

Chris Johnson
Secretary, East Harptree Environment Group

28th May 2020

Dear Sir or Madam,

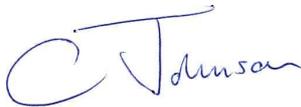
CONSULTATION ON THE BATH AND NORTH EAST SOMERSET LOCAL PLAN 2011 – 2029 PARTIAL UPDATE

East Harptree Environment Group is a constituted body set up to concentrate on projects that help conserve village and parish wildlife and raise interest and awareness and, ultimately, to create an East Harptree wildlife strategy and map that will help guide future initiatives.

The Steering Committee of the Environment Group hereby submits the attached comments (see attached) in response to the consultation on the Partial Update of the B&NES Local Plan.

We trust that you will consider our consultation response to the Local Plan Partial Update with care.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'C Johnson'.

C Johnson

Secretary

cc: **Councillor Sarah Warren**
Councillor David Wood

CORE AND DEVELOPMENT MANAGEMENT POLICIES	SUBJECT TO PARTIAL UPDATE	COMMENTS ON BEHALF OF EAST HARTREE ENVIRONMENT GROUP
POLICY CP5: Flood Risk Management	NO	We DISAGREE with the omission of Policies CP5 and SU1 from the Partial Review
POLICY SU1: Sustainable Drainage	NO	<p>REASON FOR INCLUSION IN THE PARTIAL UPDATE</p> <p>Policies CP5 and SU1 should be updated to reflect technological, market and operational developments, progress and knowledge since the Local Plan was adopted. They need to be scoped to include opportunities to implement emerging and future technical and nature- based solutions. These policies should also enable certainty of delivery and mechanisms for monitoring the effectiveness of such solutions.</p> <p><i>Inclusion of these policies in the partial Review will not compromise the spatial priorities of the Core Strategy & Placemaking Plan.</i></p>
POLICY CP6: Environmental Quality	YES	<p>We AGREE with updating the policy to reflect the Environment Bill, when published.</p> <p>Policy CP6 should also:</p> <ol style="list-style-type: none"> 1. Be updated to specifically incorporate a presumption in favour of development which safeguards and enhances natural assets and Green Infrastructure networks across the District; and 2. state explicitly that B&NES Council will proactively work with partners in the development of a new co-ordinated Ecological Networks Map (Nature Recovery Network) for the District that covers at least 30% of its terrestrial environment. <p>The Policy should also note an intention that the new network will be adopted and implemented throughout West of England and other adjacent authorities Development Plans and LEP Plans. In recognition of the reliance on the Development Management process for robust delivery, the Partial Review should consider early preparation of clear technical guidance for developers, their agents, and communities on required practice to safeguard and enhance ecological networks through the development process.</p>

POLICY D8: Lighting	NO	<p>We DISAGREE with the omission of policy D8 from the Partial Review.</p> <p>REASON FOR INCLUSION IN THE PARTIAL UPDATE</p> <p>Policy D8 is proposed to be considered via the new Local Plan. The intention to update the policy to ensure protection of bats in waterside development is welcomed, but the time lag before the new policy is adopted as part of the new Local Plan represents a significant delay before B&NES Council genuinely moves towards the objectives set out in its declaration of a Climate and Nature Emergency.</p> <p>Notwithstanding the above, artificial lighting can also act as a barrier to essential bat movement elsewhere in the District other than near watercourses. Policy D8 forms part of a suite of Policies D1 -D10 (inclusive) which are already out of date in their focus on aesthetic rather than sustainable design. Other approaches to development and new lighting technologies are already available to reduce impacts of new development on bats and local biodiversity. These include using landform, layout, density, building orientation, tree planting, massing and landscaping to increase resilience to increased temperatures, and avoid fragmentation of nature assets.</p> <p><i>Inclusion of this policy in the partial Review will not compromise the spatial priorities of the Core Strategy & Placemaking Plan.</i></p>
POLICY NE3: Sites, Species and Habitats	YES	<p>We AGREE with the reasons for updating these policies to respond to updated evidence.</p> <p>To properly address the Climate & Nature Emergency, the update of Policy NE4 should include:</p>
POLICY NE4: Ecosystem Services	YES	<ul style="list-style-type: none"> • an additional (3rd) requirement for the Design and Access Statement (or a standalone Ecosystem Services Statement) to explain and evidence the purpose of the proposed ecosystem measures, and specify how they will be secured and managed, and their effectiveness monitored.
POLICY NE5: Ecological Networks	YES	<p>To ensure coherent delivery of Plan Policies NE3, NE4 and CP7 in the parish of East Harptree, relevant Plans need to be reviewed and updated (see also comments on Policy CP7).</p> <ol style="list-style-type: none"> 1. include a requirement for all development to BOTH contribute to ecological networks AND protect existing non-designated habitats and species which contribute to local ecological and Green Infrastructure networks; and 2. exclude the presumption in favour of development '<i>where the importance of the development and its need for that particular location is sufficient to override the value of the species or habitat</i>' other than in exceptional circumstances. 'Exceptional circumstances' should be clearly evidenced and independently assessed, and appropriate compensatory habitat and management secured, before planning permission is determined.

POLICY NE6: Trees and Woodland Conservation	NO	<p>We DISAGREE with the omission of Policy NE6 from the Partial Review and with the reason given i.e. 'the policy remains relevant and fit for purpose'</p> <p>REASON FOR INCLUSION IN THE PARTIAL UPDATE</p> <p>Policy NE6 is out of date and needs to be revised and reframed to take account of:</p> <ol style="list-style-type: none"> 1. the Climate Change Committee May 2020 call for immediate steps to expand tree planting to help reducing greenhouse gas emissions and adaptation to climate change; and 2. the need to compensate for local losses to ash-die and loss of hedgerow trees. <p>Policy NE6, Clause 2 should, in addition, require a presumption against an adverse impact of development on existing trees and hedgerows that provide ecosystem services, and those contributing to the local Green Infrastructure network, unless satisfactory functional mitigation and enhancement is delivered with the proposed development; and</p> <p><i>Inclusion of this policy in the partial Review will not compromise the spatial priorities of the Core Strategy & Placemaking Plan.</i></p>
POLICY CP7: Green infrastructure	YES	<p>We AGREE with the reasons for updating these policies to respond to updated evidence.</p> <p>In addition to the proposed scope of the update, as set out in the consultation document, the following additions to Policy CP7 are required to secure delivery of coordinated Plan Strategy:</p> <ol style="list-style-type: none"> 1. the 2013 Green Infrastructure Strategy needs urgently to be revised and updated; and 2. the Policies Map needs to coordinate relevant features and habitats that provide ecological connectivity at countryside scale (these include the Ecological Networks Map, GI Network Plan and Strategic Infrastructure Corridor through Rural Areas Plan); and 3. in the parish of East Harptree, protected ancient woodlands (The Grove & Buckley Wood) form part of the Ecological network in the south of the parish and should be added to the Plans.
POLICY NE1: Development and Green Infrastructure	YES	<p>We AGREE with the reasons for updating these policies to respond to updated evidence.</p> <p>To properly address the Climate and Nature Emergency, Policy NE1 and supporting text should make explicit reference to how development should make a positive Green Infrastructure contribution, and how it will increase resilience to climate change and provide co-benefits to health and biodiversity.</p>
POLICY SR6 Water Street, East Harptree	YES	<p>We AGREE with the reasons for updating Policy SR6.</p> <p>PLEASE NOTE: There is concern in East Harptree that the capacity of this site is inadequate to accommodate the quantum of development proposed, without significant adverse impact on:</p> <ul style="list-style-type: none"> • protected species' habitat, shelter and foraging opportunities within and adjacent to the site; and • the functional connectivity of the site with ecological networks in the wider countryside. <p>Sensitive development is essential to maintain and protect these assets. There should be no dilution of the ecological safeguards embedded in the existing permission, which are informed by robust evidence of the site biodiversity value.</p>