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## 4.0 APPROPRIATE ASSESSMENT

4.1 The appropriate assessment of the Core Strategy has focused on:

1. the draft Core Policies identified in stage 1 as requiring appropriate assessment (see Section 3 above), drawing on previous work on the Preferred Options;
2. other Core Policies for their likely role in providing avoidance and mitigation;
3. the N2K sites identified as of concern (see 3.7 above);
4. the nature, probability and consequences of the identified likely significant effects of the preferred options;
5. available guidance, research and other evidence of the likely direct, indirect and cumulative effects;
6. the potential to avoid such effects through changes to the draft Core Policies and the incorporation of relevant avoidance and mitigation measures into the Core Strategy as it progresses to final adoption;
7. the aim of ensuring that the final Core Strategy does not adversely affect the integrity of Natura 2000 sites.

4.2 The key issues identified at the Screening stage that have been the focus for the appropriate assessment are discussed below:

- River Avon SAC and water abstraction
- River Avon and treated waste water discharges
- Developments close to the River Avon SAC
- Developments close to Porton Down SPA (part of Salisbury Plain SAC)
- Recreational disturbance at Salisbury Plain SAC/SPA
- Recreational disturbance at New Forest SPA/SAC/Ramsar
- Air pollution

### River Avon and water abstraction

4.3 At the Screening stage, the likely effects of the level of proposed housing and employment developments proposed in the Core Strategy Preferred Options on the River Avon SAC, through increasing the effects of water abstraction on the water table, were considered to be uncertain. The River Avon cSAC Conservation Strategy (2003) highlighted the issue and

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states that the river has suffered from low flows in some stretches that threaten its qualifying features, including its *Ranunculus* habitats, Bullhead, Brook and Sea Lamprey, Salmon, and potentially Desmoulin's whorl snail habitats. The Revised Draft SW RSS (2008) and accompanying HRA point to the need for DPDs such as for South Wiltshire to consider the need for requiring residential and other development to achieve higher standards of water efficiency than in areas where inevitable increases in water abstraction would affect the River Avon SAC. However, the subsequent consultation response to the SW RSS HRA from the Environment Agency indicated that adverse effects as a result of the RSS were likely to be avoided.

4.4 The potential effects of growth promoted in the Core Strategy on water levels in the River Avon, have been assessed, in conjunction with the potential effects of waste water discharges as a result of new development (see 4.7 below) in consultation with the Environment Agency and Natural England, including at two meetings on 2 February and 26 March 2009 (see Appendix I).

4.5 As a result of these meetings, a desk-based review of relevant documentation, and subsequent informal consultation responses, the following can be concluded:

- The River Avon SAC lies within Wessex Water's East Water Resource Zone (WRZ), in which all abstractions for public supply are from groundwater sources.
- Detailed studies by Wessex Water (Low Flows investigations) working with the Environment Agency and Natural England, have identified stretches of the River Avon SAC which are considered vulnerable to the effects of over abstraction through the effects of low flows on its primary features (Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation).
- The assessment has been informed by the Environment Agency's Habitats Directive Review of Consents (RoC) process (in relation to existing water abstraction licences) and its associated HRA, which is still ongoing and due to report in December 2009.
- As a result of the RoC and associated numerical modelling, the Environment Agency requires Wessex Water to reduce their existing abstraction licence capacity in the East WRZ by 23.5 Ml/d to ensure that the relevant abstraction licences avoid adverse effects on the integrity of the River Avon SAC. This requirement is included for in Wessex Water's draft Water Resources Management Plan (WRMP) 2008.

- The Environment Agency and Natural England are in agreement that Wessex Water's draft WRMP includes adequate measures to ensure that sufficient water resources should be available to support the growth proposed in the draft SW RSS and the housing and employment developments allowed for in the Core Strategy alone (Core Policies 1 and 2) without adverse effects on the River Avon SAC. Such measures include water demand management, and the use and development of alternative sources of water.
- As implementation of Wessex Water's measures to avoid adverse effects on the SAC is dependent on OFWAT's approval of Wessex Water's Business Plan, which remains uncertain, a Core Policy 19 has been proposed as a precautionary measure, to require all residential development to achieve a water efficiency standard equivalent to Code for Sustainable Homes (CSH) Level 3 (target 105 litres per person per day). It is understood that the EA consider more stringent requirements would not be cost-effective.
- For non-residential developments, Core Policy 19 requires developers to incorporate water efficient measures in their proposals to the satisfaction of the Council. It is considered that reference to specific efficiency targets would not be possible due to the wide range of industries and standards applicable, this is sufficient to avoid adverse effects from increased water demand and over abstraction.

4.6 Core Policy 19 is supported in principle by the Environment Agency (email dated 14 July 2009 from Planning Liaison Technical Specialist, Wessex Area) and Natural England (email dated 13 July 2009 from Acting Team Leader, Swindon & North Wiltshire Team) (see **Appendix 10**).

4.7 Changes to the Building Regulations are due to be brought into effect later in 2009<sup>12</sup>, which require that for new dwellings, water consumption must not exceed 125 litres per person per day. It is understood that, should CSH level 3 become mandatory for all residential developments in future, e.g. through further revisions to the Building Regulations, the residential element of Core Policy 19 would become redundant.

4.8 Core Policy 19 is considered necessary to provide a means of ensuring that the Core Strategy contributes to reducing water demand, rather than only relying on Wessex Water's plans to manage the effects of that demand, and thereby provides some additional certainty

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<sup>12</sup> DCLG Circular 05/09: New Part G in Schedule 1 to the Building Regulations:  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1234622.pdf>

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that the Core Strategy will have no adverse effect on the SAC as a result of water demand. This issue is further reported in Wiltshire Council's Topic Paper 18: Water Management.

River Avon and treated waste water discharges

- 4.9 At the Screening stage, the likely effects of housing and other developments proposed in the Core Strategy Preferred Options on the River Avon SAC, through increased nutrient loads discharged from sewage treatment works to the SAC, were considered to be uncertain, in relation to the effects of phosphate (soluble reactive phosphorus) levels on its primary features. The River Avon cSAC Conservation Strategy (2003) highlighted the issue and states that the river suffers from elevated phosphate concentrations that are potentially causing adverse effects on its primary features, including its *Ranunculus* habitats, Brook and Sea Lamprey, and potentially indirectly to Desmoulin's whorl snail habitats.
- 4.10 However, in 2008, the Revised Draft SW RSS and accompanying HRA reported some disagreement between Natural England and the Environment Agency as to whether adverse effects on the integrity of the SAC from future planned development can be avoided through planning, investment and technological innovation. The potential effects of growth promoted in the Core Strategy on water quality in the River Avon SAC have therefore been assessed, in conjunction with the potential effects of water demand (see 4.3 above) in consultation with the Environment Agency, Natural England and GOSW, including at two meetings on 2 February and 26 March 2009 (see Appendix 1).
- 4.11 As a result of these meetings, and a desk-based review of relevant documentation, and subsequent informal consultation responses, the following can be concluded:
- The assessment has been informed by the Environment Agency's Habitats Directive RoC process in relation to existing discharge consents, which is ongoing and due to report in December 2009.
  - The work so far has indicated that phosphate concentrations in the River Avon SAC are in excess of the guideline standards agreed by the EA and Natural England<sup>13</sup>. The main

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<sup>13</sup> The Environment Agency's Guideline Standards for Phosphorus in SAC Rivers (2002) WQTAG048b, and its appendices, sets out the phosphate target standards agreed with Natural England for the River Avon SAC as 0.06 mg / l along most of its length, with the exception of 0.04 mg / l in the winterbourne Till, and 0.1 mg/l in the lower reaches in Hampshire and Dorset.

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sources of phosphate in the catchment are considered likely to be sewage treatment works' discharges and diffuse agricultural pollution.

- The RoC assessments by the Environment Agency have identified requirements for Wessex Water to reduce phosphate discharges from 17 sewage treatment works (STW) into the River Avon SAC. These investments, using what the EA consider Best Available Technology (BAT), are already undertaken or planned within the AMP4 (Asset Management Plan) period (to 2010), and will be in place by 31 March 2010. The Environment Agency considers that this action is sufficient to meet its obligations under the Habitats Directive.
- Natural England have identified that the SAC is not in favourable condition due to the level of phosphates being over the agreed target, and that even after taking account of the proposed STW improvements, phosphate levels would still be elevated due to other diffuse sources. Natural England further identify that proposed discharges from STWs at Warminster and Pewsey would also remain of concern. Any addition of further P inputs from STW as a result of additional waste water flows to STWs from developments in the Core Strategy remains of some concern to Natural England, due to the effects of such additions in combination with the other sources. However, it is considered by the EA that there is sufficient headroom created by the reduction in existing P discharges from STWs to allow new residential development to proceed without increasing P levels overall (taking account of the proposed reduced discharges from STWs).
- It is considered by Natural England that there remain considerable uncertainties surrounding other sources of P discharges to the River Avon SAC, and that further research is needed to understand and reduce these sources.
- The second part of Core Policy 20 (Pollution and Phosphate Levels in the Water Environment) has been drafted by Wiltshire Council in response to the HRA, to attempt to ensure that all strategic developments included in the Core Strategy do not adversely affect the River Avon SAC through unmitigated phosphate discharges. It proposes a financial contribution is required from developments to the undertaking and implementation of a Phosphate Management Plan (PMP) as the mechanism required to ensure mitigation measures are delivered as a result of developments included in the Core Strategy.
- The means of administering and implementing a PMP will need to be progressed and agreed between the EA, Natural England and Wiltshire Council in due course. It is understood that both the EA and Natural England are committed to working together

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to scope and prepare a Management Plan as part of measures to understand and reduce phosphate levels in the River Avon SAC, and have formed a working group to this end with meetings due to be held from September/October 2009.

- In general, the PMP will need to identify and implement measures specific to the River Avon SAC catchment, to further reduce the phosphate levels in the River Avon SAC attributed to sources other than STWs, e.g. farmyards, farmland runoff (fertiliser runoff and soil erosion) and buildings, river bed sediments, small sewage treatment plant and other domestic sources, aquaculture, roads, and diffuse urban runoff.

4.12 Core Policy 20 is supported in principle by the Environment Agency (email dated 14 July 2009 from Planning Liaison Technical Specialist, Wessex Area) and Natural England (email dated 13 July 2009 from Acting Team Leader, Swindon & North Wiltshire Team) (see **Appendix I0**).

4.13 Core Policy 20 is considered necessary to provide a means of ensuring that the Core Strategy addresses its contribution to potential effects on the River Avon SAC through increased phosphate levels, and to provide some certainty that the Core Strategy will have no adverse effect on the SAC as a result. This issue is reported further in Wiltshire Council's Topic Paper 18: Water Management.

#### Developments close to the River Avon SAC

4.14 The River Avon SAC is also considered to be potentially affected by developments being promoted in close proximity to the river and adjacent habitats, from:

- associated construction activity;
- increased rates and volumes of surface water runoff, and diffuse or point source urban discharges containing pollutants;
- increased physical damage (e.g. loss of meadow habitats or riverside trees, trampling, smothering from silty water runoff or debris during construction);
- increased non-physical disturbance (lighting, noise, recreational human presence); and
- increased biological disturbance (e.g. angling).

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- 4.15 Hard surfaces used by road vehicles including roads and car parks can be a source of pollutants such as:
- oil and brake fluid from leaks and car maintenance;
  - rubber and heavy metals from wear on tyres and brakes;
  - polycyclic aromatic hydrocarbons (PAHs) and unburned fuel from exhaust emissions
  - salt during winter months;
  - detergents and grease from vehicle cleaning;
  - rainwater run-off containing residues of fuel and oils and the above.
- 4.16 Core Policies with the potential to generate such effects include:
- 1: The Settlement Strategy and Distribution of Growth in South Wiltshire: from residential and employment developments;
  - 2: Strategic Allocations: from strategic residential and employment developments. Development Templates in Appendix A to the Core Strategy note the River Avon SAC as important considerations for all strategic sites, particularly those in close proximity to the River Avon SAC, including:
    - Hampton Park: adjacent to the River Bourne;
    - Churchfields: surrounded to the west, south and east by the River Nadder;
    - UK Land Forces site, Wilton: proximity to River Nadder;
    - King's Gate, Amesbury: proximity to River Avon.
  - 7: Maltings / Central Car Park: this policy includes specific reference to the need to avoid effects on the adjacent SAC including through measures to incorporate soft river edges to the development and improvements to habitats.
- 4.17 Urban diffuse or point sources of runoff, and construction activity, also has the potential to contribute to elevated P discharges (see 4.9-13 above), addressed by Core Policy 20.
- 4.18 Potentially polluting discharges arising from point source discharges, including from urban surface water drainage, are regulated by the Environment Agency under the Water Resources Act 1991, and also may be subject to HRA. Developments are also subject to the Buildings Regulations which give priority to the use of infiltration drainage systems over drainage to watercourses and sewers. It should however be noted that some discharges such as from highway drainage, may not be subject to the discharge consent process. The Government's Planning Policy Statement (PPS) 23: Planning and Pollution Control, in Annex I, encourages developers to incorporate into their proposals Sustainable Drainage (SUDS)
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measures that are able to absorb at source, the run-off from various types of development, including car parks, buildings, paved areas and roads, to reduce the impact of diffuse pollution from that run-off and flooding, as well as providing a contribution to local amenity and biodiversity. PPS25: Development and Flood Risk (PPS25), in Annex F, also states that local planning authorities should further the use of SUDs through development control, and by adopting policies for incorporating SUDS requirements in Local Development Documents, in order to reduce flood risks. The Draft Revised Regional Spatial Strategy for the South West (draft RSS SW), also includes draft Policy G: Sustainable Construction, that requires local planning authorities to promote best practice in sustainable construction including through 'the use of sustainable drainage systems to minimise flood risk, manage surface water and encourage natural drainage and ground water recharge where appropriate'. The former Salisbury District Council also developed a note of a procedure (2007/08) for the 'Appropriate Assessment of planning applications that could potentially affect the River Avon SAC', which includes a checklist of potential causes of impact. In relation to potential impacts on 'surface run-off, solid debris falling into river, damage to banks, water abstraction, soil disturbance encouraging the spread of invasive non-native plants', the procedure recommends requiring a Construction Method Statement for all applications within 20m of the SAC.

- 4.19 In the May 2009 draft HRA report, it was noted that the previous v3 draft Core Strategy policy 43: Environmental Pollution required that consideration be given to the potential impact on the environmental quality and quantity of ground water sources and water bodies, especially the River Avon SAC, and recommended that this policy be strengthened to refer to the need to prevent physical disturbance and pollution of the River Avon SAC during construction and operation, such as use of sustainable urban drainage systems and pollution controls in construction environmental management plans.
- 4.20 However, previous policy 43 was removed from the v8 draft Core Strategy assessed in the June 2009 draft HRA Report. Accordingly, the June 2009 draft HRA report noted that although it was possible that developments promoted in the Core Strategy could avoid adverse effects (through design and mitigation measures defined at project level and through the action of legislation and the influence of national and regional planning policy), as the SAC is vulnerable to the effects of pollution from surface water drainage there remained some uncertainty that the Core Strategy would avoid adverse effects on the River Avon from the impacts of urban surface water drainage. The June 2009 draft HRA report

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therefore recommended that the Core Strategy should include a requirement that developments be expected to include appropriate Sustainable Drainage Systems to manage the storage and release of surface water runoff.

- 4.21 At the HRA Steering Group meeting of 17 June 2009, and in subsequent correspondence, the recommendation was supported by Natural England and the Environment Agency, who also expressed concern on the removal of the previous draft policy on Flood Risk, and agreed with Council officers. In response to the above concerns, Council officers reinserted a policy on flood risks into the Core Strategy as Core Policy 21, including a requirement that all developments be expected to include Sustainable Drainage Systems 'to manage the storage and release of surface water runoff, unless it is not technically feasible or where it can be demonstrated that ground conditions are unsuitable for such measures'. It is considered that this requirement for SUDS to address flood risks should also address the potential impact on water quality in the River Avon SAC from surface water drainage from developments allocated in the Core Strategy.
- 4.22 The June 2009 draft HRA report also considered that potential non-physical disturbance and biological disturbance effects of each development can be mitigated through incorporation of schemes of mitigation at project level, including consideration of suitable buffer zones, habitat enhancements, and river access management measures. A similar requirement was included in the previous draft of Core Policy 7, and it was recommended that such principles should be applied to all relevant strategic sites in the Core Strategy.
- 4.23 At the HRA Steering Group meeting of 17 June 2009, and in subsequent correspondence, the recommendation was supported by Natural England and the Environment Agency and agreed with Council officers. Also, the need for policy to require developments to address potential pollution from the construction phase, through submission of a Construction Management Plan, as recommended in the previous Salisbury District Council procedure (see 4.18 above), was discussed and agreed with officers. As a result, Council officers inserted policy wording, into what is now Core Policy 20, to require appropriate schemes of mitigation for water quality as in 4.22 above, and to require developments to provide a Construction Management Plan to ensure measures to control water quality in the SAC are satisfactory.

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4.24 Core Policies 20 and 21 are supported in principle by the Environment Agency (email dated 14 July 2009 from Planning Liaison Technical Specialist, Wessex Area) and Natural England (email dated 13 July 2009 from Acting Team Leader, Swindon & North Wiltshire Team) (see Appendix 10).

4.25 As the above recommendations are included in the Core Strategy as policy, it can be concluded that the Core Strategy policies as a whole are likely to avoid adverse effects in relation to physical disturbance and water pollution on the River Avon SAC.

*Road verge erosion*

4.26 Early on in the HRA process (see Appendix 2A) and in recent correspondence (see Appendix 10A), Natural England identified the potential for diffuse pollution (sedimentation) to arise in the River Avon SAC, from increased use of rural roads from development-related traffic leading to the increased road verge erosion and consequent sediment runoff from certain roads into the Avon. Natural England officer has stated *'The road running from Stoford to Middle Woodford is one such road. The western stretch is used as a short cut from the A36 to north Salisbury, and this is likely to be exacerbated when and as land along the Devizes Road in Salisbury is developed. It is likely that there are other similar roads. It would be useful if the HRA report could identify where it believes the issue should best be addressed bearing in mind the need for a systematic approach.'* (Appendix 10A).

4.27 It is considered that this issue concerns both existing conditions as well as the impact of development. If rural road verges are currently being eroded by existing traffic levels, and leading to some sediment runoff into the SAC, this matter should be addressed by suitable road maintenance and design measures by the Local Highway Authority (Wiltshire Council), and is outside the remit of the Core Strategy to address.

4.28 If traffic from developments promoted in the Core Strategy is likely to be increased along the above road, or other similar roads, increased road verge erosion and some increase in sediment discharges into the SAC may result if erosion is unmitigated. The strategic allocation under policy 2 of the Fugglestone Red site (adjacent to the A360 Devizes Road, for 1250 dwellings and 8 hectares of employment land) is the closest relevant development site to the Stoford-Middle Woodford road. However, at this strategic planning stage it is not clear whether there is likely to be any increase in traffic levels arising from the

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Fugglestone Red development, or other developments promoted in the Core Strategy, along the Stoford to Middle Woodford road or along other rural roads with similar potential road verge erosion issues. Strategic predictions of the generation and distribution of the road traffic generated by development sites in Salisbury has been undertaken by Wiltshire Council (and will be used to prepare the detailed Salisbury Transport Strategy that will address the impacts of additional transport demand, due in December 2009) and by individual developers as part of their Transport Assessments (in line with Planning Policy Guidance 13: Transport) and where relevant their Environmental Impact Assessments.

- 4.29 Considering the relative size of road verges and the SAC, it is not considered that such erosion on a limited number of roads would lead to significant or adverse effects on the SAC. It is however considered appropriate for this HRA to highlight the need for developers and the local planning and highway authorities (Wiltshire Council) to consider this potential impact on the SAC at the planning application stage, including through detailed traffic modelling and site level assessment of the potential for increased road verge erosion along the roads where traffic is predicted to increase. It is considered likely that mitigation measures can be easily applied to the development/s concerned at the planning application stage including (where relevant and necessary), such as through travel demand measures to minimise traffic generation, traffic management measures to direct or steer traffic away from sensitive routes, and through funding of any off-site improvements required to the condition of relevant road verges and road drainage systems (e.g. via agreements under section 106 of the Town and Country Planning Act 1990 or section 278 of the Highways Act 1980). It is also appropriate to highlight the issue for Wiltshire Council's consideration in preparing the Salisbury Transport Strategy. Accordingly, this matter has also been raised with Wiltshire Council's Senior Planning Officer, who has alerted colleagues working on the transport strategy and next revision to the Local Transport Plan, and any HRA and SEA of that plan.

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Developments close to Porton Down SPA (part of Salisbury Plain SAC)

- 4.30 Porton Down SPA is designated for its population of breeding Stone Curlew. The area covered by Porton Down is also part of Salisbury Plain SAC, designated for its semi-natural calcareous grasslands and scrubland facies, Juniper formations and large population of Marsh Fritillary butterflies. The effects on the SPA and SAC are considered below in relation to Core Policy 1, saved Local Plan policy E8B, and the future development and mitigation strategy envisaged in Core Policy 12.
- 4.31 Core Policy 1 includes for the continued allocation of employment land at Porton Down in the Amesbury Community Area. Saved Local Plan policy E8B includes for 10 hectares of employment land at Porton Down (and other sites including at Boscombe Down, also site E8B) as noted in sections 6.46 and 9.8 of the Core Strategy text.
- 4.32 Core Policy 12: Porton Down recognises the importance of the Porton Down scientific community to the south Wiltshire economy and states that the Council will work with partners on the production of a Wildlife Management Plan to be adopted as a Supplementary Planning Document for the Porton Down SPA, SAC and SSSI. Supporting text states that WMP will be informed by the future plans of the site developers, and will pull together baseline data and identify opportunities to enhance the sites biodiversity, particularly with regard to the SPA and SAC features. The objective is to allow future development proposals at Porton Down to be brought forward without further objections on nature conservation grounds, which have held up the realisation of the Masterplan. In the interim, until the WMP is agreed, the policy would allow new development to be permitted only where they do not have significant effects on the integrity of the European sites, and effects and mitigation measures would be defined under project-level HRAs. Further discussion of the policy wording and recent revisions is provided in 4.31 below.
- 4.33 Supporting text states that the Porton Down Masterplan, adopted as Supplementary Planning Guidance (SPG) to the Local Plan in January 2007, as a framework to guide the development of the area, remains relevant and effective and is not to be reviewed at this time. It acknowledges however that planning applications submitted in accordance with the Masterplan each need to be assessed for potential effects on the SPA and SAC, there are issues of disturbance to Stone Curlew yet to be resolved, that further development of the site is being promoted by the Government and is important for the local economy, and that

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the Council are working with Natural England, the RSPB and the developers to find a long-term solution to allow further development in a way that avoids adverse effects on the European sites and also provides long-term enhancements.

- 4.34 The Porton Down Masterplan (2007) acknowledges the need for all developments proposed in accordance with it to be assessed for their impact on the European sites and other nature conservation interests, noting that DSTL manage the Porton Down SPA through an Integrated Land Management Plan and have a Memorandum of Cooperation with Natural England which covers all activities. The Porton Bioscience and Technology Centre Development Brief (February 2007), also adopted as SPG, sets out a more detailed development framework for the PBTC development site of 10 ha, and refers to the need for appropriate assessment of effects on the SPA and SAC, but does not include substantial information to further inform the assessment of potential effects. Effectively, Core Policy 12, through the future WMP, would provide an assessment of the effects of the Porton Down Masterplan, and any further aspirations of the site developers, on the Porton Down SPA and that part of the Salisbury Plain SAC.
- 4.35 Information from RSPB on the location of Stone Curlew breeding sites at and around Porton Down<sup>14</sup> indicates that Stone Curlew breed largely within the Porton Down SPA and in some clusters of sites to the north west of the SPA in close proximity to the north of the Porton Down development complex. It is considered that potential adverse effects from the Porton Down developments could include disturbance to Stone Curlew as a result of:
- visual / noise disturbance as a result of increase in traffic levels on the Pheasant Road through the SPA;
  - visual / noise disturbance during construction and operation of new buildings, car parking facilities and external lighting;
  - presence of additional construction and operational workforce;
  - additional development-related activity on the SPA and other breeding sites.
- 4.36 Potential effects on grassland habitats, Juniper formations and Marsh Fritillary butterflies are more likely to arise from any additional land take, loss of any 'buffer' habitats, and changes in site management as a result of the developments, and the likely significance of such effects remains uncertain.

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<sup>14</sup> Confidential Stone Curlew breeding site data provided by RSPB via former Salisbury District Council.

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- 4.37 The May and June 2009 draft HRA reports reviewed the text of previous versions of Core Policy 12, and recommended policy revisions to ensure the policy was not justifying adverse effects on European sites, through a clearer requirement to accord with the mitigation measures contained in the future WMP. Further refinements to this policy were discussed and agreed with Council officers and Natural England at the HRA Steering Group meeting on 17 June 2009, and in subsequent correspondence. Council officers have confirmed that the final wording of Core Policy 12 includes the requirement that ‘New development in connection with DSTL, HPA and the Porton Down Science Park will *only* be permitted where it contributes to the objectives of the Wildlife Management Plan *and accords with the measures within the WMP to avoid and mitigate potential adverse effects on the integrity of the European sites and other nature conservation interests*’ (amended text in *italics*), although the final Core Strategy document has not been finalised at the time of writing.
- 4.38 Although there is remaining uncertainty as to the detail of the potential significant effects and mitigation measures that will be assessed in the WMP, the wording of Core Policy 12 clearly requires mitigation measures to be derived for the WMP and applied to all relevant planning applications for developments at Porton Down, in order to ensure no adverse effects on the integrity of the SPA and SAC are generated by the development under this policy. It should therefore be possible to ensure that the potential effects above are fully assessed ‘down the line’ in an HRA of the WMP. It is clear that the WMP, as SPD, would aim to provide ecological enhancements as well as mitigation for adverse effects, and would aim to be agreed by Natural England as well as between the developers and the Council. All recommendations made as a result of the HRA and Natural England advice have been adopted in the final policy wording.
- 4.39 Core Policy 12 is supported in principle by the Environment Agency (email dated 14 July 2009 from Planning Liaison Technical Specialist, Wessex Area) and Natural England (email dated 13 July 2009 from Acting Team Leader, Swindon & North Wiltshire Team, subject to the revision in 4.32 above).
- 4.40 It can therefore be concluded that the Core Strategy is not likely to lead to adverse effects on the Porton Down SPA/ this part of the Salisbury Plain SAC as a result of employment developments. Further HRA will need to be undertaken of the subsequent Porton Down

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Wildlife Management Plan SPD, to ensure the more detailed assessment of development proposals and avoidance and mitigation measures in the SPD is undertaken as appropriate.

Recreational disturbance at Salisbury Plain SPA/SAC, and New Forest SPA/SAC/Ramsar

4.41 The potential effects of recreational disturbance on the Salisbury Plain SPA and SAC as a result of residential developments included in Core Strategy policies, are assessed in detail in **Appendix II**, and summarised below:

1. Salisbury Plain SPA is designated for its breeding population of Stone Curlew as well as its over-wintering population of Hen Harrier. The assessment focuses on the potential disturbance to Stone Curlew, as studies have highlighted a clear link between breeding success and disturbance by people and dogs, to this species.
2. Salisbury Plain SAC, designated for its semi-natural calcareous grasslands and scrubland facies, Juniper formations and large population of Marsh Fritillary butterflies, has also been identified as potentially vulnerable to recreational disturbance by Natural England.
3. A meeting with Defence Estates on 1 May 2009 (see Appendix I) enabled the extent of public access around Salisbury Plain to be clarified. Public access to the SPA/SAC is currently only a potential concern in the eastern part of the SPA/SAC (to the north of Bulford, west of Tidworth and east of Netheravon). There is normally no public access to the majority of the western part of Salisbury Plain SPA/SAC which comprises the Imber Live Firing Range, to the Porton Down part of the SAC, or to the central part of the SAC through the Larkhill / Westdown Artillery Ranges (along two routes only outside periods of live firing). No Stone Curlew nesting sites have been identified by the RSPB's monitoring programme in the area of the western part of the SPA/SAC with unrestricted public access, to the east of the Tilshead-Chitterne road. In the eastern part, access is limited to Bulford Ranges Danger Area during live firing, but outside this is unrestricted on foot. The extent of public access to the SAC is mapped in **Appendix 12**.
4. Patterns of recreational activity across the eastern section of Salisbury Plain have been described through a survey undertaken for the Defence Estates' Salisbury Plain Training Area (SPTA) Eastern Infrastructure Project (EIP), and has been used to inform the HRAs of the EIP as well as military housing proposals in Tidworth in relation to the potential disturbance to Stone Curlew from increased public access.
5. Using the same methodology as used by others for the Eastern Infrastructure Project (see Appendix I I), it is predicted that the housing allocations included in Core Policies I

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and 2 may lead to an additional approximately 8 daily visits to the eastern part of the SPA/SAC and this may lead to increased disturbance to Stone Curlew without mitigation.

6. Approximately 2 of these additional 8 daily visits (25%) is estimated to be generated directly by Core Policy 2 from the strategic sites in Amesbury (1300 houses at King's Gate) and Salisbury (4700 dwellings).
7. Approximately 6 of the additional 8 daily visits (75%) is estimated to be generated by housing sites yet to be allocated through the future Site Specific Allocations DPD.
8. Additional 'in combination' effects of the other defence related projects above, and other developments in the Test Valley Borough, should be avoided as the other plans and projects identified will provide mitigation measures for their own identified effects.
9. The means of managing public access to the eastern part of the SPA/SAC will be reviewed within the next 5 years as part of the MOD Byelaw Review of public access at Salisbury Plain in relation to the operational requirements of the Salisbury Plain Training Area, but such means have not yet been defined and cannot be relied upon.
10. To offset the potential increase in visits to the eastern part of Salisbury Plain SPA/SAC, it is considered that mitigation measures need to be included in the Core Strategy.

4.42 The potential effects of recreational disturbance on the New Forest SPA, SAC and Ramsar site as a result of residential developments included in Core Strategy policies, are assessed in detail in **Appendix 13**. The assessment has been informed by a workshop hosted on the issue by the New Forest National Park Authority (NFNPA) in December 2008, and a meeting held with the NFNPA in April 2009 on specific issues relating to the South Wiltshire Core Strategy (see **Appendix 1**), and is summarised below:

1. The New Forest SPA is designated for its populations of a number of bird species, including for Dartford Warbler, Woodlark and Nightjar, which are considered to be most vulnerable to disturbance by visitors and their dogs.
2. The New Forest SAC is designated for a wide range of qualifying interests including oligotrophic waters, extensive northern Atlantic wet heaths as well as European dry heaths, Purple moor-grass meadows, depressions on peat substrates, Atlantic acidophilous beech forests, old acidophilous oak woods, bog woodland and alluvial forests with Alder and Ash. Primary and non-primary qualifying species include Southern Damselfly, Stag Beetle and Great Crested Newt. Whilst the following assessment focuses on the effects of non-physical disturbance on the New Forest SPA, physical

disturbance of the above SAC habitats as a result of the predicted increase in visitor pressure has been assumed throughout and for several habitats, including heathlands, is an identified vulnerability. However, the extent of any physical disturbance is considered limited in relation to any predicted visitor increases arising from the Core Strategy and unlikely to significantly affect the integrity of the SAC.

3. A recent study for the New Forest National Park Authority (Sharpe et al, 2008<sup>15</sup>) analysed distribution of these three species in relation to areas of suitable habitat and areas of visitor pressure, and suggested that visitor pressure is having an impact on Woodlark distribution (although not statistically significant) and that Dartford Warbler are avoiding suitable habitats where visitor pressure is very high.
4. Patterns of visitor numbers and behaviours in the New Forest were studied by Tourism South East during 2004-05 and were presented as part of the Sharpe et al study. Overall it has been estimated that the New Forest National Park receives over 13 million day visitors a year, the majority of which are day trips by people living outside the National Park (64%), with an estimated 14% being day trips from local people within 8km of the National Park, and 12% being tourists staying within the National Park.
5. Analysis of the questionnaire responses undertaken for the survey shows that only 122 of the total 3838 visitors questioned were residents of the South Wiltshire Core Strategy area, some 3.2% of the total interviewees.
6. Of the 122 south Wiltshire residents questioned, 74 (61%) were local residents within 8km of the National Park, within the Southern Wiltshire Community Area, with 45 (37%) classed as non-local day visitors. Of these residents, some 70% of local visitors (57) had at least one dog with them, compared to just 40% of non-local visitors (18).
7. After taking account of the number of visits made annually by each interviewee, it is estimated that local residents within 8km of the National Park within south Wiltshire are responsible for some 93% of south Wiltshire's existing annual day visits, with non-local residents responsible for the remaining 7%, although there are considerable uncertainties in these estimates.
8. Utilising local and district level population data (from 2001, extrapolated to 2004 where possible), it is estimated that the Core Strategy's housing policies 1 and 2 would be likely to generate some 60,000 additional day visits from local residents within 8km, and over 7000 additional day visits from the remainder of the South Wiltshire Core Strategy area.

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<sup>15</sup> Sharpe, J., J. Lowen and D. Liley, 2008. Changing patterns of visitor numbers within the New Forest National Park, with particular reference to the New Forest SPA. Unpublished report, Footprint Ecology, for New Forest National Park Authority, New Forest District Council, Natural England and Forestry Commission.

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Local residents are thus estimated to generate 89% of new visits (within the Southern Community Area), and non-local residents 11%, although again there are considerable uncertainties in these estimates.

9. The South Wiltshire Core Strategy will account for some 4% of the housing growth proposed in the next c.20 years within 50km of the National Park as a result of allocations within the draft SW RSS and adopted SE RSS. It is estimated that the Core Strategy will increase visitor pressures on the New Forest by around 1%, with the majority of housing growth allocated outside 8km, where non-local visitors will visit much less often than local visitors.
10. The Core Strategy therefore has the potential for some adverse effects of disturbance to birds within the SPA, and to sensitive habitats within the SAC, which cannot be ruled out.
11. In combination with other housing developments allocated in RSSs and surrounding districts' LDDs, such as in Test Valley, it is concluded that the Core Strategy will require mitigation for its contribution to an overall adverse effect.
12. To offset the potential increase in visits to the New Forest SPA/SAC, it is considered that mitigation measures need to be included in the Core Strategy.

*Mitigation measures for potential effects on Salisbury Plain and New Forest N2K sites*

- 4.43 To offset the potential increase in visits to the eastern part of Salisbury Plain SPA/SAC, and to the New Forest N2K sites, it is considered that mitigation measures need to be included in the Core Strategy, as follows:
1. The main type of measure recommended in the HRAs of the current draft SW RSS and the adopted SE RSS, is the provision of alternative natural greenspace with residential developments.
  2. The former Salisbury District Council's Open Space Audit has examined the distribution and quality of provision, and recommends that the Council concentrate on quality and access to current sites in Salisbury city and Amesbury (also due to the proximity of Boscombe Downs) rather than new provision, although this is in relation to meeting existing needs.
  3. A previous draft Core Strategy policy 11 (now deleted) required the provision of quality and accessibility to natural or semi-natural greenspace sites or green corridors as a result of new development to be assessed on a site-by-site basis. That draft policy has

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been deleted from the Core Strategy and Local Plan policy R2 is to be saved in its place. Policy R2 requires new residential development to make provision for recreational open space (facilities for communal outdoor sport and children's play) in accordance with a standard of 2.43 hectares per 1000 population, and additional open space (including landscaped areas, public gardens and roadside verges) will be sought as appropriate. Policy R2 therefore incorporates the previous National Playing Fields Association's '6 acre standard' for outdoor playspace, and does not refer to any additional requirements for accessible natural greenspace.

4. Core Policy 23: Green Infrastructure and Habitat Networks requires development proposals to retain and enhance Green Infrastructure networks and contribute towards the implementation of the Wiltshire GI Strategy, which is in preparation as a Supplementary Planning Document (SPD).
5. As a minority of the potential disturbance effects of new housing on both the Salisbury Plain and New Forest N2K sites are generated directly from the Core Strategy under Core Policy 2, it is concluded that it should be possible for mitigation to be provided through greenspace provision and access or quality improvements.
6. In the May 2009 draft HRA report, it was recommended that Core Policies were strengthened to include specific reference to the role of greenspace provision and improvements to access and quality of existing greenspaces, with standards of provision and accessibility above national standards that would be required in any case to meet local open space needs, as a means of providing avoidance and mitigation measures for potential recreational impacts on the Salisbury Plain and New Forest N2K sites. It was recommended that reference should ideally be made to specific standards of greenspace provision, as called for by the draft SE RSS HRA, including reference to Natural England's Accessible Natural Greenspace Standards (ANGSt). However, if such standards are not possible to include in the Core Strategy due to other sustainability considerations, it was recommended that a clear requirement for equivalent improvements to greenspace provision through access and quality improvements to existing green spaces, should be included in previous draft Core Policy 11 (now deleted), together with more certainty in Core Policy 23 that the objectives of the Wiltshire GI Strategy will include ensuring suitable alternative natural greenspace provision, access or quality improvements in order to offset increased public use of N2K sites and other sensitive sites.
7. The previous version of draft policy 23 was subsequently revised as a result to include a clear requirement for developers to provide for any suitable alternative natural greenspace provision, access or quality improvements as well as providing linkages

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between greenspaces in order to offset increased public use of the New Forest and Salisbury Plain N2K sites, where appropriate.

8. Other types of measures recommended by the RSS HRAs include site habitat management measures and visitor access management measures at or around the N2K sites. The RSS HRAs recommend that if the above measures prove ineffective at local level, restrictions to the type, scale and location of new development should be established in the vicinity of N2K sites. Core Policy 23 now states that other measures that could also be considered include site habitat management measures and visitor access management measures at and around N2K sites especially the New Forest and Salisbury Plain.
9. It is estimated that the majority of the potential recreational pressure from new housing on the N2K sites would be generated from sites not yet allocated whose location (within the Amesbury Community Area in relation to Salisbury Plain, and the Southern Wiltshire Community Area in relation to the New Forest) will be defined in the Site Specific Allocations DPD. As such, it was concluded in the May 2009 draft HRA report that it should be possible for additional effective mitigation measures to be defined in that lower tier DPD as a consideration for the HRA of that DPD, and that such mitigation measures should include:
  - a. high specific standards of greenspace provision for all developments;
  - b. identification of one or more specific greenspace sites to be provided;
  - c. contributions to specific site habitat improvement projects or visitor access management within N2K sites as mitigation, for example:
    - i. Stone Curlew plot creation within Salisbury Plain in collaboration with Defence Estates/RSPB;
    - ii. habitat enhancement for Nightjar, Woodlark or Dartford Warbler within the New Forest;
    - iii. recreational access management projects, through a future joint working arrangement with the NFNPA.
  - d. to be provided through greenspace provision and access or quality improvements.
10. These recommendations were incorporated into the previous version of Core Policy 23 as a result, and its supporting text in relation to development to be allocated within the Southern Wiltshire Community Area or Amesbury Community Area within the Site Specific Allocations DPD.

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11. Further revisions to draft policy 23 were also made as a result of discussions with Natural England and Council officers at the 17 June 2009 HRA Steering Group meeting (see Appendix 1). Also, informal comment by the New Forest National Park Authority's Ecologist at that time included concern that habitat enhancement measures within the New Forest may not be acceptable to RSPB or developers, that the focus to date has been on recreational access management measures within the New Forest, and to emphasise the role of joint working with the NFNPA to resolve issues and undertake research in future (in relation to the Site Allocations DPD). Subsequent revisions to policy 23 were to include clarification of the meaning of Green Infrastructure, strengthen policy requirements for the maintenance of GI and the retention of existing GI networks, to emphasise that the Green Infrastructure Plan will be prepared as a SPD, and to require developers to contribute towards the implementation, rather than the objectives, of the Wiltshire GI Plan.

- 4.44 Core Policy 20 is supported in principle by the Environment Agency (email dated 14 July 2009 from Planning Liaison Technical Specialist, Wessex Area) and Natural England (email dated 13 July 2009 from Acting Team Leader, Swindon & North Wiltshire Team).
- 4.45 As the above mitigation measures are now secured within the Core Strategy and future Wiltshire GI Plan SPD, and referred to as a requirement for the future Site Specific Allocations DPD, it is considered that it can be concluded that the Core Strategy includes sufficient policies to avoid or mitigate potential adverse effects at this stage, and that the Core Strategy should have no adverse effects on the Salisbury Plain or New Forest N2K sites as a result of recreational access from new housing development. Further HRA will be required for the Site Specific Allocations DPD on this issue.

#### Air pollution

- 4.46 Available evidence from the Draft SW RSS HRA has been reviewed, based on information from the Air Pollution Information System (APIS), to identify the potential for atmospheric pollution from any increase in traffic as a result of development in the Core Strategy on major roads to be causing biological disturbance through nutrient loading to sensitive habitats within N2K sites. Note has been taken of the proximity of the N2K sites to major roads, with 200m taken as a distance within which effects may be of potential concern.

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- 4.47 This reveals that critical loads for nitrogen deposition are likely to be exceeded for sensitive habitats within the following N2K sites within and around the Core Strategy area (including N2K sites otherwise screened out of appropriate assessment) which are also within 200m of major roads:
- The New Forest SAC (within 200m of the A36 and other roads outside the Core Strategy area);
  - Dorset Heaths SAC, Dorset Heathlands SPA (within 200m of major roads outside the Core Strategy area);
  - Fontmell and Melbury Downs SAC (within 200m of A350 at the edge of the Core Strategy area).
- 4.48 Also, Porton Down SPA and Salisbury Plain SAC/SPA are not identified as exceeding critical loads for atmospheric pollutants, but are within 200m of major roads (A30, A303, A360).
- 4.49 Further review of the condition status of the SSSI units comprising the above N2K sites within 200m of the above major roads reveals a mix of favourable and unfavourable status, with those in unfavourable status generally due to a lack of appropriate site management.
- 4.50 However, due to the wide spatial extent of potential effects of air pollution, and the uncertainty of future traffic levels as a result of development (which have not been modelled for this assessment), the May 2009 draft HRA report considered it appropriate to follow the recommendations of the draft SW RSS HRA. This recommends a policy that attempts to mitigate for the effects on air pollutant levels at N2K sites close to major roads across the region, through a requirement to consider (at project level) the effects of traffic levels generated by new developments on air pollutant levels at N2K sites and to demonstrate that the development will not result in significant increases in nitrogen oxide emissions, or where it does, to secure improvements in air quality or reductions in emissions from other sources.
- 4.51 Accordingly, the May 2009 draft HRA report recommended that previous Core Policy 43 (Environmental Pollution) included specific mention of *'the potential impact of air pollution, including from traffic, on air pollutant deposition at sensitive habitats within Natura 2000 sites'* and *'the need to demonstrate that there will be no significant increases in air pollutant emissions or that measures to secure improvements in air quality or other reductions in emissions can be achieved'* as additional considerations when determining planning applications. As previous draft policy
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43 was later deleted, the June 2009 draft HRA report recommended that the above caveat is reinserted into the Core Strategy in some way to constrain project level decisions. The need for such a policy was discussed at the HRA Steering Group meeting on 17 June 2009 (see Appendix I. Core Policy 25 was then included in the Core Strategy as a result, to require the consideration of the effects of air quality from atmospheric emissions as a result of development and to define mitigation measures at project level.

4.52 Core Policy 20 is supported in principle by the Environment Agency (email dated 14 July 2009 from Planning Liaison Technical Specialist, Wessex Area) and Natural England (email dated 13 July 2009 from Acting Team Leader, Swindon & North Wiltshire Team). Accordingly it can be concluded that the Core Strategy should have no adverse effects on N2K sites as a result of air quality effects from new development.

4.53 The June 2009 draft HRA report also recommended a general policy to replace deleted policy 40 on Biodiversity, also for reasons related to water pollution, as recommended in revised draft HRA guidance from Natural England (DTA, February 2009). It is now considered and agreed with Council officers that an additional general policy is now not necessary (as all potential effects are now addressed by specific policies where necessary) and would duplicate legislation. Also, although a general policy has not been reintroduced, text has been introduced to the Core Strategy's Strategic Objective 5 that '*Any development that would have an adverse effect on the integrity of a European nature conservation site will not be in accordance with the Core Strategy.*' The above approach is also understood to be supported by Natural England.