



# South Somerset District Council



## South Somerset Proposed Submission Local Plan 2006-2028

## Habitats Regulation Assessment June 2012

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## Introduction

Under European legislation, South Somerset District Council is required to consider whether the 'South Somerset Local Plan 2006 – 2028' alone or in combination would be likely to have a 'significant effect' on the integrity of any internationally designated site.

In October 2008 Somerset County Council prepared a Screening Report for Bracket's Coppice SAC an important wildlife site for bats. The report recommended the inclusion of a Bat Protection Zone policy and mapping specifically for Brackets Coppice within the Local Plan. Subsequent to this recommendation further research was carried out and has concluded that there is no requirement for this zone, that policy amendments would be more appropriate and that these can be applied through the Habitats Regulation Assessment process.

Separately an initial scoping report prepared by consultants Royal Haskoning for all the Somerset Local Authorities in October 2009 has also determined that the Somerset Levels and Moors Ramsar / SPA (one of the largest areas of traditionally managed wet grassland and an important site for breeding wading birds in the south of England) would require a full Habitats Regulation Assessment of the emerging policies within the Local Plan.

Having identified the requirement for a Habitats Regulation Assessment for both designations, Somerset County Council (for the Bracket's Coppice SAC) and Royal Haskoning (for Somerset Levels and Moors Ramsar / SPA) reviewed the emerging policies in the Draft Core Strategy (October 2010) (now renamed Local Plan) and made a series of policy recommendations to policy and text to mitigate impact.

At this formal publication stage the Council is required to once again assess the emerging policies with the Local Plan to ensure compliance with the Habitats Regulation Assessment. The Council has therefore commissioned Somerset County and Royal Haskoning respectively to undertake an addendum report for both designations. To allow for policy recommendations to be made to final text and consulted upon a draft set of policies were circulated to the consultants in April 2012 for assessment.

The consultants draft addendum report for the Somerset Levels and Moors Ramsar / SPA, **Appendix A**, and Bracket's Coppice SAC, **Appendix B**, have both concluded that with changes there are considered to be no adverse effect upon the integrity of the designations. These reports remain as originally prepared although they were subsequently updated in June 2012 by South Somerset District Council to reflect final policy numberings / names to avoid any confusion arising from reference to draft text, these changes are outlined in full within **Appendix C**.

As a requirement within the regulations, Natural England as a statutory consultee has been consulted on these draft reports and to ensure compliance have recommended changes in a formal letter regarding the Bracket's Coppice SAC dated 10<sup>th</sup> May 2012, **Appendix D**, and the Somerset Levels and Moors Ramsar / SPA dated 31<sup>st</sup> May 2012, **Appendix E**. The most notable changes proposed are the 'change of use' to employment only within the South Eastern direction for growth at Langport / Huish Episcopi to mitigate impact on Wet Moor SSSI and wording changes to the Local Plan Biodiversity policy to ensure greater protection of internationally protected sites.

As a matter of formal process both Somerset County Council in a letter dated 14<sup>th</sup> June 2012, **Appendix F**, and Royal Haskoning on the 15<sup>th</sup> June 2012 set out in **Appendix G**, have responded and endorsed Natural England's subsequent amendments to the draft reports alongside an acknowledgement of subsequent policies amendments since the circulation of the draft policies in April, the most notable being the introduction of Policy SD1 Sustainable Development.

All recommended changes to the final policies and supporting text (including amendments by Royal Haskoning, Somerset County Council and Natural England in their relevant reports and correspondence) have been combined and presented to the Local Development Framework (LDF) Project Management Board (the member steering body) for formal consideration and endorsement. The text has been combined for simplicity and transparency reasons and is presented in full within *Appendix A: Habitats Regulation Assessment; Proposed Changes to South Somerset Proposed Submission Local Plan 2006-2028* of the LDF PMB Report, **Appendix H**.

These changes were endorsed on the 15<sup>th</sup> June 2012 and amendments made to the Local Plan to ensure Habitats Regulation Assessment compliance before publication.

# Appendix A





# South Somerset District Council Local Plan 2006-2028

Post-consultation Addendum: Habitats Regulations Assessment  
for the Somerset Levels and Moors International Sites

South Somerset District Council

30 April 2012

Final Report

9X3643



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Enhancing Society

*Cover photo – Wetland habitat © Daniel Beeden 2012*



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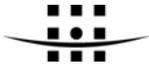
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**NOTE:** As a matter of clarity & consistency SSDC has subsequently amended this report to identify final policy numbering only where this has changes since the draft policy wording was circulated on the 24th April 2012. Final policy numbering & naming are recorded though out the report in (*Green Italics*).



## 1 INTRODUCTION

### 1.1 Purpose of this Report

1.1.1 This report has been prepared as an addendum to the Habitat Regulations Assessment (HRA) of the developing South Somerset District Council (SSDC) Local Plan 2006-2028 (previously the Local Development Framework Core Strategy). That report (Royal Haskoning 2010) undertook an assessment of the draft Core Strategy incorporating preferred options, and was included in the public consultation in autumn 2010.

1.1.2 A number of changes have been made to the policy suite to reflect comments received from stakeholders, and other changes in the national policy landscape. This report considers the draft final policy suite (dated 24 April 2012). It critically assesses whether the changes made alter the previous findings with regard to impacts on internationally-designated conservation sites<sup>1</sup>. The assessment is focussed upon 12 individual sites (designated as Sites of Special Scientific Interest) that are collectively covered by two international nature conservation designations (see **Section 3** of the previous report):

- Somerset Levels and Moors Ramsar; and
- Somerset Levels and Moors SPA.

1.1.3 This addendum can be read as a stand-alone document to provide a clear review of the April 2012 suite of policies. However, to gain a full understanding of the HRA process it should be read in conjunction with the previous (September 2010) assessment. This addendum makes frequent reference to that assessment to avoid repetition and to focus attention on policy amendments since the previous submission.

1.1.4 Mechanisms through which impacts upon designated sites may occur were originally identified in a Scoping Report for Somerset Authorities' developing land use plans (Royal Haskoning 2009). It identified potential impacts, and significant effects, associated with SSDC Core Strategy Issues and Options paper and determined that there was only the potential for significant effect on the Somerset Levels and Moors (SLM) designated sites. From a clear understanding of the sensitivities of the interest features within the designated sites, and following discussion with Natural England and others, several impact mechanisms by which the policy might significantly affect the sites were determined. These informed the 2010 assessment. That assessment (see Section 6 in the previous report) considered whether the identified effect will have, or lead to, an adverse impact on the integrity<sup>2</sup> of those sites that collectively form the SLM.

1.1.5 The final Appropriate Assessment is a decision by the 'competent authority', in this case South Somerset District Council, as to whether the proposed plans or projects laid out within their final submission Local Plan document can be determined as not having an adverse effect on the integrity of any international sites. This addendum, in conjunction with the previous report, is intended to inform that decision.

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<sup>1</sup> Special Areas of Conservation (SAC), designated under the *Habitats Directive*, and Special Protection Areas (SPA) designated under the *Birds Directive*, form part of the EU-wide Natura 2000 network. The UK National Planning Policy Framework confirms that 'Ramsar sites', designated under the Ramsar Convention (*The Convention on Wetlands of International Importance, especially as Waterfowl Habitat*), and sites in the process of being designated, should be subject to the same provisions. The term international sites is used throughout report when referring to these sites.

<sup>2</sup> The coherence of the site's ecological structure and function, across its whole area, or the habitats and species populations for which the site is classified.



## 1.2 Response to Consultation Comments Received

- 1.2.1 The Royal Society for the Protection of Birds (RSPB) was engaged during the Stage 1 report, together with Natural England (NE) and the Somerset County Council (SCC) ecologist (who were also consulted through the assessment of the 2010 policy suite).
- 1.2.2 In response to the 2010 consultation on the draft Core Strategy the RSPB raised objections due to impacts they believe could jeopardise the integrity of the SLM. No comments pertaining to the HRA were received from SCC or Natural England.
- 1.2.3 The RSPB raise particular concerns over policies<sup>3</sup> SS3, SS4, YV2 and CV1, and a potential adverse effect from 'in combination' recreational pressures on the SLM arising from draft settlement policies in South Somerset and Sedgemoor Districts. They comment that the assessment of recreational pressure draws on "*anecdotal evidence that recreational pressure on the site is currently 'low'*". RSPB do not share this view, believing instead that some parts of the site experience high levels of disturbance.
- 1.2.4 They also comment that the assessment of visitor use and behaviour is "*superficial*", and seek policy amendment such that all significant housing developments include adequate mitigation measures to reduce adverse unmanaged recreational pressures on the SLM, e.g. suitable alternative green spaces (SANGS).
- 1.2.5 In the 2010 HRA we noted that limited survey data were available (from investigations commissioned by SCC to support HRA by a number of Somerset authorities) but, on the basis of protection being provided at the plan level by the inclusion of policies including HW1 and EQ4, concluded no adverse effect on integrity.
- 1.2.6 In the 2010 HRA we did, however, additionally recommend that a monitoring programme be established, led by local authorities but to be operated as a collaborative effort including stakeholders such as the RSPB and NE.
- 1.2.7 We have considered the RSPB comments received in the light of the revised policy suite, the further recommendations we make, and further discussion with the RSPB and County Ecologist, and offer a response in **Section 3.4**.

## 1.3 Structure of this Report

1.3.1 The rest of this report is set out as detailed below:

- Section 2 Summary Methodology
- Section 3 Policy Review and Counteracting Measures
- Section 4 Conclusions and Recommendations
- Section 5 References

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<sup>3</sup> Note that these policy numbers refer to the 2010 suite.



## **2 SUMMARY METHODOLOGY**

### **2.1 Requirement for Habitats Regulations Assessment**

- 2.1.1 This section provides a condensed overview of the general HRA methodology and the process that was undertaken to prepare this addendum. A more complete description is contained in the previous HRA report (Royal Haskoning 2010).
- 2.1.2 The need for the assessment arises from the *EC Habitats Directive* (92/43/EEC) and its implementation in the UK under the *Conservation of Habitat and Species Regulations 2010* (as amended) (previously the *Conservation (Natural Habitats &c.) Regulations 1994* (as amended)). Under Regulation 61 (1), HRA is required for a plan or project which, either alone or in combination with other plans or projects, is likely to have a significant effect<sup>4,5</sup> on the integrity of an international site and which is not directly connected with the management of the site.
- 2.1.3 HRA is considered to be a risk-based assessment, drawing on available information. The Department for Communities and Local Government (DCLG) has produced draft guidance on carrying out Appropriate Assessment for the protection of International Sites for Regional Planning Bodies and Local Planning Authorities (DCLG, 2006). It addresses determining the need for an Appropriate Assessment for a given plan and the provision of an assessment if one is required. The documents '*Planning for the Protection of European Sites: Appropriate Assessment*' (DCLG, 2006) and '*The Assessment of Regional Spatial Strategies under the Provisions of the Habitats Regulations – Draft Guidance*' (English Nature, 2006) also provide a cohesive source of guidance for assessments, as do the RSPB publication '*The Appropriate Assessment of Land Use Plans in England*' (2007), and more recent guidance for competent authorities (Tyldesley and Hoskin 2008<sup>6</sup>; David Tyldesley and Associates 2010).

### **2.2 Habitat Regulations Assessment Methodology**

- 2.2.1 The general process of undertaking a HRA is iterative, alongside and informing policy development, and accords with **Figure 2.1** below. Initially an assessment is undertaken of whether the policies and land allocations from a Core Strategy have the potential to have a Likely Significant Effect (LSE), either alone or in-combination, upon the relevant sites. Those policies that can be scoped out of the further assessment stages can be considered suitable for inclusion in the development plan.
- 2.2.2 Where more detailed review of policies is required their potential impacts on the integrity of the international sites are assessed against information gathered on the condition of the site, and any further information concerning the likely impact. Where it cannot be

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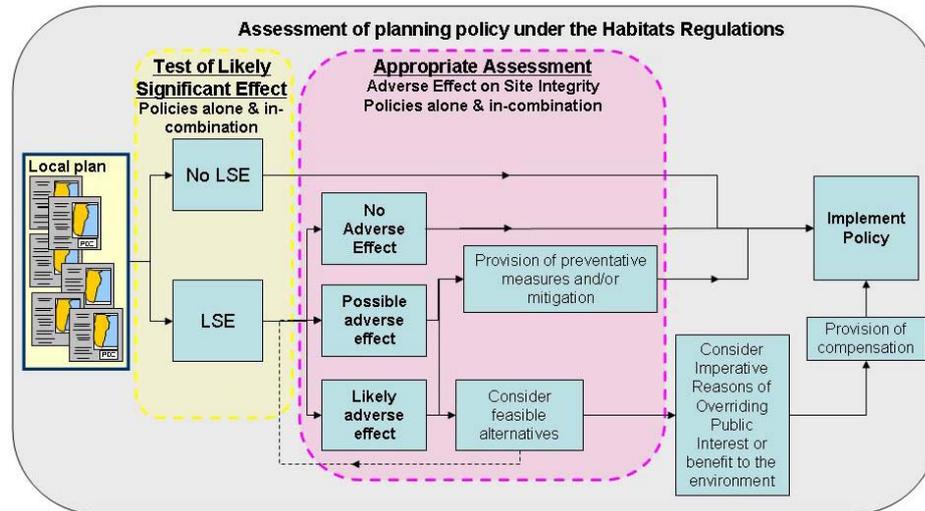
<sup>4</sup> Case law has interpreted the test of 'likelihood' as meaning that there may be (as opposed to is likely to be) a significant effect. In the Waddenzee case (C-127/02) the European Court of Justice ruled that a project should be subject to appropriate assessment "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site". This reinforces the need to take a precautionary approach when effects are not certain.

<sup>5</sup> Effects must be considered 'significant' where they could undermine the specific site's conservation objectives. "The competent authority should not be swayed by the notion that the likely significance of any effect ... is necessarily related to the proportion or size of area affected. It is the potential effect on the ecological functioning of the site that is relevant" (David Tyldesley and Associates 2010).

<sup>6</sup> For full references see Royal Haskoning (2010).

concluded that the policies will not have an adverse impact on the sites then mitigation or avoidance measures must be developed.

**Figure 2.1** The Habitats Regulations Assessment process



2.2.3 Where mitigation or preventative measures cannot be established, and if a policy lacks a viable alternative it is necessary to consider whether the policy is required. Only where a particular policy (identified to have the potential for adverse effect) is justified by 'imperative reasons of overriding public interest (IROPI), and there is no alternative solution, can consideration be given to progressing it. The relevant Government department must be consulted with through this process, and must confirm that IROPI prevails, as well as there being no possible mitigation measures or alternatives solutions that would negate the adverse effects on the site.

## 2.3 Revised Policy Review

2.3.1 The previous assessment was undertaken against the draft Core Strategy policies as at September 2010 (Sections 3 and 4 of Royal Haskoning (2010) provide comprehensive background information). The Core Strategy document has undergone public consultation and subsequent policy revision to result in this draft final policy suite (now named the South Somerset District Council Local Plan 2006-2028).

2.3.2 This addendum reviews the finalised policies in order to determine whether the policies have changed in a way which alters the conclusions of the earlier study. The nature of changes varied and included:

- The re-naming or re-numbering, or both, of existing policies;
- Combination of previous policies into one new policy;
- Material changes or significant rewording; and
- Inclusion of wholly new, or removal of complete, policies.

2.3.3 The final submission document will reflect additional revision and amendment iteratively informed by the requirements of the Habitats Directive and Regulations.



### 3 POLICY REVIEW

#### 3.1 Critical Policy Appraisal

3.1.1 This section undertakes an assessment of the near-final policy suite in order to determine potential for significant impacts upon the designated sites.

3.1.2 **Table 3.1** forms the core of the re-assessment process, and mirrors the approach followed in the 2010 report. The draft final policy suite is listed by number and name, before a brief overview of the nature of the policy and (where appropriate) identified changes.

3.1.3 We recognise that policy references or titles may alter before submission, but whilst this may need to be clarified by SSDC our conclusions and recommendations remain valid unless material changes to policy are made.

3.1.4 The assessment of Likely Significant Effect (LSE) is provided using the coding as set out below. Potential impacts relate to those mechanisms identified previously (see Section 1 and Section 5 of the 2010 report). No additional mechanisms have been identified.

Key	
Potential for significant effect	-
No significant effect	O
Potential positive effect, at the plan level	+

**Table 3.1** Assessment of April 2012 policy suite indicating potential for Likely Significant Effect, policy details, changes and explanation of determination<sup>7</sup>

Policy, changes & details	LSE?
<p><b>SS1 – Settlement hierarchy</b></p> <p>More settlements designated as Market Towns, including Langport / Huish Episcopi which is on the boundary of Wet Moor SSSI (part of the SLM). Considering the proximity of the Somerset Levels and Moors designated sites, and the future development implications of the designation as Market Town, <b>there is the potential for significant effects.</b></p>	-
<p><b>SS2 - Development in rural settlements</b></p> <p>Policy simplified and condensed. Specifics on affordable housing removed. Overarching policy and not a development-specific policy. <b>As previous submission, no significant effects anticipated.</b></p>	O
<p><b>SS3 - Delivering new employment land</b></p> <p>Formerly Policy SS5 with changes such that employment-driven land increases from 107.43ha to 162ha. Allocation in Langport / Huish Episcopi increases from 1.5 to 3.44ha. As SS1, considering the proximity of the designated sites <b>there is the potential for significant effects.</b></p>	-

<sup>7</sup> Comparative comments refer to the September 2010 policy suite and assessment.



Policy, changes & details	LSE?
<p><b>SS4 – District Wide Housing Provision</b></p> <p>Previously policy SS3. Housing allocation and provision has altered slightly, with a net gain of 151 dwellings. Dwellings in market towns and rural centres will increase (from 8,400 to 6,536) whilst dwellings in Yeovil has reduced. Due to the expected increase in population and associated pressures <b>there is the potential for significant effects.</b></p>	-
<p><b>SS5 - Delivering New Housing Growth</b></p> <p>Previously policy SS4. No material change to policy text. Minor upwards revision of overall housing numbers from 16,615 to 16,751. Distribution of development changed, as above, with increases in Langport / Huish Episcopi (from 300 to 400 homes) and in 'other rural settlements' (from 1,199 to 2,400 homes). Due to the population increase and the potential for impacts in terms of visitor disturbance <b>there is the potential for significant effects.</b></p>	-
<p><b>SS6 - Infrastructure Delivery</b></p> <p>Combines previous policies SS6, SS7 and SS8. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>YV1 - Urban framework and Greenfield housing provision for Yeovil</b></p> <p>No significant changes to wording. Housing allocations altered to reflect more properties in Yeovil overall. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>YV2 - New Retail Provision in Yeovil</b> <i>(Renamed EP10 Convenience and Comparison Shopping in Yeovil – June 2012)</i></p> <p><b>NEW POLICY.</b> Details the provision of new retail space in Yeovil (and associated expenditure) by 2014, 2021 and 2026. Due to the nature of the development and distance from designated sites, <b>no significant effects anticipated.</b></p>	○
<p><b>YV3 - Yeovil Sustainable Urban Extension</b> <i>(Renumbered YV2 – June 2012)</i></p> <p><b>Renamed policy.</b> Proposed new development, an urban extension to include housing, retail, health and education facilities. Although a population increase (although this is lower than in the 2010 policy) the potential for impacts is addressed above under Policy SS4 / SS5 therefore this policy represents <b>no additional significant effects.</b></p>	○
<p><b>YV4 - East Coker and North Coker Buffer Zone</b> <i>(Renumbered YV3 – June 2012)</i></p> <p><b>NEW POLICY.</b> <b>No significant effects anticipated.</b></p>	○
<p><b>YV5 - Delivering Sustainable Travel at the Yeovil Sustainable Urban Extension</b> <i>(Renumbered YV6 – June 2012)</i></p> <p><b>Renamed policy.</b> Designed to ensure that a minimum of 50% of journeys originating in the YSUE are by non-car modes. Policy based upon enabling modal shift. <b>No significant effects anticipated.</b></p>	○



Policy, changes & details	LSE?
<p><b>YV6 - Yeovil Summerhouse Village</b> (<i>Renumbered YV4 – June 2012</i>)</p> <p><b>Renamed policy.</b> Mixed-use development of 150 homes. Small scale development focussed on minimising environmental impact, and not in proximity to designated sites. <b>No significant effects anticipated.</b></p>	○
<p><b>YV7 - Yeovil Airfield Flight Safety Zone</b> (<i>Renumbered YV5 – June 2012</i>)</p> <p><b>NEW POLICY.</b> Ensuring development does not adversely impact operations of Agusta-Westland Helicopters at Yeovil airfield. Specific to Yeovil. <b>No significant effects anticipated.</b></p>	○
<p><b>CV1 - Chard Strategic Growth Area</b> (<i>Renumbered PMT1 – June 2012</i>)</p> <p>Reduction by 330 in number of new dwellings proposed within the plan period; 1,861 rather than 2,191. Post plan period allocation has increased; from 1,016 to 1,376. Net gain is +30 dwellings. The potential for impacts is addressed above under Policy SS4 / SS5 therefore this policy represents <b>no additional significant effects.</b></p>	○
<p><b>CV2 - Chard Phasing</b> (<i>Renumbered PMT2 – June 2012</i>)</p> <p>Determines delivery timelines for housing &amp; infrastructure growth in Chard; pre- and post-2028. Policy focuses on timescales for developments taking place under alternative policy (CV1). <b>No significant effects anticipated.</b></p>	○
<p><b>MT1 - Castle Cary / Ansford Direction for Growth</b> (<i>Renamed LMT1 Ansford / Castle Cary Direction of Growth and Link Road – June 2012</i>)</p> <p><b>NEW POLICY.</b> Specifies where in Castle Cary / Ansford planned development will take place. New link road proposed, but due to distance from designated sites, <b>no significant effects anticipated.</b></p>	○
<p><b>MT2 - Ilminster Direction for Growth</b> (<i>Renumbered PMT3 – June 2012</i>)</p> <p><b>NEW POLICY.</b> Specifies where in Ilminster planned development will be taking place. Due to distance from designated sites, <b>no significant effects anticipated.</b></p>	○
<p><b>MT3 – Somerton Direction for Growth</b> (<i>Renumbered LMT3 – June 2012</i>)</p> <p><b>NEW POLICY.</b> Specifies where in Somerton planned development will be taking place. Due to distance from designated sites, <b>no significant effects anticipated.</b></p>	○
<p><b>MT4 – Langport / Huish Episcopi Direction for Growth</b> (<i>Renumbered LMT2 – June 2012</i>)</p> <p><b>NEW POLICY.</b> Specifies where in Langport / Huish Episcopi planned development will be taking place (north-east, east and south-east). Provides additional detail to policies SS4 / SS5. Policy makes specific reference to proximity of Somerset Levels and Moors designated sites but suggests this should be addressed through project-level HRA. Given the greater potential for cumulative impact through this approach <b>there is the potential for significant effects.</b></p>	-



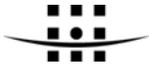
Policy, changes & details	LSE?
<p><b>MT5 - Wincanton Direction for Growth</b> (<i>Renumbered PMT4 – June 2012</i>)</p> <p><b>NEW POLICY.</b> Specifies where in Wincanton planned development will be taking place. Due to distance from designated sites, <b>no significant effects anticipated.</b></p>	○
<p><b>HG1 - Strategic Housing Sites</b></p> <p>Highlights three (Two in Yeovil, one in Crewkerne) sites that are strategically significant as key residential sites. <b>No significant effects anticipated.</b></p>	○
<p><b>HG2 – The use of Previously Developed Land (PDL) for new housing development</b></p> <p>Previously Policy HG3, with no material change. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>HG* - Phasing of Previously Developed Land</b> (<i>Renumbered SS7 – June 2012</i>)</p> <p>States that the LPA will choose to build in the first instance on formerly developed land, prior to use of greenfield land, subject to conditions. <b>No significant effects anticipated.</b></p>	○
<p><b>HG3 - Provision of Affordable Housing</b> (<i>Policy split between HG3 &amp; HG4 – June 2012</i>)</p> <p>Previously Policy HG4, with no material change. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>HG4 - Achieving a Mix of Market Housing</b> (<i>Renumbered HG5 – June 2012</i>)</p> <p>Previously Policy HG5. No material change in policy text. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>HG5 - Care Homes and Specialist Accommodation</b> (<i>Renumbered HG6 – June</i>)</p> <p><b>NEW POLICY.</b> Supports development of care homes / alternative specialist accommodation wherever possible, subject to key criteria being met. Developments in rural locations will have to demonstrate why alternative sites are unsuitable. <b>No significant effects anticipated.</b></p>	○
<p><b>HG6 - Gypsies, Travellers and Travelling Showpeople</b> (<i>Renumbered HG7 – June 2012</i>)</p> <p>Criteria guiding the siting and development of accommodation for these groups. Policy contains specific wording to safeguard nationally and internationally designated sites. <b>As previous submission, no significant effects anticipated although the policy wording could be strengthened by specific reference to Natura 2000 sites.</b></p>	○
<p><b>HG7 - Replacement dwellings in the countryside</b> (<i>Renumbered HG8 – June</i>)</p> <p>No material change. Policy details criterion which must be met when an existing development is to be replaced or extended. <b>As previous submission, no significant effects anticipated.</b></p>	○



Policy, changes & details	LSE?
<p><b>HG8 – Housing for Agricultural and Related Workers</b> (<i>Renumbered HG9</i>)</p> <p>No material change. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>HG9 - Removal of Agricultural and other occupancy conditions</b> (<i>Renumbered HG10 – June 2012</i>)</p> <p>No material change. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP1 - Strategic Employment Sites</b></p> <p>Policy details the location of strategic employment sites to be safeguarded throughout the district within the current plan period. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP2 - Office Development</b></p> <p>No significant change. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP3 - Safeguarding Employment Land</b></p> <p>Policy reworded. States that planning permission will generally not be granted which would result in the loss of potential employment land. Changes of use are subject to a range of criteria. <b>No significant effects anticipated.</b></p>	○
<p><b>EP5 - Expansion of Existing Businesses in the Countryside</b> (<i>Renumbered EP4 – June 2012</i>)</p> <p>Previously Policy EP6. No material change. Contains specific text which highlights that developments will not be permitted where adverse impacts upon nationally or internationally designated sites may arise. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP6 - Farm Diversification</b> (<i>Renumbered EP5 – June 2012</i>)</p> <p>Previously Policy EP9. No material change. Contains specific text which highlights that developments will not be permitted where adverse impacts upon nationally or internationally designated sites may arise. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP7 - New Build Live / Work Units</b></p> <p>Previously Policy EP5. No material change. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP8 - New and Enhanced Tourism Facilities</b></p> <p>Wording changed and previous policies EP7 and EP8 have been combined, and new facilities are to be focused on Yeovil and the Market Towns (now including Langport / Huish Episcopi). Previous submissions recommended that the wording for (previous) Policy EP7 be strengthened to offer robust protection of designated sites. The current policy appears weaker than previously proposed, and states only that "no adverse impact on the character of the countryside" should result from the exceptional development enabled outside the intended development areas. <b>There is therefore the potential for significant effects.</b></p>	-



Policy, changes & details	LSE?
<p><b>EP9 - Town Centre Hierarchy</b> (<i>Renamed EP9 Retail Hierarchy – June 2012</i>)</p> <p>Previously Policy EP10, with minor text changes. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP10 - Location of Main Town Centre Uses (the Sequential Approach)</b> (<i>Renumbered EP11 – June 2012</i>)</p> <p>Specifies a sequential approach to site selection for new retail units in and around towns, with town centres being preferable to out-of-centre locations. <b>No significant effects anticipated.</b></p>	○
<p><b>EP11 - Floorspace Threshold for Impact Assessments</b> (<i>Renumbered EP12</i>)</p> <p>Builds upon previous Policy EP15. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP12 - Protection of Retail Frontages</b> (<i>Renumbered EP13 – June 2012</i>)</p> <p>Previously Policy EP13, but expanded. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP13 - Neighbourhood Centres</b> (<i>Renumbered EP14 – June 2012</i>)</p> <p>Previously Policy EP15. No material change. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EP14 - Protection and Provision of Local Shops, Community Facilities and Services</b> (<i>Renumbered EP15 – June 2012</i>)</p> <p>Previously Policy EP16. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>HW1 - Provision of open space, outdoor playing space, sports, cultural and community facilities in new development</b></p> <p>Combination of previous policies HW1 &amp; HW2. Minor changes in text. Policy designed to ensure that the provision of outdoor recreational and community facilities across South Somerset District is of a suitable level and extent in new developments. <b>As per previous submission, no significant effects anticipated.</b></p>	○
<p><b>HW2 - Sport Zone</b></p> <p>Previously Policy HW3 with no material change in text. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>HW3 - Protection of Play Spaces and Youth Provision</b></p> <p>Previously Policy HW4 with no material changes to text. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>TA1 - Low Carbon Travel</b> (<i>Policy split between TA1 &amp; TA2 Rail</i>)</p> <p>Policy sets out how new residential and employment developments must help enable the uptake of more sustainable modes of transport - i.e. achieving modal shift away from single-occupancy vehicles. No material change. <b>As previous submission, no significant effects anticipated.</b></p>	○



Policy, changes & details	LSE?
<p><b>TA2 - Sustainable Travel at Chard and Yeovil</b> (<i>Renumbered TA3 – June 2012</i>)</p> <p>Previously Policies YV4 and CV4. Specific to Yeovil and Chard, policy and outlines measures for reducing the level of single-occupancy vehicles and enabling wider uptake of more sustainable alternatives. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>TA3 - Travel Plans</b> (<i>Renumbered TA4 – June 2012</i>)</p> <p>Previously Policy TA2 with minor modifications to policy text. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>TA4 - Transport Impact of New Development</b> (<i>Renumbered TA5 – June 2012</i>)</p> <p>Previously Policy TA3. No material change to policy wording. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>TA5 - Parking Standards</b> (<i>Renumbered TA6 – June 2012</i>)</p> <p>Previously Policy TA4 with minor modifications to policy text. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EQ1 - Addressing Climate Change in South Somerset</b></p> <p>Wording amended. Policy sets out guidance to ensure planned development delivers maximum carbon efficiency. Inclusion of specific text provides safeguards for the designated sites. <b>No significant effects anticipated.</b></p>	○
<p><b>EQ2 – Design and General Development</b> (<i>Renamed EQ2 General Development – June 2012</i>)</p> <p>No material changes to policy text. Policy specifically safeguards nationally and internationally designated sites from adverse impacts arising from developments. <b>As previous submission, no significant effects anticipated.</b></p>	○
<p><b>EQ3 – Biodiversity</b> (<i>Renumbered EQ4 – June 2012</i>)</p> <p>Minor changes to text. Policy designed to ensure biodiversity is not adversely impacted by developments. <b>As previous submission, no significant effects anticipated. However this policy should be strengthened to offer more clear protection at the plan level.</b></p>	○
<p><b>EQ4 - Green Infrastructure</b> (<i>Renumbered EQ5 – June 2012</i>)</p> <p>No material change. Development must contribute towards the LPA's desire to create and enhance green infrastructure throughout the District. <b>As previous submission, no significant effects anticipated.</b> Policy has the potential to contribute towards benefits to biodiversity and alleviating pressure on designated sites although <b>text should be added to confirm this purpose.</b></p>	+
<p><b>EQ5 – Woodlands and Forestry</b> (<i>Renumbered EQ6 – June 2012</i>)</p> <p>No material change. Intends to protect and enhance woodlands and forests throughout the district. <b>As previous submission, no significant effects anticipated.</b></p>	○



Policy, changes & details	LSE?
<b>EQ6 – Pollution Control</b> ( <i>Renumbered EQ7 – June 2012</i> ) No material change to text. Policy specifically safeguards nationally and internationally designated sites from adverse impacts. <b>As previous submission, no significant effects anticipated.</b>	○
<b>EQ7 - Equestrian development</b> ( <i>Renumbered EQ8 – June 2012</i> ) No material changes to text. Policy specifically safeguards nationally and internationally designated sites from adverse impacts arising from developments. <b>As previous submission, no significant effects anticipated.</b>	○
<b>EQ* - Historic Development</b> ( <i>Renumbered EQ3 – June 2012</i> ) <b>NEW POLICY.</b> Provides specific protection to historic environment features, in respect of new development. <b>No significant effects anticipated.</b>	○
<b>HA1 – Henstridge Airfield</b> ( <i>Renumbered EP6 – June 2012</i> ) <b>NEW POLICY.</b> Specific to airfield site in east of District. Due to distance from designated sites, <b>no significant effects anticipated.</b>	○

### 3.2 Policies with Potential for Significant Effect

3.2.1 The assessment of individual policies concluded that there are six policies within the final policy suite from which there remains the potential for a significant effect on the Somerset Levels and Moors.

3.2.2 Section 5 of the 2010 report provides a more thorough discussion of potential impact mechanisms. The water companies have been consulted in respect of the revised growth pattern. Their responses, together with the infrastructure delivery policy (SS6) and the wider regulatory framework which requires any water infrastructure upgrades to comply with the Water Framework Directive (and consequently ensure protection of internationally-designated conservation sites), are considered sufficient to enable a conclusion that no water quality impacts will arise. The remaining impacts are expected to result from visitor-related pressure / disturbance to sites arising from:

- Policy SS1 - Settlement hierarchy;
- Policy SS3 - Delivering new employment land;
- Policy SS4 - District wide housing provision
- Policy SS5 - Delivering new housing growth;
- Policy MT4 – Langport / Huish Episcopi Direction for Growth; and (*Renumbered LMT2 – June 2012*)
- Policy EP8 - New and enhanced tourism facilities.



3.2.3 Three key issues are raised by these policies, namely:

- the overall quantum of growth in the District (and in particular the western half) (Policies SS1, SS3, SS4 and SS5);
- the scale and nature of growth focussed on Langport / Huish Episcopi, together with its designation as a Market Town and the expectations that may bring, given its proximity to the SLM (Policies SS1, SS3, SS5 and MT4); and (*Note that MT4 has been renumbered as LMT2 – June 2012*)
- the potential for specific impacts resulting from enhanced tourism facilities (Policy EP8).

3.2.4 We consider that the potential impacts represented by the policies in their current wording could be addressed within the Plan to ensure that the development includes safeguarding measures.

### **3.3 Counteracting Measures – Visitor and Recreational Pressure**

3.3.1 In light of the potential impacts identified, we consider that amendments to three policies are required in order to support a conclusion that the proposed development will not adversely impact the integrity of the SLM. The amendments, proposed below, address:

- greater recognition of the value of Greenspace and requirement for inclusion in development (amendments to Policies HW1 and EQ4); and (*Note that EQ4 has been renumbered EQ5 – June 2012*)
- the value of a strong, overarching policy providing protection to important nature conservation features across the plan (amendment to Policy EQ3). (*Renumbered EQ4 – June 2012*)

3.3.2 Notwithstanding these changes we also recommend minor alterations to two further policies to reinforce protection against specific impacts, being those related to new tourism-related facilities, and those related to development at Langport / Huish Episcopi. All recommended changes are outlined below. Additions to the current text are underlined and deletions are ~~struck out~~.

#### ***HW1 – Provision of open space, outdoor playing space, sports, cultural and community facilities in new development***

3.3.3 Previously this policy offered potential mitigation of impacts arising from increased visitation, by offering high quality, local and accessible green space as part of new developments. Increased use of local green space can limit possible disturbance impacts that may otherwise occur if residents need to travel further to access green spaces and is (within limits) a recognised means of ensuring pressure on designated sites does not increase as a result of development.

3.3.4 This policy should be strengthened and we recommend the inclusion of a sentence at the end of the first paragraph to add “The need for additional open space may be required due to the proximity to sensitive (internationally-designated) conservation areas, so as to alleviate potential development-related pressure on those sites.”



3.3.5 Additionally, the supporting text could acknowledge the recognised role of open space provision in alleviating pressure on existing natural areas, particularly for more functional outdoor uses such as dog walking.

3.3.6 Supporting text could also recognise the greater importance of open space provision in some areas compared with others, and propose establishing targets for development areas such that relieved pressure on, for example, the Somerset Levels and Moors can be assured. This could include cross-reference to (amended) **Policy EQ4**. (*Renumbered EQ5 – June 2012*)

**EQ4 - Green Infrastructure** (*Renumbered EQ5 – June 2012*)

3.3.7 We recognise the inclusion of reference to Accessible Natural Greenspace Standards in the final sentence of the policy, and believe that this policy provides protection across the plan. However, in order to ensure this protection is clear it could be strengthened along similar lines to **Policy HW1**, recognising the key role of open space provision.

3.3.8 Specifically we recommend an additional bullet point identifying as an aim of the green infrastructure network “Alleviate current and future potential visitor and recreation pressure / disturbance to internationally-designated conservation areas.”

3.3.9 We further recommend that the final sentence of the policy be separated out into a new paragraph, and altered to say “All residential development should be designed to at least meet Natural England ‘Accessible Natural Greenspace Standards’ (ANGSt) ~~compliant~~ or otherwise appropriately contribute to improving access to natural greenspace such that the overall aims are met.”

**EQ3 Biodiversity** (*Renumbered EQ4 – June 2012*)

3.3.10 Whilst several other policies make specific reference to 'international sites' or the Somerset Levels and Moors, this policy does not. As the overarching natural environment / biodiversity protection policy, the result is that it does not assure the levels of protection which it might were suitable text included. We believe that this policy should have a clear statement relating to safeguarding habitats to ensure there is no ambiguity and to ensure protection across the plan, and recommend that this policy is strengthened.

3.3.11 We have had early sight of the parallel HRA, prepared on behalf of SSDC by SCC, in respect of potential impacts on the Bracket's Coppice SAC (SCC 2012). In particular the final conclusion that a single addition of text to **EQ3** (*Renumbered EQ4 – June 2012*) could offer significant protection at the plan level, and strongly agree with this finding.

3.3.12 We therefore recommend that **Policy EQ3** (*Renumbered EQ4 – June 2012*) be amended so as to give a complete policy as presented in the box on the following page. In the context of the Habitats Regulations, the *italicised* text is unnecessary, although it could be considered to contribute to a more robust policy.

3.3.13 With the suggested addition and measures presented in the box (next page) and implemented in the final document there could be considered to be adequate protection applied across the plan. However, given the nature of the potential impacts we recommend two further amendments to policy and / or supporting text.



**Policy EQ3 Biodiversity** (*Renumbered EQ4 – June 2012*)

All proposals for development, including those which ~~would~~ could affect sites of regional and local biodiversity, nationally and internationally protected sites and geological interest, will:

- Protect the biodiversity value of land and buildings and minimise fragmentation of habitats;
- Maximise opportunities for restoration, enhancement and connection of natural habitats;
- Incorporate beneficial biodiversity conservation features where appropriate; and
- Ensure that habitat features that are used by bats and other wildlife are maintained so that the design does not cause severance or is a barrier to movement.

Development will not be allowed to proceed unless it can be demonstrated that it will not result in any adverse impact to the integrity of local, national and international wildlife and landscape designations, including features outside the site boundaries that ecologically support the conservation objectives of the designated sites.

Where there is a reasonable likelihood of the presence of protected species, applications should be accompanied by a survey and impact assessment assessing their presence and if present, the proposal must be sensitive to and make provision for their needs and provide appropriate mitigation.

**Policy MT4 – Langport / Huish Episcopi Direction for Growth** (*Renumbered LMT2 – June 2012*)

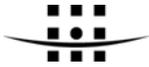
- 3.3.14 Whilst this policy currently indicates that development within the newly-designated Market Town may be subject to project level HRA, we recommend that potential impacts are considered and managed at a more strategic level. This will prevent cumulative / in-combination impacts when the plan is implemented. We believe that the policy amendments proposed above do provide protection at the plan level, but recommend altering this policy as below.

**Policy MT4 Langport / Huish Episcopi** (*Renumbered LMT2 – June 2012*)

A direction of growth has been identified in three locations to the north east, east and south east of the settlement to deliver development that cannot be accommodated within the existing urban area.

Development in Langport / Huish Episcopi will not come forward until it can be demonstrated that, in total, it will not lead to ~~may be subject to a project level Habitats Regulations Assessment of potential~~ impacts on the Somerset Levels and Moors Special Protection Area / Ramsar sites. Any mitigation, in the form of open space provision or other measures, will be in place in advance of the development.

- 3.3.15 We further recommend that the supporting text to this policy specifically acknowledges the proximity to the Somerset Levels and Moors sites, and highlights the need to provide suitable open space provision, potentially together with other measures to encourage behaviour, to ensure that the development does not increase - and preferably decreases - existing pressures.



### ***Policy EP8 – New and Enhanced Tourism Facilities***

- 3.3.16 Since the nature of these developments is unclear, and the policy encourages development in Market Towns (now including Langport / Huish Episcopi which is close to Wet Moor (part of the Somerset Levels and Moors)) there is the potential for unchecked development to result in an increase in development pressure.
- 3.3.17 We recommend that additional protection is built into this policy by adding a fifth bullet point to the objectives to which new facilities should contribute, being “Ensure the continued protection and resilience of the District’s designated nature conservation features”. Cross-reference to the enhanced policy **EQ3 Biodiversity** (as above) (*Renumbered EQ4 – June 2012*) could also be incorporated in the supporting text.

### **3.4 Consideration of RSPB Comments in Light of the Submission Policy Suite**

- 3.4.1 As identified in **Section 1.2**, RSPB raised objections to the draft core strategy based on the potential for impacts to the Somerset Levels and Moors sites. The key issue concerns the additional number of people who will be living in the area, and the effect this could have as more people visit sites of interest, for a variety of reasons.
- 3.4.2 Whilst the Somerset Levels and Moors is a popular destination for local residents, previous consultation with Natural England (who is responsible for management of the Somerset Levels and Moors) revealed that levels of recreational disturbance throughout the site are currently considered to be low.
- 3.4.3 Bird species are not concentrated in areas where visitors tend to be due to a lack of suitable habitat and the designated features of the site are such that the most sensitive time of the year is over winter, when recreational pressures (including from dog walking) might reasonably be expected to be lower. Natural England further suggested that large areas of the (whole) site are relatively inaccessible, and that the vast majority of users stick to defined paths and walking routes.
- 3.4.4 RSPB disagree with this view, and would draw attention to specific areas within the Somerset Levels and Moors where they indicate that visitor pressure is high and resulting in deleterious effects (within the current management regime). Discussions from the 2010 HRA report are summarised below, before we consider the RSPB concerns in respect of the revised policy suite and our recommendations above.

### ***Summary of Survey Findings***

- 3.4.5 Between January and February 2010, SCC commissioned visitor surveys at various locations across the Somerset Levels and Moors (in South Somerset District and Sedgemoor District). The aim of the surveys was to identify the reasons for visiting the site and to establish how far people were travelling. Additional information also recorded the time of the visit, the weather and the number of adults and dogs. Sites picked for survey were the main car parks and / or access points to international sites.
- 3.4.6 The survey results illustrated that a variety of activities were being undertaken. The single category with the most respondents was for people visiting to watch birds.



Walking, including with dogs, was also identified as a popular reason for visiting. 'Other' activities included climbing, photography, fishing, jogging, and observing other wildlife.

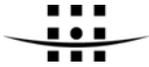
- 3.4.7 Distances travelled to the Somerset Levels and Moors varied for each of the individual sites surveyed, although a pattern (perhaps to be expected) that emerged showed that people travelled shorter distances for walking and, to a lesser extent, dog walking than those visiting specifically to watch birds. Visitor numbers at most sites were also low.

***Possible in-combination Impacts***

- 3.4.8 In the 2010 report, the nature of potential impacts resulting from planning policies in adjoining districts were considered to be additive, and as such could be mitigated by appropriate action within the individual plans themselves. Residual impacts are not considered likely to have an adverse effect on site integrity.

***Revised Plan, and Amendments***

- 3.4.9 We recognise the concerns raised by the RSPB. Similar issues are raised in our responses to the current and previous policies, as well as in respect of a range of sites considered for HRA of plans and projects elsewhere.
- 3.4.10 However, in light of the information available, the commentary above, and importantly the discussion and recommendations set out in **Section 3.3** we feel that the conclusions drawn in this report (and by extension those in the 2010 report) are suitably robust and sound. Further protection still is supported by the additional recommendations we make in **Section 4.3**.



## **4 CONCLUSIONS AND RECOMMENDATIONS**

### **4.1 Report Summary**

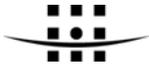
- 4.1.1 Royal Haskoning carried out an assessment in support of SSDC's proposed submission core strategy in 2010. Following consultation a number of changes to policy have been made. Through consideration of the full draft-final policy suite (provided 24 April 2012), several issues remain. These relate to the potential for development to increase visitor/recreational pressure at sensitive sites which are constituents of the Somerset Levels and Moors SPA and Ramsar site.
- 4.1.2 We believe that these issues can be addressed within the plan through adopting minor modifications to text in several places. These counteracting measures can be contained within the final policy suite and we have suggested amendments which keep changes to the minimum level we believe is appropriate to ensure protection and compliance with the regulations.
- 4.1.3 Recommended amendments are set out in **Section 3.3**, specifically relating to policies HW1, EQ3, and EQ4 (*Renumbered HW1, EQ4 & EQ5 – June 2012*). We also strongly recommend additional minor amendment to policies MT4 and EP8 (*Renumbered LMT2 & EP8 – June 2012*) to reinforce the protection provided to internationally designated sites, and to ensure a high degree of focus on this issue through the implementation of the plan.
- 4.1.4 Provided these measures adopted into submission policies, we do not believe that the plan is likely to result in adverse effects on the integrity of the sites comprising the Somerset Levels and Moors SPA and Ramsar site.
- 4.1.5 In respect of comments received by the RSPB during consultation on the previous policy suite we believe that, whilst we have been advised that they are likely to maintain the objection, the conclusions drawn by this report are robust. We recognise their concerns, and the same issues area addressed in our considerations of potential policy impacts. However, we believe that the policy changes we have proposed, together with appropriate management within the existing management regime of the sites comprising the SLM, will maintain integrity at the (SPA/Ramsar) site level.

### **4.2 Overall Conclusion**

- 4.2.1 Following consideration of the draft final policy suite (24 April 2012), and provided that our recommendations as to changes in policy or supporting text are implemented, we consider that South Somerset District Council, as the competent authority under the Habitats Regulations, can conclude that any effects of the SSDC Local Plan 2006-2028 will have no adverse effect upon the integrity of the Somerset Levels and Moors SPA and Ramsar designated sites.

### **4.3 Additional Recommendations**

- 4.3.1 As well as the recommendations to ensure suitable protection within the plan, we also recommend three further measures which we feel also afford greater protection for Natura 2000 sites across the plan area.



***Minor Amendment: Policy HG6 - Gypsies, Travellers and Travelling Showpeople***  
*(Renumbered HG7 – June 2012)*

- 4.3.2 We recommend that the second bullet point is amended to read “Development should not result in an adverse impact on internationally and nationally recognised designations (for example, Natura 2000 sites, Sites of Special Scientific Interest, and Areas of Outstanding Natural Beauty)”.

***Recreational / Visitor Pressure Monitoring***

- 4.3.3 It is important to acknowledge that understanding about the link between new development and visitor pressure, in particular at the type of sites represented by the SLM (largely wetland areas) here, is developing. More information is available in respect of heathland sites, but it is far from clear that the conclusions drawn are comparable given the differences in site features, accessibility and recreational interest. A better understanding of the link between development and visitor pressure at sites such as the SLM would be of future interest to researchers and policy-makers.
- 4.3.4 Addressing the issues considered above, and raised by the RSPB, we reinforce our 2010 recommendation that SSDC and the other local authorities adopt a leadership position in establishing an appropriate monitoring programme to better inform the ongoing protection of the Somerset Levels and Moors sites.
- 4.3.5 This precautionary measure, which we recommend is progressed with other stakeholders (including NE, the RSPB and the Environment Agency) would build on the 2010 snapshot data and enable early identification of any unforeseen future pressures.
- 4.3.6 Early implementation of this programme will also enable pre-development baseline information to be collated. Over time it will be possible to assess the impact, if any, of future development on visitation and behaviour and, if necessary, a suitable package of measures could be developed (potentially implemented through other plans as below) should impacts be determined. Measures could include information provision, access limitations, fencing, or by-laws (as suggested below), but should be developed collaboratively in response to any perceived or identified emerging pressure.
- 4.3.7 Consultation with interested parties, and in particular advice from Natural England, should be sought to ensure appropriate design of the monitoring strategy and to ensure the programme’s ambitions are met. Whilst not recommended as mitigation for any expected impact, we believe that leadership of a monitoring programme including stakeholders such as NE and RSPB would also further allay fears such as those proposed by RSPB.

***Integration with Other Plans***

- 4.3.8 A final recommendation, also carried forward from the 2010 HRA report, relates to the Somerset Rights of Way Improvement Plan. The Plan offers opportunities to enable the better management of visitors and the disturbance impacts that visitors have on the species in the Ramsar and SPA.
- 4.3.9 As the Rights of Way Improvement Plan undergoes iterations, these opportunities should be maximised through working together with Somerset County Council. For example, the re-routing or diversion of paths, management of car-parks and access



points, siting of new paths that take full account of the attributes of the international sites, and provision of fencing, signage and information boards could help in minimising the risks of recreational disturbance and could also provide visitors with a better understanding of issues associated with the sites.



## 5 REFERENCES

**David Tyldesley and Associates (2010)** *Habitats Regulations Appraisal of Plans. Guidance for Plan-Making Bodies in Scotland. Version 1.0. August 2010*

**Royal Haskoning (2009)** *Stage 1 Scoping Report for Somerset Authorities Core Strategies: Somerset Levels and Moors and Severn Estuary (Bridgwater Bay) Natura 2000 sites.* Report for Somerset County Council.

**Royal Haskoning (2010)** *South Somerset District Council draft Core Strategy incorporating preferred options. Habitats Regulations Assessment for the Somerset Levels and Moors International Sites.* Report for South Somerset District Council.

**SCC (Somerset County Council) (2012)** *Habitats Regulations Assessment of South Somerset District Council's Core Strategy: Proposed Submission Plan Addendum Report for Bracket's Coppice Sac April 2012.* Report for South Somerset District Council.

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# Appendix B





*2007-2008  
Neighbourhood and  
Community Champions:  
The Role of Elected Members*

*2006-2007  
Improving Rural Services  
Empowering Communities*

*2005-2006  
Getting Closer to Communities*



## **HABITATS REGULATIONS ASSESSMENT**

**OF**

## **SOUTH SOMERSET DISTRICT COUNCIL'S CORE STRATEGY:**

### **Proposed Submission Plan**

### **Addendum Report for Bracket's Coppice SAC**

**April 2012**



This report was prepared by Somerset County Council on behalf of South Somerset District Council, as the 'competent authority' under the 'Habitat Regulations' 1994 (amended 2007)

Cover photograph: Bechstein's bat – Joint Nature Conservation Committee

**NOTE:** As a matter of clarity & consistency SSSDC has subsequently amended this report to identify final policy numbering only where this has changes since the draft policy wording was circulated on the 24th April 2012. Final policy numbering & naming are recorded though out the report in (*Green Italics*).

## Executive Summary

This report contributes to South Somerset District Council's legal obligation under the Conservation of Habitats and Species Regulations 2010 [the 'Habitat Regulations'] to carry out an assessment on its plans for effects on Natura 2000 sites. In this case it is the Core Strategy at its Draft Stage, incorporating the Preferred Option that is assessed.

Before a plan can be adopted the 'competent authority' (South Somerset District Council) needs to prove that the plan would have no significant effects on Natura 2000 sites' integrity to the satisfaction of Natural England. An uncertain result is not acceptable and is treated as adverse until proven otherwise.

A Habitats Regulations Assessment (Appropriate Assessment) was carried out on the Issues and Options stage of the Core Strategy and its findings reported in '*Appropriate Assessment of South Somerset District Council's Core Strategy: Issues and Options - Screening Report for Bracket's Coppice SAC, October 2008*'. This report was followed in August 2010 by an update report '*Habitats Regulations Assessment of South Somerset District Council's Core Strategy: Draft Incorporating Preferred Options Update Report for Bracket's Coppice SAC*'. The update recommended that certain policies be amended or added to in order the Core Strategy would conform to the requirements of the Habitats Regulations.

This addendum report considers the proposed submission Core Strategy. It reviews whether the recommended amendments have been made to policy and assesses the revised policy in the strategy. Following this assessment it was found that the following policies would still require amendment to ensure compliance with the Habitats Regulations.

- Policy HG6 – Gypsies, travellers and travelling showpeople *Renumbered HG7 – June 2012*
- Policy EP5 – Expansion of existing businesses in the countryside *Renumbered EP4 – June 2012*
- Policy EP7 – New build live/work units
- Policy EP8 – New and enhanced tourist facilities

It is considered that provided the counter acting measures for those policies above are incorporated into an additional policy within Policy EQ3 (*Renumbered EQ4 – June 2012*) in the submission Core Strategy that the plan is unlikely to have a significant effect on the conservation objectives of the Bracket's Coppice SAC.

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## 1. Introduction

An Appropriate Assessment (HRA) Screening Report was produced for the Issues and Options stage of the South Somerset District Council Core Strategy under the provisions of the Conservation (Natural Habitats &c.) Regulations (Amendment) 2007 in October 2008. This was followed by an update report on the Draft Core Strategy Incorporating Preferred Options in August 2010 assessed under the Conservation of Habitats and Species Regulations 2010. These reports assessed the impacts of the objectives and actions on the Natura 2000 sites within the influence of the plan. It made recommendations for amendments and additions to the objectives and actions in order that any potential significant effect on any Natura 2000 site was avoided and hence ensure legal compliance of the Plan.

The above HRAs of the Core Strategy identified Bracket's Coppice Special Area of Conservation (SAC) as the only site likely to be affected by the plan. Details and the conservation objectives for this SAC can be found in the 2008 and 2010 reports.

This report should be read in conjunction with the Screening Report of October 2008, where an explanation of the Habitats Regulations Assessment process is set out and terms used in the assessment, such as Natura 2000 and with the update HRA report of August 2010.

Since August 2010 a number of policy amendments have been made and carried forward into the proposed submission Core Strategy, to ensure that none of these would have a significant effect on any Natura sites. This report assesses the revised policies in order to ensure that the proposed submission Core Strategy conforms to the requirements of the Habitats Regulations.

This report consists of:

- The recommendations set out in the Update Report of August 2010 and how they have been incorporated into the revised policies;
- A review of the policies set out in the submission version of the South Somerset Local Plan and reviews them against the version of the core strategy assessed in the Update Report of August 2010. Impacts from implementing the revised plan are considered and any potential significant effect highlighted in orange. These are carried forward to the counter-acting measures stage of the assessment;

- Consideration of counter-acting measures that might be needed through changes to policy in order for the plan to comply with the provisions of the Habitat Regulations; and
- A statement confirming that there would be no significant effect on any Natura 2000 sites as a result of implementation of the Core Strategy.

## 2. Update Report Recommendations and Revised Policies

The following table is derived from the recommended policy changes as set out in the Update HRA of August 2010 and compares the relevant policies within the proposed submission Core Strategy. Note that policy numbers have changed in some cases between the two versions of the Core Strategy.

**Table1: Recommendations Check**

Policy (preferred option)	Recommended Policy Amendment	Policy Number (proposed submission)	Policy Text incorporating amendment	Comment
YV2 - Yeovil urban extension	<p>Add the following to the Policy:</p> <p>'The Masterplan will be designed in such a way that features supporting bat movement are not severed and that access between feeding areas and roosts is maintained. Lighting will also need to take account of the requirements of bats.'</p>	YV3 – Yeovil Sustainable Urban Extension <i>Renumbered YV2 – June 2012</i>	'The Masterplan will be designed in such a way that features supporting bat movement are not severed and that access between feeding areas and roosts is maintained. Lighting will also need to take account of the requirements of bats.'	Policy is compliant
YV4 – Modal shift for Yeovil Eco Town	<p>Add a new paragraph in Policy text following paragraph commencing '<i>These measures will need to be fully costed and tested...</i>'</p> <p>'New and improved infrastructure in support of these measures will also need to ensure that no severance is caused to habitat features used by bats in commuting</p>	YV5 – Delivering Sustainable Travel at the Yeovil Sustainable Urban Extension <i>Renumbered YV6 – June 2012</i>  (See also Policy TA2 in Table 2 below)	No text included. However, Policy YV3 states, ' <i>The masterplan will be designed in such a way that features supporting bat movement are not severed and that access between feeding areas and roosts is maintained. The lighting design will also need to</i>	<p>Policy is compliant when taking into account revised policy wording in YV3</p> <p>More generically Policy EQ3 states, '<i>Ensure that habitat features that are used by bats and other wildlife are maintained so that the design does not cause severance or is a barrier to</i></p>

Policy (preferred option)	Recommended Policy Amendment	Policy Number (proposed submission)	Policy Text incorporating amendment	Comment
	between feeding areas and roost sites. The development of access routes could potentially sever movement of bats through the area. New street lighting could have similar effects and also reduce prey availability to light adverse bat species.'		<i>take account of the requirements of bats.'</i>	<i>movement</i> However, this does not specifically mention Natura 2000 sites.
H6 – Gypsies, travellers and travelling show people	Add the following to the Policy after 2 <sup>nd</sup> bullet:  'Land outside a designated site which nonetheless ecologically supports the conservation objectives of a Natura 2000 site unless it can be proven that there would be no significant effect'	HG6 - Gypsies, travellers and travelling show people <i>Renumbered HG7 – June 2012</i>	No policy included and current wording concerning sites is too generic with the possibility of effects on non designated land remote from the Natura 2000 site although ecologically supporting its conservation objectives being missed	Recommended wording needs to be added.  Although the policy includes that development should not result in adverse impact on internationally and nationally recognised designations it does not specifically mention Natura 2000 sites or the potential for effects on the sites from development on land outside of site boundaries.
EP6 – Expansion of existing businesses in the countryside	Add the following to the Policy after 6 <sup>th</sup> bullet:  'There is no adverse effect on land outside a designated site which nonetheless ecologically supports	EP5 – Expansion of existing businesses in the countryside <i>Renumbered EP4 – June 2012</i>	No policy included and current wording is too generic with the possibility of effects on non designated land remote from the Natura 2000	Recommended wording needs to be added.  Although the policy includes that development should not result in adverse impact on designated sites it

Policy (preferred option)	Recommended Policy Amendment	Policy Number (proposed submission)	Policy Text incorporating amendment	Comment
	the conservation objectives of a Natura 2000 site'		site although ecologically supporting its conservation objectives being missed	does not specifically mention Natura 2000 sites or the potential for effects on the sites from development on land outside of site boundaries
EP7 – New tourism proposals	Add the following to the Policy after 3 <sup>rd</sup> bullet:  'The proposal does not have an adverse effect on a Natura 2000 site or land outside its boundary which nonetheless ecologically supports its conservation objectives.'	EP8 – New and enhanced tourism facilities	No policy included	Recommended wording needs to be added.
EP8 – Major new tourist facilities	Insert the following to the 7 <sup>th</sup> bullet in the Policy:  <i>After '... attraction effectively and sustainable.'</i> Add 'but also ensures that features used by bats are not adversely affected.'			
EQ1 – Addressing climate change in South Somerset	Add a new paragraph in Policy text in the Biodiversity and Climate Change paragraph:  'However, some measures to combat climate change can potentially have adverse effects on biodiversity. Bats, all	EQ1 – Addressing climate change in South Somerset	Policy included states that <i>'Developers must demonstrate that proposed wind turbines do not pose a risk to bat populations and will not pose a barrier to migratory bird</i>	Policy is compliant

Policy (preferred option)	Recommended Policy Amendment	Policy Number (proposed submission)	Policy Text incorporating amendment	Comment
	<p>of which are afforded protection at a European level, are vulnerable to mortality from incorrectly located wind turbines, such as those along flight lines, close to feeding areas or roost sites. Bats are killed at turbines either by direct contact or more frequently by barotrauma causing hemorrhaging of the lungs. It is expected that any proposal for wind turbines, including micro turbines, will be submitted with full survey data and assessment including for effects to populations of bats. South Somerset District Council is obliged, under the Conservation of Habitats and Species Regulations 2010, to ensure that 'Favourable Conservation Status', as defined in Article 1 of the Habitats Directive, of populations of European protected species is maintained.'</p> <p>Add to Policy text after 5<sup>th</sup> bullet:</p>		<p><i>species, in particular birds moving from key sites such as the Severn Estuary.'</i></p>	

Policy (preferred option)	Recommended Policy Amendment	Policy Number (proposed submission)	Policy Text incorporating amendment	Comment
	'Developers must demonstrate that proposed wind turbine developments do not pose a risk to bat populations'			
EQ2 - Design	Insert the following bullet to the Policy:  'Ensure that habitat features that are used by bats and other wildlife are maintained so that the design does not cause severance or is a barrier to movement'	EQ2 – Design <i>Renamed EQ2 General Development – June 2012</i>	Policy included under EQ3 Biodiversity	Policy states, 'Ensure that habitat features that are used by bats and other wildlife are maintained so that the design does not cause severance or is a barrier to movement' as per recommendation
EQ7 – Equine development	Add to 3 <sup>rd</sup> bullet of Policy after, ' <i>...internationally designated sites</i> '  '...including to features outside the site's boundaries which nonetheless ecologically support the conservation objectives of the designated site.'	EQ7 – Equestrian development <i>Renumbered EQ8 – June 2012</i>	Recommended policy included	Policy is compliant

The following revised policies did not incorporate the recommendations of the HRA of the preferred option Core Strategy in August 2010:

- HG6 - Gypsies, travellers and travelling show people *Renumbered HG7 – June 2012*
- EP5 – Expansion of existing businesses in the countryside  
*Renumbered EP4 – June 2012*
- EP8 – New and enhanced tourism facilities

### 3. Assessment of Proposed Submission Core Strategy Policy

This section reviews the policies set out in the proposed submission Core Strategy for any potential significant effect on a Natura 2000 site that may have occurred as a result of new or revised policies in order to ensure that the Management Plan is compliant with the Habitat Regulations.

It also compares the revised policies against the version of the plan assessed in the Preferred Option Update HRA of August 2010.

Impacts from implementing the proposed plan are considered and any potential significant effect highlighted in orange. These are carried forward to the mitigation stage of the assessment, which follows in Chapter 4.

Note that Policies YV3, YV5, HG6, EP5, EP8, EQ1, EQ2 and EQ7 set out in the proposed submission Core Strategy has been assessed in Table 1 in Chapter 2 and are not included in Table 2. *Renumbered YV2, YV6, HG7, EP4, EP8, EQ1, EQ2, EQ8 – June 2012*

**Table 2: Analysis of Changes to Proposed Plan**

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Policy SS1 – Settlement Hierarchy	Policy SS1 – Settlement Hierarchy	Minor to clarify roles of settlements	The policy is for setting the hierarchy of settlements only and does not set out the amount of development in each	No significant effect likely
Policy SS2 – Development in rural settlements	Policy SS2 – Development in rural settlements	Text added to interpret commensurate and justified, and have consistency with community led plans and support	The policy sets out criteria for development in rural settlements only	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Policy SS3 – District wide housing provision	Policy SS4 – District wide housing provision	Amended to reflect latest housing numbers	The policy sets out the requirement in numbers of dwellings for the District until 2026.	No significant effect likely
Policy SS4 – Delivery of new housing growth	Policy SS5 – Delivery of new housing growth <i>Renamed SS5 Delivering New Housing Growth – June 2012</i>	Reviewed housing numbers	The policy allocates housing numbers to settlements. 8200 dw are assigned to Yeovil. However, the policy is not locational and it is considered that at this level there is unlikely to be impacts	No significant effect likely
Policy SS5 - Delivering new employment land	Policy SS3 - Delivering new employment land	Revised employment land requirement	The policy sets out employment land allocation for the District as it not locational beyond settlement	No significant effect likely
Policy SS6 – Phasing and cumulative impact	Policy SS6 Infrastructure Delivery	Implementation of CIL in South Somerset	Policy is for implementation of CIL funding only	No significant effect likely
Draft Policy SS7 – Planning obligations				
Draft Policy SS8 – Viability				

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Policy YV1 – Brownfield and Greenfield Housing Provision for Yeovil	Policy YV1 – Urban framework and Greenfield housing provision for Yeovil	The policy allocates 7975 dwellings at Yeovil 6100 in the urban framework and 2500 as a sustainable urban extension and urban extension of 1,565 in the Plan period.	The policy is for housing numbers only	No significant effect
No policy	Policy YV2 – New Retail Provision in Yeovil <i>Renamed EP10 Convenience and Comparison Shopping in Yeovil – June 2012</i>	Increase in floorspace for goods	Policy is for amount required only	No significant effect likely
Policy YV3 – Yeovil urban village	Policy YV6 – Yeovil Summerhouse Village <i>Renumbered YV4 – June 2012</i>	Scheme for 150 dwellings, retail and leisure uses based on masterplan	The scheme is unlikely to have an effect on landscape level movement of Bechstein's bat between seasonal roosts	No significant effect likely
No policy	Policy YV4 East Coker and North Coker Buffer Zone <i>Renumbered YV3 – June 2012</i>	Identified buffer between development and villages	Retention of landscape would not effect bats	No significant effect

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
No policy	Policy YV7 – Yeovil airfield flight safety zone <i>Renumbered YV5 – June 2012</i>	Control of development around safety at Agusta Westland site	Control of development within Yeovil only	No significant effect likely
Draft Policy CV 1 – Chard growth area	Policy CV 1 – Chard strategic growth area <i>Renumbered PMT1 – June 2012</i>	This policy is for 3,237 dwellings, new retail provision, leisure facilities and schools in Chard, and another 1326 dwellings post 2028	No Bechstein's presence has been recorded in the area.	No significant effect likely
Draft Policy CV 2 – Chard phasing	Policy CV 2 – Chard phasing <i>Renumbered PMT2 – June 2012</i>	Chard Implementation Plan will set out phasing	No Bechstein's presence has been recorded in the area.	No significant effect likely
Draft Policy CV3– Chard obligations	No specific policy included			
Policy CV4 – Modal shift for Chard	Now included in Policy TA2 below <i>Renumbered TA3 – June 2012</i>			
No policy	Policy MT1 Castle Cary / Ansford direction of growth & link road <i>Renumbered LMT1 – June 2012</i>	Strategic growth north of Torbay Road and east and west of Station Road including link road	No Bechstein's presence has been recorded in the area.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
No policy	Policy MT2 Ilminster direction of growth <i>Renumbered PMT3 – June 2012</i>	South east off of Shudrick Lane	No Bechstein's presence has been recorded in the area.	No significant effect likely
No policy	Policy MT3 Somerton <i>Renamed LMT3 – Somerton Direction for Growth – June 2012</i>	Westward direction of growth	The habitat of the area is unlikely to effect landscape scale movement of Bechstein's bat	No significant effect likely
No policy	Policy MT4 Langport / Huish Episcopi <i>Renamed LMT2 - Langport / Huish Episcopi Direction for Growth – June 2012</i>	Three locations to the northeast, east and southeast	No Bechstein's presence has been recorded in the area.	No significant effect likely
No policy	Policy MT5 Wincanton <i>Renamed PMT4 – Wincanton Direction for Growth – June 2012</i>	Strategic employment growth to the south west, north of Lawrence Hill and west of the Business Park	No Bechstein's presence has been recorded in the area.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Draft Policy HG1 – Strategic housing sites	Policy HG1 – Strategic housing sites	No change to strategic site safeguarding	Bechstein's bats are present around the Yeovil area and probably to the east of Crewkerne but the scale of the developments are unlikely to effect movements through the landscape. No Bechstein's bats have been recorded in development surveys.	No significant effect likely
Draft Policy HG2 – Housing density	Policy deleted with amendment to Policy EQ2 – Design <i>Renamed EQ2 – General Development – June 2012</i>			
Draft Policy HG3 – The use of previously developed land (PDL) for new housing development	Policy HG2 – The use of previously developed land (PDL) for new housing development	No change	The policy is for the provision of 30% of dwellings on previously developed land	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
No policy	Policy HG* - Phasing of previously developed land <i>Renumbered SS7 – June 2012</i>	Sequential approach to previously developed land over Greenfield unless prevents sufficient development to meet strategy	The policy is for a sequential approach only	No significant effect likely
Draft Policy HG4 – Provision of affordable housing	Policy HG3 - Provision of affordable housing <i>Policy split between HG3 &amp; HG4 – June 2012</i>	Amendments to funding	Policy is for proportion of affordable housing only.	No significant effect likely
Draft Policy HG5 – Achieving a mix of market housing	Policy HG4 - Achieving a mix of market housing <i>Renumbered HG5 – June 2012</i>	Minor changes	This policy defines the required mix of housing types to be provided as part of the developments.	No significant effect likely
No policy	Policy HG5 – Care homes and specialist accommodation <i>Renumbered HG6 – June 2012</i>	New policy	This policy sets out the need for the development. These may be in the countryside but it is considered that they would not have a significant effect on landscape scale movement of Bechstein's bats	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Draft Policy HG 7 – Replacement dwellings and extensions in the countryside	Policy HG 7 – Replacement dwellings and extensions in the countryside <i>Renamed HG8 – Replacement Dwellings in the Countryside – June 2012</i>	No change	This policy is concerned with replacing existing developments in rural areas and extensions to existing buildings. This infers very small scale, localised development. Bechstein's bats normally roost in trees but have been found in dwellings in South Somerset. It is assumed that bat surveys would be carried out as appropriate to accompany planning applications and that viable mitigation would be provided.	No significant effect likely
Draft Policy HG8 – Housing for agricultural & related workers	Policy HG8 – Housing for agricultural & related workers <i>Renumbered HG9 – June 2012</i>	No change	This policy will ensure that new accommodation provided for full-time workers in agriculture, forestry, horticulture, and related disciplines. It includes the provision that the integrity of internationally sites will not be adversely affected.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Draft Policy HG9 – Removal of agricultural and other occupancy conditions	Policy HG9 – Removal of agricultural and other occupancy conditions <i>Renumbered HG10 – June 2012</i>	No change	The policy ensures that permission to remove restrictive occupancy conditions (ensuring provision of homes to those people who are employed in agriculture, forestry or similar) will only be provided subject to a strict set of criteria. Bechstein's bats normally roost in trees but have been found in dwellings in South Somerset. It is assumed that bat surveys would be carried out as appropriate to accompany planning applications and that viable mitigation would be provided.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Draft Policy EP1 – Strategic employment sites.	Policy EP1 – Strategic employment sites.	<p>The policy continues to safeguard strategically significant employment land allocations. These are:</p> <ul style="list-style-type: none"> <li>• Bunford Lane, Yeovil</li> <li>• CLR site Crewkerne</li> <li>• Station Road, Ilminster</li> <li>• Hort Bridge Ilminster</li> <li>• Lufton.</li> </ul>	<p>Bechstein's bats are present around the Yeovil area and probably to the east of Crewkerne but the scale of the developments are unlikely to effect movements through the landscape. No Bechstein's bats have been recorded in development surveys.</p>	No significant effect likely
Draft Policy EP2 – Office development	Policy EP2 – Office development	Minor change	<p>This policy gives criteria for the location of office development. This is to be located within urban areas or next to employment land.</p>	No significant effect likely
Draft Policy EP3 – Safeguarding employment land	Policy EP3 – Safeguarding employment land	Policy now takes into account the cumulative effect of loss of provision	<p>This policy safeguards land for employment. This is primarily focused on previously used land with changes of use not being permitted unless the proposal delivers environmental enhancement or improvements.</p>	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Draft Policy EP4 – Conversion or re-use of buildings in the countryside	Policy EP4 – Conversion or re-use of buildings in the countryside <i>Renamed EP4 Expansion of Existing Businesses in the Countryside – June 2012</i>	Minor change	The policy sets out criteria for re-use or conversion of buildings to dwellings and includes wording specifying that consideration is necessary for wildlife and habitats.	No significant effect likely
Draft Policy EP5 – New build live/work units	Policy EP7 – New build live/work units	Not allowed in locations where residential development would not be permitted. Previously in the Preferred Option the policy was concerned with provision of dwellings within workspace and as such relates to a building only	This policy is not locational and does not allow for impacts to ecologically supporting features of designated sites outside the site boundary. Therefore, there is a potential loss of habitat forming bat flight lines used for dispersal outside of the designated SAC. Also potential effects from new lighting.	Potential significant effect – loss or degradation of flight lines affecting movement of Bechstein's bats through the landscape.
Draft Policy EP9 – Farm diversification	Policy EP6 – Farm diversification <i>Renumbered EP5 – June 2012</i>	Minor changes	The policy sets out criteria for development for the purpose of farm diversification and includes a criterion for adverse impacts on the integrity of international designated sites.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Draft Policy EP10 – Retail hierarchy	Policy EP9 – Town centre hierarchy <i>Renamed EP9 – Retail Hierarchy – June 2012</i>	Defines centre hierarchy of towns and settlements in the district	Policy is criteria based only	No significant effect likely
No policy	Policy EP10 – Location of main town centre uses (the sequential approach) <i>Renumbered EP11 – June 2012</i>	Gives a sequential approach to centre uses and refusal of applications out side of existing town centre where the sequential approach is not demonstrated or where there would be significant effects on a town centre	This policy concerns the Councils aspirations for retail facilities provided in town centres only.	No significant effect likely
Draft Policy EP11 – Presumption against major new regional shopping facilities	Policy incorporated into EP10 <i>Renumbered EP11 – June 2012</i>			
No policy	Policy EP11 – Floorspace threshold for impact assessments <i>Renumbered EP12 – June 2012</i>	Criteria for what area of floorspace would constitute a significant effect in settlements in the district	This policy is criteria based only	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Draft Policy EP12 – Retail vitality and viability	Policy deleted <i>Note: Policy note deleted but assessed under EP10 and renumbered EP11</i>			
Draft Policy EP13 – Protection of retail frontages	Policy EP12 – Protection of retail frontages <i>Renumbered EP13 – June 2012</i>	Minor change	The policy outlines the importance of retail units in defined shopping frontages not being transferred to non-retail use.	No significant effect likely
Draft Policy EP14 – Comparison floorspace in Yeovil	Policy deleted <i>Note: Policy note deleted but assessed under YV2 and renumbered EP10</i>			
Draft Policy EP15 – District & local centres	Policy EP13 – Neighbourhood centres <i>Renumbered EP14 – June 2012</i>	Renamed policy with minor changes	The policy sets out the needs for District and local centres in Yeovil and Chard not to affect the viability and vitality of town centres.	No significant effect likely
Draft Policy EP16 – Protection and provision of local shops, community facilities and services	Policy EP14 – Protection and provision of local shops, community facilities and services <i>Renumbered EP15 – June 2012</i>	Minor changes	The policy is for ensuring the protection of local shops and other facilities.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Policy TA1 – Low Carbon Travel	Policy TA1 – Low Carbon Travel <i>(Policy split between TA1 &amp; TA2 Rail)</i>	Amended to include rail freight	The policy sets out criteria only for provision of travel information, vouchers, travel plans, sustainable transport and public transport connections within development.	No significant effect likely
No policy	Policy TA2 – Sustainable Travel at Chard and Yeovil <i>Renumbered TA3 – June 2012</i>	New residential and employment development to provide cycle, public transport and other sustainable transport options. Also requires the provision of cycling and pedestrian routes and bus routes and states CIL will be sought for such.	<p>The policy is non locational. Bechstein's bats have been recorded in the Yeovil area. Outside the sustainable urban extension (Policy YV3) the development of cycle and footways and bus routes could potentially sever bat flight routes through the area. Introduced lighting could also affect movement through the area.</p> <p>However, Policy EQ3 states, <i>'Ensure that habitat features that are used by bats and other wildlife are maintained so that the design does not cause severance or is a barrier to movement'</i></p>	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Policy TA2 – Travel plans	Policy TA3 – Travel plans <i>Renumbered TA4 – June 2012</i>	Minor changes	The policy details the requirement for all development sites to provide travel plans to minimise traffic generation arising from the development and enabling modal shift to alternatives such as car sharing, public transport and cycling.	No significant effect likely
Policy TA3 – Transport impact of new development	TA4 – Transport impact of new development <i>Renumbered TA5 – June 2012</i>	No change	The policy sets out requirements of development for transport focusing on limiting the impacts arising from increasing road traffic at new developments and maximising the opportunities for more sustainable modes of transport only.	No significant effect likely
Policy TA4 – Parking standards	Policy TA5 – Parking standards <i>Renumbered TA6 – June 2012</i>	Minor change	This policy, which specifies the parking standards for new developments (residential and commercial) only.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Policy HW1 – Provision of open space and outdoor playing space in new development	Policy HW1 – Provision of open space and outdoor playing space in new development <i>Renamed HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities – June 2012</i>	Standards deleted from policy	Policy is designed to ensure that new developments provide a satisfactory level of playing and amenity space only.	No significant effect likely
Policy HW2 – Provision of sports, cultural and community facilities in new development	Policy incorporated into HW1			
Policy HW3 – Sports Zone	Policy HW2 – Sports Zone	Minor change	The policy provides for the Council and its partners to seek a suitable location for a sport zone within or on the edge of Yeovil. No location is provided but given its scale it is unlikely to have an effect on bat features.	No significant effect likely
Draft Policy HW4 – Protection of play spaces and youth provision	Policy HW3 – Protection of play spaces and youth provision	Minor change	Policy is for protection of existing provision only	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
Policy EQ3 – Biodiversity	Policy EQ3 – Biodiversity <i>Renumbered EQ4 – June 2012</i>	Policy added to ensure that habitat features used for movement about the landscape are maintained	This policy is designed to ensure that all new developments take full account of the potential impacts upon biodiversity and limit them wherever possible.	No significant effect likely
Policy EQ4 – Green infrastructure	Policy EQ4 – Green infrastructure <i>Renumbered EQ5 – June 2012</i>	Minor change	Policy sets out provision for green infrastructure throughout the district and gives a number of aims including creating new habitats and connecting exiting wildlife areas.	No significant effect likely
Policy EQ5 – Woodlands and forests	Policy EQ5 – Woodlands and forests <i>Renumbered EQ6 – June 2012</i>	Minor change	The policy supports the implementation of the South West Woodland and Forestry Framework. This would also support the ecological requirements of Bechstein's bats.	No significant effect likely. Positive effect may be possible in time.
Policy EQ6 – Air quality	Policy EQ6 – Air quality <i>Renamed EQ7 Pollution Control</i>	Minor change	The policy is for air quality impacts resulting from development only.	No significant effect likely

Preferred Option Policy	Proposed Submission Policy	Changes to Policy	Analysis	Effect on Becket's Coppice SAC
No policy	EQ* - Historic environment <i>Renumbered EQ3 – June 2012</i>	Development would be expected to safeguard the historic environment and contribute to its character through design ensuring integrity	The policy relates to maintaining and conserving the historic environment only	No significant effect likely

The following policies in the proposed submission Core Strategy are considered to potentially result in a significant effect on the conservation objectives of Bracket's Coppice HRA:

- Policy EP7 – New build live/work units

## 4. Counter Acting Measures

### Introduction

This chapter sets out counter acting measures for those policies where a significant effect has been potentially identified in the assessments above (Tables 1 and 2). The following section lists each policy and recommends counter-acting measures to negate the potential significant effect and contributes to ensuring compliance of the Core Strategy with the Habitats Regulations.

Where a counter acting measure at this stage does not obviate the potential for a significant effect a full Appropriate Assessment is likely to be needed before the Core Strategy can be submitted.

All counter acting measures are to mitigate for the potential effects from plan policies on possible dispersal routes of Bechstein's bats between Bracket's Coppice, swarming sites and hibernation roosts.

### Summary of Policies Identified in Assessment

The following lists sets out the policies identified in each of the assessments above, firstly from whether the recommended counter-acting measure was adopted into the proposed submission Core Strategy and then for potential significant effects from the proposed submission Core Strategy.

- Policy HG6 – Gypsies, travellers and travelling showpeople  
*Renumbered HG7 – June 2012*
- Policy EP5 – Expansion of existing businesses in the countryside  
*Renumbered EP4 – June 2012*
- Policy EP7 – New build live/work units
- Policy EP8 – New and enhanced tourist facilities

### Recommendations

It is recommended that the following policy amendments and/or additions be included in the Core Strategy. Adoption of these measures should eliminate the need to make any further assessment necessary in the Appropriate

Assessment process and would ensure that the plan is compliant with the requirements of the Habitats Regulations with regard to the Bracket's Coppice SAC.

*HG6 – Gypsies, travellers and travelling showpeople*  
*Renumbered HG7 – June 2012*

The policy sets out criteria for the development of sites but is not locational and does not allow for impacts to ecologically supporting features of designated sites outside the site boundary. Therefore, there is a potential loss of habitat forming bat flight lines used for dispersal outside of the designated SAC. There are also potential effects from new lighting.

The proposed submission Core Strategy includes a policy: '*Development should not result in an adverse impact on internationally and nationally recognised designations (for example Sites of Species Scientific Interest and Areas of Outstanding Natural Beauty).*' However, this is considered too generic to allow awareness of potential effects to ecologically supporting features that are outside the designated site boundaries of the SAC. Natura 2000 sites are not specifically mentioned.

*EP6 – Expansion of existing businesses in the countryside*  
*Renumbered EP4 – June 2012*

This policy concerns the expansion of existing businesses in rural areas but is not locational and does not allow for impacts to ecologically supporting features of designated sites outside the site boundary. Therefore, there is a potential loss of habitat forming bat flight lines used for dispersal outside of the designated SAC. There are also potential effects from new lighting.

The proposed submission Core Strategy includes a policy: '*There is no adverse impact upon sites designated for wildlife and conservation reasons, at either a local, national or international level.*' However, this is considered too generic to allow awareness of potential effects to ecologically supporting features that are outside the designated site boundaries of the SAC. Natura 2000 sites are not specifically mentioned.

*Policy EP7 – New build live/work units*

The revised policy in the proposed submission Core Strategy is limited to locating proposed new development outside of existing residential areas. Therefore, as the policy is non locational there is potential, especially where multiple units are proposed, for loss of habitat forming bat flight lines used for dispersal outside of the designated SAC. There are also potential effects from new lighting.

*EP8 – New and enhanced tourist facilities*

The revised policy in the proposed submission Core Strategy does not include the recommendations from the update Habitat regulations Assessment of August 2010 and still lacks any policy with regards to effects on Natura 2000 sites including impacts to ecologically supporting features outside the designated site boundary. Therefore, there is a potential loss of habitat forming bat flight lines used for dispersal outside of the designated SAC. There are also potential effects from new lighting.

*Recommendation*

It is considered that the wording contained as a counter-acting measure to Policies HG6, EP6, EP7 and EP8 (*Renumbered HG7, EP4, EP7 & EP8 – June 2012*) could be added as a single policy to that contained within EQ3 (*Renumbered EQ4 – June 2012*) but maintaining all other amendments as recommended. This policy should state:

**EQ3: Biodiversity\***

The following Policy should be added:

*'Development will not be allowed to proceed unless it can be demonstrated that it will not result in any adverse impact to the integrity of local, national and international wildlife designations, including features outside the site boundaries that ecologically support the conservation objectives of the designated sites'.*

\* *Renumbered EQ4 – June 2012*

## **5. Conclusion**

It is considered that provided the counter acting measures as set out in Chapter 4 are incorporated into the submission Core Strategy that the plan is unlikely to have a significant effect on the conservation objectives of the Bracket's Coppice SAC.

## **Bibliography**

Somerset County Council. 2010. *Habitats Regulations Assessment of South Somerset District Council's Core Strategy: Draft Incorporating Preferred Options. Update Report for Bracket's Coppice SAC*. Taunton: Somerset County Council.

Somerset County Council. 2008. *Appropriate Assessment of South Somerset District Council's Core Strategy: Issues and Options Screening Report for Bracket's Coppice SAC*. Taunton: Somerset County Council.

# Appendix C



# South Somerset 'Proposed Submission' Local Plan

## Final policy number in Published Plan Contents – 28<sup>th</sup> June 2012

SD1 - Sustainable Development<sup>1</sup>  
 SS1 - Settlement Hierarchy  
 SS2 - Development in Rural Settlements  
 SS3 - Delivering New Employment Land  
 SS4 - District Wide Housing Provision  
 SS5 - Delivering New Housing Growth  
 SS6 – Infrastructure Delivery  
 SS7 - Phasing of Previously Developed Land  
 YV1 - Urban framework and Greenfield housing provision for Yeovil  
 YV2 - Yeovil Sustainable Urban Extension  
 YV3 - East Coker and North Coker Buffer Zone  
 YV4 - Yeovil Summerhouse Village  
 YV5 - Yeovil Airfield Flight Safety Zone  
 YV6 - Delivering Sustainable Travel at the Yeovil Sustainable Urban Extension  
 PMT1 - Chard Strategic Growth Area  
 PMT2 - Chard Phasing  
 PMT3 - Ilminster Direction of Growth  
 PMT4 - Wincanton Direction for Growth  
 LMT1 - Ansford / Castle Cary Direction of Growth and Link Road  
 LMT2 - Langport / Huish Episcopi Direction of Growth  
 LMT3 - Somerton Direction of Growth  
 EP1 - Strategic Employment Sites  
 EP2 - Office Development  
 EP3 - Safeguarding Employment Land  
 EP4 - Expansion of Existing Businesses in the Countryside  
 EP5 - Farm Diversification  
 EP6 - Henstridge Airfield  
 EP7 - New Build Live/Work Units  
 EP8 - New and Enhanced Tourist Facilities  
 EP9 – Retail Hierarchy  
 EP10 - Convenience and Comparison Shopping in Yeovil  
 EP11 - Location of Main Town Centre Uses (The Sequential Approach)  
 EP12 - Floorspace Threshold for Impact Assessments  
 EP13 - Protection of Retail Frontages  
 EP14 - Neighbourhood Centres  
 EP15 - Protection and Provision of Local Shops, Community Facilities and Services  
 HG1 - Strategic Housing Sites  
 HG2 – The use of Previously Developed Land (PDL) for New Housing Development  
 HG3 - Provision of Affordable Housing  
 HG4 - Provision of Affordable Housing – Sites of 1-5 Dwellings<sup>2</sup>  
 HG5 - Achieving a Mix of Market Housing

## Draft policy number in HRA Contents – 24<sup>th</sup> April 2012

SS1 - Settlement Hierarchy  
 SS2 - Developing in Rural Settlements  
 SS3 - Delivering Employment Growth (was SS5)  
 SS4 - District Wide Housing Provision (was SS3)  
 SS5 - Delivering New Housing Growth (was SS4)  
 SS6 – Infrastructure Delivery  
 HG\* – Phasing of Previously Developed Land  
 YV1 - Urban framework and Greenfield housing provision for Yeovil  
 YV3 - Yeovil Sustainable Urban Extension  
 YV4 - East Coker and North Coker Buffer Zone  
 YV6 - Yeovil Summerhouse Village  
 YV7 - Yeovil Airfield Flight Safety Zone  
 YV5 - Delivering Sustainable Travel at the Yeovil Sustainable Urban Extension  
 CV1 - Chard Strategic Growth Area  
 CV2 - Chard Phasing  
 MT2 - Ilminster Direction for Growth  
 MT5 - Wincanton Direction for Growth  
 MT1 - Ansford / Castle Cary Direction for Growth  
 MT4 - Langport / Huish Episcopi Direction for Growth  
 MT3 - Somerton Direction for Growth  
 EP1 - Strategic Employment Sites  
 EP2 - Office Development  
 EP3 - Safeguarding Employment Land  
 EP5 - Expansion of Existing Businesses in the Countryside  
 EP6 - Farm Diversification  
 HA1 – Henstridge Airfield  
 EP7 - New Build Live/Work Units  
 EP8 - New and Enhanced Tourist Facilities  
 EP9 - Town Centre Hierarchy  
 YV2 - New Retail Provision in Yeovil  
 EP10 - Location of Main Town Centre Uses  
 EP11 - Floorspace Threshold for Impact Assessments  
 EP12 - Protection of Retail Frontages  
 EP13 - Neighbour Centres  
 EP14 - Protection and Provision of Local Shops, Community Facilities and Services  
 HG1 - Strategic Housing Sites  
 HG2 - Previously Developed Land  
 HG3 - Provision of Affordable Housing  
 HG3 - Provision of Affordable Housing  
 HG4 - Achieving a Mix of Market Housing

<sup>1</sup> New policy introduced on the 4<sup>th</sup> May 2012 as a result of new PINS guidance emerging from the NPPF (March 2012)

<sup>2</sup> Previously second part of Policy HG3 - Provision of Affordable Housing

HG6 - Care Homes and Specialist Accommodation	HG5 - Care Homes and Specialist Accommodation
HG7 - Gypsies, Travellers and Travelling Showpeople	HG6 - Gypsies, Travellers and Travelling Showpeople
HG8 - Replacement Dwellings in the Countryside	HG7 - Replacement Dwellings and Extensions in the Countryside
HG9 - Housing for Agricultural and Related Workers	HG8 - Housing for Agricultural and Related Workers
HG10 - Removal of Agricultural and Other Occupancy Conditions	HG9 - Removal of Agricultural and Other Occupancy Conditions
TA1 - Low Carbon Travel	TA1 - Low Carbon Travel
TA2 – Rail <sup>3</sup>	TA1 - Low Carbon Travel
TA3 - Sustainable Travel at Chard and Yeovil	TA2 - Sustainable Travel at Chard and Yeovil
TA4 - Travel Plans	TA3 - Travel Plans
TA5 - Transport Impact of New Development	TA4 - Transport Impact of New Development
TA6 - Parking Standards	TA5 - Parking Standards
HW1 - Provision of open space, outdoor playing space, sports, cultural and community facilities in new development	HW1 - Provision of open space, outdoor play, sports, cultural and community facilities in new development
HW2 - Sport Zone	HW2 - Sports Zone
HW3 - Protection of play spaces and youth provision	HW3 - Protection of play spaces and youth provision
EQ1 - Addressing Climate Change in South Somerset	EQ1 - Addressing Climate Change in South Somerset
EQ2 - General Development	EQ2 - Design & General Development
EQ3 - Historic Environment	EQ* - Historic Environment
EQ4 - Biodiversity	EQ3 - Biodiversity
EQ5 - Green Infrastructure	EQ4 - Green Infrastructure
EQ6 - Woodland and Forests	EQ5 - Woodlands and Forests
EQ7 - Pollution Control	EQ6 - Pollution Control
EQ8 - Equestrian Development	EQ7 - Equestrian Development

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<sup>3</sup> Previously final paragraph of Policy TA1 – Low Carbon Travel – minor wording changing

# Appendix D



Date: 10 May 2012

Our ref: 50181

Your ref:

Mr L Burrows  
Ecologist - Strategic Planning  
Somerset County Council  
Environment Department  
County Hall  
Taunton,  
TA1 4DY



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**By Email only – no hard copy sent**

Dear Larry,

**Addendum to the Habitats Regulations Assessment on Bracket's Coppice SAC for the South Somerset District Council proposed submission Core Strategy**

**Conservation (Natural Habitats &c) Regulations 1994  
Planning and Compensation Act 2004  
Localism Act 2012**

Thank you for your letter dated 16 April 2012, and for consulting Natural England regarding the above assessment, specifically, the validity of the HRA conclusion of no likely significant effect in light of proposed changes to the core strategy.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Bracket's Coppice SAC in West Dorset lies 1.5km from the boundary of South Somerset District and approximately 7.5km from proposed substantial development south and west of Yeovil. The SAC is noted for the presence of a maternity colony of Bechstein's Bat, a rare protected species. Proposed development in the Core Strategy is likely to cause significant effects without amendment to policy. It is noted that you have recommended some counteracting measures to negate the potential significant effects, to ensure compliance with the Habitat Regulations.

These recommendations are accepted, in part, but in order to comply with the Habitat Regulations the following additional amendments are also advised.

#### **1. Referencing Natura 2000 sites in policies**

- 1.1.** The recommendation of the amendment to of Policy **EQ3** is welcomed in order negate potential significant impacts arising from Policies **HG6 (Gypsies and Travellers)** , **EP5 (Expansion of Businesses in the countryside)** , **EP6 (Farm diversification)** **EP7 ( New build live/work units and EP8 ( New and**

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**enhanced Tourist facilities)** but all of these 6 policies should also make reference to “*Natura 2000 sites*” in the policy as this is a reference to sites designated under European Directives. This may require an additional bullet point for Policy EP 8 e.g. “*There is no adverse impact on Natura 2000 and other internationally and nationally designated sites.*”

## 2. Recommended additions to Policy EQ3

2.1. Policy In addition, I would also advise the following amendments to EQ3. In Bullet point 4 “so” should be amended to “and”. After the word “design” in the same bullet point “including proposals for lighting” should be added.

2.2. I would advise the final text in the existing policy **EQ3** to include a reference to Priority Habitats and Geological Features since both of these can contribute to the continued conservation of Bechstein’s bats.

Substantial development is proposed to the south

## 3. Proposed development South West of Yeovil

3.1. and west of Yeovil which lies only approximately 7km from the SAC. There are records of bats being found in this part of South Somerset and therefore, given the importance of and strategic nature of the development, special care needs to be taken to ensure that policies and proposals for this area do not have any likely significant impacts on the SAC.

The text you have recommended inclusion of in policy **YV2** regarding the design of the Masterplan (which I understand from other documents will be an AAP) is welcomed. This is an important element since it means that the retention of important habitat and foraging features can be planned in early, which is the best means of ensuring continued conservation of the SAC. This would then enable sustainable development in conformity with the NPPF. The policies relating to green infrastructure **EQ4** and biodiversity **EQ3** are also beneficial in this regard. However, since it is highly conceivable that applications will be submitted in advance of the Masterplan’s completion, I would also advise the following inclusions.

3.2. In the **table XXX** (within the text) summarising the **sustainability standards for the Yeovil Sustainable Urban Extension and Summerhouse Village**, I would advise the inclusion of the following text

Add to bullet point 11 regarding Green space “*And contributes to the green infrastructure strategy*”

Add to bullet point 14 regarding Biodiversity “*and features outside the boundary of designated Natura 2000 sites that nonetheless contribute to the conservation of, and ecologically support, the conservation objectives of those designated sites*”

3.3. In view of the the contribution Green Infrastructure would make to conservation of the SAC, in addition to the wording regarding the Masterplan, I would advise the following to be included in that reference

After “*The masterplan will be designed in such a way that*” add “*Contributes to the green infrastructure strategy and*”

3.4. I would advise the following wording is also incorporated into policy **YV2**

“*Development within the Yeovil Sustainable Urban Extension will be permitted where features supporting bat movement are not severed and that access between feeding areas and roosts is maintained unless it can be proven that there would be no significant effect by the proposal on such features.*”

This wording will conform to the NPPF overarching principle of supporting sustainable development whilst protecting the conservation of the SAC.

## 4. Regarding Policy YV3 East Coker and North Coker Buffer Zone,

The term “*Built development*” could permit development such as cycle-ways (with lighting), I therefore advise that the following should be added to the policy.

*“and the development is compatible with features supporting bat movement; that access between feeding areas and roosts is maintained and any proposed lighting is compatible with the conservation objectives of a Natura 2000 site unless it can be proven that there would be no significant effect by the proposal.”*

5. Regarding Policy **YV4**, although the policy is commendable in its aims for sustainable transport in line with national policy, because cycle and foot ways, particularly if lit, can sever flight paths etc, I would advise the following wording added to reflect the text accompanying the policy

*“Proposals for infrastructure designed to support these measures will ensure that features supporting bat movement are retained and that access between feeding areas and roosts is not severed and any proposed lighting is compatible with the conservation objectives of a Natura 2000 site unless it can be proven that there would be no significant effect.”*

I hope this letter is clear and helpful and look forward to receiving the revised core strategy and supplementary documents in due course.

Yours sincerely

Laura Horner  
Lead Advisor Forward Planning Network

For any correspondence or queries relating to this consultation only, please contact Mrs Laura Horner at Exeter - Level 9 and 10, Renslade House, Bonhay Road, Exeter, EX4 3AW Tel 0300 060 4654. For all other correspondence, please contact the address above.

# Appendix E



Date: 31 May 2012  
Our ref: 52947  
Your ref:



**BY EMAIL ONLY**

Natural England  
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T: 0300 060 3900

Dear Mr Cardnell,

**Habitats Regulations Assessment for the Somerset Levels and Moors  
Special Protection Area South Somerset District Council**

**Objection**

**Conservation (Natural Habitats &c) Regulations 1994  
Planning and Compensation Act 2004  
Localism Act 2012**

Thank you for your email dated 4 May 2012, and for consulting Natural England regarding the above assessment, specifically, the validity of the HRA conclusion of no likely significant effect in light of proposed changes to the core strategy. I note that this consultation is in respect of an HRA for the Levels and Moors whilst we are also in receipt of an additional consultation for an HRA in relation to Bracket's Copse for the submission of the Core Strategy. This letter should be read in conjunction with that response.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Somerset Levels and Moor Special Protection Area (SPA) was designated in 1997 and consists of approximately a dozen interrelated wetland areas which attract many thousands of migratory birds particularly those over-wintering in the UK. As well as the total bird assemblage, the four notable species that are qualifying features of the SPA are Bewick's Swan, Golden Plover, Eurasian Tern and Lapwing.

It is noted that there are changes from the draft strategy in that Langport is now designated as a Market Town and the housing allocation increased and a spatial context given to the policy. Likely Significant Impact on the

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[www.naturalengland.org.uk](http://www.naturalengland.org.uk)

qualifying features of the SPA due to visitor and disturbance is very much dependent on the location of and concentration of housing.

In consideration of Likely Significant Effects and the recommended Counter-acting measures, it is considered that the recommended changes to Policies HW1, EQ3 and EQ4 are appropriate generally particularly in the absence of any evidence which would suggest that a more restrictive approach would be appropriate and this also applies to some of the proposed development at Langport.

However, Wet Moor SSSI lies about 2 km south east of the centre of Langport. It is particularly important as a nesting area for Bewick's Swan; according to the latest survey material up to 80% of the SLM population were residing on Wet Moor SSSI. In addition the wetland supports large numbers of other visiting notable species as detailed above all of which are sensitive to disturbance. Horsey Farm, adjacent to Wet Moor SSSI is also a feature with links to the SPA. The Authorities' evidence on usage of the Wet Moor shows that the majority of users are dog-walkers from the local area which needs to be considered in the context of disturbance.

Development at Langport, particularly residential development therefore has the potential for impact on the SPA. Whilst it is considered that policies HW1, EQ3 and EQ4 could mitigate for development to the north-east, the location of the proposed residential development in the south-east has the potential for Likely Significant Impacts. Whereas employment development is likely to be acceptable, residential development could not be overcome with the addition of alternative substitute space as this area is too close with strong river links to Wet Moor SSSI for such to be likely to be effective. At present with the due to the uncertainty regarding Likely Significant Effects, any policy that would permit residential development south east of Langport would be unsound. The recommended alteration to policy MT4 in the Appropriate Assessment is noted but from a Habitat Regulations perspective is considered to be stronger than absolutely necessary and there are questions over how this policy could be monitored to trigger the release of land and therefore its soundness.

In addition, it is considered that any alternative substitute space for other development in the Langport Area should be of a quality that does provide an attractive substitute informal recreational area. In line with the paragraph 109 of the NPPF, this could furthermore contribute to an enhancement of the SPA by providing a high-quality space that could reduce the pressure on the protected areas.

I would advise therefore the alternative wording to policy MT4, additional wording is **bold**, deletions are ~~struck through~~

*A direction of growth has been identified in three locations to the north east, east and south east of the settlement to deliver development that cannot be accommodated within the existing urban area. **Development in the south east is appropriate for employment land only.***

*Development in Langport / Huish Episcopi will be subject to a project level Habitats Regulations Assessment of potential impacts on the Somerset Levels and Moors Special Protection Area/ Ramsar sites.*

***Additional open space will be required due to the proximity to sensitive (internationally-designated) conservation areas, so as to alleviate potential development-related pressure on those sites. Any appropriate mitigation, in the form of open space provision or other measures, will be in place in advance of the development and agreed in advance with Natural England.***

I understand that this advised wording may have potential consequences to other policies, but our view is the policy as it stands is likely to be found unsound given the evidence available, it is considered mitigation would not be possible for growth in the area south east of Langport as shown on plans presented to the South Somerset Cabinet committee 26 March 2012.

I hope this advice is helpful to your authority at this stage. If you wish to discuss this with me further do not hesitate to contact me.

For any correspondence or queries relating to this consultation only, please contact Laura Horner on 0300 060 2018 email [laura.horner@naturalengland.org.uk](mailto:laura.horner@naturalengland.org.uk) For all other correspondence, please contact [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours

A handwritten signature in black ink, appearing to read 'Laura Horner', is written over a light blue rectangular background.

Mrs Laura Horner

# Appendix F





Nick Cardnell  
Policy Planner  
South Somerset District Council  
Brympton Way  
Yeovil  
BA20 2HT

please ask for  
Larry Burrows

direct line  
01823 358118

Email:  
lburrows@somerset.gov.uk

my reference

your reference

14 June 2012

Dear Mr Cardnell,

**HRA Brackets Coppice - South Somerset Core Strategy - Submission Document**

In response to your email dated 11 June 2012 please amend my report and attach the Natural England letter as an Appendix. I consider that there is no issue with the changes recommended by Natural England on Policies YV2, YV3 and YV4 as this reinforces what is stated under other policy in the Core Strategy.

An additional Policy, 'Policy SD1 Sustainable Development' has been added to the Core Strategy since the completion of Habitats Regulations Assessment to reflect the provisions of the National Planning Policy Framework (NPPF). I consider that this new policy would have no significant effect on the conservation objectives of Natura 2000 sites within the District as its content only sets out the principles of sustainable development on which planning applications would be assessed. Provisions within the NPPF provide for the accountability and protection of Natura 2000 sites in the planning process.

**Policy EQ4 Biodiversity**

In considering the updating of the Core Strategy to reflect the findings of the Habitats Regulations Assessment I have also looked at Policy EQ4 Biodiversity and have the following comments in part in response to the proposed changes highlighted in the LDF PMB Report

Whilst I agree that there should be a hierarchical approach as per the NPPF it must be remembered that Local Wildlife Sites, although they meet minimum criteria in selection, are not all of the same value and that some are of national importance although designated as 'local' are equal to that of a Site of Special Scientific Interest

(SSSI). The SSSI suite is only a representative sample of nationally important sites. Maintenance of these sites too could be reliant on environmental conditions outside the site boundaries. Therefore, each 'local' site's value must be assessed on a case by case basis.

I do not see why the term 'landscape' has been inserted as the policy is for biodiversity.

In addition there is no clear mention of the term 'ecological networks' stated in the NPPF. Whilst there is an indirect reference in EQ5 elsewhere, 'ecological networks' is a distinct area from 'green Infrastructure' although it can be used to inform and be a part of the latter as per the Government white paper on the Natural Environment.

'Identified priority species' are not defined, i.e. does this mean the Somerset Priority Species List or the Section 41 List (NERC Act 2006)?

There is no mention of priority habitats listed under Section 41.

I do not see why 'Priority Habitats and Geological Features' has been inserted into the last bullet as the term 'habitat features' covers this anyway. A road surface is much of a habitat as is ancient woodland.

The last paragraph states, '... accompanied by a survey and impact assessment...' I would omit the word 'impact' as this does not determine presence but refers to what effect the development would have on the species. The sentence should also include reference to priority species if bullet 4 above is to be taken into account. No mention is made of where impacts on site are not sufficiently mitigated then off site offsets should be sought. This would be in line with the Government aim of 'no net biodiversity loss' and could help prevent situations such as that at Crewkerne. Wording such as '... including off site offsetting where this cannot be met by mitigation on site' could be added at the end of the policy.

Please contact me if you require further clarification or information on any of the above points.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'L Burrows', with a long horizontal stroke underneath.

Larry Burrows, MIEEM  
Ecologist - Strategic Planning

CC Paul Browning, Spatial Planning Manager, Somerset County Council

# Appendix G





Return address: Rightwell House, Bretton, Peterborough PE3 8DW, United Kingdom

Nick Cardnell  
Policy Planner  
South Somerset District Council  
By email: [nick.cardnell@southsomerset.gov.uk](mailto:nick.cardnell@southsomerset.gov.uk)

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Date : 15 June 2012

**Subject : Habitats Regulations Assessment - Somerset Levels and Moors**

Dear Nick,

Royal Haskoning was recently commissioned to update our 2010 assessment of South Somerset District Council's developing LDF core strategy. Our final report, dated 30 April 2012, considered a draft policy suite for the Local Plan 2006-2028 (dated 24 April 2012). It considered potential impacts arising from implementation of the proposed plan upon the Somerset Levels and Moors SPA and Ramsar site. The report was prepared to inform SSDC's assessment of the plan in respect of *The Conservation of Habitats and Species Regulations 2010* (as amended).

Through more recent correspondence we have seen Natural England's response to consultation on both our final report and that produced by Somerset County Council in respect of Bracket's Coppice SAC. You also provided a copy of your report prepared for submission to the LDF Project Management Board (Workshop 17: 15th June 2012). This sets out changes to policy wording and intent following report recommendations (including our own) and consultation.

The most significant of these with respect to the Levels and Moors is the alteration to wording of Policy MT4 such that that development to the south-east of the new Market Town is considered appropriate for employment land only. This addresses particular concerns we raised about the proximity to Wet Moor SSSI (a constituent site of the Levels and Moors designated area), and presents additional protection for the site.

Two additional points raised are:

- the addition of a new policy SD1 (an overarching policy providing clear alignment with the National Planning Policy Framework) from which we anticipate no significant effects in the context of our report; and
- that our text considering policy SS4 in our April report should read "*Dwellings in market towns, rural centres and rural settlements will increase (from 8,415 to 8,936), although dwellings in Yeovil has reduced.*"



I can confirm that the changes you recommend (and note) do not affect the overall conclusions of our report. I also note your intention to annotate the final version of our report so as to ensure that the policy numbers contained within the submitted plan align with the document. As discussed, we are happy that you do this so long as your additions are clearly indicated.

Yours sincerely, for and on behalf of Haskoning UK Ltd

A handwritten signature in black ink, appearing to read 'Matthew', followed by a long horizontal line extending to the right.

Dr Matthew Hunt  
Principal Environmental Consultant

# Appendix H



## **LDF Project Management Board**

**Workshop 17: 15<sup>th</sup> June 2012**

### **Habitats Regulation Assessment (Appropriate Assessment)**

**Report By: Nick Cardnell (Policy Planner)**

#### **Introduction**

Under the requirements of European legislation 'The Habitats Directive' it has been necessary to consider whether the 'South Somerset Local Plan 2006 – 2028' alone or in combination would be likely to have a 'significant effect' on the integrity of any international designated site. An initial scoping report prepared identified two international sites where this could be the case (see below) and a full Habitats Regulation Assessment has been required.

- Somerset Levels and Moors Ramsar / SPA
- Bracket's Coppice Special Area of Conservation (SAC)

Royal Haskoning were appointed to assess the Somerset Levels and Moors SPA and Somerset County Council the Bracketts Coppice SAC.

Reports were prepared to inform and accompany the Draft Core Strategy. These reports have been reviewed to reflect changes to the Draft Core Strategy proposed as a result of representations received, further evidence and new government policy over the last 16 months.

#### **Recommendations**

That PMB:

1. Endorse the amendments to policies by Royal Haskoning, Somerset County Council and Natural England to the Proposed Submission Local Plan 2006 – 2028 (as set out in Appendix A)
2. Not endorse proposed amendments to policy EP4 and 7 advocated by Natural England and modify Somerset County Council amendment to policy EQ4 by deleting reference to local wildlife designations
3. Agree the modification of LMT4: Langport / Huish Episcopi that growth to the South East of the town is employment land only as advocated by Natural England and endorsed by Royal Haskoning.

#### **Report**

##### Somerset Levels and Moors Ramsar / SPA

Several outstanding issues have been raised by the RSPB as an objector and these have been specifically addressed by the Council's consultants in their review of the original Appropriate Assessment. These issues relate to the potential for development to increase visitor/recreational pressure at sensitive sites which are constituents of the Somerset Levels and Moors SPA and Ramsar site.

- the overall quantum of growth in the District (and in particular the western half) (Policies; Policy SS1 - Settlement Hierarchy, Policy SS3 - Delivering New

- Employment Land, Policy SS4 - District Wide Housing Provision, Policy SS5 - Delivering New Housing Growth);
- the scale and nature of growth focused on Langport / Huish Episcopi, together with its designation as a Market Town and the expectations that may bring, given its proximity to the SLM (Policies; Policy SS1 - Settlement Hierarchy, Policy SS3 - Delivering New Employment Land, Policy SS5 - Delivering New Housing Growth, Policy LMT2 Langport/Huish Episcopi Direction of Growth); and
  - the potential for specific impacts resulting from enhanced tourism facilities (Policy EP8 New and Enhanced Tourism Facilities).

Royal Haskoning believe that these issues can be addressed within the plan by adopting minor modifications to text in several places together with appropriate management regimes. Recommended amendments have been set out specifically relating to policies; Policy HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities in new development, Policy EQ4 Biodiversity, and Policy EQ5 Green Infrastructure.

Royal Haskoning also strongly recommend additional minor amendment to policies; Policy LMT2 Langport/Huish Episcopi Direction of Growth, Policy HG7 Gypsies, Travellers and Travelling Showpeople and Policy EP8 New and Enhanced Tourism Facilities to reinforce the protection provided to internationally designated sites, and to ensure a high degree of focus on this issue through the implementation of the plan. These policy changes are set out in Appendix A.

#### Natural England

Natural England has been consulted upon the draft HRA update for the Somerset Levels and Moors Ramsar / SPA report by Royal Haskoning. In general Natural England has supported the suggested amendments to HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities in new development, EQ4 Biodiversity and EQ5 Green Infrastructure which they believe largely respond to the issues raised in a proportionate manner.

They have raised however concerns in respect of the new Market Town status at Langport / Huish Episcopi, its increased housing allocation and proposed directions for growth in particular the South Eastern directions for growth which is located in close proximity to the Wet Moor SSSI, home amongst other things to the Bewick Swan a rare and protected species.

Natural England fears that residential development in this location particularly from increased dog walking and increased visitor numbers could impact on Swan numbers and could result in a likely significant impact. They have proposed a further additional changes to Policy LMT2 Langport/Huish Episcopi Direction of Growth in that the South Eastern Direction for growth (south of the A372) be appropriate for employment land only and that additional open space will be required due to proximity to international designations. These policy changes are set out in Appendix A and endorsed by Royal Haskoning.

#### Bracket's Coppice Special Area of Conservation (SAC) / Ramsar

A Habitats Regulations Assessment was carried out on the Issues and Options stage of the Core Strategy and its findings reported in a 'Screening Report for Bracket's Coppice SAC, October 2008'. This report was followed in August 2010 by an update report 'Draft Incorporating Preferred Options Update Report for Bracket's Coppice SAC'. The update recommended that certain policies be amended or added to in order that the Core Strategy would conform to the requirements of the Habitats Regulations.

The 'Proposed Submission Plan - Addendum Report, Brackets Coppice, April 2012 has reviewed whether the previous recommended amendments have been made to policy and assessed the revised policy in the strategy. Following the assessment it was found that the following policies Policy HG7 Gypsies, Travellers and Travelling Showpeople, Policy EP4 Expansion of Existing Businesses in the Countryside, Policy, Policy EP7 New Build Live/Work Units & Policy EP8 New and Enhanced Tourism Facilities would still require amendment to ensure compliance with the Habitats Regulations. Provided these counteracting measures for those policies above are individually amended or incorporated into an additional policy within Policy EQ4 Biodiversity in the submission Core Strategy, Somerset County Council ecologist has concluded that the plan is unlikely to have a significant effect on the conservation. These policy changes are set out in Appendix A.

## Natural England

As a statutory consultee Natural England has been consulted upon the draft HRA for the Bracket's Coppice Special Area of Conservation (SAC) report by Somerset County Council. In general Natural England has supported the suggested amendment to Policy EQ4 Biodiversity in order to negate the potential impact arising from Policy HG7 Gypsies, Travellers and Travelling Showpeople, Policy EP4 Expansion of Existing Businesses in the Countryside, Policy EP5 Farm Diversification, Policy EP7 New Build Live/Work Units & Policy EP8 New and Enhanced Tourism Facilities.

In order to tighten up policy wording and ensure further protection to international designations Natural England has also suggested further minor wording amendments to; Policy EQ4 Biodiversity, Policy YV2 Yeovil Sustainable Urban Extension, Policy YV3 East Coker and North Coker Buffer Zone, Policy YV6 Delivering Sustainable Travel at the Yeovil Sustainable Urban Extension. These policy changes are set out in Appendix A.

## Conclusion

It is considered that by adopting the changes advocated by our consultants Royal Haskoning, Somerset County Council and consultee Natural England the South Somerset Local Plan 2006 – 2028 is Habitats Regulation compliant.

Whilst most of these proposed changes are already incorporated into the latest version of the Proposed Submission South Somerset local Plan 2006 – 2028 one or two of the later amendments received are not (along with corresponding supporting text). These changes will be made prior to publication of the Local Plan so that consideration of the implications of the Habitats Regulation Assessment is complete.

## **Habitats Regulation Assessment; Proposed Changes to South Somerset Proposed Submission Local Plan 2006-2028**

Proposed amendments by Somerset County Council (Red) – Brackets Coppice SAC, Royal Haskoning (Blue) – Somerset Levels and Moors Ramsar / SPA and Natural England (Green) – a consultee for both designated areas are set out and colour coded.

### **Policy YV2 Yeovil Sustainable Urban Extension**

The Yeovil Sustainable Urban Extension should be located to the south and west of the town and should provide the following:

- 11.0 hectares of 'B' use class employment land;
- 2,500 dwellings, 1,565 of which should be built in the plan period up to 2028, with the remaining 935 dwellings built after 2028;
- Two Primary schools and a Secondary school;
- A health centre;

The Yeovil Sustainable Urban Extension will be developed to the highest sustainability objectives and garden city principles, subject to viability.

Development within the Yeovil Sustainable Urban Extension will be permitted where features supporting bat movement are not severed and that access between feeding areas and roosts is maintained unless it can be proven that there would be no significant effect by the proposal on such features.

### **Policy YV3 East Coker and North Coker Buffer Zone**

An East Coker and North Coker Buffer Zone is identified to the west of the Yeovil Sustainable Urban Extension, within which development that results in coalescence with the settlements of East Coker and North Coker and/or adversely affects the setting of historic assets is precluded. Development (not of a built form) within the Buffer Zone may be acceptable as long as the coalescence of settlements is not caused as a result nor the setting of historic assets adversely affected. Existing development within the buffer zone will require special justification to add built development beyond existing permitted development rights.

The development is compatible with features supporting bat movement; that access between feeding areas and roosts is maintained and any proposed lighting is compatible with the conservation objectives of a Natura 2000 site unless it can be proven that there would be no significant effect by the proposal.

### **Policy YV6 Delivering Sustainable Travel at the Yeovil Sustainable Urban Extension**

In order to deliver at least 50% of travel originating from the Yeovil Sustainable Urban Extension by non-car modes (with the potential to increase this over time to at least 60%), and in addition to the generic policies that support modal shift throughout the district and Yeovil, the Yeovil Sustainable Urban Extension should provide:

- i. Intrinsically linked well-designed infrastructure for footpaths and cycle ways ensuring filtered permeability that delivers journey times that are better or more comparable to those by car.
- ii. Free deliveries for bulk shopping journeys using low emission/electric vans

- iii. Car parking management at the Yeovil Sustainable Urban Extension facilities, employment sites & shopping centre, which gives priority to electric vehicles, low emission and shared vehicles and non car modes and which discourages car use for these short journeys.
- iv. A traffic-free immediate environment with residential parking separated from the residential areas.

Development at the Yeovil Sustainable Urban Extension should also contribute to:

- v. An Electric Car Pool scheme, with provision for on-going management.
- vi. Low emission bus routes that are designed to establish end-to-end journey times that are better or more comparable to those by private car.
- vii. A comprehensive network of real time public transport information for bus and train travel.
- viii. A Quality Bus Partnership to deliver modern desirable bus routes with a frequent service and clean vehicle technology.

Planning obligations will be used to ensure proper phasing of transport provision to maximise provision prior to first occupation of individual elements of the development.

These sustainable links shall be designed to enable easy access from the Yeovil Sustainable Urban Extension to the town centre, main employment sites, transport interchanges, health and educational establishments and other community facilities.

Proposals for infrastructure designed to support these measures will ensure that features supporting bat movement are retained and that access between feeding areas and roosts is not served and any proposed lighting is compatible with the conservation objectives of a Natura 2000 site unless it can be proven that there would be no significant effect.

#### **Policy LMT2 Langport/Huish Episcopi Direction of Growth**

The direction of strategic growth will be to the north, east, and south east of the settlement. All development must avoid coalescence with the settlement of Wearne.

Development in the south east is appropriate for employment land only.

**Development at Langport/Huish Episcopi will not come forward until it can be demonstrated that, in total, it will not lead to impacts on the Somerset Levels and Moors Special Protection Area/Ramsar sites.**

Additionally open space will be required due to the proximity to sensitive (internally-designated) conservation areas, so as to alleviate potential development-related pressure on those sites. Appropriate mitigation, in the form of open space or other measures, will be in place in advance of the development and agreed in advance with Natural England.

***Note: Alternative wording suggested by Royal Haskoning has been superseded by Natural England changes. Amendment seek to respond to the objective raised by the RSPB.***

#### **Policy EP4 Expansion of Existing Businesses in the Countryside**

*Note: Natural England has suggested policy should reference Natura 2000 sites – SCC advise is that this is not necessary and is covered by EQ4 Biodiversity and this change is not proposed for incorporation into the Local Plan*

## **Policy EP5 Farm Diversification**

Proposals for development for the purpose of farm diversification within established agricultural holdings will be permitted if they comply with the following criteria:

- The character, scale and type of proposal is compatible with its location and landscape setting
- A development will not be allowed to proceed unless it can be demonstrated that it will not result in any adverse impacts to the integrity of [Natura 2000 sites](#) and other national and international wildlife sites and landscape designations,
- They form part of a comprehensive farm diversification scheme and are operated as part of a viable farm holding and contribute to making the holding viable;
- Appropriately located existing buildings should be re-used where possible; and
- Where new or replacement buildings are required, the proposal it is in scale with the surroundings and well related to any existing buildings on the site.

## **Policy EP7 New Build Live/Work Units**

*Note: Natural England has suggested policy should reference Natura 2000 sites – SCC advise is that this is not necessary and is covered by EQ4 Biodiversity and this change is not proposed for incorporation into the Local Plan.*

## **Policy EP8 New and Enhanced Tourism Facilities**

In order to sustain the vitality and viability of tourism in the District, new and enhanced tourist facilities will be supported where:

- They are of a scale appropriate to the size and function of the settlement within which they are to be located;
- The proposal ensures that the District's tourist assets and facilities are accessible through sustainable modes of travel including cycling and walking;
- They do not harm the District's environmental, cultural or heritage assets;
- [They ensure the continued protection and resilience of the District's designated nature conservation features;](#) and
- They benefit the local community through access to facilities and services
- [There is no adverse impact on Natura 2000 and other internationally and nationally designated sites](#)

There must be an identified need for tourist facilities in the open countryside, which is not met by existing facilities.

## **Policy HG7 Gypsies, Travellers and Travelling Showpeople**

The accommodation needs of Gypsies, Travellers and Travelling Showpeople will be met by ensuring that they are accommodated in sustainable locations where essential services are available. The following criteria will guide the location of sites:

- Significantly contaminated land should be avoided;
- Development should not result in an adverse impact on internationally and nationally recognised designations (for example [Natura 2000 sites](#), Sites of Special Scientific Interest and Areas of Outstanding Natural Beauty);
- The development should not have a significant adverse impact on the landscape character and visual amenity of the area;
- The site is reasonably well related to schools and other community facilities
- The health and safety of occupants and visitors will not be at risk through unsafe access to sites, noise pollution or unacceptable flood risk;

- There should be adequate space for on site parking, servicing and turning of vehicles;
- The option of mixed residential and business use on sites will be considered where appropriate.

The number of pitches provided should be appropriate to the size of the site and availability of infrastructure, services and facilities in accordance with the general principles set out in the settlement hierarchy.

### **Policy EQ4 Biodiversity**

All proposals for development, including those which would affect sites of regional and local biodiversity, nationally and internationally protected sites and geological interest, will:

- Protect the biodiversity value of land and buildings and minimise fragmentation of habitats;
- Maximise opportunities for restoration, enhancement and connection of natural habitats;
- Incorporate beneficial biodiversity conservation features where appropriate;
- Protect and assist recovery of identified priority species; and
- Ensure that habitat features, Priority Habitats and Geological Features that are used by bats and other wildlife are maintained and that the design including proposals for lighting does not cause severance or is a barrier to movement

Development will not be allowed to proceed unless it can be demonstrated that it will not result in any adverse impact to the integrity of local, national and international wildlife and landscape designations, including features outside the site boundaries that ecologically support the conservation objectives of the designated sites.

*Note: Wording change endorsed by Royal Haskoning & Natural England although Royal Haskoning queried if the policy change (in red) should apply to local sites. In view of the statement in para 113 of the NPPF that “distinctions should be made between the hierarchy of international, national and local designated sites so that protection is commensurate with their status and gives appropriate weight to their importance” reference to local should be dropped in the amendment.*

Where there is a reasonable likelihood of the presence of protected species, applications should be accompanied by a survey and impact assessment assessing their presence and if present, the proposal must be sensitive to and make provision for their needs and provide appropriate mitigation.

*Note: New monitoring indicator introduced ‘changes in areas of biodiversity importance’.*

### **Policy EQ5 Green Infrastructure**

The Council will promote the provision of Green Infrastructure throughout the District, based upon the enhancement of existing areas including public open space, accessible woodland, and river corridors, and by ensuring that development provides open spaces and green corridor links between new and existing green spaces.

The overall aim will be to provide a network of connected and multi-functional open spaces that:

- Create new habitats and connects existing wildlife areas to enrich biodiversity & promote ecological coherence

- Provide an accessible network of green spaces and improve recreational opportunities, including environmental education, local food production and support physical health and mental wellbeing
- Ensure that all children and young people have reasonable access to a range of play and leisure opportunities
- Provide opportunities for enhanced, attractive walking and cycling routes linking urban areas and the wider countryside
- Enhance the character and local distinctiveness of the landscape
  
- Contribute to local identity and sense of place
- Increase the District's tree cover Help mitigate the consequences of climate change (sustainable drainage systems, shade etc.)
- [Alleviate current and future potential visitor and recreation pressure / disturbance to internationally-designated conservation areas](#)

Existing Green Infrastructure will be protected against any adverse impact of development proposals. If loss of existing green infrastructure assets is unavoidable in order to accommodate necessary development, appropriate mitigation for the loss will be required. All residential [development](#) should be [designed to at least meet](#) Natural England 'Accessible Natural Greenspace Standards' (ANGSt) or otherwise appropriately contribute to improving access to natural greenspace [such that the overall aims are met](#).

*Note: The reference to (ANGST) standard is endorsed by Royal Haskoning who believe this responds to the objections raised by RSPB.*

### **Policy HW1 Provision of open space, outdoor playing space, sports, cultural and community facilities in new development**

Where new housing development generates a need for additional open space, outdoor playing space, local and strategic sports, cultural and community facilities, provision/contributions will be made in accordance with the standards set out in South Somerset District Council's published adopted assessments and needs strategies. [The need for additional open space may be required due to the proximity to sensitive \(internationally-designated\) conservation areas, so as to alleviate potential development-related pressure on those sites.](#)

Housing provision consisting of sheltered housing, rest and nursing homes, special needs housing will be exempt from these standards with exception of informal recreational open space.

Developments of one bedroom dwellings will not be required to provide equipped play provision and youth facilities but will be required to provide for other open space and outdoor playing space.

Dependent upon the size and layout of the development, the provision of open space, outdoor playing space, local and strategic sports, cultural and community facilities, may be required on site or may form part of contribution towards off site provision of either new or improved facilities. In such circumstances off-site provision towards local facilities should be made in a location, which adequately services the new development and a planning obligation may be used to secure this.

Provision should be made for future maintenance to ensure the continued availability of the facilities.

Green Corridors, Public Rights of Way, Civic Spaces, Cemeteries, Private Open Space and Community Allotments are other aspects of Green Infrastructure, which need to be given full consideration.

Open space is defined as informal recreational open space, formal parks and gardens, country parks, natural open space and woodlands.

Outdoor Playing Space is defined as playing pitches, equipped play areas and youth facilities.