

Appendix C1: Habitat Assessment

Freshford and Limpley Stoke Neighbourhood Plan

Habitat Assessment Report

Introduction

This report has been prepared by the Freshford and Limpley Stoke Neighbourhood Plan (NP) Management Group to enquire of the need for a Habitat Regulations Assessment in accordance with Article 6 of the EC habitats Directive 1992 and interpreted into British Law by the Conservation of Habitats and Species (Amendment) Regulations 2011.

The EU Directive protects certain species of plants and animals which are particularly vulnerable. It relates specifically to Special protection Areas (SPA's) and Special Areas of Conservation (SAC's).

The process of HRA involves an initial screening stage followed by an Appropriate Assessment (AA) if proposals coming forward under the Neighbourhood Plan **are likely to have a significant adverse impact on an identified site.**

Consultation

Before preparing this Report and in preparing the draft Sustainability Appraisal Scoping Report (see Appendix 1) the NP Management Group have consulted with:

Bath and North East Somerset Council

Wiltshire Council

The Environment Agency

Natural England

The Highways Agency

The Neighbourhood Plan Area

The NP area is the parishes of Freshford (Somerset) and Limpley Stoke, (Wiltshire.) Disused mines in the area adjacent to the NP lie within an SAC (the Bath and Bradford on Avon Bat Special Area of Conservation) and provide habitats for a number of bat species including the greater horseshoe bat *rhinolophus ferrumequinum*. Winsley Mines Site of Special Scientific Interest is also adjacent to the Plan area and is a component of the SAC. Within the NP area there are notably a number of ancient woodlands such as Midford Valley woods with SSI designation. You are referred to the Landscape and Habitat Map (Appendix 2.)

Core strategies of Bath and North East Somerset Council and Wiltshire Councils and the Freshford and Limpley Stoke Neighbourhood Plan

The emerging Core Strategies of both Councils will continue to be subject to a detailed Habitat Regulations Assessment. The NP as drafted is in accordance with the two core strategies and does not deviate from them. Further, the Plan is in line with national policy as contained in the National Planning Policy Framework. We do not expect that the NP proposals will have any significant or adverse effect on any of the protected sites. Rather we believe that the NP strengthens and enhances the protection of habitats, flora and fauna and the landscape in general.

While no adverse impact is anticipated the Management Group recognise that should additional policies or proposals come forward which arise from the NP and which go beyond the scope of the Core Strategies it may trigger the need for a HRA. We undertake to make proper enquiry at that stage to ensure that any potential adverse effects on the Bath and Bradford on Avon SAC are understood and can be avoided or mitigated.

The Neighbourhood Plan

You are referred to the draft Neighbourhood Plan for Freshford and Limpley Stoke.

Without repeating the range of policies and proposals it contains we emphasise the following matters:

- That 'village envelopes' have been drawn defining the extent of the area of built environment and which will define the areas for potential brown field and infill sites. (See Para 3.2). The envelopes do not encompass any SPA or SAC.
- Local Green Spaces have been designated in accordance with Para 77 of the NPPF to preserve the rural character of the villages and hamlets and to prevent incremental development which might merge them together. (See Para 3.22)
- The policies and proposals to protect and enhance the natural environment, (see Para 5 et seq.)

Conclusions

Given the restrictive and limited nature of the development proposed by the NP and that the NP is in accordance with the two emerging core strategies we consider that there is no requirement for us to undertake an HRA as there is no identifiable proposal or policy likely to have any significant or adverse impact on any of the named 'Natura' European sites.

NJS 29/5/13