sup>th</sup> April 2016