

## SUTTON BENGER AND DRAYCOT CERNE NEIGHBOURHOOD DEVELOPMENT PLAN HABITATS REGULATIONS ASSESSMENT (HRA)

### 1. Introduction

- 1.1. This Habitats Regulations Assessment (HRA) relates to the Sutton Benger and Draycot Cerne Neighbourhood Development Plan 2020-2035 Submission Version V3 March 2024, hereafter referred to as the NDP, submitted to Wiltshire Council in May 2024. This HRA has been undertaken to inform a Regulation 16 consultation response from Wiltshire Council to the NDP.
- 1.2. The HRA has been carried out to comply with Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019<sup>1</sup>, 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 (formerly also referred to as Natura 2000 sites and now known as the national site network<sup>2</sup>) 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 measures<sup>3</sup>, 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.”<sup>4</sup>*

- 1.4. Where appropriate assessment is undertaken, the competent authority may go on to authorise the plan provided that it will not adversely affect the integrity of any European sites. Where an **adverse effect on the integrity (AEoI)** of any European sites cannot be ruled out, and where there are no alternative solutions, the plan can only be authorised and proceed if there are **imperative reasons of over-riding public interest (IROPI)** and if the necessary compensatory measures can be secured.

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<sup>1</sup> On 1<sup>st</sup> January 2021 the Conservation of Habitats and Species Regulations 2017 were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Most of these changes involved transferring functions from the European Commission to the appropriate authorities in England and Wales. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant. The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change [Changes to the Habitats Regulations 2017 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/814247/changes-to-the-habitats-regulations-2017.pdf)

<sup>2</sup> 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 1<sup>st</sup> January 2021.

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

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

- 1.5. Wiltshire Council has conducted the following HRA as competent authority for the Sutton Benger and Draycot Cerne NDP. Where risks to European sites are identified, changes are recommended to remove or reduce the risks, and these should be incorporated into the plan before it is made. Likewise, if 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 other 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.
  - 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 in Section 4 below). Where potential for likely significant effects have been identified, an appropriate assessment is presented in subsequent sections.

## 3. Higher Level HRAs

### Wiltshire Core Strategy

- 3.1 The Wiltshire Core Strategy (WCS) HRA (October 2009, February 2012<sup>5</sup>, March 2013<sup>6</sup>, February 2014<sup>7</sup> and April 2014<sup>8</sup>) 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*

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

<sup>6</sup> Wiltshire Core Strategy – Assessment under the Habitats Regulations, Wiltshire Council, March 2013

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

<sup>8</sup> Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

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

### **Wiltshire Housing Site Allocations Plan**

- 3.2 Since the 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 25<sup>th</sup> 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 WCS subsequent to the acquisition of results from new surveys, and in light of advice from NE. This includes the zone of influence (Zol) 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.
- 3.5 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 Zol. The Clattinger Farm element of the SAC is not subject to the strategy. The strategy sets out two Zol, 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 originate<sup>9</sup>. 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.
- 3.6 Potential recreational impacts on the New Forest SPA/SAC were initially identified by the HRA to the South Wiltshire Core Strategy which was adopted in 2012. The HRA identified an 8km Zol around the SPA/SAC. Core Policy 50 of the WCS addressed the New Forests mitigation requirements, identifying the need for a New Forest Mitigation Strategy. Since the WCS was adopted, the council has joined a partnership of local authorities seeking to develop a strategic approach to mitigation including the extent of the zone of influence and how to fairly reflect different visit rates within it. This evidence informed the preparation of an Interim Recreation Mitigation Strategy by Wiltshire Council.
- 3.7 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 was revised to 13.8km, and may be extended to include applications within 15km, where demonstrated to be necessary through a bespoke appropriate assessment.
- 3.8 At a Cabinet meeting on the 7<sup>th</sup> May 2024, a revised mitigation approach with regards to recreational impacts on the New Forest SPA/SAC was agreed for all new residential and tourism developments within the Zols around the SPA/SAC. This revised approach maintains the 13.8km and 15km Zols and came into effect immediately. The revised Recreation Mitigation Strategy document will be published on the Council's website shortly.
- 3.9 The revised approach requires developers to provide a contribution of £600 per dwelling/unit towards Strategic Access Management and Monitoring (SAMM) for all new residential and tourism

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<sup>9</sup> 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

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developments within the Zols, including those coming forward under permitted development. Residential developments of 50 or more dwellings on greenfield or brownfield sites would also be required to provide an area of Suitable Alternative Natural Greenspace (SANG).

3.10 The details of the revised approach are set out in the Cabinet paper dated 7<sup>th</sup> May and can be found here: [Cabinet paper 7th May - Revised New Forest Mitigation Strategy](#).

3.11 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 phosphorous neutral and be subject to appropriate assessment which concludes no adverse effect on the SAC alone or in-combination with other plans or projects in order to be authorised.

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

3.12 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.”*

3.13 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.

3.14 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

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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.

### **Screening of Sutton Benger and Draycot Cerne NDP Area**

#### *Recreation*

- 3.15 The NDP area is located approximately 11km south west of the interim 9.4km outer recreational ZOI to the North Meadow and Clattinger Farm SAC, at its closest point, and as such appropriate assessment with respect of this European site can be screened out.
- 3.16 The NDP area lies approximately 61.3km from the New Forest SPA/SAC and is therefore a substantial distance beyond the 13.8km ZOI around the SPA/SAC within which the majority of day visitors to the New Forest originate<sup>10</sup>. Appropriate assessment with respect to the New Forest SPA/SAC has therefore been screened out.
- 3.17 Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances predominately where significant development lies immediately adjacent or in close proximity to the river, which will not occur as a result of this NDP as the closest component of the River Avon SAC lies approximately 26km south east of the NDP area at its closest point and has therefore been screened out of appropriate assessment.
- 3.18 In relation to Salisbury Plain, the SAC habitat features were screened out of appropriate assessment for the WCS on the advice of NE. The Salisbury Plain SPA can also be screened out of appropriate assessment in respect of this NDP as the plan area is well beyond the 6.4km ZOI 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 Wiltshire Council in 2015.

#### *Hydrology / Hydrogeology*

- 3.19 In terms of hydrology/hydrogeology, the NDP area lies within the Bristol Avon catchment and as such there is no pathway for a likely significant effect on the River Avon SAC as a result of the NDP.
- 3.20 No water resource issues have been identified for the Bath and Bradford on Avon Bats SAC which is the only SAC 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*

- 3.21 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 European sites within 200m of a main road. Such effects were considered to be very small and difficult to predict at the strategic level<sup>11</sup>. The Sutton Benger and Draycot Cerne NDP does not allocate any sites for development and all of the European sites listed above are a considerable distance from the NDP area; as such it is concluded 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*

- 3.22 The NDP area is located approximately 22.7km from Salisbury Plain SPA and 46.5km from Porton Down SPA. Therefore, it is considered that the plan area is sufficiently distant from the two SPAs 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

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<sup>10</sup> Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

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

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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 either SPA.

- 3.23 In terms of the potential to cause physical damage to features which provide habitat for bats, such as breeding, roosting and foraging habitat, and the potential to interrupt or fragment/sever bat flight lines, or to cause disturbance to such features, it is deemed that the NDP area is too remote to have implications for bats at the Bath and Bradford on Avon Bats SAC, the Mottisfont Bats SAC or the Chilmark Quarries SAC.

#### **4. Screening of Policies in Sutton Benger and Draycot Cerne Neighbourhood Development Plan 2020-2035 Submission Version V3 March 2024**

- 4.1 The Sutton Benger and Draycot Cerne NDP comprises 22 policies; these are detailed and assessed in Table 1 below.
- 4.2 All parts of the NDP have been screened for potential impacts which may arise from the plan alone or in combination with other plans and projects. None of the policies allocate sites for development or would lead directly to development, nor would they result in a likely significant effect on any European sites, either alone or in-combination with other plans or projects. This is due to the nature, scope and scale of the proposals set out in the NDP, and on account of the distance of the NDP area from any European sites and the absence of a potential pathway for effect.
- 4.3 Any further drafts of the NDP and/or changes made to the NDP as a result of the examination in public should be subject to a rescreening assessment before the plan is adopted.

**TABLE 1: Habitats Regulations Assessment Screening of the Sutton Benger and Draycot Cerne Neighbourhood Development Plan**

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 SB1: Landscape – The Rural Character	A3	<p>This policy requires development proposals to demonstrate how they ‘<i>preserve or enhance the features which positively define the character of the Sutton Benger Neighbourhood Plan Area</i>’. Development proposals should take into account the recommendations of the Wiltshire Landscape Character Assessment and Sutton Benger Parish Character Appraisal. The policy then goes on to list characteristics of the NDP area which should be preserved or enhanced, including wide open skies, the River Avon and its tributaries and lowland hay meadows with unimproved grassland of ecological interest.</p> <p>This policy aims to protect the rural character of the NDP area and will not lead to development or give rise to likely significant effects on any European 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 NPPF.</p>	
Policy SB2: Landscape – Maintaining the Separation of Settlements	A3	<p>This policy seeks to ensure new developments respect the rural landscape setting of the NDP area and preserve the distinctive separation between Sutton Benger and Draycot Cerne. A Landscape and Visual Impact Assessment should accompany planning applications for proposals on land between the settlements to ensure the physical and visual separation of the settlements is not eroded.</p> <p>This policy seeks to maintain the separation of the two settlements of Sutton Benger and Draycot Cerne and will not lead to development or give rise to likely significant effects on any European 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 NPPF.</p>	
Policy SB3: Important Views	A3	<p>This policy identifies 29 important views within the NDP area. Proposals are expected to respond positively to the identified views and demonstrate a consideration of design, height and massing. Development proposals will not be supported where they would have a significant adverse impact on any of the identified views.</p>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>This policy seeks to preserve and enhance the local character of the landscape and to protect important views. The policy will not lead to development or give rise to likely significant effects on any European 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 NPPF.</p>	
<p>Policy SB4: Trees and Hedgerows</p>	<p>A1 and A3</p>	<p>This policy states that development proposals should retain ancient, veteran and notable mature trees and hedgerows in the NDP area. The policy notes that there are many notable and important trees within the Conservation Area and Draycot Parkland.</p> <p>Development proposals which affect trees and hedgerows are expected to provide information which establishes the health and longevity of any affected trees and hedgerows. Where trees must be removed, they are expected to be replaced at a ratio of 3:1. Native locally found trees and fruit/nut trees are preferable. This policy supports replacement trees with a large canopy cover that provide increased shading.</p> <p>The policy goes on to state <i>‘the responsible planting of additional trees that reduce or absorb air pollution from traffic will be supported throughout the Plan area’</i>. A tree maintenance/care plan for a period of at least 5 years will also be expected to accompany a planning application.</p> <p>This policy seeks to ensure the retention of trees and hedgerows within the NDP and will not lead to a likely significant effect upon any European 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 NPPF.</p>	
<p>Policy SB5: Biodiversity and Net Gain</p>	<p>A1, A2 and A3</p>	<p>This policy sets out that development within the NDP area should deliver at least 20% biodiversity net gain. The policy supports new development proposals where they:</p> <ul style="list-style-type: none"> <li>• <i>Incorporate public and private green amenity spaces using high quality landscaping to balance gardens and community spaces.</i></li> <li>• <i>Create and conserve natural and green corridors as shown on figure 17, using landscape features and habitats. In particular, opportunities to join up currently isolated green and blue infrastructure assets will be supported.</i></li> </ul>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<ul style="list-style-type: none"> <li>• <i>Introduce new or improve existing trees, wetlands, grassland, parks, woods, orchards and allotments, based on an understanding of those in the Plan Area as shown in figures 15 and 16.</i></li> <li>• <i>Do not have a significant adverse impact on priority habitats or result in the loss of woodlands, amenity trees or hedgerows including those as shown in figures 15 and 16. Any significant adverse impact in this regard will not be permitted unless the need for, and the benefit of the development at that location clearly outweighs the loss, and suitable mitigation measures are put in place.</i></li> <li>• <i>Do not have an adverse impact on protected species. Any significant adverse impact in this regard will not be permitted unless the need for, and the benefit of the development at that location clearly outweighs the loss, and suitable mitigation measures are put in place.</i></li> </ul> <p>This policy promotes the delivery of biodiversity net gain for new developments and supports developments which meet the list of criteria. This policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB6: Flooding and Drainage	A3	<p>This policy supports developments that can demonstrate they do not increase existing site runoff rates or have an adverse impact on neighbouring properties. Where sites fall within Flood Zones 2 and 3 they will be expected to follow the sequential approach as set out in the NPPF. The policy goes on to list areas in the NDP area at risk of fluvial, surface- and ground- water flooding. The policy requires developers to incorporate SuDS into their schemes, where appropriate.</p> <p>This policy seeks to ensure that new developments do not increase the risk of flooding. This policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB6.1: Conversion of Rural	A2 and A3	<p>This policy supports proposals for the change of use of rural buildings to General Industrial Use (B2) or distribution and storage uses (B8) where it can be demonstrated that they will not have an adverse visual impact on the landscape or the local character of the parish.</p>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
Buildings to Employment Uses		<p>The policy goes on to state that any planning permission would need to be accompanied by sufficient information to identify any harm in landscape and highways terms that the proposal may have on the NDP area and recommend mitigation measures accordingly.</p> <p>This policy supports the conversion of rural buildings to employment uses where they would not have an adverse impact on the landscape or local character of the parish. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB6.2: Renewable Energy	A2 and A3	<p>This policy supports the installation of new renewable energy facilities where proposals can demonstrate that it will not have an unacceptable adverse impact on the landscape, public rights of way, biodiversity and/or the residential amenity of neighbouring properties.</p> <p>The policy goes on to state that new solar farms are to be removed after an agreed period with the land returned to its former use. Proposals are expected to be well screened and should not have an adverse impact on the setting of the landscape and the important views that have been identified in the NDP. They should also not result in higher levels of glint and glare.</p> <p>This policy supports the delivery of renewable energy facilities within the NDP area where they do not have adverse impacts. This policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB6.3: Poly Tunnels	A1 and A2	<p>This policy supports proposals for the construction of new poly tunnels where they support the rural economy by employing local workers and ensure that:</p> <ul style="list-style-type: none"> <li>• they will not have an unacceptable harm to local biodiversity and obstruct any important views that have been identified in the NDP area;</li> <li>• they are located in an area that is at low risk of flooding from fluvial and pluvial sources;</li> <li>• they will not result in increase on vehicular traffic;</li> </ul>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<ul style="list-style-type: none"> <li>any irrigation system or hardstanding area associated with the use will not be located in close proximity to a conservation area or heritage asset. This is to ensure that the archaeological interests of the local area are protected.</li> </ul> <p>This policy supports proposals for new poly tunnels within the NDP area where they meet the criteria set out in the policy. This policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB7: Design	A1 and A3	<p>This policy sets out that development proposals should be of a high standard of design and should be in keeping with the character of the area as identified in the Sutton Benger Character Appraisal and Design Code and the setting of the Conservation Area. The policy then goes on to list several criteria that development proposals are expected to demonstrate. The policy expects adequate justification to be provided if a development proposal is significantly different to the surrounding identified character.</p> <p>This policy seeks to ensure that new development proposals will be of a high standard of design and can integrate into the surrounding landscape of the NDP area. This policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB8: Heritage and Conservation	A3	<p>This policy seeks to ensure that new developments conserve and enhance the special interest and significance of any relevant designated heritage assets and their settings.</p> <p>This policy seeks to ensure the conservation of designated and non-designated heritage assets and will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB9: Sustainable Development and Climate Change	A1	<p>This policy states '<i>Measures to combat the effects of climate change should, where appropriate, be incorporated into the design of new developments and through conversion or extension proposals, opportunities to retrofit such measures into existing housing should be taken...</i>'. The policy then goes on to list a number of measures which could be taken to combat the effects of</p>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>climate change. The special character of the conservation area and the settings of designated and non-designated heritage assets should be safeguarded.</p> <p>This policy seeks to ensure that new developments, conversions and extensions include effective measures to combat climate change. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB10: Infill Development	A3 and B	<p>This policy states that infill development and redevelopment of previously developed land or buildings within the built up areas of the villages will be supported. This support will be subject to compliance with other applicable policies, including in the Development Plan and the Sutton Benger Parish Character Appraisal and Design Code.</p> <p>While this policy doesn't allocate a specific site for development it does support infill development and the redevelopment of brownfield sites in the villages, however, the policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB11: Affordable and Rural Workers Housing	B	<p>This policy supports proposals for affordable housing, such as infill development or as part of a larger rural exception site where it can be shown to meet the recommendations of the Sutton Benger Parish Housing Needs Survey, January 2022 (and any subsequent survey or assessment).</p> <p>While this policy doesn't allocate a specific site for development it does support proposals for affordable housing in the NDP area where it meets the criteria in the policy. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB12: Dwelling Extensions	A1	<p>This policy supports extensions to existing dwellings where they take account of the guidance in the Sutton Benger Parish Character Appraisal and Design Code. Proposals should not lead to the over development of the site, loss of important gaps between buildings, keys views into settlements or vegetation of amenity value.</p>	

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		<p>This policy will not itself lead to development but it does support the extension of existing buildings and lists several criteria which are expected to be met. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB13: New Development and Highway Implications	A1	<p>This policy sets out a list of criteria which all new development proposals should meet with regards to highways, for example parking, road safety and sustainable transport.</p> <p>This policy aims to maintain and enhance the highways infrastructure within the NDP. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB14: Local Green Spaces	A3	<p>This policy designates Local Green Spaces where development will only be considered acceptable in exceptional circumstances and provides a list of the relevant Local Green Spaces.</p> <p>This policy seeks to protect and enhance the areas designated as Local Green Spaces, only providing support to development in exceptional circumstances. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB15: Protection of Existing Rights of Way and Cycle Network	A1	<p>This policy supports development that affect rights of way or the cycle network where they improve:</p> <ul style="list-style-type: none"> <li>• <i>Safety;</i></li> <li>• <i>Directness;</i></li> <li>• <i>Accessibility and Connectivity;</i></li> <li>• <i>Attractiveness;</i></li> <li>• <i>Convenience; and</i></li> <li>• <i>Adjacent features such as trees and hedgerows, ponds or watercourses.</i></li> </ul>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>Development proposals should maintain the rural character of footpaths and bridleways and should not result in obstructions, diversions or the urbanisation of footpaths, bridleways or cycle paths.</p> <p>This policy seeks to maintain the rural character of existing rights of way and supports development proposals that improve the network in the NDP area. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB16: Loss or Change to Community Facilities	A1	<p>This policy states that development proposals that result in the loss of or significant harm to a community facility will not be supported, unless it can be demonstrated that the facility is no longer financially viable. Proposals for the extension, adaptation or redevelopment of community facilities will however be supported if the same level of provision as previously existing is offered.</p> <p>This policy seeks to ensure there is no loss to the provision of community facilities within the NDP. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	
Policy SB16A: Communications Infrastructure	A1	<p>This policy states that <i>'Applications for major residential development must contain a 'Connectivity Statement' highlighting the proposed connections to essential services, such as water, electricity, gas, and telecommunications. This should also include details of suitable ducting to enable more than one service provider to provide a fibre connection to individual properties from connection chambers located on the public highway, or some alternative connection point available to different service providers'</i>.</p> <p>This policy aims to ensure that different service providers can supply individual properties within new residential developments in the NDP area. The policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	

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Policy SB17: Economic Development and Rural Industries	A1	<p>This policy states that any new employment development should be focused on providing workspace for existing or new small-scale businesses and set out a list of criteria which should be met. A Transport Statement and Travel Plan should accompany major developments and 24 hour operation/lighting will only be supported if they can demonstrate no adverse impacts on the community.</p> <p>This policy seeks to facilitate existing or new small-scale businesses within employment development by providing suitable workspaces. This policy will not lead to likely significant effects on any European site. 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 NPPF.</p>	

## **5. Conclusion**

- 5.1 The HRA screening exercise presented in this document has concluded that the Submission Version V3 (dated March 2024) of the Sutton Benger and Draycot Cerne NDP 2020-2035 will not result in a likely significant effect on any European sites or their qualifying features either alone or in-combination with other plans and projects. Therefore, it has not been necessary to subject the NDP to an appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 5.2 It should be noted that if any changes are made to the NDP or the policies contained therein, it will be necessary for the amended NDP to be subject to a repeat HRA screening exercise before it can be 'made'.

Prepared by Naomi Harvey, Ecologist, Wiltshire Council, 04 June 2024

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