

BATH AND NORTH EAST SOMERSET COUNCIL

# Westfield Neighbourhood Plan Pre-submission Draft

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Initial HRA Screening

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# Westfield Neighbourhood Plan Pre Submission Draft: HRA Screening

## Background

Under Regulations 102-105 of the Conservation of Habitats and Species Regulations 2010 (the Habitat Regulations) all strategic and local development plans must be assessed for their impacts upon a network of European wildlife sites (Special Areas of Conservation (SAC) and Special Protection Areas (SACS)). These regulations transpose the requirements the EC Habitats Directives into to UK law and are designed to protect the integrity of these European Sites. They require the assessment of impacts and avoidance of harm to the Conservation Objectives of European sites. The process is generally referred to as a Habitats Regulation Assessment (HRA).

HRA is an iterative, multi-staged process, which should be applied at points throughout the plan making process. It should be used to help shape, form, and refine Development Plans so that adopted policies and site allocations do not result in adverse impacts to the integrity of European sites.

The first stage of the process involves an assessment or screening of whether a plan is likely to have a significant effect on one or more European sites either alone or in combination. A precautionary approach should be used when assessing likely significant effect, and all opportunities should be taken to avoid or mitigate impacts, to prevent any likelihood of a significant effect. Where the likelihood of a significant effect cannot be excluded the process moves to the stage where an Appropriate Assessment is undertaken. This represents a more detailed investigation and assessment of possible impacts. Except in exceptional circumstances, where there are no alternative solutions and where there are imperative reasons of overriding public interest, Development Plans should only be adopted if the Appropriate Assessment ascertains that the plan will not adversely affect the integrity of any European Site.

## Context

The Westfield Neighbourhood Plan (WNP) covers the civil Parish of Westfield. It is within reasonable proximity to Chew Valley lake SPA and to the main sustenance zones for the Mells Valley Bat SAC; Bath and Bradford on Bat SAC and the North Somerset and Mendips Bat SAC. More details about these sites are provided in Appendix 1

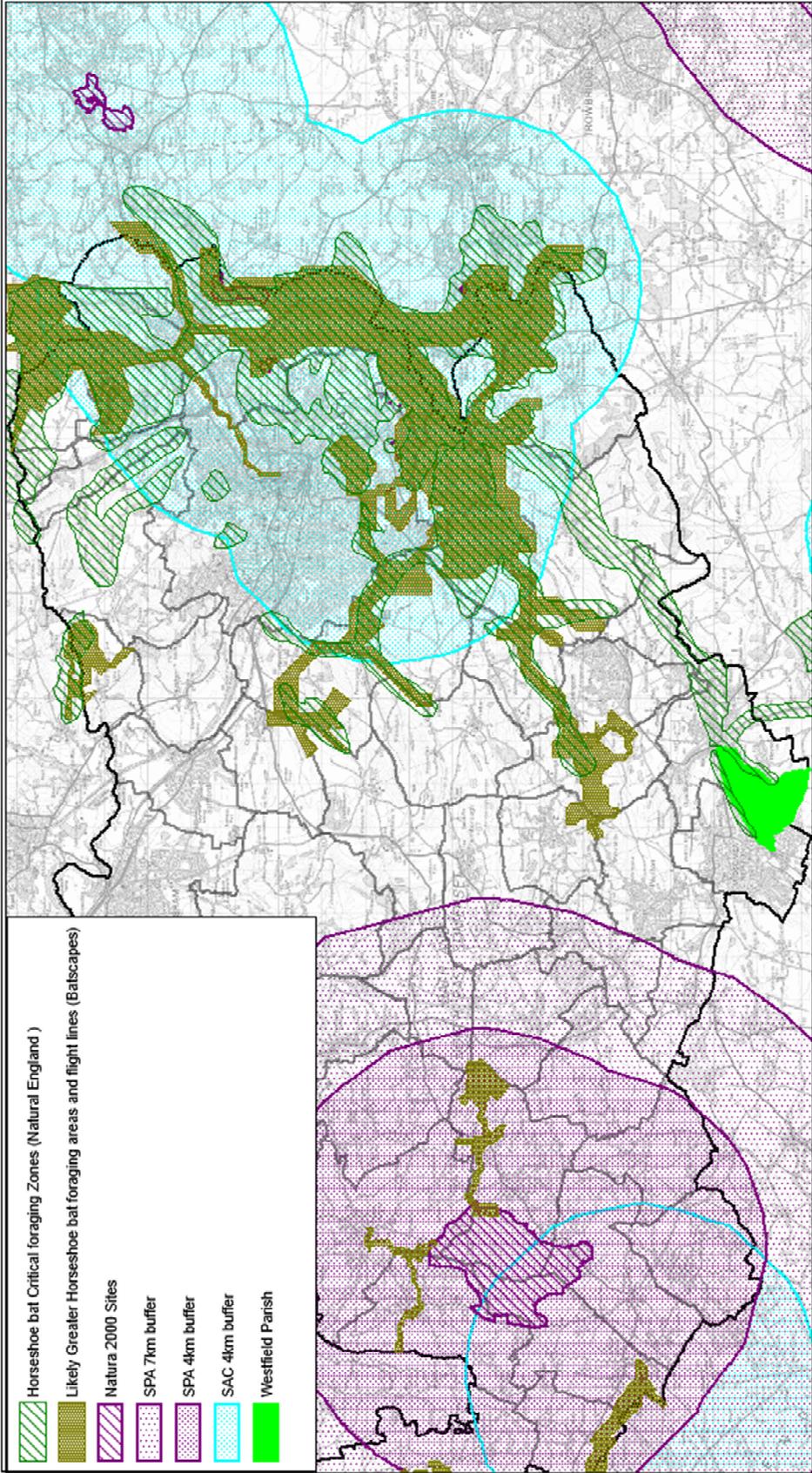
This document sets out the approach and findings to an initial HRA Screening of the Westfield Neighbourhood Pre submission Plan. Map 1 shows the location of the parish in the context of Natura 2000 site details. It shows 4km buffer areas around the Bat SACS and Chew Valley Lake SPA, and also a 7km buffer around Chew Valley Lake SPA.

The buffer areas shown on Map 1 identify those areas generally considered to be of most importance to the integrity of each individual site. These buffers can be used as initial alert areas for judging the likelihood of plans or projects having a significant effect on a European site. For the Bat SACs they indicate the areas considered most sensitive to land use change in terms of possible impacts to Natura 2000 sites, and identify key sustenance zones for the bat SACS. For Chew Valley Lake the 7km buffer identifies the catchment area most likely to generate increased recreational pressures upon the Lake. The WNP area is located outside of

# Westfield Neighbourhood Plan

Natura 2000 Site Details

Scale 1:160000



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all these buffer areas, and so is considered unlikely to result in any significant impact to Nature 2000 sites. To help verify this, the plan policies have nonetheless been screened for their possible effects.

## Screening approach

The policies drafted for the Neighbourhood Plan have been screened for possible issues and impacts for Natura 2000 site protection in the context of HRA and the information set out above. The plan includes Development Plan policies to be used through the planning system, and includes Community Aspirational Projects. No specific sites are allocated for development and no quantum of development is proposed. Given the limited nature of the policies proposed, the specific Environmental Policies included, and the location of the Parish in the Context of the Natura 2000 sites, the overall risk of the plan having any significant effect on any Natura 2000 site, either alone or in combination, appears very low. Screening is used to verify this assessment.

The screening approach used is based on the approach set out in The Habitat Regulations Assessment Handbook 2013 as updated, and involves use of the screening categories and codes as set out below. NE will be consulted on this screening.

Screening categories	Code	Screening categories	Code
A general statement of policy	A	do not propose change, but control approach (eg design)	F
Policy listing general criteria for testing proposals	B	no conceivable effect	G
proposals referred to but not proposed by the plan	C	actual or theoretical effects cannot undermine conservation objectives	H
environmental protection policies	D	LSE on a site alone	I
steering change away from positive sites	E	no LSE alone but an effect - check in combination	J
		no LSE even in combination	K

**Any policy or site allocated screening category I or L and highlighted in yellow will require action / amendment. Recommendations to address these issues are listed in the screening matrices and will require a response from plan authors**

## Screening of WNP Policies

PLAN POLICIES	Screening Category	Notes
<b>Housing</b>		
Policy 1 Residential infill and backland development	B	Restrictive criteria, but no ref to ecology
Policy 2 Housing Accessibility Standard	F	
The Neighbourhood Plan supports brownfield development where it accords with the Neighbourhood Development Plan.	C	
Policy 3 Housing Design	F	(nb could include for nest box provision)
<b>Green Spaces</b>		
Policy 4 Ecology: Protecting the importance of the green corridors of Waterside Valley and land north of Fosseway Gardens	D	(nb could include for new bio opportunities eg nest sites)
<b>Rural character</b>		
Policy 5 Rural Landscape Character: Waterside Valley and land north of Highfields	D	
<b>Important Views</b>		
Policy 6 Important Views	D	
<b>Preserving Heritage</b>		
Policy 7 Preservation of the Historic Environment	D	
Community Aspiration 2 Elm Trees Elm trees, where appropriate, should feature in the planting schemes of all new developments.	D	
Policy 8 Preserving the Railway Inn and the Second World War Pill Boxes as assets of community value	D	

<b>Economy, Industry and Jobs</b>		
Policy 9 Development of Employment	B	incl. Ecological protection
Policy 10 New business development on land already in commercial use	B	
Policy 11 The provision of any new or additional retail floor-space	b	
Policy 12 Land Usage Proposals	c	
<b>PLAN POLICIES</b>	<b>Screening Category</b>	<b>Notes</b>
Policy 13 Proposals for recreational and tourism activities	k	incl. Nat con
<b>Amenities and Infrastructure</b>		
Policy 14 A Community Facility for Westfield	c	
Policy 15 Developer Contributions	c	
Policy 16 Broadband Provision	c	
<b>Highways</b>		
Policy 17 Drainage: surface water flooding on the A367	d	
Policy 18 Traffic hazards	f	
Policy 19 Air Quality	d	
Policy 20 Parking: Domestic Dwellings	c	
<b>Community aspirations</b>		
Community Aspiration 1 Improving access to Green Spaces	c/d	
Community Aspiration 2 Elm Trees	d	
Community Aspiration 3: Street Lighting	k	
Community Aspiration 4 Through Traffic	c	
Community Aspiration 5 Residential Traffic	c	
Community Aspiration 6 Footpaths	c	

## Conclusions and recommendations

The policies screened do not raise any concerns with respect to the Habitat Regulations. It is concluded that no significant effects upon any Natura 2000 are likely to result from the WNP either alone or in combination with other plans or projects.

## References:

Tyldesley, D and Chapman, C (2013) The Habitats Regulations Assessment Handbook, DTA Publications Limited

## Appendix 1: European Site Details

### Chew Valley Lake –

Chew Valley Lake was created as a drinking water reservoir by damming the River Chew and flooding farmland. It is a large, shallow reservoir with peripheral areas of reedbeds, carr woodland and neutral grassland. Construction of the lake was completed in 1956 and it has become one of the most important inland waters for birds in Britain.

This site qualifies as a Special Protection Area (SPA) under Article 4.2 of the Birds Directive (79/409/EEC) by supporting internationally important populations of the Shoveler duck *Anas clypeata*, an over-wintering migratory species. The site has been recorded as supporting up to 1.3% of the wintering Northwestern/Central Europe population (5 year peak mean 1991/2 - 1995/6)

Shovelers are surface feeders with huge spatulate bills. They frequent shallow freshwater marshes, lakes, and ponds during the breeding season, and estuaries, mudflats, lakes, and lagoons during the winter. They are vulnerable to water level change, water quality issues, and habitat disturbance.

Shovelers are resident across most of Britain although those in the north migrate south to avoid harsh northern winters. The largest UK populations are found in East Anglia and central England. The birds range across most of southern and central Europe, Finland and Russia including Siberia, and are also found in central and western parts of the USA and Canada. Most of the birds that breed in northern latitudes migrate south during the winter.

Shoveler Duck receives general protection under the Wildlife and Countryside Act (as amended) in the UK, and is included in the Birds of Conservation Concern Amber List (medium conservation concern).

The following types of impact will need to be considered for this site:

- Damage to habitat through reduction of water levels
- Damage to habitat through changes to water quality
- Disturbance to birds
- Disruption/ fragmentation of flight lines

### North Somerset & Mendips Bat Special Area of Conservation-

Greater Horseshoe Bats *Rhinolophus ferrumequinum* and Lesser Horseshoe Bats *Rhinolophus hipposideros* are the primary reasons for the designation of this SAC. The limestone caves of the Mendips provide a range of important hibernation sites for both species.

### Greater Horseshoe Bats–

The Greater Horseshoe Bat is classified as Endangered in the UK. It is listed under Appendix II of the Bonn Convention, Appendix II of the Berne Convention, Annexes II and IV of the EC Habitats Directive, Schedule 2 of the Conservation Regulations 1994 and protected in the UK under Schedule 5 of the Wildlife and Countryside Act (as amended).

The foraging behaviour of Greater horseshoe bats is quite well understood. They forage on a range of insects depending upon availability and accessibility. Their preferred food is large beetles, such as cockchafers and dung beetles, large moths and caddis flies. Different insect prey are available at different times of year and

from different habitat types, and a bats ability to forage depends upon its age and experience. Studies suggest that they prefer to forage within broadleaved woodland and adjacent pastures in spring, and then move further afield to meadows and pastures in the summer. They seek the best feeding opportunities to achieve greatest foraging efficiency. Most adult foraging occurs within 4km of the main breeding roost (Roost Sustenance Zone). Ransome (2009) reports adults generally forage between 3-5km of the main breeding roost in mid-summer and much smaller distances in Spring and Autumn, generally less than 1Km. Greater Horseshoe bats prefer cattle grazed permanent pastures which have a well-developed vegetation structure. Young bats are typically restricted to a 1km radius of their breeding roost (Young sustenance zone) (Duverge 1996).

### **Lesser Horseshoe Bats –**

In Britain the lesser horseshoe bat has become extinct in the Midlands and in the south-east and is now restricted to south-west England and Wales. European populations are listed under Appendix II of The Bonn Convention, Appendix II of the Bern Convention, and Annexes II and IV of the EC Habitats and Species Directive. In the UK it is protected under Schedule 5 of the Wildlife and Countryside Act 1981, and Schedule 2 of the Conservation Regulations 1994.

The foraging behaviour of Lesser Horseshoe bats is less well understood than for Greater, but they are considered to have quite similar requirements. When hunting, the lesser horseshoe bat flies close to the ground, usually below five metres around bushes and shrubs with fast, agile flight. They glean their prey from stones and branches; favourite prey items include flies, moths and spiders. Studies indicate they prefer to forage within broadleaved woodland in close proximity to their roost (<2km) (Knight 2006).

### **Site details and vulnerabilities**

This site is selected for special protection under the Habitat Regulations on the basis of the size of Horseshoe bat population represented (3% of the UK greater horseshoe bat *Rhinolophus ferrumequinum* population) and its good conservation of structure and function, having both maternity and hibernation sites. The site contains an exceptionally good range of the sites used by the population, comprising two maternity sites in lowland north Somerset and a variety of cave and mine hibernation sites in the Mendip Hills. Summer and winter roosts for Greater horseshoe Bats are usually less than 20-30 km apart. The bats are vulnerable to the loss of foraging habitat that can arise for a variety of reasons, including a decline in insect food supplies due to insecticide use, changing farming practices (reduction in grazing through the year), the loss of broad-leaved tree-cover, the loss or fragmentation of linear habitat features, and to the loss or disturbance of underground roost sites. Their use of the landscape can also be compromised by artificial light spill onto key habitat features.

The limestone caves of the Mendips provide a range of important hibernation sites for lesser horseshoe bat *Rhinolophus hipposideros* as well. Summer and winter roosts are usually less than 5-10 km apart. These bats are vulnerable to the loss or disturbance of both summer and winter roost sites and the removal and fragmentation of linear habitat corridors. Their use of the landscape can also be compromised by artificial light spill onto key habitat features.

## **Potential effects to Bat sites**

### **Potential Issues**

- Increased recreational pressures
- Increased noise and light pollution
- Traffic generated air pollution
- Increased urban-fringe pressures (domestic cats; noise; disturbance –potentially reducing agricultural viability)
- Reduced viability and potential loss of existing agricultural landuse

### **Potential Effects**

- Reduction of habitat quality and function close to some sites (including function as foraging grounds or access ways)
- Habitat loss close to some sites
- Habitat fragmentation

## **Bath & Bradford on Avon Bat SAC-**

Greater Horseshoe Bats and Bechstein's Bats are the primary reasons for the designation of this SAC. Lesser Horseshoe bats are also a qualifying feature.

### **Greater Horseshoe Bats –**

The Greater Horseshoe Bat is classified as Endangered in the UK. It is listed under Appendix II of the Bonn Convention, Appendix II of the Berne Convention, Annexes II and IV of the EC Habitats Directive, Schedule 2 of the Conservation Regulations 1994 and protected in the UK under Schedule 5 of the Wildlife and Countryside Act (as amended).

The foraging behaviour of Greater horseshoe bats is quite well understood. They forage on a range of insects depending upon availability and accessibility. Their preferred food is large beetles, such as cockchafers and dung beetles, large moths and caddis flies. Different insect prey are available at different times of year and from different habitat types, and a bats ability to forage depends upon its age and experience. Studies suggest that they prefer to forage within broadleaved woodland and adjacent pastures in Spring, and then move further afield to meadows and pastures in the summer. They seek the best feeding opportunities to achieve greatest foraging efficiency. Most adult foraging occurs within 4km of the main breeding roost (Roost Sustenance Zone). Ransome (2009) reports adults generally forage between 3-5km of the main breeding roost in mid-summer and much smaller distances in Spring and Autumn, generally less than 1Km. Greater Horseshoe bats prefer cattle grazed permanent pastures which have a well-developed vegetation structure. Young bats are typically restricted to a 1km radius of their breeding roost (Young sustenance zone) (Duverge 1996).

### **Lesser Horseshoe Bats –**

In Britain the lesser horseshoe bat has become extinct in the Midlands and in the south-east and is now restricted to south-west England and Wales. European populations are listed under Appendix II of The Bonn Convention, Appendix II of the Bern Convention, and Annexes II and IV of the EC Habitats and Species Directive. In the UK it is protected under Schedule 5 of the Wildlife and Countryside Act 1981, and Schedule 2 of the Conservation Regulations 1994.

The foraging behaviour of Lesser Horseshoe bats is less well understood than for Greaters, but they are considered to have quite similar requirements. When hunting, the lesser horseshoe bat flies close to the

ground, usually below five metres around bushes and shrubs with fast, agile flight. They glean their prey from stones and branches; favourite prey items include flies, moths and spiders. Studies indicate they prefer to forage within broadleaved woodland in close proximity to their roost (<2km) (Knight 2006).

### **Bechstein's Bats –**

The Bechstein's bat is a rare tree-dwelling bat, mostly associated with old growth broadleaved woodland. A few individuals are found in underground sites during hibernation, but it is likely that most individuals roost in trees all year (BCT 2011). The Bath & Bradford on Avon Bat SAC is used by small numbers of these bats for hibernation but no maternity roosts are known locally.

A recent study of the foraging range of Bechstein's bats in Grafton wood SSSI, Worcestershire concluded "Irrespective of season, all but one of the bats tracked stayed within 1.5km of their day roosting sites".

### **Site Details and Vulnerabilities**

This site in southern England includes the hibernation sites associated with 15% of the UK greater horseshoe bat *Rhinolophus ferrumequinum* population and is selected for protection under the Habitat Regulations on the basis of the importance of this exceptionally large overwintering population.

Summer and winter roosts of Greater horseshoe Bats are usually less than 20-30 km apart. The bats are vulnerable to the loss of foraging habitat and flightlines that can arise for a variety of reasons, including a decline of insect food supplies due to insecticide use, changing farming practices, the loss of broad-leaved tree-cover, the loss or fragmentation of linear habitat features, and to the loss or disturbance of underground roost sites. Their use of the landscape can also be compromised by artificial light spill onto key habitat features.

For Lesser Horseshoe bats summer and winter roosts are usually less than 5-10 km apart. The bats are vulnerable to the loss or disturbance of both summer and winter roost sites and the removal and fragmentation of linear habitat corridors. Their use of the landscape can also be compromised by artificial light spill onto key habitat features.

Small numbers of Bechstein's bats *Myotis bechsteinii* have been recorded hibernating in abandoned mines in this area, though maternity sites remain unknown. The species is closely associated with mature deciduous woodland and appears to select old woodpecker holes or rot holes in trees for breeding. It also occurs in coniferous woodland in some areas. Maternity colonies may move between suitable crevices within a small area, such as a piece of woodland. Bechstein's bats are believed to hibernate in hollow trees and sometimes in underground localities.

## **Potential effects to Bat sites**

### **Potential Issues**

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- Increased noise and light pollution
- Traffic generated air pollution
- Increased urban-fringe pressures (domestic cats; noise; disturbance –potentially reducing agricultural viability)
- Reduced viability and potential loss of existing agricultural landuse

### **Potential Effects**

- Reduction of habitat quality and function close to some sites (including function as foraging grounds or access ways)
- Habitat loss close to some sites
- Habitat fragmentation