

## WEST LAVINGTON NEIGHBOURHOOD PLAN HABITATS REGULATIONS ASSESSMENT (HRA)

### 1. Introduction

- 1.1. This Habitats Regulations Assessment (HRA) relates to the West Lavington Neighbourhood Plan (First Review) 2017 – 2036 Draft April 2023, hereafter referred to as the NP, which was submitted to Wiltshire Council in May 2023.
- 1.2. The HRA has been carried out to comply with Regulation 105 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019<sup>1</sup>, hereafter referred to as the Habitats Regulations. Under these Regulations, a competent authority must consider whether a relevant plan is likely to have a significant effect on any European sites (formerly also referred to as Natura 2000 sites and now known as the national site network<sup>2</sup>) before deciding to give any consent, permission or other authorisation. If the screening exercise demonstrates significant effects are likely, whether or not these are addressed through mitigation measures<sup>3</sup>, the competent authority must undertake an appropriate assessment to examine the effects of the plan on the conservation objectives of the European sites in question, consult the appropriate nature conservation body and have regard to its representations. Both the screening, and any subsequent AA 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 AA is undertaken, the competent authority may go on to authorise the plan provided that it will not adversely affect the integrity of any European sites. Where an **adverse effect on the integrity (AEoI)** of any European sites cannot be ruled out, and where there are no alternative solutions, the plan can only be authorised and proceed if there are **imperative reasons of over-riding public interest (IROPI)** and if the necessary compensatory measures can be secured.

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<sup>1</sup> On 1<sup>st</sup> January 2021 the Conservation of Habitats and Species Regulations 2017 were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Most of these changes involved transferring functions from the European Commission to the appropriate authorities in England and Wales. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant. The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change [Changes to the Habitats Regulations 2017 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644447/changes-to-the-habitats-regulations-2017.pdf)

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

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

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

- 1.5. Wiltshire Council has conducted the following HRA as competent authority for the West Lavington 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/Natura 2000 sites (now known as the national site network<sup>9</sup>). The following potential impact pathways and associated parameters were identified and assessed for the European sites stipulated below.

- *Recreation – European sites within 5km of the plan area, or where the New Forest Special Protection Area (SPA)/Special Area of Conservation (SAC) is within 13.8km (extended to 15km*

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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

<sup>9</sup> On 1<sup>st</sup> January 2021 the Conservation of Habitats and Species Regulations 2017 (as amended) were amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

*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 Wiltshire Core Strategy)
- *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 Natural England. This includes the zone of influence (Zoi) 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. An interim Zoi of 8km for the North Meadow element of the North Meadow and Clattinger Farm SAC is being used by Wiltshire Council as this is consistent with the approach being applied by Swindon Borough Council. The Zoi will be refined once bespoke visitor surveys have been undertaken.
- 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 Zoi and how to fairly reflect different visit rates within it. This evidence has informed the preparation of an Interim Recreation Mitigation Strategy by Wiltshire Council.
- 3.6 The WCS adopted the 8km zone of influence, however, as discussed in the 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 Natural England undertook a number of condition assessments of

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

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 Natural England 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 Natural England’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 AA 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 West Lavington**

#### *Recreation*

- 3.11 In terms of recreational pressure, the NP area lies approximately 34.6km northwest of the New Forest SPA/SAC and is therefore a substantial distance not only from the SPA/SAC but also beyond the 13.8km radius around the SPA/SAC within which the majority of day visitors to the New Forest originate<sup>11</sup>.
- 3.12 Recreational pressure on the River Avon SAC is recognised to occur predominately in circumstances where significant development lies immediately adjacent or in close proximity to the river, and this scenario would not arise as a result of this NP as the closest component of the River Avon SAC lies approximately 4.7km southwest of the plan area at its closest point and major housing or tourist development is not allocated or promoted in the NP.

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<sup>11</sup> Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

- 3.13 In relation to Salisbury Plain, the SAC habitat features were screened out of appropriate assessment for the Wiltshire Core Strategy in respect of recreational pressure on the advice of Natural England. Recreational/visitor pressure is a known issue for Salisbury Plain SPA which covers the southern section of the plan area, and the remainder of the plan area lies within the 6.4km zone around the SPA within which the majority (75%) of visitors to the Plain are expected to live. This data was collated by means of a visitor survey commissioned by the Council in 2015. The NP allocates a site for up to 50 houses and 2 other policies promote development within the 6.4km recreational Zol therefore appropriate assessment is screened in with respect of the Salisbury Plain SPA.
- 3.14 In respect of the Bath and Bradford on Avon Bat SAC, the NP area lies approximately 19.6km south east of the closest component area of the SAC and there are no bat consultation zones within the NP area. On this basis, appropriate assessment with respect of the Bath and Bradford on Avon Bat SAC can be screened out.
- 3.15 The North Meadow and Clattinger Farm SAC is situated approximately 37km north east of the NP area at its closest point and as such appropriate assessment with respect of this European site can be screened out.

*Hydrology / Hydrogeology*

- 3.16 In terms of hydrology/hydrogeology, the northern half of the West Lavington NP area lies within the catchment of the Bristol Avon and the southern half of the plan area falls within the catchment of the Hampshire Avon. The NP does not, however, allocate any sites for development within the Hampshire Avon catchment, nor does it promote or support major residential or tourism development within the plan area and as such the NP will not give rise to a likely significant effect on the River Avon SAC.
- 3.17 There have been no water resource issues identified for the Bath and Bradford on Avon Bats SAC which is the only SAC from the above list to lie fully within the Bristol Avon catchment. Furthermore, the Bristol Avon has not identified as a cause of water resource issues for the Salisbury Plain SAC/SPA.

*Air Pollution / Nitrogen Deposition*

- 3.18 The Wiltshire Core Strategy 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>12</sup> (WCS HRA Update February 2014). The NP allocates one site for up to 50 dwellings which is considered to be a small number in relation to the total for the county. All of the European sites listed above, except Salisbury Plain SPA/SAC and the River Avon SAC, are a considerable distance from the NP area and effects are likely to be negligible. With regards to Salisbury Plain SPA/SAC and the River Avon SAC, the allocated site lies outside of the Zol within which significant impacts are considered likely. It is therefore concluded that the proposals for housing in this NP would not have an adverse effect on Salisbury Plain SPA/SAC or the River Avon SAC through nitrogen deposition.

*Physical Damage / Interruption of Flight Lines / Disturbance*

- 3.19 The NP area is located approximately 19.6km from the nearest component of the Bath and Bradford on Avon Bats SAC and approximately 7.5km from the nearest core roost associated with the SAC. Appropriate assessment of the NP can therefore be screened out with respect to this SAC.
- 3.20 The NP area also lies beyond the consultation zones associated with Mottisfont Bats SAC and Chilmark Quarries SAC, and as such appropriate assessment of the NP in relation to these European sites is not required.

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<sup>12</sup> Update to the Wiltshire Core Strategy habitats Regulations Assessment, February 2014 (Exam/89)

- 3.21 The Salisbury Plain SPA covers the southern section of the NP area, however the allocated site is located over 1.8km from the SPA at the closest point and is also located adjacent to existing buildings and roads rather than in open areas; the latter being preferable for stone-curlew. It is therefore considered that the allocated site is located beyond the potential zone of influence with respect of stone-curlews breeding at Salisbury Plain SPA. There are several stone curlew breeding plots within the southern half of the NP area, however the allocated site is located approximately 1.6km from the closest breeding plot. Stone-curlew are susceptible to disturbance from visual stimuli within 1km. Development at the allocated site would not have an effect on these breeding plots due to the distance between the allocated sites and the nest plots. If the next draft of the NP were to allocate any sites for development in the south of the plan area, there could be a mechanism for a likely significant effect on stone-curlew which is a qualifying feature of the Salisbury Plain SPA, and as such appropriate assessment of the plan could be necessary.
- 3.22 Porton Down SPA is located a substantial distance from the NP area, approximately 22.2km to the southeast at its closest point. As such, the NP area is well beyond the potential zone of influence and functionally linked land with respect of stone-curlews breeding at Porton Down, and therefore development proposed by the NP will not result in a likely significant effect on the SPA and appropriate assessment of the plan in relation to this SPA is not necessary.

#### **4. Screening of Policies in West Lavington Neighbourhood Plan 2017 – 2036**

- 4.1 The West Lavington NP currently comprises 12 policies and these are detailed and assessed in Table 1 below.
- 4.2 All parts of the NP have been screened for potential impacts which may arise from the plan alone or in combination with other plans and projects. Taking into consideration the location, scale and nature of proposals in the NP, there is a potential mechanism for effect upon one European site, namely the Salisbury Plain SPA, on account of three policies. These policies therefore need to be taken forward to appropriate assessment.
- 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 West Lavington 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
BE1 Settlement Boundary	C and D Salisbury Plain SPA	<p>This policy states: <i>The settlement boundary of West Lavington and Littleton Panell within which development will be supported subject to it respecting local character, residential amenity and highway safety, is shown on Map 3.</i></p> <p>The policy does not allocate sites for development however it does support development within the settlement boundary. The whole of the West Lavington NP area lies within the 6.4km recreational ZoI around the Salisbury Plain SPA, therefore this policy must be considered through an appropriate assessment as there is the potential for likely significant effects in terms of recreational pressures on the SPA.</p>	
BE2 Design of new Development/Local Distinctiveness	A1 and A3	<p>This policy sets out the requirements for developments to ensure good quality design that reinforces local distinctiveness and complements the fabric of the existing built up area. The policy seeks to ensure developments use good quality harmonious materials and respect the views around the village with reference to the height, scale and density of new buildings.</p> <p>The policy goes on to require developments to have regard to the Character Appraisal provided in Annex 1 of the NP.</p> <p>New developments must be integrated into the street scene and landscape through design and the incorporation of suitable green buffers and planting, including trees.</p> <p>Proposals will not be supported where they:</p> <ul style="list-style-type: none"> <li>• result in the loss of important open areas,</li> <li>• adversely affect gaps and spaces between buildings which make a positive contribution to the character and appearance of the street scene,</li> <li>• adversely affect important topographical features, the character of lanes or the road gateways into the village.</li> </ul>	



Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>The policy supports residential extensions, extension to other buildings and outbuildings where they:</p> <ul style="list-style-type: none"> <li>• are subordinate to the original building in terms of scale/size and positioning/design;</li> <li>• are constructed of materials which reflect the materials of the original building or those found in the surrounding area;</li> <li>• do not result in the loss of existing boundary features;</li> <li>• make a positive contribution to the streetscene; and</li> <li>• do not adversely affect the inter-relationship between the front of the original building and the public realm.</li> </ul> <p>This policy does not allocate land for development, but seeks to ensure good quality design that protects the local distinctiveness. The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
BE3 Views and Vistas	A2 and A3	<p>The policy seeks to ensure that new developments do not result in the loss of important public views and vistas and supports developments which actively enhance or promote the important views and vistas.</p> <p>The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
BE4 Boundary Treatment, Trees and Public Realm	A2 and A3	<p>This policy does not support developments which would negatively impact boundary treatments, landscaping or trees which make a positive contribution to the public realm. New developments will be expected to demonstrate how they contribute to high quality streets, pavements and other publicly accessible areas.</p> <p>The policy identifies the areas within which proposals will be supported that deliver opportunities for enhancement of the built environment public realm.</p> <p>The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning 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
BE5 Highway Impact	A1	<p>This policy states that developments should incorporate adequate parking provision and sets out the parking standards for residential development. Additional visitor parking will be required for developments involving 5 or more new dwellings. Proposals will not be supported where they result in the displacement of parking provision to on-street.</p> <p>New development should incorporate adequate onsite provision for storage and collection of refuse bins. Refuse collection storage should be screened and easily accessible to the collection point.</p> <p>This policy seeks to ensure appropriate parking provision is provided within new development proposals and will not lead to development. The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
BE6 Protection of Heritage Assets	A3	<p>This policy states that proposals affecting designated and non-designated heritage assets and their setting must comply with national planning policy and the development plan.</p> <p>The policy goes on to list buildings and structures designated as Locally Important Buildings, and therefore non-designated heritage assets, within West Lavington and Littleton Pannell.</p> <p>This policy seeks to protect designated and non-designated heritage assets and will not lead to development. The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
H1 Site Allocation	C and D Salisbury Plain SPA	<p>This policy allocates a site referred to as Land South of Lavington Lane, West Lavington, for up to 50 dwellings. Proposals for the development of the site must be accompanied by a masterplan developed with the community, Parish Council and Local Planning Authority. The policy goes on to list the principles which need to be taken into account:</p> <ul style="list-style-type: none"> <li>i) The proposal must demonstrate high quality design and make a positive contribution to local character and distinctiveness.</li> <li>ii) Landscaping – the layout to be landscape-led, demonstrating: respect for the site’s setting, including Manor House Woods and the river corridor; the creation of landscape buffers along the northern part of the site, including to the ancient</li> </ul>	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>woodland and its eastern edge to the river corridor; conservation and where possible, enhancement of heritage assets.</p> <p>iii) Housing – Provide a mixed development of small/medium family houses and smaller accommodation for downsizing, including bungalow and other types of accommodation capable of providing for elderly and disabled people in an open, well-designed layout.</p> <p>iv) Parking – Provide off street parking to serve the new housing and to supplement provision at the Primary School.</p> <p>v) Lighting – demonstrate that there would be no increase in lux levels impacting on Manor House Woods and the Semington Brook corridor and that ambient light, particularly upward spill above the site, is managed in order to minimise impact on bats.</p> <p>vi) Flooding – the area has high groundwater and a Flood Risk Assessment and drainage strategy must be submitted. Runoff rates should reflect or improve upon existing greenfield rates.</p> <p>vii) Movement and Site Access - provide for suitable vehicular access and egress arrangements, as well as pedestrian and cycling connectivity across the site and with the local footpath network. Provide a safe crossing opportunity across Lavington Lane.</p> <p>This site was allocated in the made Neighbourhood Plan, 2019, and the supporting text states that - <i>Outline planning permission for the allocated site was granted under 20/09350/OUT; reserved matters consent was subsequently granted under PL/2021/11899 and development has now commenced.</i></p> <p>This policy allocates land for approximately 50 dwellings and associated infrastructure. The site lies within the 6.4km buffer of the Salisbury Plain SPA, therefore this policy must be considered through an appropriate assessment as there is the potential for likely significant effects in terms of recreational pressures on the SPA.</p>	
E1 Retention of Employment Land and Buildings	C and D Salisbury Plain SPA	This policy supports for the change of use of employment sites or premises to non-employment alternative uses where the applicant has demonstrated that there is no reasonable prospect of the site or premises being used for employment uses. The policy requires applicants to demonstrate that the existing or allocated use is no longer viable	

Policy	Initial Screening Category	Policy Summary and Assessment under Habitats Regulations	Comments and Recommendations
		<p>and that the site has been marketed for a reasonable period of time for alternative employment uses.</p> <p>Although this policy does not allocate land for development, the whole of the NP area is located within the 6.4km recreational ZoI for the Salisbury Plain SPA. The policy does not specifically state whether residential development is included as a non-employment alternative use or not therefore there is the potential for this policy to support residential development. This policy must be considered through an appropriate assessment as there is the potential for likely significant effects in terms of recreational pressures on the SPA.</p>	
CF1 Community Facilities	A3	<p>This policy supports development proposals that result in the improvement and expansion of community facilities or the provision of new community facilities where they respect the local character, amenity of neighbouring occupiers and highway safety. Proposals to expand, refurbish or redevelop the village hall will be supported.</p> <p>Development proposals which result in the loss of community facilities are not supported by this policy unless the developer can demonstrate they are poorly used, not viable or adequate provision is made elsewhere.</p> <p>This policy seeks to protect community facilities and will not lead to development. The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
CF2 Educational Facilities	A1 and A3	<p>This policy supports proposals for the expansion or alteration of educational facilities or community facilities at Dauntsey's School and Dauntsey Academy Primary School. Development on playing fields will not be supported unless they are replaced by equivalent or better provision or the proposal is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.</p> <p>This policy supports the expansion of educational facilities within the NP area and seeks to limit development of existing playing fields. The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning 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
NE1 Local Green Space	A2	<p>This policy designates 8 areas as Local Green Spaces and states they will be protected in a manner consistent with the protection of land within Green Belts.</p> <p>This policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	
NE2 Setting of West Lavington Parish	A2 and A3	<p>This policy supports proposals that protect and enhance the natural features that are a key component of the landscape and provide habitat for the NP areas wildlife. This includes:</p> <ul style="list-style-type: none"> <li>a) Measures to protect &amp; enhance our natural environment &amp; landscape character and to maintain tree cover &amp; hedgerows;</li> <li>b) Proposals that provide favourable conditions for biodiversity including maintenance and enhancement of habitat connectivity;</li> <li>c) Woodlands &amp; hedgerows. The community support measures to increase the enhancement, reinstatement or creation of hedgerows along boundaries, and support the creation of additional pockets of woodland.</li> </ul> <p>Developments should respect views into and out of the two villages and should not result in an adverse impact on areas that contribute to the setting of the Parish.</p> <p>This policy supports the provision of new and the enhancement of existing, green infrastructure and states that developments should protect existing biodiversity and pursue opportunities to secure net gains for biodiversity.</p> <p>This policy seeks to protect and enhance the natural environment within the NP area and will not lead to development. The policy will not result in a likely significant effect on any European sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.</p>	

## **5. Conclusion and Recommendations**

- 5.1 The HRA screening exercise presented in this document has concluded that the West Lavington NP has the potential to lead to likely significant effects on one European site alone and/or in-combination with other plans and projects. This is due to the allocated site Policy H1 and 2 other policies due to the potential for increased recreational pressure on the Salisbury Plain SPA.
- 5.2 It is therefore necessary for 3 policies in the NP to be taken forward to appropriate assessment under Regulation 105 of the Habitats Regulations. The appropriate assessment will be conducted by the competent authority, namely Wiltshire Council. Where strategic mitigation strategies produced by Wiltshire Council cannot be relied upon, it will be necessary for suitable bespoke mitigation strategies to be proposed to ensure that any application that comes forward for residential development at the allocated site or development as a result of other policies in the NP will not result in a significant adverse effect on the Salisbury Plain SPA/SAC. Any such mitigation measures will need to be discussed and agreed with Wiltshire Council and will be required to inform the production of the appropriate assessment.

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