

## TISBURY AND WEST TISBURY NEIGHBOURHOOD PLAN HABITATS REGULATIONS ASSESSMENT (HRA)

### 1. Introduction

- 1.1. This revised Habitats Regulations Assessment (HRA) relates to the Tisbury and West Tisbury Neighbourhood Plan Edition 2 (2024) Regulation 14 version, hereafter referred to as the NP, which was submitted to Wiltshire Council in January 2024. This HRA has been undertaken to inform a Regulation 14 consultation response from Wiltshire Council to the NP. The Tisbury and West Tisbury NP was made in 2019 and is being re-screened under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019<sup>1</sup>, hereafter referred to as the Habitats Regulations, due to new policies added to the NP, amendments made to several policies within the NP and the requirement for the qualifying body to consult the local planning authority on the proposed modifications to the NP. The housing provision allocated within the NP has been increased from 60 dwellings to 81 dwellings.
- 1.2. The HRA has been carried out to comply with Regulation 105 of the Habitat 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**

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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/428242/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

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.

- 1.5. Wiltshire Council has conducted the following HRA as competent authority for the Tisbury and West Tisbury NP. Where risks to European sites are identified, changes are recommended to remove or reduce the risks, and these should be incorporated into the plan before it is made. Likewise, if 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.

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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

- *Recreation – European sites within 5km of the plan area, or where the New Forest Special Protection Area (SPA)/Special Area of Conservation (SAC) is within 13.8km (extended to 15km where HRA indicates this is necessary) of the plan area or where Salisbury Plain SPA/SAC is within 15km (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 WCS was adopted, NE has advised Wiltshire Council of its concerns regarding the growing number of visitors to the North Meadow and Clattinger Farm SAC in recent years which has led to an increase in trampling. NE has advised that this is particularly evident at North Meadow (which is also a National Nature Reserve (NNR)) during April and May when visitors come to see the Snake's-head fritillaries in flower. NE considers that the increase in recreational pressure upon the SAC is primarily as a result of increases in the local population, and that major new housing developments within a short travel distance of North Meadow are likely to add to the existing visitor pressure and trampling effects. The North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Strategy 2023 – 2028 (May 2023) sets out the mitigation strategy for the North Meadow element of the SAC with regards to new residential and tourism accommodation developments within the identified Zol. The Clattinger Farm element of the SAC is not subject to the strategy. The strategy sets out 2 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.
- 3.5 Impacts of development in Wiltshire on the New Forest SPA were considered in the HRA for the South Wiltshire Core Strategy (SWCS) adopted in 2012<sup>10</sup>. The assessment used data from the Tourism South East PROGRESS survey for 2004/05 and census data from 2001 for the former Salisbury District to examine patterns of visitors to the New Forest from across south Wiltshire. That HRA concluded that the development in south Wiltshire would increase visitor pressure by less than 1% and 89% of this would be through additional local day visits from within 8 km of the National Park. The WCS addressed the New Forest's mitigation requirements through Core Policy 50, identifying that a New Forest Mitigation Strategy would be prepared to address recreational impacts. Since the WCS was adopted, the council has joined a partnership of local authorities seeking to develop a strategic approach to address the impacts of recreational pressure on the New Forest SPA. A Government grant through the Planning Delivery Fund enabled visitor surveys to be conducted across the New Forest in 2018/19. This work was recently published, and the Council is now part of a steering group working to agree a common approach to mitigation including the extent of the Zol and how to fairly reflect different visit rates within it. This evidence has informed the preparation of an Interim Recreation Mitigation Strategy by Wiltshire Council<sup>11</sup>.

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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

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

<sup>11</sup> The Interim Recreation Mitigation Strategy has not been reviewed by Natural England at the time of writing.

- 3.6 The WCS adopted the 8km zone of influence, however, as discussed in the Interim Recreation Mitigation Strategy, from 1<sup>st</sup> September 2021 this has been revised to 13.8 km. Before this date, the mitigation scheme only applied to permitted dwellings lying within 8km of the New Forest designated sites whereas thereafter the scheme has been extended to apply to new residential and tourism development within 13.8 km of any of the New Forest designated sites and may be extended to include applications within 15km, where demonstrated to be necessary through a bespoke appropriate assessment.
- 3.7 Since the WCS was adopted and on the advice of NE, any plan or project that will lead to development within the catchment of the River Avon SAC must be 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**

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

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

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

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

- 3.9 In accordance with NE’s advice, any plan or project which will lead to development within the catchment of the River Test cannot be approved unless nitrogen neutrality has been demonstrated via quantitative means, and an appropriate assessment conducted by the competent authority has concluded beyond reasonable scientific doubt that there would be no adverse effects on the integrity of any of the Solent region European sites.
- 3.10 In 2022 the River Lambourn SAC and the Somerset Levels and Moors Ramsar site were identified by NE as being in unfavourable condition due to excessive phosphorus inputs. A very small area of both of these sites are located within Wiltshire. Any overnight accommodation development within the catchment of

the SAC or Ramsar site are now required to demonstrate phosphorous neutrality and be subject to an appropriate assessment which concludes no adverse effect on the SAC or Ramsar site alone or in combination with other plans or projects in order to be authorised.

### **Screening of Tisbury and West Tisbury NP Area**

#### *Recreation*

- 3.11 The NP area lies approximately 9.6km beyond the 13.8km radius around the New Forest SAC/SPA within which the majority of day visitors to the New Forest originate<sup>12</sup>, and therefore appropriate assessment with respect of this European site can be screened out.
- 3.12 The whole of the NP area is located within the Hampshire Avon catchment and the River Nadder flows through the NP area. A section of the River Nadder is a component part of the River Avon SAC, and a short stretch of the River Avon SAC is located within the eastern area of the NP area. 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. Core Policy 69 (CP69) (*Protection of the River Avon SAC*) of the WCS states: *'In order to avoid and reduce potential environmental effects on the River Avon SAC, development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures.'*
- 3.13 The NP allocates two sites within the Hampshire Avon catchment, one of which (Policy HS4 Station Works) lies within close proximity to the River Nadder, and approximately 1.7km from the River Avon SAC, and it also supports other developments within the NP area. The NP must therefore be subject to appropriate assessment due to the potential for recreational effects on the River Avon SAC.
- 3.14 In relation to Salisbury Plain, the SAC habitat features were screened out of appropriate assessment for the Core Strategy on the advice of Natural England. The Salisbury Plain SPA can also be screened out of appropriate assessment with respect of this NP as the whole plan area is beyond the 6.4km zone around the SPA within which the majority (75%) of visitors to the Plain are expected to live. This is based on the data collated by means of a visitor survey commissioned by the Council in 2015.
- 3.15 The NP area is located well beyond the interim outer 4.2 – 9.4km recreational ZOI around the North Meadow element of the North Meadow and Clattinger Farm SAC, therefore appropriate assessment with respect of the North Meadow and Clattinger Farm SAC can be screened out.
- 3.16 The NP area lies approximately 27km from the nearest component of the Bath and Bradford on Avon Bats SAC and is not located within any core areas associated with core roosts functionally linked to the SAC. As such recreational impacts on the Bath and Bradford on Avon Bats SAC has been screened out of appropriate assessment.
- 3.17 The Prescombe Down SAC is located to the south approximately 2.6km from the closest boundary of the NP area and the Fontmell and Melbury Downs SAC is located approximately 6.6km to the south west. Neither SAC has been identified as being susceptible to recreational pressure, therefore it is considered that the relatively small number of houses allocated within the NP would not lead to likely significant impacts on these SACs and both have therefore been screened out of appropriate assessment.

#### *Hydrology / Hydrogeology*

- 3.18 The River Nadder flows through the NP area and a section of it is a component of the River Avon SAC and the River Avon System Site of Special Scientific Interest (SSSI). The area of the River Nadder designated

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<sup>12</sup> Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

as SAC and SSSI is located towards the eastern boundary of the NP area. The entirety of the NP area lies within the Hampshire Avon catchment and the Wessex Water Resource Zone.

- 3.19 The River Avon SAC and the groundwater sources are particularly vulnerable to the effects of diffuse and point source pollution which can cause ecological damage due to excessive algal growth. The potential for significant effects on water quality and phosphate levels in the River Avon SAC could be caused by increased housing and employment provision which would lead to discharges to the river and nutrient enrichment of the aquatic system. The Council has agreed through a Memorandum of Understanding (MoU) with NE and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is implementing a phosphorus mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period.
- 3.20 In December 2023, the Government confirmed that a grant had been awarded through the Local Nutrient Mitigation Fund to help pump-prime nutrient neutrality interventions in the River Avon SAC catchment. The grant will help Wiltshire Council to continue to work proactively and strategically in the catchment to deliver mitigation projects that may be able to help some applicants. At a Cabinet meeting on 6th February 2024, it was agreed to revise the strategic mitigation strategy. This revised approach is led by the supply of mitigation projects in the catchment, funded by developer contributions via planning obligations. A council-led scheme has been approved and is one route that development can potentially use to achieve phosphorus neutrality. It will form part of the solution to achieving phosphorus neutral development in the catchment. A portfolio of projects will be progressed which includes council-owned sewage upgrades, householder sewage upgrades and first-time sewerage, wetlands, woodland planting and water efficiency measures. The council-led scheme will only be available for planned developments where there is a supply of mitigation credits within the sub-catchment.
- 3.21 Other routes such as securing mitigation through private providers, as well as delivery of bespoke solutions on-site, where possible, can also be progressed by developers.
- 3.22 The revised approach came into effect immediately and an updated strategy will be published in due course.
- 3.1 With regards to the potential for likely significant effects on the River Avon SAC from water abstraction, the HRA (2020) for the Wiltshire Housing Site Allocations Plan states that the Nadder sub-catchment is not understood to be at risk of low flows from abstraction. Therefore, abstraction for public water supply (PWS) due to the allocations within the NP is not considered likely to cause likely significant effects on the River Avon SAC.
- 3.2 The NP allocates two sites for development and also supports development within the NP area and as such, a pathway for likely significant effects on the River Avon SAC exists, therefore the NP must be subject to an appropriate assessment in terms of potential phosphorus effects on this European site.
- 3.3 Applications that come forward for development within close proximity to the SAC would need to incorporate appropriate and adequate avoidance and mitigation measures such as buffer zones along the river, and compliance with Core Policy 69 (Protection of the River Avon SAC) of the WCS. Core Policy 69 requires the use of Construction Management Plans for developments within 20m of the river bank as this will help to maintain water quality.

#### *Air Pollution / Nitrogen Deposition*

- 3.23 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>13</sup>. The NP allocates housing for up to 81 dwellings at two allocated sites. All of the European sites listed above, except the River Avon SAC, are a considerable distance from the NP area and effects are likely to be negligible. In relation to the River Avon SAC, neither of the allocated sites are located within 200m of a main road. Therefore, it is concluded that the NP 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*

- 3.24 The NP area is located approximately 6.7km from the 6.4km zone around the Salisbury Plain SPA and approximately 22.8km from Porton Down SPA. Therefore, it is considered that the NP area and the allocated sites are 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 NP area and allocated sites are 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.
- 3.25 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 NP area is too remote to have implications for bats at the Bath and Bradford on Avon Bats SAC, and its associated core roosts, or the Mottisfont Bats SAC.
- 3.26 The Fonthill Grottos components of the Chilmark Quarries SAC are located in the northern area of the NP area and the Chilmark Quarries components of the SAC are located approximately 500m to the east of the NP area boundary. There are four qualifying bat species of the Chilmark Quarries SAC; Barbastelle's, greater horseshoe bats, lesser horseshoe bats and Bechstein's bats. The landscapes surrounding the core roosts used by these bats species for foraging and commuting have been identified as core areas. The NP area lies almost entirely within the 6km core areas for Barbastelle bats. The following core areas also fall within the NP area:
- Greater Horseshoe bat 4km core area;
  - Lesser Horseshoe bat 2km core area;
  - Bechstein's bat 1.5km core area.
- 3.27 The NP allocates two sites for development and supports development within the NP area. Both allocated sites are located within the 6km Barbastelle and the 4km greater horseshoe bat core areas. The Former Sports Centre site (Policy HS5) is also located within the 2km lesser horseshoe bat core area. There is therefore a pathway for likely significant effects on the Chilmark Quarries SAC and the NP must be subject to an appropriate assessment in terms of potential for effects on this European site.

#### **4. Screening of Policies in Tisbury and West Tisbury Neighbourhood Plan**

- 4.1 The Tisbury and West Tisbury NP comprises 29 policies; these are detailed and assessed in Table 1 below.
- 4.2 Taking into consideration the location, scale and nature of proposals in the NP, there is a mechanism for effect on two European Sites, Chilmark Quarries SAC and the River Avon SAC. All parts of the draft plan have been screened for potential impacts which may arise from the plan alone or in combination with other plans and projects. 11 policies have the potential to give rise to significant effects and therefore need to be taken forward to appropriate assessment.

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<sup>13</sup> Update to the Wiltshire Core Strategy Habitats Regulations Assessment, February 2014 (Exam/89)



- 4.3 Other policies would either not lead directly to development or would have no significant effects either alone or in combination with other plans and projects due to the scale and nature of the proposals in the plan.

**TABLE 1: Habitats Regulations Assessment Screening of the Tisbury and West Tisbury Neighbourhood 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 NE1: The Cranborne Chase National Landscape	A1/A2/A3	<p>This policy seeks to ensure that developments conserve and enhance the natural beauty of the Cranborne Chase National Landscape (NL) and goes on to set out 3 criteria which developments should meet, including conforming with the provisions of the NL’s Partnership Plan 2019-2024 and its successors.</p> <p>This policy will not lead to development and would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy NE2: The River Avon Special Area of Conservation	A2/A3	<p>This policy states that planning proposals within the catchment area of the River Avon SAC must submit a HRA demonstrating compliance with Wiltshire Core Policies 50 and 69.</p> <p>The policy goes on to state that applications that come forward for development within close proximity to the River Avon SAC will need to incorporate appropriate avoidance and mitigation measures during construction and operation to prevent pollution and mitigate the effects of disturbance.</p> <p>This policy will not lead to development but seeks to protect the River Avon SAC. The policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	It is recommended that amendments are made to this policy as set out in Section 5 paragraph 5.40.
Policy NE3: Green and Blue Infrastructure	A1/A2/A3	<p>This policy supports developments which enhance the green and blue infrastructure networks or improves the linkages between sites identified within the NP. Proposals will be supported where they enhance these networks and where possible strengthen and improve linkages between sites. Where appropriate new developments will be required to make a positive contribution to the public realm, or the Green and Blue Networks, through biodiverse green infrastructure that achieves ecological connectivity and multi-functional green spaces serving different recreational, wildlife and wider ecosystem service functions (including alleviation of heat island effect, sustainable drainage, carbon sinks, air quality improvements). The policy</p>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>provides a list of design principles which should be considered when designing green infrastructure, including placing emphasis on the ecological connectivity between wildlife area and green spaces to achieve a minimum of 10% biodiversity net gain.</p> <p>This policy will not lead to development but seeks to encourage and support green infrastructure led developments to achieve ecological connectivity and multifunctional green spaces. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
<p>Policy NE4: Conservation, Habitats and Biodiversity</p>	<p>A1/A3</p>	<p>This policy seeks to protect identified sites of importance to nature conservation across the NP area, and states that the water meadows adjacent to the River Nadder are particularly valued by the local community. Developments that would result in adverse landscape and biodiversity impacts on those identified site that cannot be avoided, mitigated or as a last resort compensated for will be refused.</p> <p>The policy states that the SAC and SSSIs within the NP area will be protected from inappropriate development.</p> <p>The policy goes on to list requirements for developments affecting sites identified as having wildlife and/or biodiversity importance, including conformity with national policy and the Development Plan and the achievement of biodiversity net gain either on site or local to the development.</p> <p>This policy will not lead to development but seeks to protect sites identified as important to nature conservation. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	<p>This policy refers to Map 6 as showing the sites of importance to nature conservation and SACs are included in the legend for Map 6 however, the Fonthill Grottos components of the Chilmark Quarries SAC in the northern area of the NP area and the section of the River Avon SAC that falls within the NP area are not shown on the map.</p> <p>The policy goes on to refer to the SACs within the NP area but does not name them. The policy does not set out the need for developments to comply with the Habitats Regulations and adhere to the bat SAC Planning</p>

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
			<p>Guidance for Wiltshire or set out that developments within the catchment of the River Avon would be required to be phosphorus neutral in perpetuity.</p> <p>The policy refers to the need to demonstrate how BNG is achieved but does not set out the minimum requirement for BNG (10%) as set out in policy NE3.</p>
Policy NE5: Trees	A2	<p>This policy seeks to retain trees within the NP area wherever possible. Where the removal of trees and hedgerows is unavoidable, the policy requires appropriate trees to be replaced at a ratio of three to one. Route protection areas to prevent future conflict with utility services and households will be required, and planting should follow Forestry Commission best practice.</p> <p>This policy will not lead to development but seeks to retain tree cover within the NP area. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy NE6: Landscaping	A3	<p>This policy supports developments which conserve and enhance natural features, promote wellbeing, provide wildlife habitats and shared spaces and those sensitive to the setting of the NP area and the NL.</p> <p>This policy will not lead to development but seeks to protect the setting of the NP area and the NL. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy NE7: Managing Flood Risk	A1/A2	<p>A) Managing Drainage Fluvial flooding linked to the River Nadder has been identified as a major risk in the NP area and therefore this policy sets out requirements to reduce the risk of flooding. This includes:</p>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<ul style="list-style-type: none"> <li>• Incorporation of a sustainable and integrated approach to the management of flood risk, surface water and foul drainage.</li> <li>• Incorporate flood risk proposals that are robust enough to meet the expected impacts of climate change.</li> <li>• Avoid additional water run off onto neighbouring land.</li> <li>• Avoid water course pollution.</li> <li>• Avoid to the maximum extent possible any net loss of permeable surface.</li> <li>• Ensure SUDS are designed to form an integral part of the surrounding green infrastructure.</li> </ul> <p>B) Zone 3b Functional Flood-Plain The policy goes on to require development proposals within flood zone 3b and those identified in the NP to comprise essential infrastructure and/or water compatible development and any change of use of an existing building should not introduce more vulnerable uses or a greater quantum of use than associated with the buildings existing use.</p> <p>C) Site Flood Risk Assessments Development will only be permitted with a Site Flood Risk Assessment demonstrating the criteria in the policy.</p> <p>This policy will not lead to development but seeks to avoid new developments being flooded and causing flooding of the surrounding environment. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy NE8: Energy Conservation	C Chilmark Quarries SAC	<p>This policy seeks to ensure new buildings minimise energy consumption subject to other policies in the NP. Retrofitting of historic buildings should seek to safeguard their historic characteristics. Demolition and replacement of existing buildings to reduce carbon emissions should only be permitted where it can be demonstrated that the conversion of the existing building cannot be delivered safely and viably and that it would offer significant public benefit that would outweigh the environmental impacts.</p> <p>Although this policy does not allocate land for development it supports the retrofitting of historic buildings to reduce carbon emissions and minimise energy consumption. The majority</p>	See Section 6.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>of the NP area is located within one or more core areas for bats associated with the Chilmark Quarries SAC therefore there is the potential for bats associated with the SAC to be roosting in historic buildings in the NP area.</p> <p>The policy does not make reference to the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy NE8 must therefore be subject to appropriate assessment.</p>	
Policy NE9: Renewable Energy	C and D River Avon SAC	<p>This policy states that proposals for individual and community scale energy, for example hydroelectricity and solar photovoltaic panels, will be supported subject to the criteria listed in the policy including: the proposed development must not have an unacceptable impact on any feature of natural or biodiversity importance.</p> <p>This policy does not allocate land for development, however it does support renewable energy schemes including small scale hydroelectric schemes and the installation of solar photovoltaic panels.</p> <p>Hydroelectric schemes would be located upstream of the River Avon SAC and therefore there is the potential for construction and operational impacts on the River Avon SAC and this policy must therefore be subject to an appropriate assessment.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy NE9 must therefore be subject to an appropriate assessment.</p>	See Section 5.
	C and D Chilmark Quarries SAC	<p>The whole of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein’s bat core areas. The development of hydroelectric schemes on the River Nadder or its tributaries would therefore have the potential to affect habitat functionally linked to the Chilmark Quarries SAC through physical damage, interruption of flight lines and disturbance.</p>	See Section 6.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>The policy does not make reference to the need for developments to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy NE9 must therefore be subject to appropriate assessment.</p>	
Policy DB1: High Quality Design and Landscaping	A1 and A2	<p>This policy seeks to ensure that new developments deliver sustainable high-quality design and landscaping and that proposals will not be supported if they do not meet the list of requirements in the policy.</p> <p>This policy will not lead to development but seeks to ensure new developments deliver sustainable high quality design while protecting the natural environment. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	It is recommended that the need for new developments to protect and enhance biodiversity, with reference to the River Avon SAC and the Chilmark Quarries SAC and the need for a minimum of 10% BNG in line with Policy NE3 and the Environment Act is added to the policy.
Policy DB2: Protecting the International Dark Skies Reserve	A2	<p>This policy seeks to conserve the status of the Cranborne Chase NL as an International Dark Sky Reserve, by requiring development proposals to demonstrate how they support the Position Statement on Light Pollution issued by Cranborne Chase NL Partnership and comply with their current published guidance on external lighting.</p> <p>The policy goes on to state that developments involving 5 or more dwellings, or more than 300sqm gross internal area of commercial space, will be expected to also comply with the above criteria.</p> <p>This policy will not lead to development as its focus is to protect the International Dark Skies designation from additional light pollution. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy DB3: Brownfield Sites	C and D River Avon SAC	<p>This policy states the following: <i>Proposals for the redevelopment of deliverable brownfield sites, which meet the policy requirements set out in this Plan and can demonstrate community support are strongly</i></p>	See Section 5.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p><i>supported, particularly those that have the potential to increase local employment or bring redundant historic buildings back into beneficial use. Proposals must demonstrate that:</i></p> <ol style="list-style-type: none"> <li><i>1. there will be no adverse effect on the character of the Cranborne Chase NL;</i></li> <li><i>2. Policy EB1 will not be compromised;</i></li> <li><i>3. they will not have an undue impact on the local road network; and</i></li> <li><i>4. the amenity and living conditions of nearby residents will not be harmed.</i></li> </ol> <p>Although this policy does not allocate land for development it supports the reuse of brownfield sites and redundant historic buildings, and does not rule out the potential use of brownfield sites for residential use.</p> <p>The whole of the NP area is located within the Hampshire Avon Catchment. There is the potential for likely significant effects on the River Avon SAC as there is a pathway for effect as a result of additional discharges from sewage treatment works causing an increase in phosphorus pollution. Any development, both sewered and non sewered, coming forward in the catchment of the River Avon must be phosphorus neutral and subject to an appropriate assessment which concludes no adverse effects on the SAC alone or in combination.</p> <p>There is the potential for brownfield sites to be located within close proximity to the River Avon SAC or the River Nadder upstream of the SAC. Therefore, there is the potential for likely significant effects with regards to construction impacts and recreational pressure due to additional public use of habitats associated with the SAC and this policy must therefore be subject to an appropriate assessment.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy DB3 must therefore be subject to an appropriate assessment.</p>	
	C and D Chilmark Quarries SAC	The whole of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein’s bat core areas. Developments therefore have the potential to affect habitat functionally linked to the	See Section 6.



Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>Chilmark Quarries SAC therefore there is the potential for impacts on bats associated with the SAC if they are roosting in historic buildings on brownfield sites in the NP area.</p> <p>The Policy does not make reference to the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy DB3 must therefore be subject to appropriate assessment.</p>	
Policy DB4: Conservation and Character	A1 and A3	<p>This policy seeks to conserve and enhance Tisbury’s Character Area and set out 4 criteria which should be met. Development proposals within or affecting the setting of the Tisbury Conservation Area should in addition conserve and enhance the setting of the Conservation Area as set out in the Tisbury Conservation Area Appraisal and Management Plan 2009.</p> <p>Development proposals should assess the loss or harm to non designated heritage assets based on the assets significance, and the significance should refer explicitly to any assessment made by the Tisbury Conservation Area Appraisal and Management Plan 2009.</p> <p>The policy states that developments should not infringe upon and should conserve the significance of important local views.</p> <p>The policy supports developments with a residential density above 25 dwellings per hectare, as set out in the supporting text, where they are consistent with the allocations within the NP or meet the three criteria set out in the policy.</p> <p>This policy seeks to conserve and enhance the conservation area and character area, non-designated heritage assets and local views. Although the policy supports developments with a higher density where they meet the criteria, it will not lead to development and would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy DB5: Infrastructure Provision	A3	This policy states that the siting of telecommunications infrastructure should avoid any adverse impacts on local character and that all cabling, pipes, conduits and transformers should be located underground other than in exceptional circumstances.	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>Where enabling infrastructure is identified as necessary, the policy requires this to be in place before the development is occupied. For brownfield developments within Character Area 9, early pre-app engagement with Wiltshire Council and the Parish Councils is required to ensure infrastructure and other site-specific requirements are identified at the earliest possible stage.</p> <p>This policy will not lead to development as it seeks to protect local character from telecommunications and utility infrastructure and ensure enabling development is provided where necessary. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy DB6: Place-Shaping	A1	<p>This policy seeks to ensure that developments within the settlement boundary take place within areas identified as suitable for that development type. Where developments do not meet this criteria they should be steered to more suitable locations.</p> <p>This policy will not lead to development as it seeks to ensure that the right developments are located within the right areas of the settlement boundary and therefore this policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
HS1: Affordable Housing	C and D River Avon SAC	<p>This policy sets out the affordable housing requirements for the NP area including the level of affordable housing required for schemes of five dwellings and above. The policy supports the development of and rural exception sites where they meet the criteria set out in the policy including that they are put forward by local community land trusts, local charities or community groups with the support of the relevant Parish Council; or they demonstrate strong alignment with the community's needs.</p> <p>This policy will not lead to development however it supports the development of rural exception sites.</p> <p>The whole of the NP area is located within the Hampshire Avon Catchment. There is the potential for likely significant effects on the River Avon SAC as there is a pathway for effect as a result of additional discharges from sewage treatment works causing an increase in phosphorus</p>	See Section 5.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>pollution. Any development, both sewered and non sewered, coming forward in the catchment of the River Avon must be phosphorus neutral and subject to an appropriate assessment which concludes no adverse effects on the SAC alone or in combination.</p> <p>There is the potential for residential development supported by this policy to be located within close proximity to the River Avon SAC or the River Nadder upstream of the SAC. Therefore, there is the potential for likely significant effects with regards to construction impacts and recreational pressure due to additional public use of habitats associated with the SAC and this policy must therefore be subject to an appropriate assessment.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy HS1 must therefore be subject to appropriate assessment.</p>	
	C and D Chilmark Quarries SAC	<p>The whole of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein’s bat core areas. Developments therefore have the potential to affect habitat functionally linked to the Chilmark Quarries SAC through physical damage, interruption of flight lines and disturbance.</p> <p>The Policy does not make reference to the need for developments to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy HS1 must therefore be subject to appropriate assessment.</p>	See Section 6
Policy HS2: Promoting Independence	A1	<p>This policy promotes independent living as late as possible in life. Proposals of 10 dwellings or more should achieve the following standards – be located within 400m of Tisbury’s primary shopping area, off at least 50% of homes with step free access and demonstrate they have been designed to offer a high quality of life for older people.</p> <p>Development proposals involving specialist accommodation for older people should demonstrate broad conformity with the Wiltshire Older Persons Accommodation Strategy 2011-2026 and should conform to the criteria set out in the policy.</p>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>This policy will not lead to development as it seeks to ensure new developments promote independent living. This policy will not lead to development and would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
<p>Policy HS3: Employment and Out-Commuting</p>	<p>C and D River Avon SAC</p>	<p>This policy states: <i>To ensure homes are balanced with much-needed local jobs and to avoid the significant adverse impact of out-commuting, schemes involving 40 or more new dwellings should deliver commercial or employment space capable of generating 8 local, full-time employee roles for each 10 homes built, except where the development proposal delivers exceptional public benefit for the local community, such as through:</i></p> <ol style="list-style-type: none"> <li>1. a community-led development (e.g. through a community land trust); or</li> <li>2. a development offering exceptionally high levels of Affordable Homes, at least 50%.</li> </ol> <p>This policy will not lead to development however it does support the provision of commercial or employment space for all new developments involving 40 or more dwellings.</p> <p>There is the potential for commercial developments supported by this policy to be located within close proximity to the River Avon SAC or the River Nadder upstream of the SAC. Therefore, there is the potential for likely significant effects with regards to construction impacts on the River Avon SAC and this policy must therefore be subject to an appropriate assessment.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy HS3 must therefore be subject to appropriate assessment.</p>	<p>See Section 5.</p>
	<p>C and D Chilmark Quarries SAC</p>	<p>The whole of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein’s bat core areas. Developments therefore have the potential to affect habitat functionally linked to the Chilmark Quarries SAC with regards to physical damage and disturbance.</p>	<p>See Section 6.</p>

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>The policy does not recognise the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire.</p> <p>Policy HS3 must therefore be subject to appropriate assessment.</p>	
Policy HS4: Site Allocation – Station Works	C and D River Avon SAC	<p>This policy allocates the Station Works site for residential and commercial development. The policy notes that the exact split of development between commercial units and dwellings, and the number of dwellings, should be an output of the masterplanning process, however the policy allocates the site for 68 homes. The policy is split into the following 9 sections which set criteria and requirements for any development coming forward:</p> <ol style="list-style-type: none"> <li>1. Principle</li> <li>2. Design</li> <li>3. Phasing</li> <li>4. Access</li> <li>5. Affordable Housing</li> <li>6. Flood Risk</li> <li>7. Decontamination</li> <li>8. Transport</li> <li>9. Parking</li> </ol> <p>The policy does not include any criteria to ensure the protection and enhancement of biodiversity, the need to avoid likely significant effects on the River Avon SAC and the Chilmark Quarries SAC and does not set out that a minimum of 10% BNG would need to be demonstrated in line with Policy NE3.</p> <p>The site is located within the Hampshire Avon Catchment. There is the potential for likely significant effects on the River Avon SAC as there is a pathway for effect as a result of additional discharges from sewage treatment works causing an increase in phosphorus pollution. Any development, both sewered and non sewered, coming forward in the catchment of the River Avon must be phosphorus neutral and subject to an appropriate assessment which concludes no adverse effects on the SAC alone or in combination. The site is located within approximately 10m of the River Nadder at the closest point therefore there is a potential pathway for effect on the River Avon SAC through construction and operational impacts such a site runoff.</p>	See Section 5.

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		<p>The policy proposes the construction of a new pedestrian and cycle bridge over the River Nadder to the north of the site therefore there is the potential for construction and operational impacts associated with the bridge, including recreational impacts from increased public use of the habitats adjacent to the river.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2 or that a HRA would be required.</p> <p>Therefore, the potential for likely significant effects on the River Avon SAC cannot be screened out and these policies should be subject to appropriate assessment. Developments will be considered at the planning application stage to ensure compliance with this policy, the NPPF, Core Policy 50 (CP50) (Biodiversity and Geodiversity) and Core Policy 69 (CP69) (Protection of the River Avon SAC) of the WCS and other relevant Development Plan policies. A HRA will be required at the planning application stage due to the potential for likely significant effects on the SAC.</p>	
	C Chilmark Quarries SAC	<p>The site is located within the 6km Barbastelle and 4km greater horseshoe bat core areas associated with the Chilmark Quarries SAC therefore there is the potential for the development of this site, including the construction of a new pedestrian and cycle bridge over the River Nadder, to cause physical damage and disturbance to habitat functionally linked to the Chilmark Quarries SAC and to interrupt bat flight lines.</p> <p>The policy does not recognise the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire.</p> <p>Therefore, the potential for likely significant effects on the Chilmark Quarries SAC cannot be screened out and this policy should be subject to appropriate assessment. Developments will be considered at the planning application stage to ensure compliance with this policy, the NPPF, Core Policy 50 (CP50) (Biodiversity and Geodiversity) of the WCS and other relevant Development Plan policies. A HRA will be required at the planning application stage due to the potential for likely significant effects on the SAC.</p>	See Section 6.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
Policy HS5: Site Allocation – Old Sports Centre	C River Avon SAC	<p>This policy states: <i>‘The site of the former Sports Centre as identified on the Map 11 is allocated for a community led redevelopment to provide 13 dwellings, 6 of which will be Affordable Homes for local people and managed in perpetuity on behalf of the community, in accordance with Wiltshire Council Policy and other relevant policies of this neighbourhood plan. Development Proposals should demonstrate how they have met the reasonable requirements of St. John’s Primary School adjoining the site regarding safeguarding, access and parking provision.’</i></p> <p>The site is located within the Hampshire Avon Catchment. There is the potential for likely significant effects on the SAC as there is a pathway for effect as a result of additional discharges from sewage treatment works causing an increase in phosphorus pollution. Any development, both sewered and non sewered, coming forward in the catchment of the River Avon must be phosphorus neutral and subject to an appropriate assessment which concludes no adverse effects on the SAC alone or in combination.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2 or that a project level HRA would be required.</p> <p>Therefore, the potential for likely significant effects on the River Avon SAC cannot be screened out and Policy HS5 should be subject to appropriate assessment. Developments will be considered at the planning application stage to ensure compliance with this policy, the NPPF, Core Policy 50 (CP50) (Biodiversity and Geodiversity) and Core Policy 69 (CP69) (Protection of the River Avon SAC) of the WCS and other relevant Development Plan policies. A HRA will be required at the planning application stage due to the potential for likely significant effects on the SAC.</p>	See Section 5.
	C Chilmark Quarries SAC	<p>The supporting text to the policy states that the former sports centre building was demolished in 2021. The site is located within the 6km Barbastelle, the 4km greater horseshoe bat and the 2km lesser horseshoe bat core areas associated with the Chilmark Quarries SAC therefore there is the potential for the development of this site to cause physical damage and disturbance to habitats functionally linked to the Chilmark Quarries SAC and to interrupt bat flight lines.</p>	See Section 6.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>The policy does not recognise the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire.</p> <p>Therefore, the potential for likely significant effects on the Chilmark Quarries SAC cannot be screened out and Policy HS5 should be subject to appropriate assessment. Developments will be considered at the planning application stage to ensure compliance with this policy, the NPPF, Core Policy 50 (CP50) (Biodiversity and Geodiversity) of the WCS and other relevant Development Plan policies. A HRA will be required at the planning application stage due to the potential for likely significant effects on the SAC.</p>	
Policy ST1: Traffic Impact and Road Safety	A1 and A3	<p>This policy sets out that new development that can reasonably expect to result in significant numbers of additional vehicle journeys should be accompanied by a Transport Assessment that meets the criteria in the policy.</p> <p>Proposals failing to demonstrate that additional traffic generation can be effectively managed or mitigated will not be supported. Proposals are also expected to provide evidence of engagement with landowners and Wiltshire Council.</p> <p>This policy will not lead to development as it seeks to ensure that traffic from new developments can be mitigated. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy ST2: Parking Provision	A1 and A3	<p>This policy aims to ensure that new developments demonstrate they have provided for the needs of residents and the impact of development on local parking provision within Tisbury, in particular:</p> <ul style="list-style-type: none"> <li>• Loss of on- and off- site parking is replaced on- or off- site.</li> <li>• Opportunities to deliver cycle parking spaces of at least 2 cycle spaces per car/van parking bay.</li> <li>• Any undue impact on parking availability on Tisbury High Street is acceptable or mitigated.</li> </ul> <p>This policy seeks to ensure adequate parking provision for new developments and the provision of cycle parking spaces. The policy would not lead to development and therefore would not</p>	



Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.	
Policy ST3: A Safe and Walkable Village	C and D River Avon SAC	<p>This policy seeks to ensure that, where possible, development proposals should promote active modes of travel and contribute to the achievement of a safe walkable/cyclable village. Major developments would be required to incorporate the measures set out in section A of the policy, including improvements to the walking and cycling networks and the promotion of new public rights of way.</p> <p>Section B of the policy requires proposals expected to result in a significant number of additional vehicle journeys to demonstrate that the impact of such journeys will be offset and will not lead to an overall decrease in air quality.</p> <p>Section C of the policy states that developments that will predominantly offer medical, healthcare or retail services should be located no further than 300 metres easy walking distance from Tisbury Square, other than in exceptional circumstances.</p> <p>This policy will not lead to development however it seeks to improve the pedestrian and cycle routes through the NP area. There is the potential for new routes to be located adjacent to the River Avon SAC or the River Nadder and therefore there could be a pathway for effect on the River Avon SAC downstream. Development supported through this policy could have construction impacts and recreational pressures on the River Avon SAC due to additional public use of habitats associated with the SAC.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy ST3 must therefore be subject to appropriate assessment.</p>	See Section 5.
	C and D Chilmark Quarries SAC	The whole of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. There is therefore the potential for new routes and the potential upgrading of existing	See Section 6.

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		<p>routes to have impacts on bat species associated with the Chilmark Quarries SAC through habitat fragmentation and additional lighting.</p> <p>The policy does not make reference to the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy ST3 must therefore be subject to appropriate assessment.</p>	
Policy ST4: Tisbury Railway Station	A1	<p>This policy states:</p> <p><i>A) REGENERATION</i></p> <p><i>Proposals for development at or within the environs of the Tisbury Railway Station falling outside the scope of Policy HS4 (Station Works Site Allocation) will be supported, subject to the other policies of this Plan where they:</i></p> <ol style="list-style-type: none"> <li><i>1. facilitate the use of public transport;</i></li> <li><i>2. demonstrate they have anticipated and will integrate with an enhanced railway delivered as set out in this Plan and in the West of England Line Study 2020;</i></li> <li><i>3. address sustainable travel needs, such as pedestrian access, bicycle shelters and electric car charging points;</i></li> <li><i>4. provide additional, affordable long-stay parking for railway users in line with the predictions of station usage and/or additional free short-stay parking suitable for visitors to Tisbury village and the NL; and</i></li> <li><i>5. are designed to enhance Tisbury Conservation Area and the Victorian character of the station buildings.</i></li> </ol> <p><i>B) CO-ORDINATION</i></p> <ol style="list-style-type: none"> <li><i>1. To ensure the necessary co-ordination, proposals should be developed in conjunction with Wiltshire Council, Network Rail and other interested parties as appropriate, including the Parish Councils.</i></li> </ol> <p>This policy will not lead to development, instead it seeks to protect and enhance the existing railway service while encouraging sustainable transport. This policy would not result in a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
Policy EB1: Economic Regeneration	A1, C and D River Avon SAC	<p>This policy sets out criteria, one of which must be met, for the redevelopment of agricultural premises, public houses or use classes B1, B2 and E to residential use.</p> <p>Proposals for mixed use development should be designed to ensure that neither use has any adverse impact on the other in terms of noise, pollution, flooding, light, design, smell and/or parking.</p> <p>The policy goes on to set out criteria for the change of use from Class E to residential of premises on the High Street in order to protect the economic vitality of the High Street.</p> <p>The whole of the NP area is located within the Hampshire Avon Catchment. Therefore, there is the potential for new residential development supported by this policy to have likely significant effects on the SAC as there is a pathway for effect as a result of additional discharges from sewage treatment works causing an increase in phosphorus pollution. Any development, both sewered and non sewered, coming forward in the catchment of the River Avon must be phosphorus neutral and subject to an appropriate assessment which concludes no adverse effects on the SAC alone or in combination.</p> <p>There is the potential for residential development supported by this policy to be located within close proximity to the River Avon SAC or the River Nadder upstream of the SAC. Therefore, there is the potential for likely significant effects with regards to construction impacts and recreational pressure due to additional public use of habitats associated with the SAC and this policy must therefore be subject to an appropriate assessment.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy EB1 must therefore be subject to appropriate assessment.</p>	See Section 5.
	C and D Chilmark Quarries SAC	<p>The whole of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein’s bat core areas. Developments therefore have the potential to affect habitat functionally linked to the Chilmark Quarries SAC with regards to physical damage and disturbance including through</p>	See Section 6.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>disturbance to roosts, for example through the reuse of brownfield sites, or by damage to foraging or commuting habitats.</p> <p>The policy does not make reference to the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy EB1 must therefore be subject to appropriate assessment.</p>	
Policy LC1: Local Green Spaces	A3	<p>This policy states that the sites identified in Table 6 and shown on Maps 25 and 26 are designated as Local Green Spaces due to their local significance for the community and their recreational, historic and environmental value.</p> <p>This policy designates local green spaces within Tisbury and therefore will not lead to development or a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
Policy LC2: Sports and Recreation Spaces	C and D River Avon SAC	<p>This policy aims to protect Tisbury's sports and recreation facilities, and states that they should not be built on unless:</p> <ul style="list-style-type: none"> <li>• They are proven to be surplus to requirements</li> <li>• The lost facility will be replaced by equivalent or better provision</li> <li>• The development is for alternative sports and recreational provision whose benefits outweigh the loss.</li> </ul> <p>This policy will not lead to development however it supports development on existing sports and recreation facilities where certain criteria are met. Several of the identified sports and recreational facilities are located adjacent to the River Nadder and therefore there is a pathway for effect on the River Avon SAC downstream with regards to construction impacts and recreational pressure due to additional public use of habitats associated with the SAC.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy LC2 must therefore be subject to appropriate assessment.</p>	See Section 5.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
	C and D Chilmark Quarries SAC	<p>The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein’s bat core areas. Developments therefore have the potential to affect habitat functionally linked to the Chilmark Quarries SAC with regards to physical damage and disturbance including through disturbance to roosts or by damage to foraging or commuting habitats.</p> <p>The Policy does not make reference to the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy LC2 must therefore be subject to appropriate assessment.</p>	See Section 6.
Policy LC3: Retaining Community Facilities	C and D River Avon SAC	<p>This policy aims to protect Tisbury’s community facilities from loss or loss of amenity value and states that developments that would affect community facilities should only be supported if it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>• There is no longer a need or demand for the facility; and</li> <li>• The existing facility is no longer economically viable.</li> </ul> <p>Any proposals leading to the loss of a community facility should make alternative provision for the relocation of the facility to an equally or more appropriate location.</p> <p>This policy will not lead to development however it supports development of existing community facilities or where new developments affect existing facilities where certain criteria are met. There is the potential for relocated facilities to be located adjacent to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, therefore there is the potential for construction impacts and recreational pressure due to additional public use of habitats associated with the SAC.</p> <p>The policy does not make reference to the need for developments to comply with the Habitats Regulations or with Policy NE2.</p> <p>Policy LC3 must therefore be subject to appropriate assessment.</p>	See Section 5.

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
	C and D Chilmark Quarries SAC	<p>The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein’s bat core areas. Developments therefore have the potential to affect habitat functionally linked to the Chilmark Quarries SAC with regards to physical damage and disturbance including through disturbance to roosts, e.g. in buildings or trees on site, or by damage to foraging or commuting habitats.</p> <p>The Policy does not make reference to the need for development to comply with the Habitats Regulations, and the possibility that a HRA would be required, or the need to adhere to the Bat SAC Planning Guidance for Wiltshire, or latest iteration.</p> <p>Policy LC3 must therefore be subject to appropriate assessment.</p>	See Section 6.
Policy LC4: Public Open Space	A1 / A2	<p>This policy requires any developments of 20 dwellings or more within the settlement boundary to provide new on-site public open space including allotment, amenity green space, parks and recreation grounds, play space and natural green space.</p> <p>In addition, the policy requires developments to:</p> <ul style="list-style-type: none"> <li>• Provide all amenity green space and play space on site;</li> <li>• Ensure that designs off high levels of natural surveillance; and</li> <li>• Ensure that no new home is more than 200m easy walking from a public bench/place to sit, or a play space suitable for pre-school children.</li> </ul> <p>This policy seeks to ensure new development provide appropriate public open space and therefore will not lead to development or a likely significant effect on any European sites. Developments will be considered at the planning application stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	

## 5.0 Appropriate Assessment – River Avon SAC

### Background to the River Avon SAC

- 5.1 The qualifying features of the River Avon SAC are the river habitat, categorised as a water course of plain to montane levels containing *Ranunculus* vegetation; Desmoulin's whorl snail which occurs on emergent vegetation in the floodplain, and; four species of fish, Atlantic salmon, sea lamprey, brook lamprey and bullhead. The conservation objectives are available at <http://publications.naturalengland.org.uk/publication/6048472272732160>, the current version (V3) is dated 27 November 2018.
- 5.2 In brief these require that the integrity of the site is maintained or restored as appropriate and that the site contributes to achieving the favourable conservation status of its qualifying features. Supplementary Advice on conserving and restoring site features was published by NE on 11 March 2019<sup>14</sup> (available through the weblink above). This discusses the need to restore the natural nutrient regime, by limiting anthropogenic enrichment to levels at which adverse effects on characteristic biodiversity are unlikely. In relation to planning, the main concern is the contribution that development makes to river phosphorus levels through inputs from sewage treatment works and package treatment plants. To this effect, specific targets have been identified for phosphorus for the individual waterbodies which make up the SAC.
- 5.3 Development may also affect the river directly, if works are undertaken on the banks or within the river channel and indirectly through non sewage related pollution, such as runoff during construction operation.

### Plans and projects to be considered in combination

- 5.4 The HRA for the WCS considered the in-combination effect of all development proposed in the River Avon catchment, relying on the River Avon Nutrient Management Plan (NMP)<sup>15</sup> to demonstrate there would be no adverse effect on the SAC.
- 5.5 The principle behind the NMP was that planned increases in development related sewage would be more than offset by the reductions in agricultural phosphate being secured by catchment sensitive farming. For the Core Strategy 2015-2026 this enabled the Council to conclude that, provided development was within the headroom of individual sewage treatment works, there would be no likely significant effects of housing allocations proposed within the River Avon catchment.
- 5.6 In March 2018, the EA and NE advised the Council that catchment sensitive farming targets were not being achieved and therefore the NMP could not be relied on for appropriate assessments, even for development within headroom. From that time onwards, all new development in the catchment would need to be "phosphate neutral" if it was to comply with the Habitats Regulations.
- 5.7 Subsequently Wiltshire Council and other Local Authorities in the Avon catchment have entered into a Memorandum of Understanding (MoU) with NE, Wessex Water and the EA<sup>16</sup> agreeing to deploy a range of measures to ensure that development between March 2018 and March 2025 will be phosphate neutral. The MoU commits the parties to preparing an Interim Delivery Plan (IDP)<sup>17</sup> in order to secure a trajectory of phosphorous reductions in line with the spatial and temporal pattern of development. The

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<sup>14</sup> Supplementary Advice on Conserving and Restoring Site Features: River Avon Special Area of Conservation (SAC). Site Code UK0013016 Published by Natural England 11 March 2019

<sup>15</sup> River Avon Special Area of Conservation Nutrient Management Plan for Phosphorus (David Tyldesley Associates, 30 April 2015)

<sup>16</sup> Memorandum of Understanding, River Avon Special Area of Conservation, Phosphate Neutral Development – Interim Mitigation, 29 May 2018

<sup>17</sup> River Avon SAC – Phosphate Neutral Development Interim Delivery Plan, Wood Environment and Infrastructure Solutions UK Limited, January 2019

IDP focusses mainly on residential development down to single dwellings, as these combine to have the greatest negative effects across the catchment. In addition to residential and non-residential growth, the IDP considers the growth of unsewered development and takes account of land use change from agriculture to urban in order to arrive at a projection for net phosphorous increases up to 2025/26.

- 5.8 In Wiltshire, the Cabinet resolved on 5<sup>th</sup> January 2021 to adopt a strategic approach to secure in perpetuity measures to ensure development is phosphate neutral in the River Avon SAC catchment. It confirmed the strategic approach would include monitoring and annual reporting to ensure offsetting keeps pace with permissions granted and agreed to ring-fence an initial fund of £850,000 from the Community Infrastructure Levy (CIL) to fund the necessary offsetting measures and a project officer to oversee their delivery.
- 5.9 NE previously advised it intended to issue formal guidance in autumn/winter 2021 on when non-mains development can be excluded from appropriate assessment, however this guidance is still awaited. In the meantime, Wiltshire Council has some interim guidance about small scale thresholds for non-mains system development which can be applied to planning applications so that it can be determined when discharge to non-mains systems may be considered to be de-minimus; i.e. lead to impacts which are so minimal that they can be excluded from appropriate assessment and not require mitigation.
- 5.10 The strategic strategy agreed in 2021 was an interim approach to be reviewed by the Council and Natural England as evidence and legislation and policy changed. Following recent changes to guidance and legislation including; the Levelling Up and Regeneration Act 2023 and a statement from the Minister of State, Lee Rowley MP, on 19<sup>th</sup> December relating to nutrient neutrality, it is necessary for the Council's interim nutrient neutrality approach to be updated.
- 5.11 The Government announced in December 2023 that Wiltshire Council had been awarded a grant for capital projects via the Local Nutrient Mitigation Fund to help pump-prime nutrient neutrality interventions in the River Avon SAC catchment. The grant will help Wiltshire Council to continue to work proactively and strategically in the catchment to deliver mitigation projects that may be able to help some applicants.
- 5.12 At a cabinet meeting on the 6<sup>th</sup> February 2024, a revised strategic approach was agreed to securing phosphorus neutral development in the catchment of the River Avon SAC.
- 5.13 This revised approach comes into effect immediately and is led by the supply of mitigation projects in the catchment and funded by developer contributions, via planning obligations, of £38,500 per 1kg/TP/yr with a 5% administration charge (this fee is subject to review). It will apply to all housing and overnight tourism accommodation (and other qualifying development) in the River Avon SAC catchment seeking outline, full, reserved matters and discharge of condition approval. The council-led scheme will only be available in parts of the catchment where there is a sufficient supply of mitigation projects.
- 5.14 The council-led scheme is one route that development can potentially use to help achieve phosphorus neutrality. It will form part of the solution to achieving phosphorus neutral development in the catchment. The council is committed to enabling a delivery programme in all parts of the catchment. A portfolio of projects will be progressed which includes council-owned sewage upgrades, householder sewage upgrades and first-time sewerage, wetlands, woodland planting and water efficiency measures.
- 5.15 All developments would still have the option to secure mitigation through delivery of bespoke solutions on-site where possible and purchasing credits from a third party (rather than purchasing from the council-led scheme or where credits in that locality are not available within the council-led scheme), facilitating a private market of mitigation solutions to help increase supply available to developers.



- 5.16 All developers are still expected to mitigate on site as far as possible using Sustainable Drainage Systems (SuDS) in line with the CIRIA Guidance<sup>18</sup>.
- 5.17 A policy document that details a clear approach for decision-making in the allocation of available capacity will be put in place. This will recognise the role of on-site and third party mitigation solutions in providing mitigation, alongside the council-led scheme. Under the revised strategy, the definition of planned development would remain the same and is as follows:
- 5.18 Developments that are considered within the scope of the strategic appropriate assessment are those considered to be plan led development. These include
- Allocations within the development plan - Wiltshire Core Strategy (including saved policies), Wiltshire Housing Site Allocation Plan and Neighbourhood Plans (CP 2);
  - Proposals within settlement boundaries and infill at Small Villages (CP 2);
  - Rural exception sites (CP 44);
  - Outside settlement boundaries - only specialist accommodation, gypsy and travellers, rural workers dwellings, conversion and re-use of rural buildings consistent with policy (CP 46, 47 and 48).
- 5.19 Applications which are not considered to have significant effects on the SAC are as follows:
- Comparably sized replacement dwellings can be assumed to be phosphorous neutral in light of the condition restricting water use to 110 litres/person/day;
  - Any developments for annexes can also be regarded as phosphorous neutral if a condition is applied to limit use of the annex to that which is ancillary to the main dwelling;
  - Applications for replacement of a septic tank anywhere in the catchment are assumed to be phosphorous neutral provided there is no net increase in the number of connected dwellings.
- 5.20 Speculative greenfield applications outside of settlement boundaries that are contrary to the development plan (CP2) are not classified as planned development.
- 5.1 Non-residential development (excluding activities which contribute phosphorus as a result of their commercial processes or from people living beyond the catchment) and non-sewered development are also within the scope of the strategic appropriate assessment.
- 5.2 If development is not considered to be planned development, a bespoke mitigation strategy on site or via third parties is required to mitigate the potential impacts on the SAC. NE have developed a Nutrient Calculator which calculates a nutrient budget to be used to develop the mitigation strategy that will ultimately need to be agreed with NE and Wiltshire Council.

### **Analysis of policies in the NP screened into appropriate assessment**

#### Policy NE9: Renewable Energy

- 5.21 This policy states that proposals for individual and community scale energy, for example hydroelectricity and solar photovoltaic panels, will be supported subject to the criteria listed in the policy including the proposed development must not have an unacceptable impact on any feature of natural or biodiversity importance.

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<sup>18</sup> Guidance on the Construction of SuDS, CIRIA, 2023.  
<https://www.ciria.org/ItemDetail?iProductcode=C768&Category=BOOK>

- 5.22 This policy does not allocate land for development, however it does support renewable energy schemes including small scale hydroelectric schemes. The supporting text refers to the small hydroelectric scheme already in place at Fonthill Lake which powers the adjacent holiday cottages.
- 5.23 Hydroelectric schemes would be located upstream of the River Avon SAC and therefore there is the potential for construction and operational impacts on the River Avon SAC and its qualifying features, for example through a change to flow levels within the river.
- 5.24 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*
- 5.25 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.
- 5.26 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.
- 5.27 Any hydroelectric scheme supported by this policy would be required to obtain an abstraction licence from the Environment Agency and may also require an impounding licence and fish pass approval depending on the nature of the scheme.
- 5.28 The Environment Agency will only grant permission for a hydropower scheme where it can be demonstrated that the proposals would prevent harm to the environment. A proposal must demonstrate that it will<sup>19</sup>:
- Not prevent the achievement of Water Framework Directive objectives, e.g. it will not damage the ecological status of water or prevent the improvement of its status;
  - Not affect protected and designated sites or species;
  - Maintain or improve fish passage;
  - Not affect peoples access to the water;
  - Not have negative impacts on local communities, for example increasing the risk of flooding.
- 5.29 In order to ensure that any hydropower development within the NP area would not result in impacts on the River Avon SAC and its qualifying features (see paragraph 5.1 above), it is recommended that the policy is revised to set out the following requirements for any hydropower development:
- Proposals must comply with the Habitats Regulations (to be cited in full) and be subject to a project level appropriate assessment undertaken by the competent authority at the planning application stage which would need to conclude no likely significant effects on the River Avon SAC or its qualifying features;
  - Proposals should be in compliance with Core Policy 69 and Policy NE2;
  - Proposals must obtain the relevant licences from the Environment Agency;
  - Proposals must comply with the requirements of the Lead Local Flood Authority;

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<sup>19</sup> Environment Agency Apply to build a new hydropower scheme: [Apply to build a new hydropower scheme - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/forms/apply-to-build-a-new-hydropower-scheme)

- Proposals should avoid adverse impacts on protected species;
- Proposals should not fall within the boundary of the River Avon SAC.

5.30 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF.

5.31 It is recommended that the wording of Policy NE9 is revised as above as this will give greater certainty for the purposes of this HRA that developments supported by this policy would not result in likely significant effects on the River Avon SAC during construction and operation.

5.32 On the basis that the above recommendations to this policy are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in-combination with other plans or projects.

#### Policy DB3: Brownfield Sites

5.33 This policy supports proposals for the redevelopment of brownfield sites within the NP area. The supporting text sets out that this would be for housing and employment opportunities.

5.34 At this stage it is not known how residential developments that could come forward as supported by this policy would dispose of foul waste however it is considered most likely to be via mains sewer to a sewage treatment works. The whole of the NP area is located within the catchment of the River Avon SAC therefore any residential/overnight accommodation supported by this policy would be required to demonstrate nutrient neutrality in perpetuity.

5.35 Any development supported by this policy that is located within the settlement boundary of Tisbury would be considered to be planned development. Therefore, there would be the potential for development to come under the council-led scheme which would require, if credits are available, developer contributions via planning obligations. The fee is £38,500 per 1kg/TP/yr with a 5% administration charge (this fee is subject to review).

5.36 If development comes forward that is not considered to be planned development it would not be covered by the council-led scheme and a bespoke mitigation strategy for the site either on site or via third parties, based on the results of the nutrient calculator developed by NE, and a project level HRA would be required to demonstrate nutrient neutrality and therefore no significant impacts on the SAC.

5.37 Under the MoU, all residential development in the catchment must be built to the highest water efficiency standards provided for by the building regulations which are currently a maximum water use of 110 litres per person per day (G2 of the Building Regulations 2010). This requirement would be secured by means of a planning condition at the planning application stage, unless subsequent formal guidance from NE indicates otherwise.

5.38 Policy NE2 River Avon Special Area of Conservation seeks to ensure developments comply with Core Policies 50 Biodiversity and Geodiversity and 69 Protection of the River Avon SAC and goes on to state that applications that come forward for development within close proximity to the River Avon SAC will need to incorporate appropriate avoidance and mitigation measures during construction and operation to prevent pollution and mitigate the effects of disturbance. It is recommended that some amendments are made to Policy NE2 as set out below in order to ensure that developments comply with the Habitats Regulations, are phosphorus neutral and mitigate on site as far as possible:

- The policy does not refer to the need to demonstrate compliance with the Habitats Regulations (to be cited in full), as well as Core Policies 50 and 69.
- The policy states that the applicant should undertake and submit an HRA. It is the role of the competent authority, Wiltshire Council, to undertake the HRA not the applicants. The applicants are required to provide sufficient information to inform the HRA.

- The policy does not refer to the need for any residential/overnight accommodation within the NP area to be phosphorus neutral in perpetuity as the whole of the NP area is located within the catchment of the River Avon SAC. Reference should be made to the revised River Avon Strategic Mitigation Strategy, or latest iteration, as some developments may come under the scope of the strategy. Those developments that don't fall within the scope of the strategy will be required to provide a bespoke mitigation strategy for the site or seek mitigation through a third party. (*NOTE: the revised strategy document will be published in due course*).
  - Developments need to mitigate on site as far as possible therefore SuDS should be provided on site in line with the CIRIA guidelines<sup>18</sup>.
- 5.39 It is not known at this stage where developments supported by this policy may occur, therefore, there is the potential for developments to be located within close proximity to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, potentially resulting in construction and recreational impacts, for example through pollution incidents and river bank damage.
- 5.40 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*
- 5.41 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.
- 5.42 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.
- 5.43 Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances, predominately where significant development lies immediately adjacent to or in close proximity to the river. There is the potential therefore for development supported by this policy to lead to an increase in pressure on the SAC by encouraging more people to access the river for recreational purposes. The potential for significant effects on the River Avon SAC from recreational pressure was considered in the HRA's undertaken for the WCS in 2012 and 2013 and it was concluded that an increase in population could result in an increase in demand for recreation which could affect the SAC, however CP69 is considered at the plan level to provide sufficient safeguards to avoid recreational pressure on the SAC.
- 5.44 Given that any proposals that may come forward as supported by this policy would likely include small scale residential developments it is considered that the anticipated volume of additional visitors to the river as a result of this policy would not result in a significant impact on the SAC provided that any development is in accordance with CP69 and Policy NE2.
- 5.45 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and applications supported by this policy may be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.46 It is recommended that the wording of Policy DB3 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2. This will give greater certainty for the purposes of this HRA that developments supported by this policy would demonstrate nutrient neutrality in perpetuity and would protect the River Avon SAC from construction and recreation related impacts.

- 5.47 On the basis that the above recommendations to this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in combination with other plans or projects.

Policy HS1: Affordable Housing

- 5.48 This policy sets out the affordable housing requirements for the NP area including the level of affordable housing required for schemes of five dwellings and above. The policy supports the development of rural exception sites where they meet the criteria set out in the policy including that they are put forward by local community land trusts, local charities or community groups with the support of the relevant Parish Council; or they demonstrate strong alignment with the community's needs.
- 5.49 This policy will not lead to development, however it does support the development of rural exception sites.
- 5.50 At this stage it is not known how residential developments that could come forward as supported by this policy would dispose of foul waste however it is considered most likely to be via mains sewer to a sewage treatment works. The whole of the NP area is located within the catchment of the River Avon SAC therefore any residential/overnight accommodation supported by this policy would be required to demonstrate nutrient neutrality in perpetuity.
- 5.51 Any development supported by this policy that is located within the settlement boundary of Tisbury would be considered to be planned development. Therefore, there would be the potential for development to come under the Council led scheme which would require, if credits are available, developer contributions via planning obligations. The fee is £38,500 per 1kg/TP/yr with a 5% administration charge (this fee is subject to review).
- 5.52 If development comes forward that is not considered to be planned development it would not be covered by the Council led scheme and a bespoke mitigation strategy for the site either on site or via third parties, based on the results of the nutrient calculator developed by NE, and a project level HRA would be required to demonstrate nutrient neutrality and therefore no significant impacts on the SAC.
- 5.53 Under the MoU, all residential development in the catchment must be built to the highest water efficiency standards provided for by the building regulations which are currently a maximum water use of 110 litres per person per day (G2 of the Building Regulations 2010). This requirement would be secured by means of a planning condition at the planning application stage, unless subsequent formal guidance from NE indicates otherwise.
- 5.54 As set out in Paragraph 5.40, several amendments to Policy NE2 have been recommended.
- 5.55 It is not known at this stage where developments supported by this policy may occur, therefore, there is the potential for developments to be located within close proximity to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, potentially resulting in construction and recreational impacts, for example through pollution incidents and river bank damage.
- 5.56 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*
- 5.57 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.

- 5.58 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.
- 5.59 Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances, predominately where significant development lies immediately adjacent to or in close proximity to the river. There is the potential therefore for development supported by this policy to lead to an increase in pressure on the SAC by encouraging more people to access the river for recreational purposes. The potential for significant effects on the River Avon SAC from recreational pressure was considered in the HRA's undertaken for the WCS in 2012 and 2013 and it was concluded that an increase in population could result in an increase in demand for recreation which could affect the SAC, however CP69 is considered at the plan level to provide sufficient safeguards to avoid recreational pressure on the SAC.
- 5.60 Given that any proposals that may come forward as supported by this policy would likely include small scale residential developments it is considered that the anticipated volume of additional visitors to the river as a result of this policy would not result in a significant impact on the SAC provided that any development is in accordance with CP69 and Policy NE2.
- 5.61 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and applications supported by this policy may be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.62 It is recommended that the wording of Policy ST3 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2. This will give greater certainty for the purposes of this HRA that developments supported by this policy would demonstrate nutrient neutrality in perpetuity and would protect the River Avon SAC from construction and recreation related impacts.
- 5.63 On the basis that the above recommendations for this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in combination with other plans or projects.

Policy HS3: Employment and Out Commuting

- 5.64 This policy seeks to ensure there is a balance between the provision of homes and the provision of local jobs in order to avoid the effects of out commuting. As such, schemes involving 40 or more dwellings should deliver commercial and employment space capable of generating 8 full time jobs for every 10 homes built.
- 5.65 This policy will not lead to development but supports the creation of commercial or employment land. It is not known at this stage where developments supported by this policy may occur, therefore, there is the potential for developments to be located within close proximity to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, potentially resulting in construction and recreational impacts, for example through pollution incidents and river bank damage.
- 5.66 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*
- 5.67 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.

- 5.68 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.
- 5.69 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and applications supported by this policy may be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.70 As set out in Paragraph 5.40, several amendments to Policy NE2 have been recommended.
- 5.71 It is recommended that the wording of Policy HS3 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2. This will give greater certainty for the purposes of this HRA that developments supported by this policy would manage and mitigate construction and recreation impacts on the River Avon SAC.
- 5.72 On the basis that the above recommendations to this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in combination with other plans or projects.

Policy HS4: Site Allocation – Station Works

- 5.73 This policy allocates the Station Works site for residential and commercial development. At the end of the policy, it notes that the exact split of development between commercial units and dwellings and the number of dwellings should be an output of the masterplanning process but for the purposes of the Strategic Environmental Assessment, Wiltshire Council has advised that a clear statement as to the number of homes that the site will support must be made. The wording regarding the number of dwellings being allocated at the site is not clear and implies that 68 dwellings are being allocated within the plan as a whole, not specifically on this site. The supporting text makes it clear that the policy is for the allocation of 68 dwellings, therefore it is recommended that the corresponding paragraph in the policy is clarified and is more upfront in the policy.
- 5.74 The policy is split into 9 sections setting out the principle, design, phasing, access, affordable housing requirements, flood risk, decontamination, transport and parking requirements for the site. Development proposals should be accompanied by a comprehensive Masterplan, agreed with Network Rail, Wiltshire Council, the Cranborne Chase NL Partnership Board and Tisbury's community through Tisbury Parish Council, and should meet the requirements set out in the policy.
- 5.75 The site extends to approximately 2.4ha of brownfield land adjacent to the Tisbury Railway Station. There are existing commercial premises on site and large areas of bare hardstanding. The site is bound by the railway line to the west and grassland, hedgerows and trees to the north, east and south. Footpath TISB16 runs along the northern boundary and crosses the railway via an over bridge. Existing pedestrian access to the village is via Footpath TISB74 which is accessed by leaving the site via Jobbers Lane and travelling under the railway line. The supporting text describes the route of footpath TISB74 and the vehicle underpass as prone to flooding which would therefore isolate the site by cutting off access to the village.
- 5.76 The supporting text states that 0.4ha of the site is required by Network Rail in order to support future enhancement of the West of England railway through dualling of the railway line and the reinstatement of the westbound platform.
- 5.77 The site is located approximately 10m to the east of the River Nadder at the closest point, therefore there is a potential pathway for effect on the River Avon SAC, which is located approximately 1.7km downstream, through construction and operational impacts such as pollution incidents.
- 5.78 Policy HS4 is 4 pages long and includes several criteria relating to, for example, design, access, flood risk and parking, however it does not include any criteria for the protection and enhancement of biodiversity,

including measure to mitigate impacts on the River Avon SAC from potential construction and operational impacts, such as an increase in recreational pressure, and does not refer to the need for residential/overnight accommodation to demonstrate phosphorus neutrality in perpetuity or how that may be achieved.

- 5.79 The policy does not cross reference to other biodiversity policies in the NP, including Policy NE2 which stipulates that developments must demonstrate compliance with Core Policy 69 and that *development within close proximity to the River Avon SAC will need to incorporate appropriate avoidance and mitigation measures during construction and operation to prevent pollution and mitigate the effects of disturbance*. The policy also does not reference the need for a development on this site to demonstrate a minimum of 10% BNG as set out in Policy NE3.
- 5.80 The site and the whole of the NP area is located within the catchment of the Hampshire Avon SAC therefore any residential/overnight accommodation on this site would be required to demonstrate phosphorus neutrality in perpetuity.
- 5.81 The site would be considered to be planned development in the context of the strategic mitigation strategy as it is located within the settlement boundary of Tisbury, therefore there is the potential for developers to be able to use the council-led scheme if there are credits available. This would be secured via developer contributions via planning obligations. The fee is £38,500 per 1kg/TP/yr with a 5% administration charge. If the council-led scheme is not an option for this site due to mitigation supply capacity, developers can secure mitigation through a bespoke strategy for the site or via a 3rd party.
- 5.82 The council-led scheme will form part of the solution to achieving phosphorus neutral development in the catchment. Regardless of which route is taken to demonstrate phosphorus neutrality, all developers are still expected to mitigate on site as far as possible using Sustainable Drainage Systems (SuDS) in line with the CIRIA Guidance<sup>18</sup>.
- 5.83 The policy is proposing the construction of a footbridge over the railway line and over the River Nadder to the north of the site to facilitate pedestrian and cycle access from the site to the village centre. This could lead to impacts on the River Avon SAC downstream from construction impacts such as pollution incidents and bank erosion and recreational impacts from disturbance to habitats and species associated with the river from increased public use.
- 5.84 As set out above, the policy does not include criteria for the protection and enhancement of biodiversity and does not set out measures to mitigate potential impacts, for example a Construction Environmental Management Plan (CEMP) and compliance with CP69 and Policy NE2 (recommended amendments to Policy NE2 are set out in paragraph 5.40), or the need for a development on the site to be phosphorus neutral. The policy also does not refer to the need for developments to comply with the Habitats Regulations.
- 5.85 There is therefore insufficient information in the policy wording for **this appropriate assessment to conclude beyond reasonable scientific doubt that the NP will not have adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects**.
- 5.86 The supporting text refers to three SAC's within 5km but does not specify which SAC's and the policy does not make reference to the River Avon SAC.

Policy HS5: Site Allocation – Old Sports Centre

- 5.87 This policy allocates the site of the former Sports Centre located off Weaveland Road on the north western edge of the village. The policy states that the site is *'allocated for a community led redevelopment to provide 13 dwellings, 6 of which will be Affordable Homes for local people and managed in perpetuity on behalf of the community, in accordance with Wiltshire Council Policy and other relevant policies of this neighbourhood plan. Development Proposals should demonstrate how they have met the reasonable*



*requirements of St. John's Primary School adjoining the site regarding safeguarding, access and parking provision.'*

- 5.88 The site is the former sports centre which was demolished in 2021. The site now appears to comprise hard standing, areas of grass and hedges and trees around the boundaries of the site. The site is surrounded on three sides by development, St John's Primary School is located adjacent to the southern boundary of the site, the Nadder Centre is located adjacent to the east and there are residential properties to the north, and by arable fields to the west. Footpath TISB85 runs around the northern boundary of the site. The site is located between the Oddford Brook to the south and Fonthill Brook to the north that flows south from the Fonthill Lake. The site and the whole of the NP area is located within the catchment of the River Avon SAC.
- 5.89 A planning application for the site (PL/2022/00855) was approved in December 2022 for the demolition of the former sports centre and the construction of 13 dwellings and associated works.
- 5.90 This site and the whole of the NP area is located within the catchment of the River Avon SAC therefore any residential/overnight accommodation supported by this policy would be required to demonstrate nutrient neutrality in perpetuity.
- 5.91 The site would be considered to be planned development in the context of the strategic mitigation strategy as it is located within the settlement boundary of Tisbury, therefore there is the potential for developers to be able to use the council-led scheme if there are credits available. This would be secured via developer contributions via planning obligations. The fee is £38,500 per 1kg/TP/yr with a 5% administration charge (this fee is subject to review). If the council-led scheme is not an option for this site due to mitigation supply capacity, developers can secure mitigation through a bespoke strategy for the site or via a third party.
- 5.92 The council-led scheme is one route that development can potentially use to help achieve phosphorus neutrality. It will form part of the solution to achieving phosphorus neutral development in the catchment. Other routes such as securing mitigation through private providers, as well as delivery of bespoke solutions on-site where possible can also be progressed by developers. All developers are expected to mitigate on site as far as possible using Sustainable Drainage Systems (SuDS) in line with the CIRIA Guidance<sup>18</sup>.
- 5.93 Under the MoU, all residential development in the catchment must be built to the highest water efficiency standards provided for by the building regulations which are currently a maximum water use of 110 litres per person per day (G2 of the Building Regulations 2010). This requirement would be secured by means of a planning condition at the planning application stage, unless subsequent formal guidance from NE indicates otherwise.
- 5.94 As set out in Paragraph 5.40, several amendments to Policy NE2 have been recommended.
- 5.95 It is recommended that the wording of Policy HS5 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2 in the event that the planning application approved for this site is not implemented. This will give greater certainty for the purposes of this HRA that developments supported by this policy would demonstrate nutrient neutrality in perpetuity. It should also be noted that applications supported by this policy would need to be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.96 On the basis that the above recommendations for this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in combination with other plans or projects.

Policy ST3: A Safe and Walkable Village

- 5.97 This policy seeks to ensure that, where possible, development proposals should promote active modes of travel and contribute to the achievement of a safe walkable/cyclable village. Major developments would be required to incorporate the measures set out in Section A of the policy, including improvements to the walking and cycling networks and the promotion of new public rights of way.
- 5.98 This policy will not lead to development however it supports the improvement of the walking and cycling network within the NP area and the development of new public rights of way. It is not known at this stage where developments supported by this policy may occur, therefore, there is the potential for developments to be located within close proximity to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, potentially resulting in construction and recreational impacts, for example through pollution incidents and river bank damage.
- 5.99 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*
- 5.100 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.
- 5.101 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.
- 5.102 Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances, predominately where significant development lies immediately adjacent to or in close proximity to the river. There is the potential therefore for development supported by this policy to lead to an increase in pressure on the SAC by encouraging more people to access the river for recreational purposes. The potential for significant effects on the River Avon SAC from recreational pressure was considered in the HRA's undertaken for the WCS in 2012 and 2013 and it was concluded that an increase in population could result in an increase in demand for recreation which could affect the SAC, however CP69 is considered at the plan level to provide sufficient safeguards to avoid recreational pressure on the SAC.
- 5.103 Given that any proposals that may come forward as supported by this policy would likely include small scale infrastructure improvements which would likely be primarily used by local residents, and would be unlikely to attract people from further afield, it is considered that the anticipated volume of additional visitors to the river as a result of this policy would not result in a significant impact on the SAC provided that any development is in accordance with CP69 and Policy NE2.
- 5.104 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and applications supported by this policy may be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.105 As set out in Paragraph 5.40, several amendments to Policy NE2 have been recommended.
- 5.106 It is recommended that the wording of Policy ST3 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2. This will give greater certainty for the purposes of this HRA that developments supported by this policy would manage and mitigate construction and recreation impacts on the River Avon SAC.

5.107 On the basis that the above recommendations for this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in combination with other plans or projects.

Policy EB1: Economic Regeneration

5.108 This policy sets criteria, one of which needs to be met, in order for agricultural premises, public houses or use classes B1, B2 and E to be redevelopment to residential use.

5.109 At this stage it is not known how residential developments that could come forward as supported by this policy would dispose of foul waste however it is considered most likely to be via mains sewer to a sewage treatment works. The whole of the NP area is located within the catchment of the River Avon SAC therefore any residential/overnight accommodation supported by this policy would be required to demonstrate nutrient neutrality in perpetuity.

5.110 Any development supported by this policy that is located within the settlement boundary of Tisbury would be considered to be planned development. Therefore, there would be the potential for development to come under the Council led scheme which would require, if credits are available, developer contributions via planning obligations. The fee is £38,500 per 1kg/TP/yr with a 5% administration charge (this fee is subject to review).

5.111 If development comes forward that is not considered to be planned development it would not be covered by the council-led scheme and a bespoke mitigation strategy for the site either on site or via third parties, based on the results of the nutrient calculator developed by NE, and a project level HRA would be required to demonstrate nutrient neutrality and therefore no significant impacts on the SAC.

5.112 Under the MoU, all residential development in the catchment must be built to the highest water efficiency standards provided for by the building regulations which are currently a maximum water use of 110 litres per person per day (G2 of the Building Regulations 2010). This requirement would be secured by means of a planning condition at the planning application stage, unless subsequent formal guidance from NE indicates otherwise.

5.113 As set out in Paragraph 5.40, several amendments to Policy NE2 have been recommended.

5.114 This policy will not lead to development however it supports the redevelopment of existing community facilities and the development of new facilities. It is not known at this stage where developments supported by this policy may occur, therefore, there is the potential for developments to be located within close proximity to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, potentially resulting in construction and recreational impacts, for example through pollution incidents and river bank damage.

5.115 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*

5.116 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.

5.117 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.

- 5.118 Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances, predominately where significant development lies immediately adjacent to or in close proximity to the river. There is the potential therefore for development supported by this policy to lead to an increase in pressure on the SAC by encouraging more people to access the river for recreational purposes. The potential for significant effects on the River Avon SAC from recreational pressure was considered in the HRA's undertaken for the WCS in 2012 and 2013 and it was concluded that an increase in population could result in an increase in demand for recreation which could affect the SAC, however CP69 is considered at the plan level to provide sufficient safeguards to avoid recreational pressure on the SAC.
- 5.119 Given that any proposals that may come forward as supported by this policy would likely include small scale residential developments it is considered that the anticipated volume of additional visitors to the river as a result of this policy would not result in a significant impact on the SAC provided that any development is in accordance with CP69 and Policy NE2.
- 5.120 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and applications supported by this policy may be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.121 It is recommended that the wording of Policy EB1 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2. This will give greater certainty for the purposes of this HRA that developments supported by this policy would demonstrate nutrient neutrality in perpetuity and would protect the River Avon SAC from construction and recreation related impacts.
- 5.122 On the basis that the above recommendations for this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in combination with other plans or projects.

LC2: Sports and Recreation Spaces

- 5.123 This policy aims to protect Tisbury's sports and recreation facilities and restricts redevelopment unless the facility is proven to be surplus to requirements, will be replaced by equivalent or better provision, or the development is for alternative provision whose benefits outweigh the loss.
- 5.124 This policy will not lead to development but seeks to protect Tisbury's sports and recreation facilities. It is not known at this stage where developments supported by this policy may occur, therefore, there is the potential for developments to be located within close proximity to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, potentially resulting in construction and recreational impacts, for example through pollution incidents and river bank damage.
- 5.125 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*
- 5.126 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.
- 5.127 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.

- 5.128 Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances, predominately where significant development lies immediately adjacent to or in close proximity to the river. There is the potential therefore for development supported by this policy to lead to an increase in pressure on the SAC by encouraging more people to access the river for recreational purposes. The potential for significant effects on the River Avon SAC from recreational pressure was considered in the HRA's undertaken for the WCS in 2012 and 2013 and it was concluded that an increase in population could result in an increase in demand for recreation which could affect the SAC, however CP69 is considered at the plan level to provide sufficient safeguards to avoid recreational pressure on the SAC.
- 5.129 Given that any proposals that may come forward as supported by this policy would likely include small scale infrastructure improvements which would likely be primarily used by local residents, and would be unlikely to attract people from further afield, it is considered that the anticipated volume of additional visitors to the river as a result of this policy would not result in a significant impact on the SAC provided that any development is in accordance with CP69 and Policy NE2.
- 5.130 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and applications supported by this policy may be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.131 As set out in Paragraph 5.40, several amendments to Policy NE2 have been recommended.
- 5.132 It is recommended that the wording of Policy LC2 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2. This will give greater certainty for the purposes of this HRA that developments supported by this policy would manage and mitigate construction and recreation impacts on the River Avon SAC.
- 5.133 On the basis that the above recommendations for this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in combination with other plans or projects.

Policy LC3: Retaining Community Facilities

- 5.134 This policy aims to protect Tisbury's community facilities from loss or loss of amenity value and states that developments that would affect community facilities should only be supported if it can be demonstrated that there is no longer a need or demand for the facility and that the facility is no longer economically viable. Developments leading to the loss of a community facility should make alternative provision for the relocation of the facility.
- 5.135 This policy will not lead to development however it supports the redevelopment of existing community facilities and the development of new facilities. It is not known at this stage where developments supported by this policy may occur, therefore, there is the potential for developments to be located within close proximity to the River Avon SAC or the River Nadder, creating a pathway for effect on the River Avon SAC downstream, potentially resulting in construction and recreational impacts, for example through pollution incidents and river bank damage.
- 5.136 Developments must therefore manage construction impacts in accordance with Core Policy 69 and Policy NE2 of the NP. Core Policy 69 states that *'development will need to incorporate measures during construction and operation to avoid and prevent pollution and mitigate potential disturbance effects; appropriate measures may include consideration of suitable buffer zones along watercourses, habitat enhancements and river access management measures. All development within 20m of the river banks should submit a construction management plan to the local planning authority to ensure measures proposed during construction are satisfactory.'*
- 5.137 Policy NE2 supports CP69 in managing construction and disturbance impacts on the River Avon SAC.

- 5.138 CP69 and Policy NE2 are considered at the plan level to provide sufficient safeguards that any developments brought forward within the NP area would not have adverse impacts on the River Avon SAC as a result of construction related activities.
- 5.139 Recreational pressure on the River Avon SAC is recognised to occur in limited circumstances, predominately where significant development lies immediately adjacent to or in close proximity to the river. There is the potential therefore for development supported by this policy to lead to an increase in pressure on the SAC by encouraging more people to access the river for recreational purposes. The potential for significant effects on the River Avon SAC from recreational pressure was considered in the HRA's undertaken for the WCS in 2012 and 2013 and it was concluded that an increase in population could result in an increase in demand for recreation which could affect the SAC, however CP69 is considered at the plan level to provide sufficient safeguards to avoid recreational pressure on the SAC.
- 5.140 Given that any proposals that may come forward as supported by this policy would likely include small scale infrastructure improvements which would likely be primarily used by local residents, and would be unlikely to attract people from further afield, it is considered that the anticipated volume of additional visitors to the river as a result of this policy would not result in a significant impact on the SAC provided that any development is in accordance with CP69 and Policy NE2.
- 5.141 In addition, any developments would be considered at the planning application stage to ensure compliance with these and other development plan policies and the NPPF, and applications supported by this policy may be subject to a project-level appropriate assessment by the competent authority at the planning application stage.
- 5.142 As set out in Paragraph 5.40, several amendments to Policy NE2 have been recommended.
- 5.143 It is recommended that the wording of Policy LC3 is revised to state that developments supported by this policy should demonstrate compliance with the Habitats Regulations (which should be cited in full) and Policy NE2. This will give greater certainty for the purposes of this HRA that developments supported by this policy would manage and mitigate construction and recreation impacts on the River Avon SAC.
- 5.144 On the basis that the above recommendations for this policy and Policy NE2 are implemented it is considered that the policy would not result in a significant effect on the River Avon SAC alone or in-combination with other plans or projects.

#### **Conclusion – River Avon SAC**

- 5.145 The policies set out above have been considered in this appropriate assessment and have been assessed for their potential impacts on the River Avon SAC in terms of recreational, construction and phosphorus impacts. With regards to construction and recreational impacts, any development coming forward in the NP area will be required to comply with CP69 and Policy NE2 of the NP which seek to avoid or reduce construction and disturbance impacts on the SAC.
- 5.146 With regards to phosphorus impacts, if developments come forward within the settlement boundary of Tisbury or are allocated within the Development Plan, they would be considered to be planned development and there would be the potential for developers to be able to use the council-led scheme if there are credits available. This would be secured via developer contributions. If the council-led scheme is not an option for this site due to mitigation supply capacity, developers can secure mitigation through a bespoke strategy for the site or via a 3rd party.
- 5.147 On the basis that the above recommendations are incorporated into the NP and the recommended updates are made to Policy NE2 it is possible to conclude beyond reasonable scientific doubt that policies NE9, DB3, HS1, HS3, HS5, ST3, EB1, LC2 and LC3 will have no adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects.

- 5.148 With regards to Policy HS4: Allocated Site - Station Works, due to the lack of information on measures to mitigate the potential impacts on the River Avon SAC from an increase in phosphorus input, and construction and operational impacts, including recreational impacts, it is not possible for **this appropriate assessment to conclude beyond reasonable scientific doubt that the NP will not have adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects.**

## 6.0 Appropriate Assessment – Chilmark Quarries SAC

### Background to the Chilmark Quarries SAC

- 6.1 The Fonthill Grottos components of the Chilmark Quarries SAC lie within the northern area of the NP area and the Chilmark Quarries components are located approximately 500m to the east of the Tisbury NP area. The SAC is designated as a hibernation site for four species of bats; Bechstein’s bat, Barbastelle, greater horseshoe bats and lesser horseshoe bats. Details of the conservation objectives are available online <http://publications.naturalengland.org.uk/publication/4553200514367488>. The current version is dated 27 November 2018 Version 3. In brief these require that the integrity of the site is maintained or restored as appropriate and that the site contributes to achieving the favourable conservation status of its qualifying features. Draft Supplementary Advice on conserving and restoring site features was published by Natural England on 21 January December 2019<sup>20</sup> (available through the weblink above).
- 6.2 The bats rely on habitat outside the quarries for most of their needs including foraging, maternity roosts and a variety of other roost types as well as vegetated flight corridors which they use to commute between these areas. Unlike other bats, the SAC bats species are largely intolerant of urban lighting and therefore tend to be restricted to rural areas including rural settlements such as Tisbury. The Council has prepared guidance to demonstrate how development across the whole bat landscape must take account of the SAC<sup>21</sup>, the Bat SAC Planning Guidance for Wiltshire, 2015. It identifies a number of ‘Core Roosts’ with ‘Core Areas’ around them (termed “consultation zones”) to show where bat activity is likely to be concentrated and where particular precautions will be required.
- 6.3 Under the above guidance, the mines at Chilmark and Fonthill Grottoes are identified as ‘Core Roosts’. The following core areas are located within the NP area:
- 6km Barbastelle core areas cover the majority of the NP area;
  - 4km greater horseshoe bat core areas cover a large area of the NP area;
  - 2km lesser horseshoe bat core areas cover the majority of the northern extent of the NP area; and
  - 1.5km Bechstein’s bat core areas cover the northern and eastern extents of the NP area.
- 6.4 Development can potentially lead to the loss of roosts as well as loss of hedgerows and other vegetation which bats use to commute through the landscape. Greater and lesser horseshoe bats prefer to have maternity roosts in large enclosed spaces which they can fly directly into and therefore can often occur in older commercial and historic buildings, especially if they have fallen into disrepair.
- 6.5 There are records for all four SAC species within the NP area and within areas surrounding the NP area, including records of roosts.

### Plans and projects to be considered in-combination

- 6.6 The Station Works site (Policy HS4) is located within the 6km Barbastelle and 4km greater horseshoe bat core areas associate with the Chilmark Quarries SAC. The site is located within close proximity to the River Nadder which is considered likely to be an important commuting route for bats, including Annex II bats associated with the SAC. There is therefore the potential for in-combination effects on the Chilmark Quarries SAC with other planning applications along the river, for example from additional lighting or

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<sup>20</sup> Draft Supplementary Advice on Conserving and Restoring Site Features: Chilmark Quarries Special Area of Conservation (SAC). Site Code UK0016373

<sup>21</sup> Bat Special Areas of Conservation, planning guidance for Wiltshire. Issue 3.0, 10 September 2015



habitat fragmentation. Planning applications to be considered as part of the in-combination assessment include, but are not limited to:

- Application: 21/01835/FUL - Construction of steel framed and clad building for the housing of aeration equipment and machinery.
- Application: PL/2023/02404 - Land Behind Council Yard on Station Road Tisbury, Salisbury,
- Application: PL/2021/07526 - Change of use of vacant public house with guest bedrooms (sui generis) to retail (Class E) with single storey rear extension; conversion of first floor to create 3 no. flats (Class C3); installation of plant and machinery; and ancillary car parking and delivery area.
- Application: 19/04345/FUL - Tisbury Football Club, proposed extension of existing building

6.7 It is not clear from Policy HS4 what measures would be proposed to mitigate the development of up to 68 dwellings and commercial space, particularly with regards to the construction of the pedestrian footbridge over the River Nadder, as set out below. It is therefore not possible at this stage to undertake an in-combination assessment and conclude beyond reasonable scientific doubt that the development of the Station Works site would not result in in-combination effects on the Chilmark Quarries SAC.

### **Analysis of policies in the NP screened into appropriate assessment**

#### Policy NE8: Energy Conservation

- 6.8 This policy seeks to ensure new buildings minimise energy consumption subject to other policies in the NP. Retrofitting of historic buildings should seek to safeguard their historic characteristics. Demolition and replacement of existing buildings to reduce carbon emissions should only be permitted where it can be demonstrated that the conversion of the existing building cannot be delivered safely and viably and that it would offer significant public benefit that would outweigh the environmental impacts.
- 6.9 This policy will not lead to development but supports the retrofitting of historic buildings to reduce carbon emissions and minimise energy consumption. The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. As such, development supported by this policy would be located within at least one core area and could lead to physical damage or disturbance to bat roosts in existing buildings used by Annex II bat species associated with the Chilmark Quarries SAC if not suitably mitigated.
- 6.10 Policy NE8 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for roosting.
- 6.11 It is therefore recommended that the wording of Policy NE8 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.

- 6.12 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.
- 6.13 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy NE8 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy NE9: Renewable Energy

- 6.14 This policy states that proposals for individual and community scale energy, for example hydroelectricity and solar photovoltaic panels, will be supported subject to the criteria listed in the policy including the proposed development must not have an unacceptable impact on any feature of natural or biodiversity importance.
- 6.15 This policy does not allocate land for development, however it does support renewable energy schemes including small scale hydroelectric schemes and solar panels. Hydroelectric schemes would be located on the River Nadder or its tributaries, Oddford Brook and Fonthill Brook, which have the potential to be important foraging and commuting routes for Annex II bats species associated with the Chilmark Quarries SAC. The policy supports individual and community scale installation of solar panels which could either be on roofs or on the ground therefore they could potential impact important bat habitat including roosts.
- 6.16 The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. As such, renewable energy development supported by this policy could lead to loss, degradation and/or disturbance to bat habitat and physical damage or disturbance to bat roosts and therefore developments have the potential to lead to likely significant effects on the Chilmark Quarries SAC if not suitably mitigated.
- 6.17 Policy HS3 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting.
- 6.18 It is therefore recommended that the wording of Policy NE8 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.
- 6.19 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.

6.20 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy NE8 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy DB3: Brownfield Sites

6.21 This policy states the following: *Proposals for the redevelopment of deliverable brownfield sites, which meet the policy requirements set out in this Plan and can demonstrate community support are strongly supported, particularly those that have the potential to increase local employment or bring redundant historic buildings back into beneficial use. Proposals must demonstrate that:*

1. *there will be no adverse effect on the character of the Cranborne Chase NL;*
2. *Policy EB1 will not be compromised;*
3. *they will not have an undue impact on the local road network; and*
4. *the amenity and living conditions of nearby residents will not be harmed.*

6.22 Although this policy does not allocate land for development and will not therefore lead to development, it does support the reuse of brownfield sites and redundant historic buildings.

6.23 The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. As such, development supported by this policy would be located within at least one core area and could lead to physical damage or disturbance to bat roosts in historic buildings used by Annex II bat species associated with the Chilmark Quarries SAC if not suitable mitigated.

6.24 Policy DB3 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for roosting.

6.25 It is therefore recommended that the wording of Policy DB3 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.

6.26 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.

6.27 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy

DB3 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy HS1: Affordable Housing

- 6.28 This policy sets out the affordable housing requirements for the NP area including the level of affordable housing required for schemes of five dwellings and above. The policy supports the development of rural exception sites where they meet the criteria set out in the policy including that they are put forward by local community land trusts, local charities or community groups with the support of the relevant Parish Council; or they demonstrate strong alignment with the community's needs.
- 6.29 This policy will not lead to development, however it does support the development of rural exception sites. The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. As such, the development of rural exception sites supported by this policy could lead to loss, degradation and/or disturbance to bat habitat, physical damage or disturbance to bat roosts and would also likely necessitate the installation of artificial lighting, and therefore developments have the potential to lead to likely significant effects on the Chilmark Quarries SAC if not suitably mitigated.
- 6.30 Policy HS1 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting.
- 6.31 It is therefore recommended that the wording of Policy HS1 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.
- 6.32 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.
- 6.33 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy HS1 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy HS3: Employment and Out Commuting

- 6.34 This policy states: *To ensure homes are balanced with much-needed local jobs and to avoid the significant adverse impact of out-commuting, schemes involving 40 or more new dwellings should deliver commercial or employment space capable of generating 8 local, full-time employee roles for each 10 homes built,*

*except where the development proposal delivers exceptional public benefit for the local community, such as through:*

- 1. a community-led development (e.g. through a community land trust); or*
- 2. a development offering exceptionally high levels of Affordable Homes, at least 50%.*

- 6.35 This policy will not lead to development, however it does seek to ensure that housing developments of 40 or more dwellings deliver commercial or employment spaces. The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. As such, commercial or employment space development supported by this policy could lead to loss, degradation and/or disturbance to bat habitat, physical damage or disturbance to bat roosts and would also likely necessitate the installation of artificial lighting, and therefore developments have the potential to lead to likely significant effects on the Chilmark Quarries SAC if not suitably mitigated.
- 6.36 Policy HS3 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting.
- 6.37 It is therefore recommended that the wording of Policy HS3 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.
- 6.38 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.
- 6.39 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy HS3 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy HS4: Site Allocation – Station Works

- 6.40 This policy allocates the Station Works site for residential and commercial development. At the end of the policy, it notes that the exact split of development between commercial units and dwellings and the number of dwellings should be an output of the masterplanning process but for the purposes of the Strategic Environmental Assessment, Wiltshire Council has advised that a clear statement as to the number of homes that the site will support must be made. The wording regarding the number of dwellings being allocated at the site is not clear and implies that 68 dwellings are being allocated within the plan as a whole, not specifically on this site. The supporting text makes it clear that the policy is for

- the allocation of 68 dwellings, therefore it is recommended that the corresponding paragraph in the policy is clarified and is more upfront in the policy.
- 6.41 The policy is split into 9 sections setting out the principle, design, phasing, access, affordable housing requirements, flood risk, decontamination, transport and parking requirements for the site. Development proposals should be accompanied by a comprehensive Masterplan, agreed with Network Rail, Wiltshire Council, the Cranborne Chase NL Partnership Board and Tisbury's community through Tisbury Parish Council, and should meet the requirements set out in the policy.
- 6.42 The site extends to approximately 2.4ha of brownfield land adjacent to the Tisbury Railway Station. There are existing commercial premises on site and large areas of bare hardstanding. The site is bound by the railway line and grassland to the west and grassland, hedgerows and trees to the north, east and south. Footpath TISB16 runs along the northern boundary and crosses the railway via an over bridge. Existing pedestrian access to the village is via Footpath TISB74 which is accessed by leaving the site via Jobbers Lane and travelling under the railway line. The supporting text describes the route of footpath TISB74 and the vehicle underpass as prone to flooding which would therefore isolate the site by cutting off access to the village.
- 6.43 The supporting text states that 0.4ha of the site is required by Network Rail in order to support future enhancement of the West of England railway through dualling of the railway line and the reinstatement of the westbound platform.
- 6.44 The site is located approximately 10m to the east of the River Nadder at the closest point and is located approximately 2.5km from the Fonthill Grottos components of the Chilmark Quarries SAC and 3.4km from the Chilmark Quarries components of the SAC.
- 6.45 The site is located within the 6km Barbastelle core areas and 4km greater horseshoe bat core areas associated with the Chilmark Quarries SAC. The site is considered to be of limited ecological value due to it being a commercial site and largely hardstanding, with the existing buildings on site affording low roosting potential for Annex II bat species associated with the SAC. Nonetheless, the wooded slope to the immediate east of the site is considered to offer potential foraging and commuting habitat for Annex II bats associated with the SAC and the trees may have the potential to have roosting features. There is a lesser horseshoe bat record within close proximity to the north west of the site.
- 6.46 Policy HS4 is 4 pages long and includes several criteria relating to, for example, design, access, flood risk and parking, however it does not include any criteria for the protection and enhancement of biodiversity including measures to mitigate potential impacts on the Chilmark Quarries SAC. The policy does not set out the need for a development on this site to demonstrate a minimum of 10% BNG as set out in Policy NE3 and does not cross reference to any other biodiversity policies in the NP.
- 6.47 The site is well connected to the wider landscape and is located within close proximity to the River Nadder which has the potential to be an important commuting route for bats, including Annex II bats associated with the Chilmark Quarries SAC, and is located within a green corridor between the site and the rest of the village of Tisbury. The Fonthill Brook flows from Fonthill Lake and joins the River Nadder to the east of the site providing a commuting route to the Fonthill Grottos components of the SAC which are adjacent to the lake.
- 6.48 The policy proposes the construction of a new pedestrian and cycle bridge over the River Nadder to the north of the site in order to facilitate access from the site to the village centre. There is the potential for construction and operational impacts from the installation of the new bridge on bats, including Annex II bats associated with the Chilmark Quarries SAC, using the River Nadder to forage and commute due to habitat destruction and fragmentation, and through the addition of lighting. There is also the potential for bats to be roosting in the trees along the river. The policy does not demonstrate through criteria how a proposal for the site will minimise potential impacts on bats. Measures could include, for example,

vegetation retention and no lighting of the bridge, adjoining footways/paths and adjacent sections of the river corridor. It is recommended that the policy is amended to include such criteria.

- 6.49 Policy HS4 also does not make reference to the need for development proposals at this site to comply with the Habitats Regulations and to adhere to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting. It is recommended that criteria are added to the policy to ensure the protection of bat habitat adjacent to the site through bat activity surveys and through the provision of buffers and the retention of dark corridors along commuting routes.
- 6.50 Due to the absence of information regarding measures to mitigate the potential impacts of this site on the Chilmark Quarries SAC, it is not possible for **this appropriate assessment to conclude beyond reasonable scientific doubt that the NP will not have adverse effects on the integrity of the Chilmark Quarries SAC either alone or in-combination with other plans and projects.**
- 6.51 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy HS4 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy HS5: Site Allocation – Old Sports Centre

- 6.52 This policy allocates the site of the former Sports Centre located off Weaveland Road on the north western edge of the village. The policy states that the site is *'allocated for a community led redevelopment to provide 13 dwellings, 6 of which will be Affordable Homes for local people and managed in perpetuity on behalf of the community, in accordance with Wiltshire Council Policy and other relevant policies of this neighbourhood plan. Development Proposals should demonstrate how they have met the reasonable requirements of St. John's Primary School adjoining the site regarding safeguarding, access and parking provision.'*
- 6.53 St John's Primary School is located adjacent to the southern boundary of the site and the Nadder Centre is located adjacent to the east. The site is the former sports centre which was demolished in 2021. The site now appears to comprise hard standing, areas of grass and hedges and trees around the boundary of the site. The site is surrounded on three sides by development and by arable fields to the west. It is likely that the habitats on site are not optimal for bats however, the hedgerow along the western boundary acts as a linear feature providing connectivity between the Oddford Brook to the south and Fonthill brook to the north which flows from Fonthill Lake. Footpath TISB85 runs around the northern boundary of the site.
- 6.54 A planning application for the site (PL/2022/00855) was approved in December 2022 for the demolition of the former sports centre and the construction of 13 dwellings and associated works.
- 6.55 It is recommended that the wording of Policy HS5 is revised to state that any development on this site would be required to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire in the event that the planning application approved for this site is not implemented. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures, for example important bat habitat retention, to ensure there is no potential for a significant effect on the SAC. It should also be

noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.

- 6.56 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.
- 6.57 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy HS5 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy ST3: A Safe and Walkable Village

- 6.58 This policy seeks to ensure that, where possible, development proposals should promote active modes of travel and contribute to the achievement of a safe walkable/cyclable village. Major developments would be required to incorporate the measures set out in Section A of the policy, including improvements to the walking and cycling networks and the promotion of new public rights of way.
- 6.59 Section B of the policy requires proposals expected to result in a significant number of additional vehicle journeys to demonstrate that the impact of such journeys will be offset and will not lead to an overall decrease in air quality.
- 6.60 Section C of the policy states that developments that will predominantly offer medical, healthcare or retail services should be located no further than 300 metres easy walking distance from Tisbury Square, other than in exceptional circumstances.
- 6.61 This policy will not lead to development, however it seeks to ensure that developments promote active modes of transport and contribute to the achievement of a safe and walkable village. In order to achieve this the policy supports the improvements of the existing walking and cycling network and the creation of new routes. The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. Footpath TISB5 runs within close proximity to the Fonthill Grottos components of the SAC within the northern area of the NP area, however these components of the SAC are located approximately 1.4km to the north of the settlement boundary of the village. New and enhanced walking and cycling routes could lead to loss, damage and/or disturbance to bat habitat, and would also likely necessitate the installation of artificial lighting, therefore developments have the potential to lead to likely significant effects on the Chilmark Quarries SAC if not suitably mitigated.
- 6.62 Policy ST3 does not make reference to the need for development proposals to comply with the Habitats Regulations (which should be cited in full) through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting.
- 6.63 It is therefore recommended that the wording of Policy ST3 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures



to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.

- 6.64 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.
- 6.65 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy ST3 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy EB1: Economic Regeneration

- 6.66 This policy sets out criteria, one of which must be met, in order for agricultural premises, public houses or use classes B1, B2 and E to be redeveloped for residential use. Proposals for mixed use development should be designed to ensure that neither use has any adverse impact on the other in terms of noise, pollution, flooding, light, design, smell and/or parking. The policy goes on to set out criteria for the change of use from Class E to residential of premises on the High Street in order to protect the economic vitality of the High Street.
- 6.67 This policy will not lead to development as it does not allocate sites, however it does support the redevelopment of agricultural and commercial premises to residential use. The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. The redevelopment of agricultural and commercial premises to residential uses could lead to the loss of, damage and/or disturbance to bat habitat and physical damage or disturbance to bat roosts, therefore developments have the potential to lead to likely significant effects on the Chilmark Quarries SAC if not suitably mitigated.
- 6.68 Policy EB1 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting.
- 6.69 It is therefore recommended that the wording of Policy EB1 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.
- 6.70 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.

- 6.71 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy EB1 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

LC2: Sports and Recreation Spaces

- 6.72 This policy aims to protect Tisbury's sports and recreation facilities, and states that they should not be built on unless:
- They are proven to be surplus to requirements
  - The lost facility will be replaced by equivalent or better provision
  - The development is for alternative sports and recreational provision whose benefits outweigh the loss.
- 6.73 This policy will not lead to development however it supports development on existing sports and recreation facilities where certain criteria are met. The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. The redevelopment of sport and recreation facilities could lead to the loss of, damage and/or disturbance to bat habitat and physical damage or disturbance to bat roosts, therefore developments have the potential to lead to likely significant effects on the Chilmark Quarries SAC if not suitably mitigated.
- 6.74 Policy LC2 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting.
- 6.75 It is therefore recommended that the wording of Policy LC2 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.
- 6.76 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.
- 6.77 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy

LC2 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

Policy LC3: Retaining Community Facilities

- 6.78 This policy aims to protect Tisbury's community facilities from loss or loss of amenity value and states that developments that would affect community facilities should only be supported if it can be demonstrated that:
- There is no longer a need or demand for the facility; and
  - The existing facility is no longer economically viable.
- 6.79 Any proposals leading to the loss of a community facility should make alternative provision for the relocation of the facility to an equally or more appropriate location.
- 6.80 This policy will not lead to development however it supports development of existing community facilities or where new developments affect existing facilities where certain criteria are met. The majority of the NP area is located within the 6km Barbastelle core areas associated with the Chilmark Quarries SAC and parts of the NP area are also located with the 4km greater horseshoe bat core areas, the 2km lesser horseshoe bat core areas and the 1.5km Bechstein's bat core areas. The redevelopment of community facilities could lead to the loss of, damage and/or disturbance to bat habitat and physical damage or disturbance to bat roosts, therefore developments have the potential to lead to likely significant effects on the Chilmark Quarries SAC if not suitably mitigated.
- 6.81 Policy LC3 does not make reference to the need for development proposals to comply with the Habitats Regulations through adherence to the Bat SAC Planning Guidance for Wiltshire, or successor document. In not referring to the need to adhere to the aforementioned policy and guidance, development supported by this policy could lead to effects on bat habitat used by Annex II bats associated with the Chilmark Quarries SAC for foraging, commuting and roosting.
- 6.82 It is therefore recommended that the wording of Policy LC3 is revised to state that developments supported by this policy should comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire. This will give greater certainty for the purposes of this HRA and provide steer to applicants to ensure that any forthcoming development proposals have due regard to the aforementioned guidance, and will be informed by an appropriate level of survey and assessment in respect of bats, as well as being supported by details of appropriate avoidance and mitigation measures to ensure there is no potential for a significant effect on the SAC, where this is necessary. It should also be noted that it may be necessary for applications supported by this policy to be subject to a project-level appropriate assessment by the competent authority at the planning application stage, if applicable.
- 6.83 On the basis that the above recommendations are implemented it is considered that the policy would not result in a significant effect on the Chilmark Quarries SAC alone or in-combination with other plans or projects.
- 6.84 It is noted that a specific policy could be added to the NP to set out the requirement for new developments to comply with the Habitats Regulations (to be cited in full) and adhere to the Bat SAC Planning Guidance for Wiltshire 2015, or latest iteration, in order to avoid likely significant effects on the Chilmark Quarries SAC. If this new policy is added to the NP, it is recommended that the wording of Policy LC3 is revised to state that developments supported by this policy should comply with the Habitats Regulations and the new policy.

**Conclusion – Chilmark Quarries SAC**

- 6.85 There is the potential for the above policies to result in an adverse impact on the Chilmark Quarries SAC through physical damage to bat habitat, interruption of flight lines and disturbance to bats and habitat functionally linked to the SAC.
- 6.86 On the basis that the recommendations set out above for policies NE8, NE9, DB3, HS1, HS3, HS5, ST3, EB1, LC2 and LC3 which have been taken forward to appropriate assessment, are incorporated into the NP, it is deemed possible to conclude, beyond reasonable scientific doubt, that there would be no adverse effects on the Chilmark Quarries SAC, alone or in-combination with other plans and projects as a result of the Tisbury and West Tisbury NP.
- 6.87 With regards to Policy HS4: Allocated Site - Station Works, due to the absence of information regarding measures to mitigate the potential impacts of this site on the Chilmark Quarries SAC, it is not possible for **this appropriate assessment to conclude beyond reasonable scientific doubt that the NP will not have adverse effects on the integrity of the Chilmark Quarries SAC either alone or in-combination with other plans and projects.**

Prepared by Naomi Harvey, Ecologist, Wiltshire Council, 14 March 2024  
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