

NORTH SOMERSET COUNCIL DECISION



DECISION OF: COUNCILLOR ANNEMIEKE WAITE. CABINET MEMBER FOR PLANNING AND ENVIRONMENT

ADVICE FROM: THE DIRECTOR OF ENVIRONMENT, ASSETS AND TRANSPORT SERVICES

DECISION NO: 25/26 EAT 61

SUBJECT: NORTH SOMERSET AND MENDIP BATS SAC SUPPLEMENTARY PLANNING DOCUMENT (SPD) - PERMISSION TO CONSULT

KEY DECISION: NO

REASON: The value of this decision is less than £500,000 and approval to consult will not have a significant effect on communities living in two or more wards.

BACKGROUND:

The purpose of the Supplementary Planning Document (SPD) is to guide those submitting planning applications by supplementing the policies and proposals relating to bats in the adopted North Somerset Local Plan, the Joint Replacement Structure Plan and the emerging North Somerset Replacement Local Plan.

It is expected that developers will follow the advice contained in the SPD, with information provided by them being taken into account in the determination of planning applications. Through the SPD developers will be encouraged to consider the potential of their development in making a contribution to the protection and mitigation of impact on the North Somerset population of Greater and Lesser Horseshoe bats.

The Current North Somerset and Mendip Bats Special Area of Conservation SPD was approved in 2018 based on the best available evidence and practice at that time. The document focuses on first avoiding or if not mitigating the impacts of development on the rare and internationally protected Lesser and Greater Horseshoe bats. Under the European Habitats Directive and Conservation of Habitats and Species Regulations 2017 (as amended), the UK Government and in turn local authorities are required to establish a network of important high-quality conservation sites that will make a significant contribution to conserving the habitats and species identified in the Annexes of the Directive, which include both Horseshoe species and which the Directive considers to be most in need of conservation at a European level. These two species have maternity roosts within North Somerset and in adjacent local authority areas and it is for this reason that these sites and the areas around them have been designated as Special Areas of Conservation (SAC).

To aid in identifying the level of survey requirements and mitigation measures there are Consultation Zones which radiate out from maternity roosts, and which reflect the likely importance of the habitat for and proximity to these known maternity and other roosts for Horseshoe bats. The mitigations required by the SPD and put forward by developers enable NSC to fulfil its legal duty to conduct Habitat Regulations Assessments to demonstrate, 'beyond

reasonable scientific doubt,' that there will be no negative impact on the SAC as a result of a development.

Main Changes to the SPD

The 2018 North Somerset and Mendip Bats Special Area of Conservation SPD has been reviewed and updated following a piece of research conducted for NSC by the University of the West of England. The main conclusion of the research was that North Somerset's protected populations of rare, protected, greater and lesser horseshoe bats are having to fly further to forage, and as a result the size of the consultation zones is proposed to increase to reflect this. This will place a greater emphasis, across a larger area of North Somerset, on both the survey effort and level of mitigation required to demonstrate that development will not impact on these species. New roosts which have been discovered since the previous SPD was published have been added to the consultation zone maps. The Habitat Evaluation Protocol tool which is used to determine the amount of mitigation land required, has also been updated. In recognition of the impact that lighting has on Horseshoe bats the updated SPD includes greater requirements for developers at earlier stages in the application process, in order to be able to complete HRAs in a timely fashion and reduce delays in accepting these documents by Natural England. The updated document will provide clarity for developers which will enable them to provide the required information as part of planning application submissions which will lead to their applications being reviewed more efficiently.

The document also introduces the North Somerset Nature Park (NSNP) initiative whereby applicants who cannot achieve their mitigation obligations fully onsite or on other suitable land they own, will be able to purchase equivalent hectares from NSC. These locations are chosen based on habitat and connectivity modelling, also produced by UWE.

To progress with the SPD to support Planning decisions we require Executive Member permission to consult on the draft SPD with the public. This will ensure that the public have the opportunity to share their views on the document, which we will duly consider and amend accordingly.

DECISION:

To take the Bat SPD to public consultation.

REASONS:

Supplementary Planning Documents (SPDs) contain guidance that expands on the policies within our development plan, showing how the council expects our planning policies to be addressed by planning applications, and how the policies will be implemented by the council when making decisions on planning applications.

In order to complete public consultation in time to have evidence of an agreed approach to Biodiversity and planning policy to present to Full Council in November 2025.

To ensure that the public and developers are given the opportunity to give their views on the Bat SPD.

OPTIONS CONSIDERED:

Not to update the existing Supplementary Planning Guidance. This option would mean that our guidance for development in North Somerset would not be based on the current scientific

evidence and best practice and the impacts of development on the population of Greater and Lesser Horseshoe bats would not be sufficiently mitigated for.

Without this updated document we will miss out on the opportunity to provide clarity for developers which would enable them to provide the required information up front as part of planning application submissions. As a result, this would mean that their applications were reviewed less efficiently.

FINANCIAL IMPLICATIONS:

None

Costs

The consultation will not accrue any additional expense.

Funding

The consultation will not require additional funding.

LEGAL POWERS AND IMPLICATIONS

The Council has an obligation to consult on the document prior to adoption. Timescales are set at 6 weeks corporately.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

Through updating the SPD the Council will be acting in line with its obligations to protect the special area of conservation and support the favourable conservation status of the population of Horseshoe bats.

CONSULTATION

Following production of the initial draft, this document has been reviewed by officers from Planning Policy. The chair of the CATE Committee was consulted on the need to bring the draft document to the Committee and determined that it could go directly to the Cabinet Member for Planning and Environment. As part of the development of the SPD two engagement events were held with developers/agents and wildlife organisations/groups and feedback from these was incorporated into the final draft. The SPD will be presented to the public for 6 weeks consultation and the final version will be taken to Full Council in November 2025 for approval.

Questions to the public have been formulated, to ensure we can extrapolate the best possible data, and they are open and fair and give the public the best opportunity to contribute. Likewise, we have ensured the public consultation period is in line with corporate timescales.

WARD MEMBER ENGAGEMENT

All members will be engaged when the final SPD is brought to Full Council.

PROCUREMENT

If this is a procurement over £5000 has the mandatory pre-procurement engagement form been sent to procurement? N/A

RISK MANAGEMENT

SPDs provide more detailed guidance for developers and allow the public to understand how development should be delivered. The Bat SPD will support the transparent delivery of

planning-related policy thereby reducing the risk to the Council of criticism from the public.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment? Yes

CORPORATE IMPLICATIONS

There are no immediate staffing implications from the Bat SPD.

APPENDICES

Draft Bat Supplementary Planning Document.

BACKGROUND PAPERS


SIGNATORIES:

DECISION MAKER(S):

Signed:  Cabinet Member for Planning and Environment

Date: 1 August 2025

WITH ADVICE FROM:

Signed:  Director of Environment, Assets and Transport Services

Date: 1 August 2025