

WEST ASHTON NEIGHBOURHOOD DEVELOPMENT PLAN HABITATS REGULATIONS ASSESSMENT (HRA)

1. Introduction

- 1.1. This version of the HRA relates to the West Ashton Neighbourhood Development Plan 2018-2026 Regulation 16 Submission Plan (12.06.2020).
- 1.2. The HRA has been carried out to comply with Regulation 105 of the Conservation of Habitats and Species Regulations 2017. Under these Regulations, hereafter referred to as the Habitats Regulations, a competent authority must consider whether a relevant plan is likely to have a significant effect on any European sites before deciding to give any consent, permission or other authorisation. If the screening exercise demonstrates significant effects are likely, whether or not these are addressed through mitigation measures¹, 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 the full 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.”²
- 1.4. Where appropriate assessment is undertaken, the competent authority may only authorise the plan or project having ascertained, in light of the sites’ conservation objectives, that it will not adversely affect the integrity of the European site or sites. Otherwise the plan cannot be authorised unless specific statutory tests are met.
- 1.5. Wiltshire Council has conducted the following HRA as competent authority for the West Ashton Neighbourhood Plan (NDP). Where risks to European Sites are identified, the plan must be amended e.g. by the incorporation of mitigation measures, to remove these before

¹ Court of Justice of the European Union, Case C 323/17 “People Over Wind”/P. Sweetman v Coillte Teoranta

² Commission of the European Communities v UK and NI, opinion of Advocate General KoKott, 9 June 2005, Case C-6/04

the plan 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 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 in section 4 below). Where potential for likely significant effects have been identified, an appropriate assessment is undertaken in subsequent sections.

3. Higher Level HRAs

Wiltshire Core Strategy

3.1 The Wiltshire Core Strategy HRA (October 2009, February 2012³, March 2013⁴, February 2014⁵ and April 2014⁶) identified general parameters to determine the likelihood of potential impacts on Natura 2000 (European protected) sites. The following potential impact pathways and associated parameters were identified and assessed for the Natura 2000 sites stipulated below.

³ Wiltshire Core Strategy Submission Draft – Assessment under the Habitats Regulations, Wiltshire Council, February 2012

⁴ Wiltshire Core Strategy – Assessment under the Habitats Regulations, Wiltshire Council, March 2013

⁵ Update to the Wiltshire Core Strategy habitats Regulations Assessment, February 2014 (Exam/89)

⁶ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

- *Recreation – Natura 2000 sites within 5km, or where Salisbury Plain SPA/SAC is within 15km (it should be noted that the relevant parameter for the latter has since been revised on the basis of data obtained by means of visitor surveys and is now 6.4km):*
 - Salisbury Plain SPA / SAC
 - River Avon SAC
 - New Forest SAC / SPA
 - Bath and Bradford on Avon Bats SAC (added post adoption of Wiltshire Core Strategy)
- *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 – Natura 2000 sites within 200m of a main road*
 - Porton Down SPA
 - Salisbury Plain SAC / SPA
 - Southampton Water SPA
 - North Meadow and Clattinger Farm SAC
 - River Avon SAC
 - Rodborough Common SAC
 - Cotswolds Beechwoods SAC
- *Physical Damage / Interruption of Flight Lines / Disturbance*
 - Bath and Bradford on Avon Bats SAC
 - Porton Down SPA
 - Chilmark Quarries SAC (added post adoption of Wiltshire Core Strategy)
 - Mottisfont Bats SAC (added post adoption of Wiltshire Core Strategy)

Recreation

- 3.2 In terms of recreational pressure, the NDP area lies well beyond the 8km radius around the New Forest SAC/SPA within which the majority of day visitors to the New Forest originate⁷.
- 3.3 Recreational pressure on the River Avon SAC is only recognised to occur in very limited circumstances where significant development lies immediately adjacent or in close proximity to the river, which will not occur as a result of this NDP.
- 3.4 In relation to Salisbury Plain, the SAC habitat features were screened out of appropriate assessment for the Wiltshire Core Strategy on the advice of Natural England. However West Ashton lies within the 6.4km zone of influence for recreational pressure on Salisbury Plain SPA and the policies in the plan must therefore be screened for their potential to affect this European site.
- 3.5 Since the Wiltshire Core Strategy was adopted, it has been demonstrated that recreational pressure has the potential to affect Bechstein's bat breeding sites which are functionally linked to the Bath and Bradford on Avon Bats SAC. The whole of the NDP area lies within the zone where recreational pressure is expected to contribute to adverse effects and the plan must therefore be screened for impacts on this SAC.

Hydrology / Hydrogeology

- 3.6 In terms of hydrology/hydrogeology, West Ashton is located within the catchment of the Bristol Avon, rather than the Hampshire Avon, and therefore the River Avon SAC should not be subject to impacts as a result of the NDP. There have been no water resource issues identified for the Bath and Bradford on Avon Bats SAC and this is the only SAC from the above list to lie fully within the Bristol Avon catchment. The Bristol Avon is also not identified as a cause of water resource issues for the Salisbury Plain SAC/SPA.

Air Pollution / Nitrogen Deposition

- 3.7 The Wiltshire Core Strategy HRA identified that increased traffic would lead to potential effects through an increase in atmospheric pollution and nitrogen deposition upon a range of Natura 2000 sites within 200m of a main road. Such effects were considered to be very small and difficult to predict at the strategic level⁸ (WCS HRA Update February 2014). The West Ashton NDP does not allocate any sites for development or directly propose any housing allocation that could generate additional traffic. Therefore, it is concluded that the NDP will not result in significant effects on Natura 2000 sites as a result of nitrogen or particulate matter deposition.

Physical Damage / Interruption of Flight Lines / Disturbance

- 3.8 In terms of the potential to cause physical damage to features that provide habitat for bats, such as breeding, roosting and foraging habitat, and the potential to interrupt or fragment bat flight lines, or to cause disturbance to such features, it is deemed that the NDP area is too distant to have implications for bats at Chilmark Quarries SAC.
- 3.9 The NDP area is also beyond the potential zone of influence with respect of stone curlews breeding at Porton Down SPA and will not result in physical damage to the habitats within the

⁷ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

⁸ Update to the Wiltshire Core Strategy habitats Regulations Assessment, February 2014 (Exam/89)

Natura 2000 site, nor will it result in the interruption of flight lines or disturbance to breeding stone curlew, such as by means of the introduction of visual stimuli or noise at this SPA.

- 3.10 However, most of the NDP area lies within the high and medium risk zones for bats associated with the Bath and Bradford on Avon Bats SAC and therefore policies in the plan are screened below for their potential to affect this European site. In addition, most of the NDP area lies within the 6.4km zone of influence for recreational pressure on the Salisbury Plain SPA and as such any residential development within the aforementioned parameter could lead to an increase in visitor pressure upon the SPA and disturbance to breeding stone curlew. The policies in the plan must therefore be screened for their potential to affect this European site.

Wiltshire Housing Site Allocations Plan

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

4. Screening of Policies in West Ashton Neighbourhood Development Plan 2018 – 2026 Regulation 16 Submission Plan

- 4.1 The West Ashton NDP comprises ten planning policies; these are detailed and assessed in Table 1 below.
- 4.2 All parts of the NDP have been subject to an updated screening assessment under the Habitats Regulations to determine if there is potential for impacts to arise from the NDP alone or in combination with other plan and projects. The previous iteration of the HRA dated March 2020 (Version 2.0) pertaining to the Regulation 14 draft of the NDP identified there was a mechanism for effect upon two European Sites, the Bath and Bradford on Avon Bats SAC and Salisbury Plain SPA. Policy amendments were proposed by Wiltshire Council within Version 2.0 of the HRA in order to ensure no mechanism for effect upon the Bath and Bradford on Avon Bats SAC as a result of policies within the NDP. Furthermore, Policy 6a was taken forward to appropriate assessment under Regulation 105 of the Habitats Regulations on account of the policy having potential to give rise to significant effects on the Salisbury Plain SPA. The appropriate assessment concluded beyond reasonable scientific doubt, that there would be no adverse effects on the Salisbury Plain SPA in-combination with other plans and projects. The appropriate assessment was submitted to Natural England and on 5th May 2020 a response was received which concurred with the conclusions of the appropriate assessment.
- 4.3 The current Regulation 16 Submission draft of the West Ashton NDP has incorporated the recommendations put forward in Version 2.0 of the HRA and this has enabled all the policies

within the NDP to be screened out of the need for appropriate assessment with respect of the Bath and Bradford on Avon Bats SAC.

- 4.4 The mechanism for likely significant effect upon the Salisbury Plain SPA still exists on account of Policy 6a, however, as there have been no material changes to the aforementioned policy in the Regulation 16 draft of the NDP that would alter the conclusion of the appropriate assessment undertaken in March 2020, the conclusion that there would be no adverse effects on the Salisbury Plain SPA in-combination with other plans and projects still stands (Section 5 below).
- 4.5 It is considered that none of the other policies within the NDP would lead directly to development or would not result in a likely significant effect on any Natura 2000 sites, either alone or in-combination with other plans or projects.

TABLE 1: Habitats Regulations Assessment Screening of the West Ashton Neighbourhood Plan

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

Policy	Initial screening Category	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
Policy 1a: Landscape Setting	B and A1 for Bath and Bradford on Avon Bats SAC	<p>The policy has been revised since the Regulation 14 consultation draft and now specifies: <i>‘The area shown on Figure 2 below is designated as the West Ashton Landscape Setting Gap. The purpose of the designation is to protect the landscape setting of West Ashton village (the open spaces between the village and the Ashton Park Strategically Important Site at Trowbridge). This area will be maintained and where possible also enhanced for biodiversity and recreation in accordance with the Trowbridge Bat Mitigation SPD. No development will be permitted in the West Ashton Landscape Setting Gap unless it is in accordance with policies in the development plan. Where development is permitted, it must ensure that the functions, openness and landscape value of the Landscape Setting Gap is not harmed. Any development must result in a net gain for biodiversity.’</i></p> <p>The policy will not result in development itself and will not result in a likely significant effect upon the Bath and Bradford on Avon Bats SAC. Nonetheless, details of any development that comes forward would need to be considered against the Habitats Regulations 2017 at the planning application stage. It would also need to be ensured that there would be acceptability with respect of other Development Plan policies, the TBMS SPD and the National Planning Policy Framework 2019 (NPPF).</p>	<p>This policy has been amended in accordance with the recommendations set out within the previous iteration of the HRA (Version 2.0) and no longer conflicts with the Trowbridge Bat Mitigation Strategy (TBMS) Supplementary Planning Document (SPD) which was formally adopted by Wiltshire Council on 25th February 2020, and it refers to the need to accord with the TBMS. As such, Policy 1a does not trigger the requirement for full appropriate assessment under the Habitats Regulations 2017.</p> <p>Please amend so that the policy cites the Trowbridge Bat Mitigation Strategy SPD rather than the Trowbridge Bat Mitigation SPD.</p>
	B and A1	<p>The policy will not result in development itself and so will not result in a likely significant effect upon the Salisbury Plain SPA. Details of any</p>	

Policy	Initial screening Category	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
	For Salisbury Plain SPA	development that comes forward would be considered at the planning application stage to ensure it aligns with this policy, Development Plan policies and the National Planning Policy Framework 2019 (NPPF).	
Policy 1b: Landscape Setting of Ashton Park	B and A1 for Bath and Bradford on Avon Bats SAC	<p>This policy specifies that: <i>‘Detailed schemes for the development of Ashton Park should demonstrate that the matters identified in Section 5 of the Landscape and Visual Setting Analysis Report have been positively responded to, in particular:</i></p> <ul style="list-style-type: none"> • <i>Impact of the proposals on West Ashton Village,...</i> • <i>Proposed development adjoining the Ashton Park buffer zone (defined as Major Open Space / Nature Park Extension’ on the Ashton Park masterplan A.0223_77- 01 REV: AC) should be of a lower density and address the proposed Landscape Gap in a positive way with appropriate landscape.</i> • <i>Building design / height / scale must be carefully considered especially in respect of the proposed Employment area) to minimise its visual intrusion.</i> • <i>Proposals need to be carefully considered to achieve the successful integration of the highway works to minimize visual impact and disturbance. This should include substantial block tree planting.’</i> <p>The policy goes on to state: <i>‘The open, rural setting of land within the West Ashton Landscape Setting Gap as defined at Figure 2 should be respected in accordance with the objectives of Policy 1a to ensure that the functions, openness and landscape value of the Landscape Setting Gap is not harmed.’</i></p> <p>The policy will not result in development itself or a likely significant effect upon any Natura 2000 sites. Nonetheless, details of any development that comes forward would need to be considered against the Habitats Regulations 2017 at the planning application stage. It would also need to be ensured that there would be</p>	

Policy	Initial screening Category	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		acceptability with respect of other Development Plan policies including Core Policy 50 (Biodiversity and Geodiversity), 51 (Landscape) and 52 (Green Infrastructure) of the Wiltshire Core Strategy (Adopted January 2015), and the NPPF 2019.	
	B and A1 For Salisbury Plain SPA	The policy will not result in development itself and so will not result in a likely significant effect upon the Salisbury Plain SPA. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy, Development Plan policies and the National Planning Policy Framework 2019 (NPPF).	
Policy 2: Sustainable Transport	A1 for Bath and Bradford on Avon Bats SAC	<p>The policy states: <i>'The Ashton Park development should deliver sustainable transport connections, whether by foot, cycle or bus from the employment and residential facilities in the scheme to both Trowbridge and West Ashton village. This must include a safe and direct means of crossing the A350. All footpaths and crossings must consider the matter of lighting carefully. Low level lighting, in accordance with the Wiltshire Bat Mitigation Strategy, should be employed where appropriate. Developers or those responsible for providing paths, crossings and other elements of sustainable transport in the parish are encouraged to consult directly with the county ecologist while working up designs for schemes.'</i></p> <p>The policy will not result in development itself and will not result in a likely significant effect upon any Natura 2000 sites. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and that there will be acceptability with respect of other Development Plan policies, the TBMS SPD and the National Planning Policy Framework 2019 (NPPF).</p>	<p>Note that lighting at the Ashton Park development would be controlled by a condition, the wording of which is provided in the committee report for application 15/04736/OUT dated 25 April 2018. The condition places restrictions for lighting in ecologically sensitive areas. The words "where appropriate" indicate that the condition and this policy should not be in conflict.</p> <p>Please amend so that the policy cites the Trowbridge Bat Mitigation Strategy SPD rather than the Wiltshire Bat Mitigation Strategy.</p>
	A1 For Salisbury Plain SPA	The policy will not result in development itself and will not result in a likely significant effect upon the Salisbury Plain SPA. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and that	

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		there will be acceptability with respect of other Development Plan policies and the National Planning Policy Framework 2019 (NPPF).	
Policy 3: Design	A1 for Bath and Bradford on Avon Bats SAC and Salisbury Plain SPA	This policy details a number of qualitative criteria for new development. The policy will not itself directly lead to development and will not result in a likely significant effect upon any Natura 2000 sites. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and that there will be acceptability with respect of other Development Plan policies and the National Planning Policy Framework 2019 (NPPF).	
Policy 4: Economy	B and A1 for Bath and Bradford on Avon Bats SAC	<p>The policy stipulates: <i>'Proposals for a village shop, post office and or public house will be supported within the built-up area of the village, either as conversion or as new-build, where they are small in scale, provide adequate space for facilities and parking and do not adversely affect neighbouring amenities in terms of overlooking, noise and nuisance. This policy should be read carefully in conjunction with Policy 8.'</i></p> <p>The policy will not itself result in development and will not result in a likely significant effect upon the Bath and Bradford on Avon Bats SAC. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and Policy 8 of the NDP, and that there will be acceptability with respect of other Development Plan policies, the TBMS SPD and the NPPF 2019.</p>	<p>This policy was screened into appropriate assessment in the iteration of the HRA dated March 2019 (Version 1.1) in respect of the Bath and Bradford on Avon Bats SAC, with the following comment made against the policy: <i>'West Ashton village lies partly within the high risk zone for bats and the remainder lies within a medium risk zone. As a result of the emerging Trowbridge Bat Mitigation Strategy which seeks to mitigate impacts from development on the SAC, restrictions have been placed on development in these zones. This policy does not identify the SAC as a constraint and potentially conflicts with policy 8 below.'</i></p> <p>The previous iteration of the HRA dated March 2020 (Version 2.0) pertaining to the Regulation 14 draft of the NDP, stipulated that Policy 4 had been amended to address these comments and as such referenced and accorded</p>
	B For Salisbury Plain SPA	The policy will not result in development itself and so will not result in a likely significant effect upon the Salisbury Plain SPA. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy, Development Plan policies and the National Planning Policy Framework 2019 (NPPF).	

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			<p>with Policy 8, which had also been suitably amended. It concluded that as such, Policy 4 no longer instigated the requirement for appropriate assessment.</p> <p>The wording of Policy 4 has been slightly revised in the current NDP, however there are no material changes that would alter the outcome of the HRA screening. Therefore, it is still the case that Policy 4 does not trigger the requirement for appropriate assessment.</p>
Policy 5: Local Green Space	B and A1 for Bath and Bradford on Avon Bats SAC and Salisbury Plain SPA	<p>This policy specifies: <i>‘Development proposals will not be supported on areas designated as Local Green Space identified at Figure 4 below, other than in very special circumstances. These circumstances are:</i></p> <p><i>a) where there is an existing building/structure within the Local Green Space and the works are needed to maintain its viability/use into the future; or</i></p> <p><i>b) where the proposed development will be for the benefit of the community and will preserve the particular local significance of the space for which it was designated.</i></p> <p><i>The area designated as Local Green Space (as identified on the map) is:</i></p> <p><i>– Recreation Area (rear of Shepherds Drove)’</i></p> <p>Designation of the recreation area at the rear of Shepherds Drove as local green space will not in itself affect the Bath and Bradford on Avon Bats SAC despite its position within a zone of high risk for bats. Moreover, the policy will not itself result in development and will not result in a likely significant effect upon the Bath and Bradford on Avon Bats SAC or the Salisbury Plain SPA. Details of any development that comes forward would be considered at the planning application stage</p>	

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		to ensure it aligns with this policy and that there will be acceptability with respect of other Development Plan policies and the National Planning Policy Framework 2019 (NPPF).	
Policy 6a – Housing	B and A1 for Bath and Bradford on Avon Bats SAC	<p>The policy specifies that: <i>‘Outside of the Ashton Park Strategically Important Allocation, all new residential development will be limited to infill within the built-up area of West Ashton village as defined by Core Policies 1 and 2 of the Wiltshire Core Strategy and in accordance with the Trowbridge Bat Mitigation Strategy.</i></p> <p><i>Planning applications for small-scale infill within the built-up area of West Ashton will be supported for new dwellings, including self-build homes subject to acceptable impacts on neighbouring amenity and compliance with other development plan policies...’</i></p> <p>The policy will not itself result in development and will not result in a likely significant effect upon the Bath and Bradford on Avon Bats SAC despite the whole of West Ashton village being located within either the high or medium risk zone for bats identified in the TBMS, as the policy cites the need to accord with the TMBS and aligns with an amended Policy 8. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and Policy 8 of the NDP, and that there will be acceptability with respect of other Development Plan policies, the TBMS SPD and the NPPF 2019.</p>	<p>Policy 6 was screened into appropriate assessment in the iteration of the HRA dated March 2019 (Version 1.1) in respect of the Bath and Bradford on Avon Bats SAC, with the following comment made against the policy: <i>‘The whole of West Ashton village lies within either the high or medium risk zone for bats identified in the emerging Trowbridge Bats Mitigation Strategy. This places constraints on development which are not reflected in the wording of policy 6a) and gives rise to a potential conflict with policy 8.’</i></p> <p>The previous iteration of the HRA dated March 2020 (Version 2.0) pertaining to the Regulation 14 draft of the NDP, stipulated that the comments previously raised had been addressed as the revised Policy 6a placed onus on the need for compliance with the TMBS and aligns with Policy 8, which had also been suitably amended. As such, it was concluded that Policy 6a did not trigger the requirement for appropriate assessment.</p> <p>The wording of Policy 6a has been slightly revised in the current NDP, however there are no material changes</p>

Policy	Initial screening Category	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
			to the policy such that the outcome of the HRA screening is altered. Therefore, it is concluded that Policy 6a does not need to be subject to an appropriate assessment.
	D for Salisbury Plain SPA	Although no specific sites are allocated in Policy 6a, the policy supports development coming forward as infill in West Ashton village. Although such development is within the overall quantum anticipated by the Core Strategy which relies on the revised Salisbury Plain mitigation strategy, in light of the 'People over Wind' ruling, Policy 6a must be considered through an appropriate assessment.	This screening assessment remains unaltered since the last iteration of the HRA dated March 2020 (Version 2.0) as the minor policy amendments do not alter the requirement for appropriate assessment in respect of the Salisbury Plain SPA. Similarly, it is not necessary to amend the appropriate assessment presented in Section 5 as there have been no material changes to Policy 6a that would alter the outcome of the appropriate assessment since it was last undertaken and approved by Natural England (Version 2.0 dated March 2020).
Policy 6b – Renewable Energy	A1 for Bath and Bradford on Avon Bats SAC and Salisbury Plain SPA	<p>The policy stipulates: <i>'Proposals for new residential development should maximise opportunities for energy efficiency in terms of passive and active design approaches to sustainable development, including the installation of renewable energy that is designed to take account of the rural character and appearance of the area.</i></p> <p><i>The Ashton Park development should deliver some of its on-going energy requirement by means of renewable energy, including both private dwellings and street lighting. Innovative schemes will be welcome including those that make use of hydro and solar power, subject to acceptable impacts in terms of landscape and biodiversity including the Bath and Bradford-on-Avon SAC.'</i></p> <p>The policy will not itself result in development and will not result in a likely significant effect upon the Bath and Bradford on Avon Bats SAC</p>	

Policy	Initial screening Category	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		<p>despite the whole of West Ashton village being located within either the high or medium risk zone for bats identified in the Trowbridge Bat Mitigation Strategy (TBMS), as the policy aligns with Policy 8 and will accord with the TMBS. Moreover, the policy does not itself afford support for development nor will it directly lead to development, and therefore it is deemed that it will not result in a likely significant effect upon the Salisbury Plain SPA. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and Policy 8 of the NDP, and that there will be acceptability with respect of other Development Plan policies, the TBMS SPD and the NPPF 2019.</p>	
<p>Policy 7: Infrastructure Priorities</p>	<p>A1 for Bath and Bradford on Avon Bats SAC and Salisbury Plain SPA</p>	<p>The policy states: <i>'All new housing and employment development proposals in the area will be expected to contribute towards local infrastructure in proportion to their scale and in accordance with National and Wilshire Core Strategy policy. New infrastructure should also accord with the Trowbridge Bat Mitigation Strategy SPD.'</i></p> <p>The policy then goes on to list local priorities including foot and cycle path enhancement and upgrading and habitat enhancement including tree and hedgerow planting.</p> <p>The policy concludes that: <i>'Care must be taken when creating new infrastructure not to impact adversely on the bats of the nearby SAC – for example through the effects of the lighting of footpaths or cycleways.'</i></p> <p>The policy will not itself result in development, instead detailing criteria for development and setting out priorities for improving local infrastructure. The policy also stipulates that new infrastructure must not adversely affect the Bath and Bradford on Avon Bats SAC and must accord with the TMBS SPD. The policy itself will not directly result in new infrastructure and will not result in a likely significant effect upon the Bath and Bradford on Avon Bats SAC as the policy now aligns with an amended Policy 8 and requires adherence with the</p>	<p>It is noted that Policy 7 has been amended in this version of the NDP to incorporate reference to the need for any new infrastructure to accord with the TBMS SPD as per the recommendation put forward in the HRA undertaken at the Regulation 14 consultation stage (Version 2.0 dated March 2020).</p>

Policy	Initial screening Category	Summary of policy wording highlighting any conflict with the Habitats Regulations	Comments
		<p>TMBS. Moreover, the policy will not result in additional development that could result in a likely significant effect upon the Salisbury Plain SPA.</p> <p>Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and Policy 8 of the NDP, and that there will be acceptability with respect of other Development Plan policies, the TBMS SPD and the National Planning Policy Framework 2019 (NPPF).</p>	
Policy 8: Bat Conservation	A4 for Bath and Bradford on Avon Bats SAC	<p>The policy states: <i>'The entire NDP area falls within zones of sensitivity for those species of bats which are features of the Bath and Bradford on Avon Bats SAC. All Planning applications will therefore need to comply with guidance on survey and mitigation contained in the Trowbridge Bat Mitigation Strategy SPD. Development is unlikely to be permitted in areas identified as being of high sensitivity for bats.'</i></p> <p>This policy requires compliance with the Trowbridge Bat Mitigation Strategy SPD which has the objective of ensuring that housing allocations and windfall development will not give rise to adverse effects on the Bath and Bradford on Avon Bats SAC.</p> <p>The policy aims to positively steer any forthcoming development to avoid adverse impacts upon the Bath and Bradford on Avon Bats SAC and aligns with the TBMS SPD. Details of any development that comes forward would be considered at the planning application stage to ensure it aligns with this policy and the TBMS SPD, and that there will be acceptability with respect of other Development Plan policies and the National Planning Policy Framework 2019 (NPPF).</p>	
	A2 / B for Salisbury Plain SPA	<p>The policy is intended to protect the natural environment, in particular the Bath and Bradford on Avon Bats SAC and will not itself result in development. Thus, the policy will not result in a likely significant effect upon the Salisbury Plain SPA.</p>	

5. Appropriate Assessment – Salisbury Plain SPA

Background to the Salisbury Plain SPA

Salisbury Plain SPA encompasses a plateau of chalk grassland, which supports the following SPA features: breeding common quail, Eurasian hobby, stone-curlew and non-breeding hen harrier. Details of the conservation objectives are available online <http://publications.naturalengland.org.uk/publication/5745803545018368>. The current version is dated 21 February 2019. Natural England has also published Supplementary Advice on conserving and restoring the site features⁹ and this is available from the same weblink. This recognises that often active and ongoing conservation management is needed to protect, maintain and restore the function of supporting habitat both within and outside the SPA in order to sustain the stone-curlew population. The MoD estate and other landowners through Environmental Stewardship are actively involved in delivering these measures.

Evidence from research has demonstrated that stone-curlew is particularly susceptible to recreational pressure. Mitigation for the impacts of the Core Strategy was agreed with Natural England in 2012 and comprised Council funding for monitoring breeding bird numbers and working with farm managers to maximise breeding success. As a consequence, the HRA for the Core Strategy which was supported by a strategic HRA for housing development¹⁰ was able to conclude no adverse effect. This has been updated to support the WHSAP¹¹ and these documents should be referred to for the background details for this European site.

In consultation with Natural England, the other features are not considered to be vulnerable to recreational pressure.

Plans and projects to be considered in combination

The screening assessment found that the West Ashton NDP would not lead to significant effects on the Salisbury Plain SPA alone. Impacts would only occur in combination with other plans and projects. The following plans and projects have been taken into consideration:

- Wiltshire Core Strategy (Adopted January 2015).
- Wiltshire Housing Site Allocations Plan submission document May 2018 with proposed schedule of changes dated September 2018.
- Army basing Programme delivering 917 dwellings at 4 sites in close proximity to the Plain.
- Neighbourhood Plans; those with allocations within 6.4km of Salisbury Plain SPA include the following:
 - Chirton and Conock (max 10, all within WCS housing requirement)
 - Devizes (93 within 6.4km, 32 of which are over the WCS housing requirement)
 - Porton (32, proportion within WCS housing requirement unknown)
 - North Bradley (60, proportion within WCS housing requirement unknown)

⁹ Supplementary Advice on Conserving and Restoring Site Features: Salisbury Plain Special Protection Area (SPA) Site Code UK9011102 dated 27 October 2017

¹⁰ HRA and Mitigation Strategy for Salisbury Plain SPA (in relation to recreational pressure from redevelopment), Wiltshire Council, 30 March 2012

¹¹ HRA and Mitigation Strategy for Salisbury Plain SPA (in relation to recreational pressure from residential development), Wiltshire Council, reviewed in May 2018

- Pewsey (27-43 dwellings over the WCS housing requirement)
- Potterne (20, proportion within WCS housing requirement unknown)
- Urchfont, Wedhampton and Lydeaway (37, proportion within WCS housing requirement unknown)
- Market Lavington (88 dwellings, within WCS housing requirement)

HRA for the Wiltshire Housing Site Allocations Plan pre-submission draft

Evidence from a visitor survey commissioned by the Council in 2015 demonstrated that 75% of visitors accessing the plan lived within 6.4km of the SPA boundary and 1% of the population within that distance would be expected to visit on a regular basis. Using these findings, the WHSAP pre-submission draft HRA calculated that the housing sites plan would increase visitor numbers to the Plain by 1% over the estimates calculated for the Core Strategy. This figure incorporated a number of precautionary assumptions to counteract any constraints to the data used. Taking the favourable condition of the SPA into consideration, it was considered that existing mitigation measures in place for the Core Strategy would continue to provide an effective, timely and reliable means of mitigating any additional effects from the WHSAP should they arise.

The WHSAP (Council Version, February 2020) has since been 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) which came to the same conclusion as the HRA for the pre-submission draft of the WHSAP.

Analysis of policies in the NDP screened into appropriate assessment

Policy 6a Housing

This policy does not allocate housing but seeks to steer windfall development in terms of its location and design. Housing is steered towards West Ashton village which lies within about 5 km of Salisbury Plain SPA. The quantum of development in the Wiltshire Core Strategy and the WHSAP has been accounted for in the mitigation measures set out in the document “HRA and Mitigation Strategy for Salisbury Plain SPA”¹². If in due course windfall development exceeds the quantum of development in the aforementioned plans, then consideration will need to be given to the effects of this further recreational pressure and whether the current strategy is likely to be effective in dealing with it.

The strategy makes provision for an annual survey of stone-curlew during the breeding season across the whole of the SPA and a surrounding 5km buffer.

Six years of data have been collected since the mitigation strategy was funded, 2013 – 2019, and this can be compared against data collected from previous surveys funded by the EU Life project since 2002. The general trend is one of increasing numbers of pairs of birds, breeding attempts and young fledged. 2013 was one of the worst years on record attributable to a cold spring and therefore lack of food. However, productivity quickly recovered to a peak in 2017 and the productivity in 2018, although lower than 2017, was still well above that required to

¹² HRA and Mitigation Strategy for Salisbury Plain SPA (in relation to recreational pressure from residential development), Wiltshire Council, reviewed in May 2018

keep the population stable. In 2018 productivity on the SPA was 0.71 and across the whole of the study area was 0.75 compared with the rate of 0.61 chicks per pair which is required to keep the population stable.

Natural England's supplementary advice for stone-curlew identifies a target for maintaining the breeding population at or above a mean of 15 pairs for the SPA, whilst avoiding deterioration from the current level as indicated by the latest mean peak count or equivalent. The peak mean count is currently 23.2 for the SPA indicating this target is being met.

The effects of weather on breeding success have already been alluded to. Predation is another particular risk for stone-curlew. Photographic evidence has been gathered at Porton Down showing badgers taking eggs and foxes taking chicks of stone-curlew and even trampling by deer can be a cause of next failure. However, corvids seem to account for fewer losses than their numbers would suggest. The monitoring reports also identify various causes of human disturbance and the 2018 report¹³ states *"Although it is difficult to quantify the effects of any recorded disturbance, we continued to observe disturbance events within the CIL monitoring area. Some of these were caused by increased military training, others by photographers getting too close to breeding birds, but most involve individual or commercial dog walkers"*.

In addition to monitoring, the strategy allows for specialists to liaise with farmers regarding in-season plot management. In most years, plots have become unsuitable for nesting by May due to vegetation growth and this can be managed back to support second nesting attempts. Surveyors monitoring the birds help to target such management to best effect and to avoid harming sitting birds. The 2018 monitoring report notes however that the new Countryside Stewardship scheme and changes to the regulations regarding Ecological Focus Areas are making it more difficult to achieve the best in-plot management for stone-curlews and this is something that may affect breeding success in the future.

Military training is the other main influence on stone-curlew at Salisbury Plain. The MoD has its own bespoke management plan to control training levels and to provide mitigation in the form of managed breeding plots. Mitigation has been reviewed in light of the Army Basing Programme which necessitates increased use of the Plain for training and the effectiveness of this is being monitored by the MoD.

For the time being at least, despite the various factors that can combine to reduce breeding success, stone-curlew appear to be responding well to the habitat interventions started in the late 1990's which have brought this species "back from the brink" of extinction on the Plain.

The current findings suggest that the few hundred dwellings that could come forward as windfall development in addition to those anticipated in the Wiltshire Core Strategy are unlikely to lead to a level of recreational pressure that is unsustainable for stone-curlew. However, it is recognised that the pressures on this species at Salisbury Plain are changing and in the future further mitigation may be necessary. Experience has demonstrated landowners are willing to take up conservation measures and that interventions can be effective at reviving the population. Where such measures may be insufficient, future housing plans may need to refocus housing delivery. For the time being the current strategy appears to be

¹³ Stone-curlew CIL Monitoring Area Report 2018, Rob Blackler and Nick Tomalin, RSPB December 2018

adequate to support housing numbers above Wiltshire Core Strategy and WHSAP figures as monitoring will ensure that any necessary review of mitigation measures will be timely.

Conclusion for the Salisbury Plain SPA

It is considered that no changes are required to the West Ashton NDP in order to conclude, beyond reasonable scientific doubt, that there would be no adverse effects on the Salisbury Plain SPA in-combination with other plans and projects.

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