

LAVERSTOCK AND FORD COMMUNITIES DRAFT NEIGHBOURHOOD PLAN HABITATS REGULATIONS ASSESSMENT (HRA)

1. Introduction

- 1.1. This Habitats Regulations Assessment (HRA) has been undertaken to inform a Regulation 14 consultation response from Wiltshire Council to the Laverstock and Ford Communities Draft Neighbourhood Plan, Pre-Submission Consultation Draft, hereafter referred to as the NP.
- 1.2. The HRA has been carried out to comply with Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019¹, hereafter referred to as the Habitats Regulations. Under these Regulations, a competent authority must consider whether a relevant plan is likely to have a significant effect on any European sites before deciding to give any consent, permission or other authorisation. If the screening exercise demonstrates significant effects are likely, whether or not these are addressed through mitigation measures², the competent authority must undertake an appropriate assessment (AA) to examine the effects of the plan on the conservation objectives of the European sites in question, consult the appropriate nature conservation body and have regard to its representations. Both the screening and any subsequent AA must consider the impacts of the plan alone and in combination with other plans or projects.
- 1.3. It is usually the case that a plan of this nature does not go into the detailed aspects of development proposals and therefore the full effects of potential development cannot be accurately assessed at the plan making stage. Those details will typically be identified through a planning application which would be subject to further, more detailed HRA. The principle that a HRA need only consider the effects of a proposal or policy in as much detail as is specified by the plan was explained by Advocate General Kokott in a judgement brought against the UK government in 2005:
*“Many details are regularly not settled until the time of the final permission. It would also hardly be proper to require a greater level of detail in preceding plans or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure.”*³
- 1.4. Where AA is undertaken, the competent authority may go on to authorise the plan provided that it will not adversely affect the integrity of any European sites. Where an **adverse effect on the integrity (AEol)** of any European sites cannot be ruled out, and where there are no alternative solutions, the plan can only be authorised and proceed if there are **imperative reasons of over-riding public interest (IROPI)** and if the necessary compensatory measures can be secured.
- 1.5. Wiltshire Council has conducted the following HRA as competent authority for the Laverstock and Ford Communities Draft NP. Where risks to European sites are identified, changes are recommended to remove or reduce the risks, and these should be incorporated into the plan before it is made. Likewise, if

¹ On 1st January 2021 the Conservation of Habitats and Species Regulations 2017 were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Most of these changes involved transferring functions from the European Commission to the appropriate authorities in England and Wales. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant. The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change [Changes to the Habitats Regulations 2017 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/changes-to-the-habitats-regulations-2017)

² Court of Justice of the European Union, Case C 323/17 “People Over Wind”/P. Sweetman v Coillte Teoranta

³ Commission of the European Communities v UK and NI, opinion of Advocate General KoKott, 9 June 2005, Case C-6/04

the policies or planning context change after the HRA is completed, the HRA process must be repeated before the final plan is considered by a referendum and adopted.

2. Screening Methodology

- 2.1. Each element of the plan has been categorised against screening criteria developed by Natural England (NE) to provide a clear audit trail for the screening assessment.
- 2.2. The screening criteria used are as follows:
 - Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
 - Category A2: The policy is intended to protect the natural environment.
 - Category A3: The policy is intended to conserve or enhance the natural, built or historic environment.
 - Category A4: The policy would positively steer development away from European sites and associated sensitive areas.
 - Category A5: The policy would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European sites and associated sensitive areas.
 - Category B: No significant effect.
 - Category C: Likely significant effect alone; and
 - Category D: Likely significant effects in combination.
- 2.3. The effect of each policy has been considered both individually and in combination with other plans and projects (see Table 1 below). Where potential for likely significant effects have been identified, an appropriate assessment has been undertaken in subsequent sections.

3. Higher Level HRAs

Wiltshire Core Strategy

- 3.1 The Wiltshire Core Strategy HRA (October 2009, February 2012⁴, March 2013⁵, February 2014⁶ and April 2014⁷) and the South Wiltshire Core Strategy HRA⁸ identified general parameters to determine the likelihood of potential impacts on Natura 2000 sites (now known as the national site network⁹). The following potential impact pathways and associated parameters were identified and assessed for the European sites stipulated below.
 - *Recreation – European sites within 5km of the plan area, or where the New Forest SPA/SAC is within 8km of the plan area or where Salisbury Plain SPA/SAC is within 15km of the plan area (it should be noted that the relevant parameter for the latter has since been revised on the basis of data obtained by means of visitor surveys and is now 6.4km):*
 - Salisbury Plain SAC / SPA

⁴ Wiltshire Core Strategy Submission Draft – Assessment under the Habitats Regulations, Wiltshire Council, February 2012

⁵ Wiltshire Core Strategy – Assessment under the Habitats Regulations, Wiltshire Council, March 2013

⁶ Update to the Wiltshire Core Strategy habitats Regulations Assessment, February 2014 (Exam/89)

⁷ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

⁸ South Wiltshire Proposed Submission Core Strategy HRA Report, Appendix 13. NPA for Wiltshire Council, July 2009

⁹ On 1st January 2021 the Conservation of Habitats and Species Regulations 2017 (as amended) were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

- River Avon SAC
- New Forest SAC / SPA
- Bath and Bradford on Avon Bats SAC (added post adoption of Wiltshire Core Strategy)
- *Hydrology / Hydrogeology – European sites that fall wholly or partly within the Wessex Water Resource Zone may be susceptible to impact:*
 - Salisbury Plain SAC / SPA
 - Bath and Bradford on Avon Bats SAC
 - Pewsey Downs SAC
 - North Meadow and Clattinger Farm SAC
 - River Avon SAC
 - River Lambourn SAC
 - Kennet & Lambourn Floodplain SAC
- *Air Pollution / Nitrogen Deposition – European sites within 200m of a main road*
 - Porton Down SPA
 - Salisbury Plain SAC / SPA
 - Southampton Water SPA
 - North Meadow and Clattinger Farm SAC
 - River Avon SAC
 - Rodborough Common SAC
 - Cotswolds Beechwoods SAC
- *Physical Damage / Interruption of Flight Lines / Disturbance*
 - Bath and Bradford on Avon Bats SAC
 - Porton Down SPA
 - Chilmark Quarries SAC (added post adoption of Wiltshire Core Strategy)
 - Mottisfont Bats SAC (added post adoption of Wiltshire Core Strategy)

Wiltshire Housing Site Allocations Plan

- 3.2 Since the Core Strategy was adopted, the Council published a pre-submission draft of the Wiltshire Housing Site Allocations Plan (WHSAP) together with a HRA dated 21 June 2017. A schedule of proposed changes was considered by Cabinet supported by an Addendum to the HRA dated May 2018. A schedule of changes and an Addendum to the HRA incorporating minor factual changes were published in September 2018 for public consultation. Subsequently, the WHSAP (Council Version, February 2020) was adopted by Full Council on 25th February 2020 and this was accompanied by the final WHSAP Assessment under the Habitats Regulations (Wiltshire Council, February 2020).
- 3.3 The screening criteria for the adopted WHSAP and final HRA were modified for some European sites from those used for the Core Strategy subsequent to the acquisition of results from new surveys, and in light of advice from Natural England. This includes the potential zone of influence parameter around the

Salisbury Plain SPA used to screen for likely significant effects as a result of recreational pressure being revised from 15km to 6.4km on the basis of data obtained by means of visitor surveys.

- 3.4 Furthermore, since the Core Strategy was adopted, Natural England has advised Wiltshire Council of its concerns regarding the growing number of visitors to the North Meadow and Clattinger Farm SAC in recent years which has led to an increase in trampling. NE has advised that this is particularly evident at North Meadow (which is also a National Nature Reserve (NNR)) during April and May when visitors come to see the Snake's-head fritillaries in flower. NE considers that the increase in recreational pressure upon the SAC is primarily as a result of increases in the local population, and that major new housing developments within a short travel distance of North Meadow are likely to add to the existing visitor pressure and trampling effects.
- 3.5 Impacts of development in Wiltshire on the New Forest SPA were considered in the HRA for the South Wiltshire Core Strategy (SWCS) adopted in 2012¹⁰. The assessment used data from the Tourism South East PROGRESS survey for 2004/05 and census data from 2001 for the former Salisbury District to examine patterns of visitors to the New Forest from across south Wiltshire. That HRA concluded that the development in south Wiltshire would increase visitor pressure by less than 1% and 89% of this would be through additional local day visits from within 8 km of the National Park. Wiltshire Core Strategy (WCS) addressed the New Forest's mitigation requirements through Core Policy 50, identifying that a New Forest Mitigation Strategy would be prepared to address recreational impacts. Since the Core Strategy was adopted, the council has joined a partnership of local authorities seeking to develop a strategic approach to address the impacts of recreational pressure on the New Forest SPA. A Government grant through the Planning Delivery Fund enabled visitor surveys to be conducted across the New Forest in 2018/19. This work was recently published, and the Council is now part of a steering group working to agree a common approach to mitigation including the extent of the zone of influence and how to fairly reflect different visit rates within it. This evidence is informing the preparation of an Interim Recreation Mitigation Strategy and will be further revised to support the Local Plan Review (LPR).
- 3.6 Since the Core Strategy was adopted and on the advice of NE, any plan or project that will lead to development within the catchment of the River Avon SAC must be phosphorous neutral and be subject to appropriate assessment which concludes no adverse effect on the SAC alone or in-combination with other plans or projects in order to be authorised.

Emerging Evidence and Advice from Natural England Subsequent to Adoption of WHSAP

- 3.7 Similarly, it came to light in spring 2020 that any plan or project that will lead to development within the catchment of the River Test must be nitrogen neutral as the Test drains into the Solent and this region is protected by a number of European and international designations including the Solent Maritime SAC, Chichester and Langstone Harbours SPA, Portsmouth Harbour SPA and Solent and Southampton Water SPA and Ramsar site. In 2018 and 2019 NE undertook a number of condition assessments of the features of these designated sites around the Solent. These assessments identified that high levels of nitrogen and phosphorus are entering this water environment and that there is sound evidence that nitrogen in particular is causing eutrophication at the aforementioned designated sites and that the resulting excessive growth of green algae and plants, which reduces oxygen and light levels, is leading to negative effects on the special features for which the European sites are designated. These nutrient inputs currently mostly come either from agricultural sources or from wastewater from existing housing and other development. These findings were published by NE in June 2020 in *Advice on Achieving Nutrient Neutrality for New Development in the Solent Region*. This advice also stipulates that:

¹⁰ South Wiltshire Proposed Submission Core Strategy HRA Report, Appendix 13. NPA for Wiltshire Council, July 2009

“There is uncertainty as to whether new growth will further deteriorate designated sites. This issue has been subject to detailed work commissioned by local planning authorities (LPAs) in association with Natural England, Environment Agency and water companies. This strategic work, which updates early studies, is on-going. Until this work is complete, the uncertainty remains and the potential for future housing developments across the Solent region to exacerbate these impacts creates a risk to their potential future conservation status.

One way to address this uncertainty is for new development to achieve nutrient neutrality. Nutrient neutrality is a means of ensuring that development does not add to existing nutrient burdens and this provides certainty that the whole of the scheme is deliverable in line with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

This report sets out a practical methodology to calculating how nutrient neutrality can be achieved. This methodology is based on best available scientific knowledge, and will be subject to revision as further evidence is obtained. It is our advice to local planning authorities to take a precautionary approach in line with existing legislation and case-law when addressing uncertainty and calculating nutrient budgets.”

- 3.8 In accordance with NE’s advice, any plan or project which will lead to development within the catchment of the River Test cannot be approved unless nitrogen neutrality has been demonstrated via quantitative means, and an AA conducted by the competent authority has concluded beyond reasonable scientific doubt that there would be no adverse effects on the integrity of any of the Solent region European sites.

Screening of Laverstock and Ford Communities NP Area

- 3.9 The following screening assessment of the Laverstock and Ford Communities NP area applies the most up to date criteria available from the HRA of the WHSAP and advice from NE.

Recreation

- 3.10 In terms of potential for recreational/visitor impacts upon European sites, several European sites in the area are vulnerable to such pressures. The NP area either lies beyond the current geographical limits for recreational impacts as established through planning liaison with NE for these European sites, or the NP would not give rise to a mechanism for significant effects as detailed below.
- 3.11 The current Zone of Influence (ZoI) for the New Forest SPA comprises the 8km radius around the SPA within which the majority of day visitors to the New Forest originate^[1]. Dwellings falling within this zone are considered to contribute the majority of visitors to the New Forest and contributions are taken from the Community Infrastructure Levy towards mitigation projects which reduce their impacts. However, local authorities around the New Forest are currently considering the implications of recent visitor surveys and it is expected the ZoI will increase to potentially include Laverstock and Ford NP. This matter will therefore need to be kept under review as the NP goes forward to Regulation 16 but for the time being the NP can be screened out of AA.
- 3.12 Recreational pressure on the River Avon SAC is recognised to occur predominately in circumstances where significant development lies in close proximity to the SAC. The River Avon SAC flows through the NP area, and any policies that promote major housing or tourism in the plan area could result in additional recreational pressure on the SAC and as such the NP has been screened on this basis.
- 3.13 In relation to Salisbury Plain, the SAC habitat features were screened out of appropriate assessment for the Core Strategy on the advice of Natural England. Recreational/visitor pressure is a known issue for the Salisbury Plain SPA; however, the NP area lies beyond the 6.4km zone around the SPA within which the majority (75%) of visitors to the Plain are expected to live. This is based on the data collated by means of

^[1] Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

a visitor survey commissioned by the Council in 2015. Moreover, the NP does not allocate any sites for development. Therefore, AA of the NP is screened out with respect of the Salisbury Plain SPA.

- 3.14 In respect of the Bath and Bradford on Avon Bats SAC, the NP area lies more than 40km from the closest component area of the SAC, and also lies well beyond any bat consultation zones around the SAC or core roosts associated with the SAC. Thus, appropriate assessment with respect of this European site can be screened out.

Hydrology / Hydrogeology

- 3.15 In terms of hydrology/hydrogeology, the entire NP area lies within the catchment of the River Avon SAC. Consequently, any proposals for development within the NP area will need to be phosphate neutral and demonstrate that it will not prevent the SAC conservation objectives from being met within timescales identified in the River Avon Nutrient Management Plan (NMP). The Council is working with the Environment Agency and Natural England to ensure appropriate mitigation is in place for development coming forward under the Core Strategy and Local Plan Review. The NP does not allocate any sites for development, however, any policies within the NP which support development could in effect lead to development within the catchment of the River Avon SAC thereby giving rise to a pathway for likely significant effects on the SAC. The associated implications in relation to this NP are considered further in the Stage 1 assessment in Section 4 and the appropriate assessment in Section 5.

Air Pollution / Nitrogen Deposition

- 3.16 The Wiltshire Core Strategy identified that increased traffic would lead to potential effects through an increase in atmospheric pollution and nitrogen deposition upon a range of European sites within 200m of a main road. Such effects were considered to be very small and difficult to predict at the strategic level¹¹ (WCS HRA Update February 2014). In relation to these sites the Wiltshire Core Strategy HRA concluded no likely significant effect where the existing approach to mitigation in Core Policy 55 is implemented.
- 3.17 There are no housing site allocations or proposals for new roads put forward in the Laverstock and Ford Communities NP and most of the European sites listed under point 3.1 above are deemed to be beyond the distance within which there could be effects. The only exception is the River Avon SAC which runs through the NP area and this is considered further in the Stage 1 assessment in Section 4, and the appropriate assessment in Section 5.

Physical Damage / Interruption of Flight Lines / Disturbance

- 3.18 Porton Down SPA is located approximately 2.12km northeast of the NP area its closest point. It is considered that the plan area is sufficiently distant from the SPA and known functionally linked habitat, for any development within the plan area to cause direct physical damage to, or fragmentation of, breeding and foraging habitat for the Annex I species stone-curlew. It is also considered too remote for development within the plan area to result in anthropogenic disturbance or visual stimuli that could have an adverse effect on stone-curlew breeding at Porton Down. Moreover, the NP does not allocate any sites for development and as such AA in respect of this European site is not necessary.
- 3.19 Salisbury Plain SPA is located approximately 8.48km north of the NP area at its closest point and is therefore deemed too distant for any development within the plan area to have implications for the Annex 1 species stone-curlew and quail that breed at the SPA, or to have effects on the Annex 1 species hen harrier, that winters at the SPA. Furthermore, the NP does not allocate any sites for development. Therefore, AA in relation to this European site is not necessary.
- 3.20 The NP area is sufficiently distant from the Bath and Bradford on Avon Bats SAC, Chilmark Quarries SAC and Mottisfont Bats SAC that it is deemed the potential for likely significant effects upon these European

¹¹ Update to the Wiltshire Core Strategy habitats Regulations Assessment, February 2014 (Exam/89)

sites and the Annex II bat species associated within them can be screened out, and further assessment will not be required.

4. Screening of Policies in Pre-Submission Consultation Draft of Laverstock and Ford Communities NP

- 4.1 The Laverstock and Ford Communities NP comprises six planning policies.
- 4.2 Taking into consideration the location, scale and nature of proposals in the NP, there is a potential mechanism for effect upon one European site, namely the River Avon SAC, on account of three policies. These comprise Policies 1, 5 and 6 which have the potential to give rise to significant effects upon the aforementioned SAC in combination with other plans and projects and are therefore taken forward to appropriate assessment in Section 5. All parts of the Pre-Submission Consultation Draft of the NP have been screened for potential impacts which may arise from the plan alone or in combination with other plans and projects.
- 4.3 Other policies would either not lead directly to development or would have no significant effects either alone or in combination with other plans and projects due to the scale and nature of the proposals in the plan.

TABLE 1: Habitats Regulations Assessment Screening of the Laverstock and Ford Communities NP

A / B (Green) – Screened out

C / D (Red) – Screened in

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
<p>Policy 1: Protect the distinctive settlement pattern of the parish</p>	<p>This policy sets out specific settlement policies which are summarised below.</p> <ol style="list-style-type: none"> 1) Old Sarum and Longhedge Villages Maintain the existing Green Space Buffer separating these settlements from the northern edge of the main Salisbury Settlement Boundary. In this Green Space Buffer, new buildings should not be constructed which, individually or cumulatively, would lead to the coalescence of Old Sarum and Longhedge villages with Salisbury city ‘proper’. 2) Laverstock Development to be limited to infill only (maximum of 2 dwellings). For the purposes of this policy the term ‘infill’ is taken to mean the filling of a small gap within the village in an otherwise built-up frontage. 3) Ford <ol style="list-style-type: none"> a) The village should remain a discrete settlement: <ul style="list-style-type: none"> - separated from the current Salisbury Settlement Boundary to the south by the existing Green Space Buffer. No new development should take place in this Green Space Buffer - separated from the current Salisbury Settlement Boundary to the north (Old Sarum and Longhedge) by the Old Sarum Airfield Conservation Area. This is covered by current Core Policy 25 and in point 4 below b) Development should not extend the village and should be limited to infill only (maximum of 2 dwellings as detailed for Laverstock). 4) Bishopdown Farm/Hampton Park/Riverdown Park Situated within the Salisbury Settlement Boundary, this community is part of the Principal Settlement of Salisbury. In accordance with Core Policy 2 of Wiltshire Council’s Core Strategy, there is a presumption in favour of sustainable development within and adjacent to the 	<p>D for River Avon SAC</p>	<p>Refer to detail in the appropriate assessment presented in Section 5.</p>

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
	<p>Settlement Boundary. However, Castle Hill Country Park is adjacent to but outside the Salisbury Settlement Boundary around the undeveloped outer perimeter of this community. Consequently, in accordance with Core Policy 2 development beyond the Country Park would not be permitted, other than in the (exceptional) circumstances as permitted by other policies within the Core Strategy.</p> <p>5) Old Sarum Airfield</p> <p>An approved Management Plan for the Conservation Area should be in place before consideration is given to any future development within the Area which is covered currently by Core Policy 25. Development should only be carried out in the Conservation Area if it:</p> <ul style="list-style-type: none"> a) provides a long-term strategy to enhance the historic setting of the Airfield Conservation Area b) does not cause flying activity to cease and provides a legal agreement for reasonable controls over flying activity c) provides public access and benefits to the residents of the communities d) delivers a high-quality strategic landscape improvement to mitigate the visual impact of existing intrusive buildings when viewed from within the Conservation Area, from the Scheduled Monuments at Old Sarum and Figsbury Ring, and from other key viewpoints contained in our Landscape Sensitivity Assessment e) maintains a Green Space Buffer to the north and west of the existing village of Ford. <p>Any future development in the Airfield Conservation Area should be cognizant of the policy for Ford remaining as a discrete settlement.</p> <p>The policy does not allocate sites for development, however, it does support infill development in the plan area and as such there is a mechanism for a likely significant effect upon the River Avon SAC in combination with other plans and projects as the whole plan area lies within the catchment of the River Avon SAC. On this basis the policy is taken forward to appropriate assessment.</p>		

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
	<p>Furthermore, any planning applications for infill development within the plan area will need to be considered at the planning application stage to ensure compliance with other Development Plan policies including Core Policy 50 (Biodiversity and Geodiversity) and Core Policy 69 (Protection of the River Avon SAC) of the Wiltshire Core Strategy (WCS)(Adopted January 2015), and the National Planning Policy Framework (NPPF).</p>		
<p>Policy 2: Protect and nurture the distinctive landscape character and wildlife habitats</p>	<p>This policy specifies in summary:</p> <ol style="list-style-type: none"> 1) Development should maintain and wherever possible enhance the visual character of the landscape 2) There should be a presumption against development on land classified as High or Medium/High in the Landscape Impact Sensitivity Assessment, including (but not restricted to) land adjacent to Cockey Down SSSI 3) Any proposed development of more than two dwellings should be accompanied by a visual impact assessment 4) Any development should provide an overall improvement to wildlife habitats. To this end, development should: <ol style="list-style-type: none"> a) be supported by an ecological assessment of the proposed development demonstrating net gain b) avoid any disruption to the green corridors within the Parish c) replace any loss in hedgerows and woodland with at least the equivalent area planted with native species in an equivalent location 5) The Parish Council will seek to increase the number of community/charity owned or controlled green spaces, with particular focus on those which: <ol style="list-style-type: none"> a) form part of the water meadows along the River Bourne b) maintain green corridors through the Parish c) are particularly valuable as wildlife habitats d) are particularly important landscape views e) can also support the aims of Policy 4 6) This Neighbourhood Plan designates the following areas as Local Green Spaces: <ol style="list-style-type: none"> a) Castle Hill Country Park b) Old Sarum Community Green Spaces (3 areas) c) Hampton Park Green 	<p>A1 / A2</p>	

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
	<p>d) Longhedge Village Community Green Space e) Ford Green on Manor Farm Road 7) The Parish Council welcomes the inclusion of a multifunctional “Local Green Blue Infrastructure Network in Wiltshire Council’s proposed Emerging Spatial. The Council will work with Wiltshire Council, local landowners and other agencies to strengthen this network in the Parish.</p> <p>This policy aims to protect and enhance the natural environment and will not give rise to likely significant effects upon any European sites.</p>		
<p>Policy 3: The design of future housing development - whether in the form of a single dwelling or larger scale - must aim to improve the quality of the built environment of the Parish, help to address the climate emergency and maintain or enhance its semi-rural character</p>	<p>This policy requires that any development proposal should follow the general principles set out in the National Design Guide 2019, the requirements of the Wiltshire Core Strategy/Local Plan and the further specific detail set out in the Laverstock and Ford Parish Design Guide 2020.</p> <p>It goes on to specify that for any substantive housing development proposal, consultation should take place with the community prior to submission for planning approval, with the Parish Council as a primary point of contact.</p> <p>The policy specifies that the design of new housing development has the potential to deliver significant long term improvements to residents’ health and wellbeing in a variety of ways and highlights the opportunity to move towards the use of “clean” energy.</p> <p>The policy stipulates that any proposal for significant housing development should include:</p> <ul style="list-style-type: none"> • a specific assessment of its impact on air quality, including the effect of local traffic generated by the development • proposed measures to facilitate household use of “clean” energy • a layout and infrastructure which would give residents easy, safe access to local pedestrian/cycle networks and to public transport, in order to help reduce vehicle usage. 	<p>A1 / A3</p>	

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
	<p>This policy itself will not lead directly to development and instead sets out criteria to improve the quality of the built environment. As such, the policy will not result in a likely significant effect upon any European sites.</p>		
<p>Policy 4: Seek to develop a comprehensive, attractive network of footpaths and cycleways within the Parish</p>	<p>This policy states that the Parish Council has been successfully promoting improvements to the local network of footpaths and cycleways for many years, and it lists the positive outcomes of further development of this network.</p> <p>The policy stipulates that priority should be given to:</p> <ul style="list-style-type: none"> • improving access from Old Sarum and Longhedge villages and Bishopdown Farm/Hampton Park /Riverdown Park to: <ul style="list-style-type: none"> - the city centre - the green spaces of the parish - Laverstock schools site • improving access between Old Sarum Country Park and Longhedge Community Open Space, and to give safe pedestrian and cycle access to Monarch’s Way • improving the cycle lanes on Church Road to overcome the problem of parked cars, preferably by the provision of an off road route • identifying and implementing a safe route for that part of the proposed Salisbury to Stonehenge cycle route which lies within the parish. <p>The policy goes on to specify that the Parish Council will support initiatives to establish and extend public access to (and along) the local Green Blue Infrastructure Network and will work with Wiltshire Council, landowners and other agencies to this end. In making decisions on routes, high priority should be given, wherever practicable, to minimising proximity to roads where air quality is poor. Complementary to schemes undertaken by the Parish and Wiltshire Council, the granting of planning permission for any site in excess of 50 dwellings should be contingent on implementing agreed schemes to improve access to green spaces.</p> <p>The policy will not result in a likely significant effect upon any European sites. Details of any development that comes forward within the plan area</p>	<p>B</p>	

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
	<p>will need to be considered at the planning application stage to ensure acceptability with respect of other Development Plan policies including Core Policies 50 (Biodiversity and Geodiversity), 51 (Landscape), 52 (Green Infrastructure) and 69 (Protection of the River Avon SAC) of the WCS and the NPPF.</p>		
<p>Policy 5: Seek improvements to infrastructure and amenities appropriate to the scale of specific future housing development</p>	<p>This policy specifies that any new development should be required to provide the appropriate supporting infrastructure and amenities prior to, or in phases during, the new development, and not following completion. It states that any proposed development adjacent to or dependent on the following roads should be contingent on providing agreed improvements to the local highways network aimed at increasing pedestrian safety and reducing traffic speed, noise and pollution:</p> <ul style="list-style-type: none"> • The Portway, Old Sarum • Ford Road/Roman Road, Ford • Church Road, Laverstock • Milford Mill Road, Milford. <p>The Parish Council will direct any Community Infrastructure Levy (CIL) Funds to whatever local infrastructure is appropriate at the time.</p> <p>The HRA of the WCS identified that increased traffic could lead to potential effects through an increase in atmospheric pollution and nitrogen deposition upon the River Avon SAC where it lies within 200m of a main road.</p> <p>This policy requires that any new development provides supporting infrastructure and goes on to specify that new development adjacent to the roads listed in the policy will require agreed road improvements. This includes Church Road in Laverstock and Milford Mill Road in Milford, both of which lie in close proximity to the River Avon SAC which flows through the NP area.</p> <p>Whilst the policy does not allocate sites for development, it does require new development to provide supporting infrastructure. It also requires that any new development adjacent to the roads listed in the policy are improved and as aforementioned, this includes roads in close proximity to</p>	<p>D for River Avon SAC</p>	<p>Refer to detail in the appropriate assessment presented in Section 5.</p>

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
	<p>the River Avon SAC. New development that necessitates the provision of new infrastructure within 200m of the River Avon SAC and/or new development adjacent to main roads within 200m of the River Avon SAC could result in additional traffic using roads within the aforementioned distance of the SAC, which in turn could give rise to a likely significant effect on the SAC in-combination with other plans and projects through an increase in atmospheric pollution and nitrogen deposition.</p> <p>The WCS HRA concluded no likely significant effect on the River Avon SAC as a result of an increase in atmospheric pollution and nitrogen deposition providing the existing approach to mitigation detailed in Core Policy 55 of the WCS is implemented. Nonetheless, mitigation cannot be considered at the screening stage of HRA, plus any forthcoming development not allocated in the WCS or WHSAP would be above and beyond that assessed in the associated HRAs; and as such this policy must be taken forward to AA.</p>		
<p>Policy 6: Support general infrastructure improvements for the benefit of all communities, businesses and other organisations in the Parish</p>	<p>This policy states that the Parish Council will work with Wiltshire Council and other agencies to secure improvements to local infrastructure, facilities and amenities for the benefit of Parish residents and businesses, including:</p> <ul style="list-style-type: none"> • local road system improvement • full fibre broadband connectivity • improvements to bus services (e.g. additional/extended routes, increased frequency of services). <p>This policy supports improvements to the road system within the NP area, and if such works, or any other works promoted by the policy, were to take place within close proximity to the River Avon SAC this could give rise to a likely significant effect on the SAC as a result of impacts such as pollution of the watercourse and/or disturbance/damage to the banks of the river.</p> <p>Any planning applications for development within the plan area will need to be considered at the planning application stage to ensure compliance with other Development Plan policies including Core Policy 50</p>	<p>D for River Avon SAC</p>	<p>Refer to detail in the appropriate assessment presented in Section 5.</p>

Policy	Policy Summary and Assessment under Habitats Regulations	Screening Category	Comments and Recommendations
	(Biodiversity and Geodiversity) and Core Policy 69 (Protection of the River Avon SAC) of the WCS and the NPPF.		

5. Appropriate Assessment – River Avon SAC

Background to the River Avon SAC

- 5.1 The qualifying features of the River Avon Special Area of Conservation are the river habitat, categorised as a water course of plain to montane levels containing *Ranunculus* vegetation; Desmoulin's whorl snail which occurs on emergent vegetation in the floodplain, and; four species of fish, Atlantic salmon, sea lamprey, brook lamprey and bullhead. The conservation objectives are available at <http://publications.naturalengland.org.uk/publication/6048472272732160>, the current version (V3) is dated 27 November 2018.
- 5.2 In brief these require that the integrity of the site is maintained or restored as appropriate and that the site contributes to achieving the favourable conservation status of its qualifying features. Supplementary Advice on conserving and restoring site features was published by Natural England on 11 March 2019¹² (available through the weblink above). This discusses the need to restore the natural nutrient regime, by limiting anthropogenic enrichment to levels at which adverse effects on characteristic biodiversity are unlikely. In relation to planning, the main concern is the contribution that development makes to river phosphorus levels through inputs from sewage treatment works and package treatment plants. To this effect, specific targets have been identified for phosphorus for the individual waterbodies which make up the SAC.
- 5.3 Development may also affect the river directly, if works are undertaken on the banks or within the river channel and indirectly through non sewage related pollution, such as runoff during construction operations. These matters are generally site specific and for applications of the scale being considered by this plan are best considered during the planning application process.

Plans and projects to be considered in combination

- 5.4 The HRA for the Wiltshire Core Strategy considered the in-combination effect of all development proposed in the River Avon catchment, relying on the River Avon Nutrient Management Plan (NMP)¹³ to demonstrate there would be no adverse effect on the SAC.
- 5.5 The principle behind the NMP was that planned increases in development related sewage would be more than offset by the reductions in agricultural phosphate being secured by catchment sensitive farming. For the Core Strategy 2015-2026 this enabled the Council to conclude that, provided development was within the headroom of individual sewage treatment works, there would be no likely significant effects of housing allocations proposed within the River Avon catchment.
- 5.6 In March 2018, the Environment Agency and Natural England advised the Council that catchment sensitive farming targets were not being achieved and therefore the NMP could not be relied on for appropriate assessments, even for development within headroom. From that time onwards, all new development in the catchment would need to be "phosphate neutral" if it was to comply with the Habitats Regulations.
- 5.7 Subsequently Wiltshire Council and other Local Authorities in the Avon catchment have entered into a Memorandum of Understanding (MoU) with Natural England, Wessex Water and the Environment

¹² Supplementary Advice on Conserving and Restoring Site Features: River Avon Special Area of Conservation (SAC). Site Code UK0013016 Published by Natural England 11 March 2019

¹³ River Avon Special Area of Conservation Nutrient Management Plan for Phosphorus (David Tyldesley Associates, 30 April 2015)

Agency¹⁴ agreeing to deploy a range of measures to ensure that development between March 2018 and March 2025 will be phosphate neutral. The MoU commits the parties to preparing an Interim Delivery Plan (IDP)¹⁵ in order to secure a trajectory of phosphorous reductions in line with the spatial and temporal pattern of development. The IDP focusses mainly on residential development down to single dwellings, as these combine to have the greatest negative effects across the catchment but the full implications for employment growth will be considered when the IDP is reviewed later in 2021. In addition to residential and non-residential growth, the IDP considers the growth of unsewered development and takes account of land use change from agriculture to urban in order to arrive at a projection for net phosphorous increases up to 2025/26.

- 5.8 In Wiltshire, the Cabinet resolved on 5th January 2021 to adopt a strategic approach to secure in perpetuity measures to ensure development is phosphate neutral in the River Avon SAC catchment. It confirmed the strategic approach would include monitoring and annual reporting to ensure offsetting keeps pace with permissions granted and agreed to ring-fence an initial fund of £850,000 from the Community Infrastructure Levy (CIL) to fund the necessary offsetting measures and a project officer to oversee their delivery.
- 5.9 The strategic approach, which has been considered through a generic appropriate assessment and agreed with Natural England, comprises the following:
- Offsetting is initially taking the form of Small Schemes which mainly comprise new wetlands and woodlands located in the headwaters of the River Avon sub-catchments. These are secured through contracts with landowners following an online auction.
 - ‘Small Schemes’ are secured by 25 year contracts which allow for them to be extended or replaced to provide offsetting in perpetuity.
 - Temporary Measures, such as cover crops or capital works, are used to bridge any gaps where there is a delay to implementing Small Schemes and may be used at other times as a contingency.
 - A 20% buffer is incorporated into phosphorous projections to account for uncertainties inherent in the approach to determining whether development is phosphorous neutral.
 - Large ‘Habitat Creation Schemes’ will be delivered in the headwaters of some or all of the River Avon headwaters within the next 3-10 years to provide in-perpetuity offsetting for permissions granted between March 2018 and March 2026. Contracts for Small Schemes will not be continued in any given sub-catchment where a Large Habitat Creation Scheme is in place.
 - Ongoing consultation will be undertaken with partners including Natural England and the Environment Agency through the River Avon SAC Working Group which meets at least once a year to review contracts and delivery on the ground against the most up to date housing trajectories.

¹⁴ Memorandum of Understanding, River Avon Special Area of Conservation, Phosphate Neutral Development – Interim Mitigation, 29 May 2018

¹⁵ River Avon SAC – Phosphate Neutral Development Interim Delivery Plan, Wood Environment and Infrastructure Solutions UK Limited, January 2019

Analysis of policies in the NP screened into appropriate assessment

Policy 1

- 5.10 The Laverstock and Ford Communities NP does not allocate any sites for development, and Policy 1 would not itself lead to development, however, the policy supports minor infill development. The entire NP area lies within the catchment of the River Avon SAC and whilst the total quantum of housing that could come forward as supported by the policy would be small and most unlikely to lead to significant effects on the River Avon SAC alone, the Habitats Regulations requires competent authorities to consider the in-combination effects of plans and projects.
- 5.11 At the current time, the generic appropriate assessment agreed by Natural England, anticipates housing development coming forward in the catchment of the River Avon SAC up to March 2026 which includes permissions already granted, planned development and a proportion of windfall. This is matched by a programme for delivery of offsetting measures in the catchment which will meet the trajectory of anticipated occupations. It can be assumed therefore, that the modest number of dwellings that could come forward as supported by Policy 1 in the NP would fall within the scope of the Council's generic appropriate assessment and would be offset by the Council's strategic approach.
- 5.12 At this stage it is not known how any infill developments that could come forward as supported by Policy 1 would dispose of foul waste, most likely via mains sewer to a sewage treatment works. Nonetheless, for information, Natural England has advised it intends to issue guidance on when non-mains development can be excluded from appropriate assessment. A review of the IDP is due to be undertaken in 2021 and this will consider Natural England's advice and the circumstances when discharge to non-mains systems may be considered to be *de-minimus*; i.e. lead to impacts which are so minimal that they can be excluded from appropriate assessment and not require mitigation.
- 5.13 Under the MoU, all residential development in the catchment must be built to the highest water efficiency standards provided for by the building regulations which are currently a maximum water use of 110 litres per person per day (G2 of the Building Regulations 2010). This requirement would be secured by means of a planning condition at the planning application stage, subject to the outcome of the review of the IDP.
- 5.14 The IDP review will also consider the extent to which phosphorous in urban runoff should be controlled through SuDs design and on site offsetting measures. Provision for these will be the responsibility of developers.

Policy 5

- 5.15 As discussed earlier in this HRA, the HRA of the WCS identified that increased traffic could lead to potential effects upon the River Avon SAC where it lies within 200m of a main road through an increase in atmospheric pollution and nitrogen deposition upon the SAC.
- 5.16 Policy 5 specifies that new development will provide supporting infrastructure and that any new development adjacent to the particular roads listed in the policy will require agreed road improvements. This includes Church Road in Laverstock and Milford Mill Road in Milford, both of which lie in close proximity/adjacent to the River Avon SAC along sections of their routes. It follows therefore, that any development adjacent to these roads, or others within 200m of the River Avon SAC, could ultimately lead to additional vehicles using these roads thereby potential resulting in an increase in atmospheric pollution and nitrogen deposition upon the River Avon SAC.

- 5.17 New development that necessitates the provision of new roads within 200m of the River Avon SAC and/or new development adjacent to main roads within 200m of the River Avon SAC could result in additional traffic using those roads within the aforementioned distance of the SAC. This in turn could result in an increase in atmospheric pollution and nitrogen deposition upon the SAC potentially leading to an adverse effect on the SAC in-combination with other plans and projects.
- 5.18 Any forthcoming planning application for development that would result in new roads or development adjacent to roads within 200m of the River Avon SAC will need to demonstrate adherence to the Development Plan including Core Policy 50 (Biodiversity and Geodiversity), Core Policy 55 (Air Quality) and Core Policy 69 (Protection of the River Avon SAC) of the WCS and the NPPF. Moreover, HRA would be undertaken at the planning application stage where necessary, and appropriate mitigation would have to be agreed with the Council where required in order to ensure compliance with the Habitats Regulations, otherwise planning permission would be refused.
- 5.19 It is worth noting that the HRA of the WCS concluded there would be no likely significant effect on the River Avon SAC as a result of an increase in atmospheric pollution and nitrogen deposition, providing the existing approach to mitigation detailed in Core Policy 55 of the WCS is implemented. Whilst any forthcoming development not allocated in the WCS or WHSAP would be above and beyond that assessed in the associated HRAs, the potential for any new development within the NP area to result in additional traffic-related atmospheric pollution would be dependent upon the size of any forthcoming development.
- 5.20 In addition, the potential for effects on the River Avon SAC as a result of deposition of traffic-generated atmospheric pollution and nitrogen oxides is most likely associated with major A roads. Major A roads within the NP area that lie within 200m of the SAC comprise the A30, A338 and A345; and the A36 lies outside the plan area approximately 220m from SAC. Any development coming forward adjacent to these A roads within the plan area must be assessed in line with the Habitats Regulations at the planning application stage.
- 5.21 In terms of the four roads listed in Policy 5, none of them comprise major A roads and only two of them lie within 200m of the River Avon SAC, namely Church Road in Laverstock and Milford Mill Road in Milford. In the event that any application for major development adjacent to these roads within the NP area were to be submitted to Wiltshire Council, the application would be assessed in accordance with the Habitats Regulations where necessary.
- 5.22 Furthermore, the NP does not allocate any sites for development and this HRA has been carried out on the basis of the information provided within the plan and any supporting documents. Therefore, it is concluded that Policy 5 itself will not have adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects.

Policy 6

- 5.23 Policy 6 supports improvements to the local road system and other infrastructure improvements within the NP area. If such works were to take place within close proximity to the River Avon SAC, which flows through the plan area, this could give rise to direct and/or indirect effects on the SAC depending on the type of work and activities involved. Impacts could constitute pollution/contamination/sedimentation of the river during construction works and/or disturbance/damage to the banks of the river if excavation/trenching works take place adjacent to the watercourse.
- 5.24 Nonetheless, any planning applications for development in proximity to the River Avon SAC would be assessed in line with the Habitats Regulations where necessary, and a conclusion of no adverse effect on the SAC would be required in order for planning permission to be granted. Any application for

development within close proximity to the SAC would need to incorporate appropriate and adequate avoidance and mitigation measures such as buffer zones along the river, and compliance with Core Policy 69 of the WCS, and other Development plan policies, would be required. Core Policy 69 stipulates:

“In order to avoid and reduce potential environmental effects on the River Avon SAC, development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.”

- 5.25 Moreover, Policy 6 does not put forward any specific sites or projects, instead lending support to the delivery of the types of improvements detailed in the policy. This HRA has been carried out on the basis of the information provided within the plan and any supporting documents. Therefore, it is concluded that Policy 6 itself will not have adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects.

Conclusion for the River Avon SAC

- 5.26 As planned development, any minor infill development supported by Policy 1 would fall within the scope of the Council’s strategic mitigation scheme for the River Avon SAC. Planning applications for infill development will be reconsidered under the Habitats Regulations at which time the progress with the strategic mitigation scheme and revisions to the IDP and generic appropriate assessment will be compared with projected occupation dates to ensure offsetting will be achieved in a timely manner.
- 5.27 In terms of Policies 5 and 6, any developments that come forward which are supported by these policies will be subject to HRA at the planning application stage where necessary and appropriate mitigation measures will need to be secured at that stage where required.
- 5.28 It is concluded beyond reasonable scientific doubt that the NP will have no adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects.

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