

SALISBURY NEIGHBOURHOOD DEVELOPMENT PLAN HABITATS REGULATIONS ASSESSMENT

1. Introduction

- 1.1. This Habitats Regulations Assessment (HRA) relates to the amended Salisbury Neighbourhood Development Plan 2020 – 2038 Submission Draft September 2023, hereafter referred to as the NDP, submitted to Wiltshire Council in September 2023. The NDP has been amended to remove the three housing site allocations. This HRA has been undertaken to support the Regulation 15 submission ahead of the Regulation 16 consultation.
- 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 (formally also referred to as Natura 2000 sites and now known as the national site network²) 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 measures³, the competent authority must undertake an appropriate assessment 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 appropriate assessment 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.”*⁴
- 1.4. Where appropriate assessment is undertaken, the competent authority may go on to authorise the plan or project provided that it will not adversely affect the integrity of any European sites. Where an **adverse effect on the integrity (AEoI)** of any European sites cannot be ruled out, and where there are no alternative

¹ 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. 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/uploads/system/uploads/attachment_data/file/674422/changes-to-the-habitats-regulations-2017-gov-uk-2019-01-01.pdf)

² Due to the Conservation of Habitats and Species Regulations 2017 (as amended) being amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 on 1st January 2021.

³ Court of Justice of the European Union, Case C 323/17 “People Over Wind”/P. Sweetman v Coillte Teoranta

⁴ Commission of the European Communities v UK and NI, opinion of Advocate General KoKott, 9 June 2005, Case C-6/04

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 Salisbury NDP. Where risks to European sites are identified, changes are recommended to remove or reduce the risks, and these should be incorporated into the NDP before it is made. Likewise, if 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 (WCS) HRA (October 2009, February 2012⁵, March 2013⁶, February 2014⁷ and April 2014⁸) identified general parameters to determine the likelihood of potential impacts on European sites. 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 Special Protection Area (SPA)/Special Area of Conservation (SAC) is within 13.8km (extended to 15km where HRA indicates this is necessary) of the plan area or where Salisbury Plain SPA/SAC is within 15km of the plan area (it*

⁵ Wiltshire Core Strategy Submission Draft – Assessment under the Habitats Regulations, Wiltshire Council, February 2012

⁶ Wiltshire Core Strategy – Assessment under the Habitats Regulations, Wiltshire Council, March 2013

⁷ Update to the Wiltshire Core Strategy Habitats Regulations Assessment, February 2014 (Exam/89)

⁸ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

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
- River Avon SAC
- New Forest SAC / SPA
- Bath and Bradford on Avon Bats SAC (added post adoption of WCS)
- North Meadow and Clattinger Farm SAC (added post adoption of WCS)
- *Hydrology / Hydrogeology - 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
 - Solent and 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 WCS)
 - Mottisfont Bats SAC (added post adoption of WCS)

Wiltshire Housing Site Allocations Plan

- 3.2 Since the WCS 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 further 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 NE. This includes the zone of influence 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, NE 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. The North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Strategy 2023 – 2028 (May 2023) sets out the mitigation strategy for the North Meadow element of the SAC with regards to new residential and tourism accommodation developments within the identified ZoI. The Clattinger Farm element of the SAC is not subject to the strategy. The strategy sets out two ZoI, an Inner Zone of 0km - 4.2km and an Outer Zone of 4.2km – 9.4km. The Inner Zone represents the area within which 75% of local year round users (e.g. dog walkers) originate. The Outer Zone represents the area within which 75% of those people who visit to view the Snake’s-head fritillaries during the main flowering season originate⁹. Mitigation will be achieved through financial contributions to Strategic Access Management Monitoring (SAMM), Infrastructure Mitigation Projects (IMP) and/or Suitable Alternative Natural Greenspace (SANGs). Developments of over 50 units within the Inner Zone will be expected to provide their own SANG unless a financial contribution to the IMP/SANG project system can be robustly justified. The strategy is an interim approach and will be reviewed within 5 years following further monitoring and surveys.
- 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 8km of the National Park. The 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 WCS 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 has informed the preparation of an Interim Recreation Mitigation Strategy by Wiltshire Council.
- 3.6 The WCS adopted the 8km zone of influence, however, as discussed in the latest iteration of the council’s strategy, from 1st September 2021 this has been revised to 13.8km. Before this date, the mitigation scheme only applied to permitted dwellings lying within 8km of the New Forest designated sites whereas thereafter the scheme has been extended to apply to new residential and tourism development within 13.8km of any

⁹ North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Strategy 2023 – 2028. Cotswold District Council, Swindon Borough Council and Wiltshire Council in partnership with Natural England. May 2023

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

of the New Forest designated sites and may be extended to include applications within 15km, where demonstrated to be necessary through a bespoke appropriate assessment.

- 3.7 Since the WCS 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 phosphorus 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

- 3.8 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:

“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.”

- 3.9 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 appropriate assessment 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.
- 3.10 In 2022 the River Lambourn SAC and the Somerset Levels and Moors Ramsar site were identified by NE as being in unfavourable condition due to excessive phosphorus inputs. A very small area of both of these sites are located within Wiltshire. Any overnight accommodation development within the catchment of the SAC or Ramsar site are now required to demonstrate phosphorous neutrality and be subject to an appropriate assessment which concludes no adverse effect on the SAC or Ramsar site alone or in-combination with other plans or projects in order to be authorised.

STAGE 1 SCREENING

Screening of Salisbury NDP Area

Recreation

- 3.11 The whole of the NDP area is located within the Hampshire Avon Catchment and the River Avon and its tributaries, which make up the River Avon SAC, flow through the NDP area. Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances predominately where significant development lies immediately adjacent to or in close proximity to the river. Core Policy 69 (CP69) (Protection of the River Avon SAC) of the WCS states: *'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.'* The NDP does not allocate any sites for development however several policies support development which could lead to recreational impacts on the River Avon SAC therefore, the NDP must be subject to appropriate assessment due to the potential for recreational impacts on the River Avon SAC.
- 3.12 The current Zol around the New Forest SPA/SAC comprises 13.8km (further extended to 15km where HRA indicates this is necessary). A large portion of the NDP area lies within the 13.8km Zol and a smaller area lies within the 15km Zol. Although the NDP does not allocate sites for housing there are policies in the NDP that support residential development within these Zol's. The NDP must therefore be subject to appropriate assessment in terms of the potential for recreational effects on this European site.
- 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 NE. Recreational/visitor pressure is a known issue for the Salisbury Plain SPA, however the NDP 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 a visitor survey commissioned by the Council in 2015. Therefore, appropriate assessment of the NDP is screened out with respect of the Salisbury Plain SPA.
- 3.14 Recreational impacts on the Porton Down SPA have been screened out as there is no public access to the site due to use by the Defence Science and Technology Laboratory (DSTL), the Health Protection Agency (HPA) and the Porton Down Science Park (PDSP).
- 3.15 Recreational impacts on the Great Yews SAC and Prescombe Down SAC have been screened out due to the distance to the European sites from the NDP area, approximately 5km and 13.5km respectively.
- 3.16 In terms of recreational pressures on other European sites, the NDP area is located well beyond the Zol for the various elements of the Bath and Bradford on Avon Bats SAC and the interim 9.4km outer Zol to the North Meadow and Clattinger Farm SAC, and therefore appropriate assessment of the NDP is screened out with respect to these two SAC's.

Hydrology / Hydrogeology

- 3.17 Salisbury lies at the confluence of 5 rivers, the Hampshire Avon, the Nadder, the Bourne, the Wylde and the Ebble. The Avon, Nadder, Bourne and Wylde are all components of the River Avon SAC. The Ebble and the Wylde do not flow through the NDP area. The entirety of the Salisbury NDP area lies within the Hampshire Avon catchment and the Wessex Water Resource Zone.
- 3.18 The River Avon SAC and the groundwater sources are particularly vulnerable to the effects of diffuse and point source pollution which can cause ecological damage due to excessive algal growth. The potential for significant effects on water quality and phosphate levels in the River Avon could be caused by increased housing and employment provision which would lead to discharges to the river and nutrient enrichment

of the aquatic system. The Council has agreed through a Memorandum of Understanding with NE and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorus mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period.

- 3.19 With regards to the potential for likely significant effects on the River Avon SAC from water abstraction, the HRA (2020) for the Wiltshire Housing Site Allocations Plan states that existing levels of abstraction for Public Water Supplies (PWS) have the potential to exceed guideline levels on short stretches of the upper reaches of the River Avon SAC. Increased levels of abstraction in this part of the catchment could result in likely significant effects through low flows which would impact upon the qualifying features. Salisbury, however, was not listed as a settlement falling wholly or partly within sub catchments where abstraction for PWS could cause likely significant effects on the River Avon SAC.
- 3.20 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 (Protection of the River Avon SAC) of the WCS. Core Policy 69 requires the use of Construction Management Plans for developments within 20m of the river bank as this will help to maintain water quality.
- 3.21 The NDP does not allocate sites for development however it does support development within the NDP area and as such, a pathway for likely significant effects on the River Avon SAC exists, therefore the NDP must be subject to an appropriate assessment in terms of potential for effects on this European site.

Air Pollution / Nitrogen Deposition

- 3.22 The WCS HRA 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. The Salisbury NDP does not allocate any sites for development therefore it is considered that the NDP will not result in significant effects on European sites as a result of nitrogen or particulate matter deposition.

Physical Damage / Interruption of Flight Lines / Disturbance

- 3.23 The Salisbury NDP area is located over 3km from the closest boundary of the Porton Down SPA, therefore, 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. The plan area 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.
- 3.24 Salisbury Plain SPA is located approximately 9.2km north of the NDP 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. Therefore, appropriate assessment in relation to this European site has been screened out.
- 3.25 It should be noted however, that a stone-curlew breeding plot exists approximately 1.08km from the northern boundary of the NDP area. Stone-curlew are susceptible to disturbance from visual stimuli within 1km. The NDP does not allocate any site for development therefore appropriate assessment with respect to the Salisbury Plain SPA has been screened out with regards to physical damage, interruption of flight lines and disturbance. If a subsequent draft of the NDP were to allocate any sites for development in the north of the plan area, there could be a mechanism for a likely significant effect on stone-curlew which is

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

a qualifying feature of the Salisbury Plain and Porton Down SPAs, and as such HRA of the plan could be necessary.

3.26 The NDP area is located approximately 40km from the nearest component of the Bath and Bradford on Avon Bats SAC and approximately 30km from the nearest core roost associated with the SAC. Appropriate assessment of the NDP can therefore be screened out with respect to this SAC.

3.27 The NDP area is also considered too remote from the Mottisfont Bats SAC and Chilmark Quarries SAC, being approximately 6.5km from both, for there to be physical damage or disturbance to bats and their habitats.

4. Screening of Policies in Salisbury Neighbourhood Development Plan 2020 – 2038 Submission Draft September 2023

4.1 The Salisbury NDP comprises 30 planning policies, 12 of which are recommended to be taken forward to appropriate assessment due to potential likely significant effects on the River Avon SAC and the New Forest SPA/SAC.

4.2 It is considered that none of the other policies within the NDP would lead directly to development or result in a likely significant effect on any European sites, either alone or in-combination with other plans or projects.

TABLE 1: Habitats Regulations Assessment Screening of the Salisbury NDP

A / B (Green) – Screened out
C / D (Red) – Screened in

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
Policy 1: Tree Planting for Carbon Capture	A1	<p>This policy requires all major development to provide a minimum of 30% of the total site area as tree canopy cover after the first 15 years from completion. Provision may be made off-site where this is not possible in accordance with Policy 10. Tree management plans will accompany any proposals that include the removal of existing trees or the introduction of new trees to ensure like for like replacement of any trees lost in the 5 years following completion. This policy requires one tree to be planted for every 10m of road frontage, where there is no overriding reason not to. Development will be required to demonstrate how it has added trees and other types of planting for the purposes of carbon capture, improving air quality and biodiversity and helping residents, workers and visitors connect with nature. The policy supports schemes that seek to enhance natural features and connectivity with existing green infrastructure.</p> <p>This policy will not lead to development but seeks to increase tree cover to increase carbon capture, improve air quality and biodiversity and to connect local people and visitors with nature. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 2: Air Quality	A1	<p>This policy requires, that when fulfilling the requirements of Core Policy 55, developments should have particular regard to how the scheme design avoids the creation of NO₂ in Air Quality Management Areas (AQMA). Transport and Travel Plans should address how the transport impacts of the development will result in acceptable air quality locally and will not breach the objectives of existing AQMAs. Existing developments will be encouraged to reduce traffic impacts on Salisbury’s AQMAs. Proposals should include tree, hedgerow and shrub planting to support improved air quality.</p> <p>This policy will not lead to development, rather it encourages developments to reduce air quality impacts, especially in areas covered by AQMAs. This policy would not result in a likely significant</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.	
Policy 3: Carbon Neutral Development	A1	<p>This policy sets out that applications for new buildings or for significant modifications to existing buildings should be accompanied by an Energy Statement. The policy then goes on to list several criteria that the Energy Statement must address, including how the proposal will perform against the UK Green Building Council's Net Zero Carbon Buildings Framework Definition meeting the zero carbon target wherever possible. Applications for modifications to existing buildings should be able to demonstrate that the proposal has improved the efficiency of the building. Proposals for modifications to Listed Buildings or buildings in the Conservation Area should consider advice from Historic England and demonstrate that the maximum level of energy efficiency, energy generation and reduction in CO₂ impacts have been achieved.</p> <p>This policy will not result in development; however, it does support the development of new energy efficient buildings and the improvement of energy efficiency in existing buildings. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 4: Electric Vehicle Charging Points	A1	<p>This policy requires all new residential developments, conversions and modifications where parking is provided to provide an appropriately located charging point, preferably with two sockets. In general parking areas an appropriate ratio of charging points for general use should be provided. All non-residential developments or major modifications to existing buildings are required to make proper provision for appropriate electric vehicle charging infrastructure to meet the developments needs and those of any visitors. This policy also supports the provision of vehicle charging points at public buildings with vehicular access, public parking and in street infrastructure.</p> <p>As this policy does not promote development but requires the ability to charge electric vehicles in residential and commercial settings, it would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 5: Habitats Regulations	A1 / A2	This policy states that all new development will be required to demonstrate compliance with the Habitats Regulations.	See Section 5 below for recommended policy amendments.

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>It goes on to state that any development affecting the New Forest SPA/SAC must take account of increased recreational pressure on these European sites and must be in accordance with the Interim Recreation Mitigation Strategy for the New Forest Internationally Protected Sites.</p> <p>The policy sets out the need for any developments not allocated within the WCS to demonstrate phosphorus neutrality.</p> <p>This policy aims to ensure that all developments within the NDP area comply with the requirements of the Habitats Regulations and do not adversely affect the New Forest SPA/SAC or the River Avon SAC. This policy would not result in development and would not lead to a likely significant effect on any European sites. However, it is recommended that some amendments are made to the policy wording and supporting text to strengthen the policy.</p> <p>Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies. An appropriate assessment to ensure compliance with the Habitats Regulations will be required at the planning application stage.</p>	
Policy 6: Design in the Built Environment	A1	<p>This policy requires all developments to have regard to the Salisbury Design and Advertising Guide and those in the Conservation Area are required to have regard to the City of Salisbury Conservation Area Appraisal and Management Plan. All development for Class E uses, or from conversions from Class E to Class C3 are required to have regard to the Salisbury Design and Advertising Guide. High quality well designed non traditional buildings may be acceptable where they enhance the urban environment. Where provision is made for the following, a long-term management scheme (25 years) will be required: landscaping schemes other than individual residential properties, any form of flood management scheme, tree planting, and where appropriate, replacement of key building elements. Any developments with below ground impacts within the Conservation Areas, particularly within the Cathedral Close, should address the requirements in Core Policy 58 with regards to ecology.</p> <p>As this policy does not promote development but seeks to ensure good high quality design, it would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
Policy 7: The Close and its Liberty	A1/A3	<p>This policy sets out criteria for development proposals, including planning applications and listed building consent applications, within The Close and its Liberty, including to protect and enhance the biodiversity, ecology and landscape setting of the Close. Proposals for advertising will normally be deemed inappropriate. Development proposals within the scope of The Cathedral’s masterplan will be treated favourably.</p> <p>This policy will not itself lead to development as its aim is to protect the special character of The Close and its Liberty. It would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 8: The Chequers	A1/A3	<p>This policy sets out the types of proposals which will be supported or resisted within the Chequers:</p> <ul style="list-style-type: none"> • Those that avoid the erosion of the traditional back of pavement line, avoid causing a break in the street frontage or will not cause obstruction to the Chequers street pattern will be supported; • Proposals that seek to reintroduce the original street pattern in the Chequers where this has been eroded will be supported; • Loss or alteration of open space in the Chequers will only be supported where it is likely to enhance further provision or use of the space; • Loss of the open area of Marsh Chequer will be resisted; • The loss of traditional historic features such as kerbs and stable pavers should be avoided, or they should be reinstated to their original condition and location. <p>This policy will not result in development, rather it aims to restrict development which would be damaging to the historic character of the Chequers. It would not lead to a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 9: Protecting Key Views in Salisbury	A1	<p>This policy restricts the height of buildings to 12.2m (40ft) and states that only pitched roofs clad in traditional materials will be permitted. Decorative architectural features exceeding this height may be allowed provided they do not result in any increase in useable floorspace. A lesser height may be considered more appropriate for buildings that have to fit into the existing townscape. Where existing buildings are redeveloped planning permission will only be granted after careful consideration of whether rebuilding to the previous height will be acceptable. Developments within the Central Area or where they have a clear view of the Central Area should be</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>accompanied by a statement which sets out how views are preserved. A Landscape and Visual Impact Assessment should accompany major development applications. Major developments should consider and be sympathetic to potential impacts on the setting of the Scheduled monument of Old Sarum and protect views of the monument where they exist.</p> <p>This policy will not itself lead to development as its aim is to protect views of Salisbury Cathedral by restricting the height of buildings to maintain key views. It would not result in a likely significant effect on any European sites. Developments will be considered at the planning applications stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies, including WCS Policy 21.</p>	
<p>Policy 10: Safeguarding and Enhancing Blue and Green Infrastructure</p>	<p>A1, A2, A3</p>	<p>This policy supports proposals that contribute to the greening of Salisbury and deliver elements of the Salisbury green and blue infrastructure vision in the NDP.</p> <p>Major development will be required to:</p> <ul style="list-style-type: none"> • provide a green infrastructure plan setting out how the development will contribute to Salisbury’s green and blue infrastructure; • meet the national Urban Greening Factor for commercial and residential development, and where appropriate residential greenfield development; • obtain professional landscape and ecological design input. <p>Developments should have no net detrimental impact on the green and blue infrastructure network. Where harm is unavoidable and the harm is outweighed by the need for the development, the harm must be mitigated with at least a net 10% improvement.</p> <p>Developments should avoid loss of visual amenity or visual access to blue and green infrastructure and loss of quality of routes due to development.</p> <p>This policy would not result in development, rather it seeks to ensure that new developments contribute to the greening of Salisbury and deliver elements of the Salisbury green and blue infrastructure vision. It would not lead to a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	<p>All developments are required to provide a biodiversity net gain, or improvement, not just those where harm is unavoidable and the harm is outweighed by the need for the development. It is recommended that the wording of this policy is amended.</p>
<p>Policy 11: Biodiversity Net Gain</p>	<p>A1, A2, A3</p>	<p>This policy requires all new developments to provide a minimum of 10% biodiversity net gain as part of the scheme design. If this 10% is not included on site, a commuted sum will be required when development is started to be paid to Salisbury City Council or Wiltshire Council for the purposes of biodiversity improvement within Salisbury City. Developments should aim to safeguard and enhance habitats for protected species, e.g. by providing high quality green</p>	<p>This policy states that a sum of money will be required for any development where 10% BNG cannot be provided</p>

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>infrastructure within the development site and including specific features to support specific species, e.g. bat boxes. Swift bricks should be provided at a rate of one brick per residential unit.</p> <p>This policy would not result in development, rather it seeks to ensure that all new developments provide 10% biodiversity net gain and safeguard and enhance habitats for protected species. It would not lead to a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	<p>on site and this sum would be paid to Salisbury City Council or Wiltshire Council. This would not be the case as all planning applications are submitted to Wiltshire Council who will agree a sum of money and how/where that money is spent.</p> <p>The Environment Act makes provision for the Secretary of State to set up a national biodiversity credits scheme. This will allow developers to buy credits as a last resort at a higher than market price when onsite and local offsite provision of habitat cannot deliver the BNG required.</p> <p>It is recommended that the wording of this policy is amended to reflect these comments.</p>
Policy 12: Habitat Improvement and Restoration Schemes	C and D River Avon SAC	<p>This policy states that <i>offsite biodiversity net gain is encouraged to be delivered at the SNDP habitat improvement and restoration schemes listed in paragraph 182 and as detailed in Appendix 2, Figures 46-52</i>. The supporting text lists the habitat enhancement and restoration schemes as follows:</p> <ul style="list-style-type: none"> • Avon Valley Local Nature Reserve; 	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<ul style="list-style-type: none"> • Bemerton Folly and Barnards Folly Local Nature Reserve and the Valley; • Harnham Slope, West Harnham Chalkpit, Harnham Folly Woodland, Chiselbury Grove Woodland and old Blandford Road Open Space; • Middle Street Meadow; • Lime Kiln Down; • Hudson’s Field and Three Corner Field. <p>These schemes and projects are priority projects for off-site biodiversity net gain proposals and are preferred over other schemes that may be suggested. They relate to locally important wetland, woodland, valley bottom, grassland habitat and increasingly rare chalk downland habitat which require improvement in terms of management and access, and are located largely within the urban area.</p> <p>This policy supports the provision of offsite biodiversity net gain at the habitat improvement and restoration scheme sites listed above. The policy will not lead to development but seeks to enhance and restore important local habitats. However, as some of the schemes are located adjacent to the River Avon SAC there is the potential for the progression of such schemes to result in additional recreational pressure upon the habitats associated with the Avon which in turn could lead to likely significant effects on the SAC. Therefore, Policy 12 cannot be screened out and must be subject to appropriate assessment.</p>	
Policy 13: Open Space Provision	A2	<p>This policy requires all major development schemes located adjacent to the open spaces identified in the NDP, or that would give rise to additional usage of these spaces, to make provision to implement the improvements identified in Appendix 3. This can either be achieved by providing the specific infrastructure or maintenance required or by providing a commuted sum to Salisbury City Council to undertake the works. This policy requires very large scale housing schemes to ensure residents have access to a variety of greenspaces within 15 minutes’ walk from home.</p> <p>This policy will not lead to development but seeks to improve the important local greenspaces within Salisbury and therefore would not lead to a likely significant effect on any European sites. Developments will be considered at the planning application stage to ascertain whether HRA is required and to ensure compliance with this policy, the NPPF and other relevant Development Plan policies.</p>	Developments adjacent to open spaces within close proximity of the River Avon SAC may need to be subject to a HRA at the application stage to ensure there would be no recreational impacts on the SAC due to the improvements made to the open spaces leading to an increased level of public access/use.

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Policy 14: Local Green Spaces	A3	<p>This policy states that the sites identified in the figure and relevant appendix are designated as Local Green Spaces, this is in accordance with paragraphs 101-103 in the NPPF (2021).</p> <p>This policy designates Local Green Spaces within Salisbury and therefore will not lead to development or a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 15: Construction and development management for projects affecting the River Avon SAC	C and D River Avon SAC	<p>This policy seeks to ensure that <i>'Riparian development will ensure protection of the River Avon SAC in accordance with Core Policy 69 or other relevant local plan policy and paragraph 201'</i>. The supporting text states that the Salisbury River Park Masterplan indicates that the following approach should be adopted to manage construction and development impacts near the River Avon and its tributaries:</p> <ul style="list-style-type: none"> • Development and redevelopment should aim to integrate the protection and restoration of the natural river habitat, riparian zone and floodplain. • Landscape schemes should achieve a minimum 10% biodiversity net gain. • Species used for new planting should be appropriate for the riverine environment, enhancing its character and respecting special features of the SAC. • Biosecurity measures and procedures should be employed to reduce the risk of introducing or spreading invasive non-native species (and other harmful organisms such as diseases) in the wild. • Measures should be employed to eradicate and manage invasive species such as Japanese knotweed, Himalayan balsam, Canadian waterweed, and Giant Hogweed. • It must be demonstrated that the development has been designed to avoid any temporary or permanent increases in artificial light levels near the river. • The development should not increase surface water or groundwater flood risk. • Development should incorporate Water Sensitive Urban Design (WSUD) and sustainable drainage principles taking account of the four pillars of sustainable drainage (SuDS) – water quantity, water quality, biodiversity and amenity. • Betterment of surface water run-off control should be achieved over pre-development run-off. <p>This policy is designed to protect the River Avon SAC from construction impacts by ensuring developments are in accordance with Core Policy 69 Protection of the River Avon SAC. This policy will not lead to development however, it does not recognise the need for development to comply</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>with the Habitats Regulations and the possibility that a HRA would be required. It is therefore necessary to take this policy forward to appropriate assessment. In addition, developments will be considered at the planning application stage to ascertain whether HRA is required and to ensure compliance with this policy, Policy 5, the NPPF, Core Policy 50 (CP50) (Biodiversity and Geodiversity) and Core Policy 69 (CP69) (Protection of the River Avon SAC) of the WCS and other relevant Development Plan policies.</p>	
<p>Policy 16: Housing Mix and Affordable Housing</p>	<p>C and D River Avon and New Forest SPA/SAC</p>	<p>This policy sets out the housing mix required for development proposals of 10 or more units or 0.5ha or more, including market rate housing and affordable housing. A minimum of 40% affordable housing should be provided. The provision of flats, either market rate or affordable, will be supported in sustainable locations. 30-40% of affordable housing units should be one bedroom.</p> <p>This policy will not lead to development however it supports development by identifying the housing mix required for 10 or more units or 0.5ha or more. Residential development supported through this policy could contribute to phosphorus pollution of the River Avon SAC through increased discharges from sewage treatment works and recreational pressures due to additional public use of habitats associated with the SAC. Developments may also be located within the New Forest SPA/SAC 13.8km Zol and could therefore lead to recreational pressures on these European sites. Therefore, it is necessary for this policy to be subject to appropriate assessment. Furthermore, developments will be considered at the planning application stage to ensure they comply with this policy, Policy 5, the NPPF and other relevant Development Plan policies.</p>	
<p>Policy 17: Churchfields and the Engine Shed Site</p>	<p>C and D River Avon SAC</p>	<p>This policy requires any developments within the area of Churchfields to take full account of the requirements and proposals in the Churchfields Masterplan and Salisbury Design and Advertising Guide. The guidelines and masterplan document were developed by AECOM to provide design support to Salisbury City Council with a focus on the Churchfields Area.</p> <p>Churchfields is surrounded to the west, south and east by the River Nadder which is a component of the River Avon SAC. The policy wording does not stipulate that there would be residential development on this site however the supporting text, design guide and masterplan do imply that there would be. If residential development came forward on this site as a result of this policy there would be the potential for likely significant effects on the River Avon SAC through increased phosphorus pollution, construction impacts and recreational pressure. Policy 17 cannot be screened out and must be subject to an appropriate assessment.</p>	

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		<p>Furthermore, developments will be considered at the planning application stage to ascertain whether HRA is required and to ensure compliance with this policy, Policy 5, Policy 15, the NPPF, Core Policy 50 (CP50) (Biodiversity and Geodiversity) and Core Policy 69 (CP69) (Protection of the River Avon SAC) of the WCS and other relevant Development Plan policies.</p>	
	C and D New Forest SPA/SAC	<p>The policy wording does not stipulate that there would be residential development on this site however the supporting text, design guide and masterplan do imply that there would be. This site is located within the 13.8km Zol of the New Forest SPA/SAC and therefore if residential development came forward on this site as a result of this policy there would be the potential for likely significant effects on the SPA/SAC with regards to increased recreational pressure.</p> <p>Development will need to adhere to the Interim New Forest Mitigation Strategy¹² or subsequent iteration of the strategy, which requires developments on brownfield land within the 13.8km Zol to provide a Community Infrastructure Levy (CIL) contribution per dwelling. Policy 17 cannot be screened out and must be subject to an appropriate assessment. In addition, developments will be considered at the planning application stage to ascertain whether HRA is required and to ensure compliance with this policy, the NPPF, the Interim New Forest Mitigation Strategy (2022), Core Policy 50 (CP50) (Biodiversity and Geodiversity) of the WCS and other relevant Development Plan policies.</p>	
Policy 18: Healthcare Facilities	C and D River Avon SAC	<p>This policy sets out the NDPs support for the development of new primary and secondary healthcare facilities within the Central Area, particularly on previously developed land or in areas that are currently poorly served. The loss of existing healthcare facilities will not be supported unless a suitable alternative is provided. The policy supports the redevelopment of large buildings in whole or part for healthcare facilities before a change of use is considered. The following three sites have been suggested in the supporting text as potential sites as they are existing, accessible brownfield sites:</p> <ul style="list-style-type: none"> • The Maltings; • Central Car Park; • Brown Street Car Park. <p>This policy does not allocate land but it does support the location, relocation and/or development of healthcare services in the city centre. Of the three sites identified above, the Maltings and the Central Car Park are both located within 20m of the River Avon SAC. There is the potential for</p>	

¹² Interim Recreation Mitigation Strategy for the New Forest Internationally Protected Sites, Wiltshire Council, January 2022 (Version 1.1 21/03/2023)

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		<p>other sites to be adjacent to (within 20m of) the River Avon SAC. This policy cannot be screened out as there is the potential for likely significant effects on the SAC. This policy therefore needs to be taken forward to appropriate assessment.</p>	
<p>Policy 19: Community Infrastructure</p>	<p>C and D River Avon SAC</p>	<p>This policy seeks to ensure there is no loss of community infrastructure. Where the loss of infrastructure is unavoidable, acceptable equivalent replacement infrastructure will be required to be provided. All larger residential development will be required to provide new onsite community infrastructure, where possible, where it cannot be demonstrated that there is sufficient community infrastructure within walking distance. Where necessary offsite provision will be provided through developer contributions. Community infrastructure should be accessible to new residents and also benefit members of the community most affected by the development. Long term management plans will be required to accompany proposals for new or improved community infrastructure.</p> <p>This policy will not lead to development as it does not allocate sites, however it does support the development of new community infrastructure where appropriate. The River Avon and two of its tributaries flow through the Salisbury NDP area, therefore there is the potential for new or improved facilities to be located adjacent to or within 20m of the River Avon SAC. Therefore, the potential for likely significant effects with regards to construction impacts and recreational pressure on the SAC cannot be ruled out and Policy 19 must be subject to appropriate assessment.</p>	
<p>Policy 20: Allotments</p>	<p>A1</p>	<p>This policy seeks to ensure there is no loss of allotment land. Loss will be resisted unless an acceptable alternative is provided. All major residential development will be expected to make provision for allotments wherever feasible. Where the provision of allotments is not feasible provision will be required for residents to be able to participate in gardening for social and therapeutic purposes. This provision should enable wheelchair users and others to garden independently and in a sustainable manner.</p> <p>This policy will not lead to development but seeks to ensure that there will be no loss of allotment land and that all new developments make provision for allotments wherever feasible. This policy would not result in a likely significant effect on any European sites.</p>	
<p>Policy 21: Provision for Play and Sport</p>	<p>C and D River Avon SAC</p>	<p>The loss of play provision and sport infrastructure will be strongly resisted, including trading one for the other, through this policy. All major residential developments will make proportionate provision for play and sport to meet the demand the scheme gives rise to. Legacy planning will be required to ensure there is no future loss of provision and that schemes are maintained throughout their lifetime. New sports venues should be able to comply with climate change</p>	

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		<p>policies. Play provision can be equipped play areas or informal adventure play opportunities but must meet the needs of a range of ages and abilities. Landscaping schemes should include opportunities for informal and creative play.</p> <p>This policy will not lead to development as it does not allocate sites; however, it does support the development of new play and sport facilities where appropriate. The River Avon and two of its tributaries flow through the Salisbury NDP area, therefore there is the potential for new play and sports facilities to be located adjacent to or within 20m of the River Avon SAC. Therefore, the potential for likely significant effects with regards to construction impacts and recreational pressure on the SAC cannot be ruled out and Policy 21 must be subject to appropriate assessment.</p>	
Policy 22: Sustainable Transport	C and D River Avon	<p>This policy aims to ensure a modal shift to more sustainable transport modes and to reduce the need to travel into and within the city centre, particularly for larger vehicles. Transport schemes and mitigation measures identified in the Salisbury Transport Strategy and the Local Walking and Cycling Infrastructure Plan will be supported by developments and wherever possible sustainable transport schemes should align with and enhance Salisbury’s Blue and Green Infrastructure networks.</p> <p>This policy will not lead to development but sets out the requirement for developments to support and promote sustainable transport including through the provision of new sustainable transport links. As the location of new transport links has not been identified, the potential for new links to be located adjacent to the River Avon SAC cannot be ruled out. Construction of new links in proximity to the SAC could result in construction impacts, for example damage or disturbance to the riverbank, and increased recreational pressure on the SAC. Therefore, likely significant effects on the River Avon SAC cannot be screened out and Policy 22 should be subject to an appropriate assessment.</p>	
Policy 23: Cycling and Walking Infrastructure	C and D River Avon SAC	<p>This policy supports developments that make provision for the Local Walking and Cycling Infrastructure Plan, make contributions towards sustainable transport provision, including for the mobility impaired, and make provision for improvements to wider walking and cycling connectivity. Safe walking and cycling routes to and from schools should be provided wherever possible.</p> <p>This policy supports the construction of new cycle/pedestrian routes throughout the Salisbury NDP area, some of which are adjacent to the River Avon SAC. As such, the development proposed in the policy has the potential to cause construction impacts, for example damage or disturbance</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		to the riverbank, and recreational pressure on the River Avon SAC by encouraging more people to walk and cycle along new routes constructed adjacent to the SAC. Therefore, likely significant effects on the River Avon SAC cannot be screened out and Policy 23 should be subject to an appropriate assessment.	
Policy 24: Cycle Parking	A1	<p>New developments and residential conversions will be required to provide cycle parking and storage, in accordance with Wiltshire Council cycle parking policy. Developments within the city centre will be required to either make provision for or contributions towards publicly available cycle parking, including covered cycle parking.</p> <p>This policy aims to increase the amount of cycle parking and storage provided within Salisbury and does not therefore lead to development itself. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 25: Cycling for Pleasure	C and D River Avon SAC	<p>This policy seeks to improve the provision of facilities for cycling for pleasure. This includes safe cycle storage at key points, repair stations and outdoor serving areas with seating. Safer crossing points for cyclists and provision of cycling maps and promotional material will also be supported.</p> <p>This policy will not lead to development but it does have the potential to cause likely significant effects on the River Avon SAC. The policy and supporting text do not identify where the ‘key points’ would be located and as such there is potential for these to be located adjacent to the SAC and to result in construction impacts, for example disturbance or damage to the riverbank, as well as increasing recreational pressure by encouraging more people to cycle on routes close to the SAC. Likely significant effects on the River Avon SAC cannot be screened out and Policy 25 should be subject to an appropriate assessment.</p>	
Policy 26: Residential Parking	A1	<p>This policy sets out the parking provisions that will be supported:</p> <ul style="list-style-type: none"> • Residential developments without allocated parking spaces, particularly in the Central Area; • Residential developments with reduced parking spaces and enhanced provision for car sharing and other sustainable travel modes; • Parking should be on plot where feasible and should never lead to on street parking unless in purpose-built parking bays. <p>This policy seeks to reduce the amount of parking and private car use within Salisbury and does not therefore lead to development itself. This policy would not result in a likely significant effect</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.	
Policy 27: Working from Home and Live-Work units	A1	<p>This policy aims to ensure that new residential developments are designed to facilitate home working. Larger schemes will be required to provide community work hubs where practicable. These schemes should also provide secure lock-up-and-leave storage. To ensure the community work hubs are not subsequently converted to residential uses, a planning conditions will be attached to any permission to remove permitted development rights for this conversion. Live work units are also supported through this policy.</p> <p>This policy does not allocate land for development but sets out criteria for residential schemes to provide facilities for working from home. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy 28: Visitor Accommodation	C and D River Avon SAC	<p>This policy states: <i>Development for new visitor accommodation in Salisbury will be supported in accordance with Core Policy 40.</i></p> <p>This policy does not allocate land for development; however, it does support the development of new visitor accommodation which has the potential to be located within close proximity to the River Avon SAC. Therefore, due to the potential for likely significant effects on the SAC in terms of increased phosphorus pollution from additional discharges from sewage treatment works and construction impacts from the development of additional overnight accommodation, as well as an increase in recreational pressure, this policy cannot be screened out. Policy 28 should be subject to appropriate assessment.</p>	
	C and D New Forest SPA/SAC	<p>This policy does not allocate land for development; however, it does support the development of new visitor accommodation. The majority of the NDP area is located within the 13.8km Zol from the New Forest SPA/SAC. Likely significant effects on the New Forest SPA/SAC alone cannot be ruled out as the policy wording does not put a maximum threshold on the quantum of visitor accommodation supported by the policy. Therefore, the potential for likely significant effects on the New Forest SPA/SAC, alone and in combination, from recreational pressures caused by more people visiting and staying in Salisbury and potentially visiting the New Forest cannot be screened out and Policy 28 should be subject to appropriate assessment.</p>	
Policy 29: Post Offices	A1	<p>This policy states that post offices in Salisbury are deemed to be Class F2(a) where the essential service is as a post office. Post offices in Salisbury are not deemed to be Class E.</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>This policy will not lead to development and instead classifies post offices in Salisbury as Class F2. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
<p>Policy 30: Major Food Retail</p>	<p>C and D River Avon SAC</p>	<p>This policy states that proposals for major food provision will be supported where there is poor provision. The policy goes on to state that local convenience goods shops that serve local catchments and can be accessed on foot by the majority of their customers will be supported.</p> <p>This policy does not allocate land for development; however, it does support the development of new major food retail units which have the potential to be located within close proximity to the River Avon SAC. Therefore, the potential for likely significant effects on the River Avon SAC due to construction related impacts and the contribution of additional phosphorus to the SAC cannot be screened out and Policy 30 should be subject to appropriate assessment.</p>	

STAGE 2 APPROPRIATE ASSESSMENT

5.0 Appropriate Assessment – River Avon SAC

Background to the River Avon SAC

- 5.1 The qualifying features of the River Avon SAC 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 NE on 11 March 2019¹³ (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.

Plans and projects to be considered in combination

- 5.4 The HRA for the WCS considered the in-combination effect of all development proposed in the River Avon catchment, relying on the River Avon Nutrient Management Plan (NMP)¹⁴ 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 EA and NE 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 NE, Wessex Water and the EA¹⁵ agreeing to deploy a range of measures to ensure that development between March 2018 and March 2025 will be phosphate

¹³ 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

¹⁴ River Avon Special Area of Conservation Nutrient Management Plan for Phosphorus (David Tyldesley Associates, 30 April 2015)

¹⁵ Memorandum of Understanding, River Avon Special Area of Conservation, Phosphate Neutral Development – Interim Mitigation, 29 May 2018

neutral. The MoU commits the parties to preparing an Interim Delivery Plan (IDP)¹⁶ 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. 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 strategic appropriate assessment and agreed with NE, comprises the following:
- A trajectory of housing completions¹⁰ will be used to anticipate the amount of offsetting required and ensure sufficient offsetting is in place before housing becomes occupied.
 - Tracking the phosphorus burdens of all developments covered by the strategy and ensure the requisite phosphorus offsetting measures are appropriately located in relation to the permitted development.
 - Offsetting will initially take the form of Small Schemes which will mainly comprise new wetlands and woodlands located in the headwaters of the River Avon sub-catchments.
 - In the first place Small Schemes will be secured by 25 year contracts but these will be capable of being extended or replaced to provide offsetting in perpetuity.
 - Temporary Measures, such as cover crops or capital works, will be used to bridge any gaps until Small Schemes are up and running and may be used at other times as a contingency.
 - A 20% buffer will be incorporated into phosphorus projections to account for uncertainties inherent in the approach to determining whether development is phosphorus neutral.
 - Large Habitat Creation Schemes (including wetlands) 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 NE and the EA 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.
- 5.10 Developments that are considered within the scope of the strategic appropriate assessment are those considered to be plan led or planned development. These include
- Allocations within the development plan – Wiltshire Core Strategy (including saved policies), Wiltshire Housing Site Allocation Plan and Neighbourhood Plans (CP 2)
 - Proposals within settlement boundaries and infill at Small Villages (CP 2)

¹⁶ River Avon SAC – Phosphate Neutral Development Interim Delivery Plan, Wood Environment and Infrastructure Solutions UK Limited, January 2019

- Rural exception sites (CP 44)
- Outside settlement boundaries – only specialist accommodation, gypsy and travellers, rural workers dwellings, conversion and re-use of rural buildings consistent with policy (CP 46, 47 and 48).

5.11 Applications which are not considered to have significant effects on the SAC are as follows:

- Comparably sized replacement dwellings can be assumed to be phosphorous neutral in light of the condition restricting water use to 110 litres/person/day;
- Any developments for annexes can also be regarded as phosphorous neutral if a condition is applied to limit use of the annex to that which is ancillary to the main dwelling;
- Applications for replacement of a septic tank anywhere in the catchment are assumed to be phosphorous neutral provided there is no net increase in the number of connected dwellings.

5.12 It is noted in the Council's phosphorus mitigation strategy that even for qualifying applications it may be necessary for alternative measures to be sought by developers rather than the Council in some instances. This remains the case if measures have been avoided and mitigated on-site as far as practical.

5.13 Speculative greenfield applications outside of settlement boundaries that are contrary to the development plan (CP2) are not classified as planned development.

5.14 Non-residential development (excluding activities which contribute phosphorus as a result of their commercial processes or from people living beyond the catchment) and non-sewered development are also within the scope of the strategic appropriate assessment.

5.15 If development is not considered to be planned development, a bespoke mitigation strategy is required to mitigate the potential impacts on the SAC. NE have developed a Nutrient Calculator which calculates a nutrient budget to be used to develop the mitigation strategy that will ultimately need to be agreed with NE and Wiltshire Council.

Analysis of policies in the NDP screened into appropriate assessment

Policy 5 Habitats Regulations

5.16 Policy 5 seeks to ensure that all developments that come forward in the NDP area comply with the Habitats Regulations:

Policy 5: Habitats Regulations

All new development will need to demonstrate compliance with the Habitats Regulations.

Development affecting the New Forest SPA/ SAC must pay regard to the potential for increased recreational pressure on this site, taking account of the Interim Recreation Mitigation Strategy for the New Forest Internally Protected sites, January 2022, or subsequent iteration.

Development that is not allocated in the Wiltshire Core Strategy must demonstrate phosphorus neutrality.

5.17 The addition of this policy was agreed during discussions between Wiltshire Council ecologists and a representative of the NDP Steering Group prior to the submission of the Regulation 14 draft of the NDP. The actual text of the policy, however, was not agreed upon during these discussions. It was recommended that this policy would need to highlight the need for new developments to comply with the Council's strategic mitigation strategies and advise that new developments within the catchment of the River Avon SAC and the ZOI for the New Forest SPA/SAC may require a project level HRA.

5.18 While it is recognised that the policy does highlight the need to comply with the Habitats Regulations and Interim Recreation Mitigation Strategy for the New Forest and that developments would be required to

- demonstrate phosphorus neutrality, we recommended some amendments to the policy in the Regulation 14 appropriate assessment. We note that these recommendations have not been taken forward.
- 5.19 The supporting text to Policy 5 explains that Wiltshire Council undertook a HRA in November 2021 and that the document is appended to the NDP. The text goes on to explain that the policy draws on the findings of the HRA and that applicants are encouraged to consult the HRA and prepare proposals for appropriate mitigation where necessary.
- 5.20 The HRA undertaken by Wiltshire Council was issued in February 2022, not November 2021. The HRA was undertaken to assess an earlier draft version of the NDP and is therefore specific to that version of the NDP. We would not, therefore, expect it to be appended to this NDP or for developers to consult the document.
- 5.21 The supporting text should include a summary of the aims of the Habitats Regulations and should introduce the River Avon SAC and New Forest SPA/SAC. (It is noted that the River Avon SAC is introduced later in the document in the supporting text for Policy 15 and the New Forest SPA/SAC is not considered in the NDP.)
- 5.22 The policy should provide the full reference for the Habitats Regulations and should state that developments falling within the catchment of the River Avon SAC and within the ZOI for the New Forest SPA/SAC may be subject to a HRA.
- 5.23 Paragraph 2 of the policy sets out the potential for recreational impacts on the New Forest SPA/SAC and the need to take account of the Interim Recreation Mitigation Strategy for the New Forest Internationally Protected Sites. It is noted that there is a mistake in the policy and the word Internally is used instead of Internationally.
- 5.24 The paragraph starts by stating that '*Developments affecting the New Forest SPA/SAC must pay regard to the potential for increased recreational pressure on this site...*'. Developments should not be affecting the New Forest SPA/SAC, the objective of the policy should be to avoid or sufficiently mitigate the effects of new developments on European sites therefore it is recommended that this wording is amended.
- 5.25 The policy should set out the requirement for developers to provide a CIL payment to Wiltshire Council, or in some cases provide an on-site SANG, for residential or visitor accommodation developments located within the ZOI for the New Forest SPA/SAC in accordance with the Interim Recreation Mitigation Strategy for the New Forest Internationally Protected Sites.
- 5.26 Paragraph 3 simply states that '*Development that is not allocated in the Wiltshire Core Strategy must demonstrate phosphorus neutrality.*' The supporting text does not explain the reason that developments are required to demonstrate phosphorus neutrality within the River Avon SAC catchment, and the policy does not refer to the Council's strategic mitigation strategy for the River Avon SAC¹⁷. The strategy sets out the Council's approach to achieving phosphorus neutrality within the SAC catchment and sets out that developments are considered to be within the scope of the strategic appropriate assessment if they are considered to be plan led development. Plan led developments are more than just those allocated within the WCS (see paragraphs 5.10-5.15), they are developments covered within the overall Development Plan, and this needs to be made clear within the policy wording and the supporting text.
- 5.27 Any developments that are not considered to be plan led development would be expected to demonstrate phosphorus neutrality through a bespoke mitigation strategy agreed with NE and Wiltshire Council.

¹⁷ Generic Appropriate Assessment of Developments in Wiltshire Occurring in the River Avon SAC Catchment, Wiltshire Council, January 2021

5.28 It is therefore considered that amendments are still required to Policy 5 to strengthen the policy and ensure that developments coming forward within the NDP area avoid effects on these European sites or have sufficient mitigation measures in place.

5.29 On the basis that the recommended policy amendments above are included in the revised version of the NDP they would satisfy the need to comply with the Habitats Regulations for the following policies: (however the policies still need to be considered further in this appropriate assessment with regards to, for example, recreational and construction impacts)

- Policy 15 Construction and development management for projects affecting the River Avon SAC
- Policy 16 Housing Mix and Affordable Housing
- Policy 17 Churchfields and the Engine Shed site
- Policy 21 Provision for Play and Sport
- Policy 22 Sustainable Transport

Analysis of policies in the NDP screened into appropriate assessment

Recreational Impacts

5.30 As identified in Table 1 above, the following policies have the potential to have recreational impacts on the River Avon SAC:

- Policy 12 Habitat Improvement and Restoration Scheme
- Policy 16 Housing Mix and Affordable Housing
- Policy 17 Churchfields and the Engine Shed site
- Policy 19 Community Infrastructure
- Policy 21 Provision for Play and Sport
- Policy 22 Sustainable Transport
- Policy 23 Cycling and Walking Infrastructure
- Policy 25 Cycling for Pleasure
- Policy 28 Visitor Accommodation

5.31 As discussed previously in this HRA, recreational pressure on the River Avon SAC is recognised to occur in limited circumstances, predominately where significant development lies immediately adjacent to or in close proximity to the river.

5.32 Policies 16, 19 and 28 support the development of additional dwellings, community infrastructure and visitor accommodation within the NDP area, however as the policies do not allocate land it is not known at this stage where development may occur. Policies 12, 21, 22, 23 and 25 support the development of play and sport provision, sustainable transport and improved cycling and walking facilities. Again, as these policies do not allocate land for these purposes it is not known at this stage where development may occur.

5.33 There is the potential therefore for these policies to lead to an increase in pressure on the SAC by encouraging more people to access the river for recreational purposes. The potential for significant effects on the River Avon SAC from recreational pressure was considered in the HRA's undertaken for the WCS in 2012 and 2013 and it was concluded that an increase in population could result in an increase in demand for recreation which could affect the SAC, however CP69 is considered at the plan level to provide sufficient safeguards to avoid recreational pressure on the SAC.

5.34 Given that any proposals that may come forward as supported by the above policies would likely include small scale infrastructure improvements which would likely be primarily used by local residents, and would be unlikely to attract people from further afield, it is considered that the anticipated volume of additional visitors to the river as a result of the above policies would not result in a significant impact on the SAC provided that any development is in accordance with CP69 and Policies 5 and 15 of the NDP. In addition, any developments would be considered at the planning application stage to ensure compliance

with these and other development plan policies and the NPPF, and would need to be subject to appropriate assessment which must reach a conclusion of no adverse effect on the SAC alone or in combination with other plans and projects in order to be granted planning permission.

Construction Impacts

5.35 The following policies have the potential to have construction impacts on the River Avon SAC:

- Policy 16 Housing Mix and Affordable Housing
- Policy 17 Churchfields and the Engine Shed site
- Policy 18 Healthcare Facilities
- Policy 19 Community Infrastructure
- Policy 21 Provision for Play and Sport
- Policy 22 Sustainable Transport
- Policy 23 Cycling and Walking Infrastructure
- Policy 25 Cycling for Pleasure
- Policy 28 Visitor Accommodation
- Policy 30 Food Retail

5.36 Any development that comes forward which is supported by the above policies has the potential to have construction impacts on the River Avon SAC if it is located adjacent to or within close proximity of the river, for example through pollution incidents and river bank damage. Developments must therefore manage construction impacts in accordance with Core Policy 69, and Policies 5 and 15 of the NDP. Core Policy 69 states that *'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.'*

5.37 Policy 5 aims to ensure that all developments comply with the requirements of the Habitats Regulations and do not adversely affect the River Avon SAC.

5.38 Policy 15 supports CP69 in managing construction and development impacts on the River Avon SAC. The policy also requires developments to accord with paragraph 201 in the supporting text of the NDP which states that *'the River Park Masterplan indicates that the following approach should be adopted to manage construction and development impacts near the Avon and its tributaries:*

- *Development and redevelopment should aim to integrate the protection and restoration of the natural river habitat, riparian zone and floodplain.*
- *Landscape schemes should achieve a minimum 10% biodiversity net gain.*
- *Species used for new planting should be appropriate for the riverine environment, enhancing its character and respecting special features of the SAC.*
- *Biosecurity measures and procedures should be employed to reduce the risk of introducing or spreading invasive non-native species (and other harmful organisms such as diseases) in the wild.*
- *Measures should be employed to eradicate and manage invasive species such as Japanese knotweed, Himalayan balsam, Canadian waterweed, and Giant Hogweed.*
- *It must be demonstrated that the development has been designed to avoid any temporary or permanent increases in artificial light levels near the river.*
- *The development should not increase surface water or groundwater flood risk.*

- *Development should incorporate Water Sensitive Urban Design (WSUD) and sustainable drainage principles taking account of the four pillars of sustainable drainage (SuDS) – water quantity, water quality, biodiversity and amenity.*
- *Betterment of surface water run-off control should be achieved over pre-development run-off.*

5.39 CP69, Policy 5 and Policy 15 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NDP area would not have adverse impacts on the River Avon SAC as a result of construction related activities. In addition, any developments would be considered at the planning application stage to ensure compliance with the aforementioned policies and other development plan policies and the NPPF, and would need to be subject to appropriate assessment which must reach a conclusion of no adverse effect on the SAC alone or in combination with other plans and projects in order to be granted planning permission.

Nutrient Neutrality

- 5.40 The strategic appropriate assessment agreed by NE, 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.
- 5.41 At this stage it is not known how developments that could come forward as supported by the policies listed below would dispose of foul waste however it is considered most likely to be via mains sewer to a sewage treatment works.
- 5.42 NE previously advised it intended to issue formal guidance in autumn/winter 2021 on when non-mains development can be excluded from appropriate assessment, however this guidance is still awaited. In the meantime, Wiltshire Council has some interim guidance about small scale thresholds for non-mains system development which can be applied to planning applications so that it can be determined 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.
- 5.43 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, unless subsequent formal guidance from NE indicates otherwise.
- 5.44 The provision of measures to control phosphorous in urban runoff through SuDs design and on-site offsetting measures will be the responsibility of developers.

Policy 16 Housing Mix and Affordable Housing

- 5.45 Any development supported by this policy that is located within the settlement boundary of Salisbury would be covered by the strategic appropriate assessment as it would be considered to be planned development.
- 5.46 If development comes forward that is not considered to be planned development it would not be covered by the strategic appropriate assessment and a bespoke mitigation strategy for the site, based on the results of the nutrient calculator developed by NE, and a project level HRA would be required to demonstrate nutrient neutrality and therefore no significant impacts on the SAC.

Policy 17 Churchfields and the Engine Shed site

- 5.47 The Churchfields and the Engine Shed site is a major employment site to the west of Salisbury city centre and is allocated in CP20 of the WCS for a mixed use development of 1,100 dwellings and 5ha of

employment land. It is bordered on 3 sides by the River Nadder which is a component of the River Avon SAC. Policy 17 states that development of the Churchfields and Engine Shed sites should take account of the proposals and requirements of the Churchfields Masterplan and Salisbury Design and Advertising Guide. The design guide presents various development scenarios which are in conformity with current and emerging local planning policy context.

- 5.48 As the site is allocated in the WCS and is located within the Salisbury Settlement boundary it is considered to be planned development and is therefore within the scope of the strategic appropriate assessment. However, as noted above in paragraph 5.12, for qualifying applications it may be necessary for alternative measures to be sought by developers rather than the Council in some instances.
- 5.49 Any application coming forward for the site would need to be in accordance with CP20, CP69 and Policies 5 and 15 in the NDP. In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and would need to be subject to appropriate assessment which reaches a conclusion of no adverse effect on the SAC alone or in combination with other plans and projects in order to receive planning permission.

Policy 28 Visitor Accommodation

- 5.50 Visitor accommodation, i.e. accommodation that routinely brings people in from living outside the catchment, is not covered by the strategic appropriate assessment and therefore any development for visitor accommodation within the NDP area would require a bespoke mitigation strategy for the site, based on the results of the nutrient calculator developed by NE, and a project level HRA to demonstrate nutrient neutrality and therefore no significant impacts on the SAC.

Policy 30 Major Food Retail

- 5.51 The strategic appropriate assessment states that it does not attempt to calculate phosphorus for non-residential development as guidance from NE regarding nutrient neutrality indicates that employment uses can be discounted on the assumption that there is no net migration into the catchment for employment purposes. It also states that considering new employment applications separately would be potentially double counting phosphorus loads.
- 5.52 The same assumption can also be applied to food retail applications, as it is considered likely that those using toilets in supermarkets primarily also comprise residents and therefore their phosphorus load has already been accounted for.
- 5.53 Any application for development of a food retail outlet within the NDP area would require a project level HRA however it is considered likely that the development would be screened out at Stage 1 of the HRA with regards to phosphorus impacts.

Conclusion – River Avon SAC

- 5.54 The policies set out above have been considered in this appropriate assessment and have been assessed for their potential impacts on the River Avon SAC in terms of recreational, construction and phosphorus impacts. With regards to construction and recreational impacts, any development coming forward in the NDP area will be required to comply with CP69 and Policies 5 and 15 in the NDP which seek to avoid or reduce construction and disturbance impacts on the SAC.
- 5.55 With regards to phosphorus impacts, if developments come forward within the settlement boundary of Salisbury or are allocated within the Development Plan, they would be considered to be planned development and would therefore fall within the scope of Wiltshire Council's Phosphorus strategic appropriate assessment. A bespoke mitigation strategy will be required for any developments which are not considered to be planned development.

5.56 It is therefore concluded beyond reasonable scientific doubt that the NDP will have no adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects.

6 Appropriate Assessment – New Forest SPA/SAC

Background to the New Forest SPA/SAC

- 6.1 The New Forest comprises the largest area of ‘unsown’ vegetation in lowland England and includes the representation on a large scale of habitats formerly common but now fragmented and rare in lowland western Europe. The mosaic of habitats owes much to the local geology and traditional commoning grazing system, a situation which is uncommon in lowland England.
- 6.2 The habitats include lowland heath, valley and seepage step mire, or fen, ancient pasture woodland, including riparian and bog woodland and a range of acid to neutral grasslands.
- 6.3 The SPA supports an exceptionally rich bird fauna including internationally important breeding populations and wintering populations of bird species associated with these habitats. The SAC supports outstanding examples of 13 habitats of European interest which are represented with two priority habitat types, bog woodland and riverine woodland. These habitats support an exceptionally rich diversity of fauna and flora which is largely dependent on traditional management practices of grazing and complemented by annual heathland burning and cutting programmes.
- 6.4 The SPA’s qualifying features are detailed below:
- Qualifying individual species listed in Annex I of the Wild Birds Directive
 - During the breeding season the SPA regularly supports:
 - A302 Dartford Warbler (*Sylvia undata*) - 538 pairs representing at least 33.6% of the breeding population in Great Britain at the time of SPA classification
 - A072 Honey Buzzard (*Pernis apivorus*), 2 pairs representing at least 10.0% of the breeding population in Great Britain at the time of SPA classification
 - A224 Nightjar (*Caprimulgus europaeus*), 300 pairs representing at least 8.8% of the breeding population in Great Britain at the time of SPA classification
 - A246 Woodlark (*Lullula arborea*), 177 pairs representing at least 12.3% of the breeding population in Great Britain at the time of SPA classification
 - During the non-breeding season the SPA regularly supports:
 - A082 Hen Harrier (*Circus cyaneus*) 15 individuals representing at least 2.0% of the wintering population in Great Britain at the time of SPA classification
 - Qualifying individual species not listed in Annex I of the Wild Birds Directive
 - During the breeding season the SPA regularly supports:
 - A099 Hobby (*Falco Subbuteo*) – up to 25 pairs representing around 3% of the British breeding population at the time of SPA classification
 - A314 Wood Warbler (*Phylloscopus trochilus*) – in excess of 350 pairs representing at least 3% of the British breeding population at the time of SPA classification.
- 6.5 The conservation objectives are available at [European Site Conservation Objectives for New Forest SPA - UK9011031 \(naturalengland.org.uk\)](#). The conservation objectives require that the integrity of the site is maintained or restored as appropriate and that the site contributes to achieving the aims of the World Birds Directive. NE published Supplementary Advice on the 19th March 2019¹⁸ (available through the weblink above) which sets out the need to reduce the frequency, duration and intensity of disturbance

¹⁸ Supplementary Advice on Conserving and Restoring Site Features: New Forest Special Protection Area (SPA). Site Code UK9011031 Published by Natural England 19 March 2019

on nesting, roosting, foraging, feeding, moulting and/or loafing birds so that the qualifying species are not significantly disturbed.

6.6 The qualifying features of the SAC are as follows:

- H3110. Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*); Nutrient-poor shallow waters with aquatic vegetation on sandy plains
- H3130. Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea*; Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels
- H4010. Northern Atlantic wet heaths with *Erica tetralix*; Wet heathland with cross-leaved heath
- H4030. European dry heaths
- H6410. *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*); Purple moor-grass meadows
- H7140. Transition mires and quaking bogs; Very wet mires often identified by an unstable 'quaking' surface
- H7150. Depressions on peat substrates of the *Rhynchosporion*
- H7230. Alkaline fens; Calcium-rich springwater-fed fens
- H9120. Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*); Beech forests on acid soils
- H9130. *Asperulo-Fagetum* beech forests; Beech forests on neutral to rich soils
- H9190. Old acidophilous oak woods with *Quercus robur* on sandy plains
- H91D0. Bog woodland*
- H91E0. Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*); Alder woodland on floodplains*
- S1044. *Coenagrion mercuriale*; Southern damselfly
- S1083. *Lucanus cervus*; Stag beetle
- S1166. *Triturus cristatus*; Great crested newt

6.7 The conservation objectives are available at: [European Site Conservation Objectives for The New Forest SAC - UK0012557 \(naturalengland.org.uk\)](https://naturalengland.org.uk/nature/scotland/conservation-objectives/european-site-conservation-objectives-for-the-new-forest-sac-uk0012557). The conservation objectives require that the integrity of the SAC is maintained or restored as appropriate and that the site contributes to achieving the favourable conservation status of its qualifying features. NE published Supplementary Advice on the 18th March 2019¹⁹ (available through the weblink above) which notes the following for several qualifying features:

Trampling from human activities can cause soil compaction, changes to soil hydrology and with heavy use, erosion and compacted bare ground. This leads to reductions in soil invertebrates and changes in plant communities. The effects are most acute near to car parks, access points from the urban fringe and in and around campsites.

6.8 Increased recreation is also noted to be a cause of:

- nutrient and sediment inputs to waterbodies;

¹⁹ Supplementary Advice on Conserving and Restoring Site Features: The New Forest Special Area of Conservation (SAC). Site Code UK0012557 Published by Natural England 18 March 2019

- bank erosion, excessive bare ground and impoverished vegetation; and
- a reduction in veteran trees, dead standing wood and a decline in the nature conservation value of woodland near to recreational facilities.

6.9 With regards to planning, the main concern is the increase in recreational pressure on the New Forest SPA/SAC caused by additional residential and tourism developments within south Wiltshire. The Interim Recreation Mitigation Strategy has been developed, and will be reviewed before March 2023, to provide mitigation for residential and tourism developments coming forward in Wiltshire.

Plans and projects to be considered in combination

6.10 The HRAs (2012, 2013, 2014) to the WCS concluded that the WCS would not have any adverse effects on the integrity of the New Forest SPA/SAC in-combination with other plans and projects.

6.11 Core Policy 50 of the WCS identifies the need for a New Forest Mitigation Strategy to address the impacts of increased recreational pressure on the New Forest for additional development within Wiltshire. The WCS adopted the 8km ZoI identified within the HRA to the SWCS. However, as discussed in the Interim Recreation Mitigation Strategy, from 1st September 2021 this has been revised to 13.8 km due to further evidence provided by visitor surveys conducted in 2018/2019. Where demonstrated as necessary through a bespoke appropriate assessment this ZoI may be extended to 15km.

6.12 The Interim Recreation Mitigation Strategy sets out the mitigation approaches of several neighbouring authorities including the New Forest National Park Authority (NFNPA), New Forest District Council and Test Valley Borough Council.

6.13 The approaches taken by the other local authorities fall into three categories:

1. Implementing mitigation, management and monitoring of visitors within the New Forest;
2. Provision of SANGs managed by Local Authorities / NGOs lying outside development sites; and
3. Provision of SANGs within larger development sites managed by management companies.

6.14 These approaches have been tested at Examination in Public and the HRAs which support them have been scrutinised by NE. Several principles emerged from these existing strategies:

- Tariffs should be applied to all residential development;
- Mitigation must be delivered for the lifetime of the developments being permitted;
- Mitigation is required for all new and tourism/visitor accommodation;
- Charges should include a contribution towards monitoring and research;
- Charging rates can be designed to reflect the amount of visitor pressure that may arise conditional on a developments nature and location;
- SANGs provided within larger developments must meet minimum design criteria and be managed for the lifetime of the development.

6.15 The Council's mitigation approach is based on providing suitable alternatives (SANGs) close to where people live to avoid impacts and working with the NFNPA to deliver measures that reduce and mitigate the impact of unavoidable recreational pressure within the European sites themselves, by requiring CIL contributions towards access management and monitoring for the lifetime of the strategy.

6.16 The Interim Recreation Mitigation Strategy addresses mitigation requirements arising from the following where sites fall within the relevant zone of influence:

- Housing development which was permitted between 2015 and 2021 excluding that which has already been mitigated either through SANGs (i.e. for WCS strategic allocations) or through contributions (i.e. Land off Salisbury Road, Downton) already received.
- Housing allocation sites from the WHSAP
- Other relevant housing
- Tourism development from September 2021

6.17 The strategy aims to deliver high quality alternatives to visiting the New Forest by delivering SANGs while at the same time recognising that not all visits to the New Forest can be offset. Therefore, the strategy also relies on contributions being made towards access management and monitoring for the lifetime of the strategy. The approach to mitigation for residential dwellings within both Zol involves larger developments being encouraged to provide a SANG and all other smaller housing schemes being required to contribute funding towards strategic SANGs and access and visitor management within the New Forest itself.

6.18 Table 2, taken from Interim Recreation Mitigation Strategy, summaries the mitigation requirements for residential development of varying sizes on greenfield and brownfield land within the 13.8km and 15km Zol.

Table 2 Interim Recreation Mitigation Strategy – Mitigation Approach

TABLE 1: Mitigation approach			
Development class	Distance from designated sites	Development type	Mitigation approach
Residential	0-13.8km	Greenfield, 1-49 units ²	Amount per dwelling (CIL)
		Greenfield, 50+ units	Provision of SANG
		Brownfield any number of units ¹	Amount per dwelling (CIL)
	13.8km – 15km	Greenfield, and Brownfield 1-49 units	Mitigated through implementation of the wider strategy through CIL contributions.
		Greenfield, 50+ units	Provision of SANG where HRA demonstrates potential for adverse effects
		Brownfield, 50+ units ¹	Amount per dwelling (CIL) where HRA demonstrates potential for adverse effects
Visitor accommodation	0-13.8km	No limit	Amount per unit (CIL)
	13.8km – 15km	Larger developments where HRA demonstrates potential for adverse effects	Amount per unit (CIL)

¹ The council will reserve the need to require mitigation where site characteristics allow.

² Where there are two or more live planning applications / housing developments in close proximity to each other at a settlement, the need for SANG may be triggered where the total number of dwellings exceeds 50 units.

Analysis of Policies in the NDP screened into appropriate assessment

Policy 5 Habitats Regulations

- 6.19 Please see comments and recommended amendments to Policy 5 Habitats Regulations in Section 5 paragraphs 5.16 - 5.29.

Policy 16 Housing Mix and Affordable Housing

- 6.20 Policy 16 supports development within the NDP area by identifying the housing mix required for 10 or more units or 0.5ha or more. The policy does not allocate sites for development or suggest where these sites may be located. As the majority of Salisbury is located within the 13.8km Zol for the New Forest SPA/SAC, and a smaller area is located within the 15km Zol, it is likely new developments supported by this policy would be located within one of the Zol.
- 6.21 As indicated in Table 2 above, residential development supported through this policy would fall within the scope of the Interim Recreation Mitigation Strategy and would be required to either provide a CIL contribution per dwelling or provide a SANG (either managed by the Council or a management company depending on the size of the development) in line with the strategy, or subsequent iteration of the strategy. For brownfield sites with 50+ houses in the 15km Zol a project level HRA would be required to identify the potential for adverse impacts on the SPA/SAC and therefore whether CIL contributions are required.
- 6.22 Any development that comes forward would need to demonstrate compliance with the Habitats Regulations at the planning application stage and would need to adhere to the most recent/final version of the Interim Recreation Mitigation Strategy.

Policy 17 Churchfields and the Engine Shed site

- 6.23 This policy relates to the Churchfields and Engine Shed site in Salisbury. The Churchfields Masterplan and Salisbury Design and Advertising Guide provide a high level vision and development scenarios for the site, including proposing houses on the site. Churchfields is located within the 13.8km Zol. If residential development were to come forward on this site it would fall within the scope of the Interim Recreation Mitigation Strategy and as the site is brownfield land a CIL contribution per dwelling would be required.

Policy 28 Visitor Accommodation

- 6.24 Policy 28 does not allocate land for development, however it does support the development of new visitor accommodation. As with Policy 16, Policy 28 does not identify or suggest where these sites may be located, therefore it is likely any new visitor accommodation development supported by this policy would be located within one of the Zol.
- 6.25 As indicated in Table 1 above, visitor accommodation development supported through this policy within the 13.8km Zol would fall within the scope of the Interim Recreation Mitigation Strategy and would be required to provide a CIL contribution per dwelling in line with the strategy, or subsequent iteration of the strategy. For larger developments between 13.8km and 15km a project level HRA would be required to identify the potential for adverse impacts on the SPA/SAC and therefore whether CIL contributions are required.
- 6.26 Any development that comes forward would need to demonstrate compliance with the Habitats Regulations at the planning application stage and would need to adhere to the most recent/final version of the Interim Recreation Mitigation Strategy.

Conclusion – New Forest SPA/SAC

- 6.27 The development supported by Policies 16, 17 and 28 would be covered by the Interim Recreation Mitigation Strategy. The interim strategy applies until a coordinated strategic approach is agreed with

the NFNPA and other neighbouring authorities and will be reviewed before the end of March 2024. Any developments coming forward will therefore need to comply with the most recent version of the strategy.

- 6.28 It is concluded beyond reasonable scientific doubt that the NDP will have no adverse effects on the integrity of the New Forest SPA/SAC either alone or in-combination with other plans and projects.

Prepared by Naomi Harvey, Ecologist, Wiltshire Council, 12 October 2023

V3.0 12/10/2023