

SOUTHWICK NEIGHBOURHOOD PLAN HABITATS REGULATIONS ASSESSMENT (HRA)

1. Introduction

- 1.1. This Habitats Regulations Assessment (HRA) has been undertaken to inform a Regulation 14 consultation response from Wiltshire Council to the Southwick Neighbourhood Plan 2016-2026 Pre-Submission Draft dated June 2020, hereafter referred to as the NDP. This is the second iteration of the HRA, the first having been undertaken in relation to the pre-Regulation 14 screening draft of the NDP dated August 2018.
- 1.2. The HRA has been carried out to comply with Regulation 105 of the Habitats Regulations 2017. Under these Regulations, a competent authority must consider whether a relevant plan is likely to have a significant effect on any European sites before deciding to give any consent, permission or other authorisation. If the screening exercise demonstrates significant effects are likely, whether or not these are addressed through mitigation measures¹, the competent authority must undertake an appropriate assessment (AA) 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.”*²
- 1.4. Where appropriate assessment is undertaken, the competent authority may go on to authorise the plan or project provided that it will not adversely affect the integrity of any European sites. Otherwise the plan cannot be authorised unless it meets specific statutory tests.
- 1.5. Wiltshire Council has conducted the following HRA as competent authority for the Southwick NDP. Where risks to European Sites are identified, changes are recommended to remove or reduce the risks, and these should be incorporated into the plan before it is made. Likewise, if the policies or planning context change after the HRA is completed, the HRA process must be repeated before the final plan is considered by a referendum and adopted.

2. Screening Methodology

- 2.1. Each element of the plan has been categorised against screening criteria developed by Natural England to provide a clear audit trail for the screening assessment.
- 2.2. The screening criteria used are as follows:

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

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

- Category A1: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development.
- Category A2: The policy is intended to protect the natural environment.
- Category A3: The policy is intended to conserve or enhance the natural, built or historic environment.
- Category A4: The policy would positively steer development away from European sites and associated sensitive areas.
- Category A5: The policy would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.
- Category B: No significant effect.
- Category C: Likely significant effect alone; and
- Category D: Likely significant effects in combination.

2.3. The effect of each policy has been considered both individually and in combination with other plans and projects (see Table 1 below). Where potential for likely significant effects have been identified, an appropriate assessment has been undertaken in subsequent sections.

3. Higher Level HRAs

Wiltshire Core Strategy

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

- *Recreation – Natura 2000 sites within 5km of the plan area, or where Salisbury Plain SPA/SAC is within 15km of the plan area (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 SAC / SPA
 - River Avon SAC
 - New Forest SAC / SPA
 - Bath and Bradford on Avon Bats SAC (added post adoption of Wiltshire Core Strategy)
- *Hydrology / Hydrogeology - Sites that fall wholly or partly within the Wessex Water Resource Zone may be susceptible to impact:*
 - Salisbury Plain SAC / SPA
 - Bath and Bradford on Avon Bats SAC
 - Pewsey Downs SAC
 - North Meadow and Clattinger Farm SAC
 - River Avon SAC

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

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

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

⁶ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

- River Lambourn SAC
- Kennet & Lambourn Floodplain SAC
- *Air Pollution / Nitrogen Deposition – Natura 2000 sites within 200m of a main road*
 - Porton Down SPA
 - Salisbury Plain SAC / SPA
 - Southampton Water SPA
 - North Meadow and Clattinger Farm SAC
 - River Avon SAC
 - Rodborough Common SAC
 - Cotswolds Beechwoods SAC
- *Physical Damage / Interruption of Flight Lines / Disturbance*
 - Bath and Bradford on Avon Bats SAC
 - Porton Down SPA
 - Chilmark Quarries SAC (added post adoption of Wiltshire Core Strategy)
 - Mottisfont Bats SAC (added post adoption of Wiltshire Core Strategy)

Wiltshire Housing Site Allocations Plan

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

Screening of Southwick NDP Area

Recreation

- 3.5 In terms of potential for recreational/visitor impacts upon Natura 2000 sites, the NDP area lies well beyond the 8km radius around the New Forest SPA within which the majority of day visitors to the New Forest originate⁷.
- 3.6 Recreational pressure on the River Avon SAC is recognised to occur in circumstances predominately where significant development lies in close proximity to the SAC, and this scenario would not arise as a result of any development put forward within the Southwick NDP as the SAC is approximately 9.35km from the plan area at its closest point.
- 3.7 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. Recreational/visitor pressure is a known issue for the Salisbury Plain SPA and the southeast section 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 is based on the data collated by means of a visitor survey commissioned by the Council in 2015. Therefore, appropriate assessment of the NDP is screened in with respect of the Salisbury Plain SPA.
- 3.8 The North Meadow and Clattinger Farm SAC is situated approximately 40.3km from the NDP area at its closest point of and as such appropriate assessment with respect of this Natura 2000 site can be screened out.

Hydrology / Hydrogeology

- 3.9 In terms of hydrology/hydrogeology, Southwick, drains into the Bristol Avon, rather than the Hampshire Avon, and as such there is no pathway for a likely significant effect on the River Avon SAC as a result of the NDP.
- 3.10 No water resource issues have been identified for the Bath and Bradford on Avon Bats SAC which is the only SAC to lie fully within the Bristol Avon catchment. The Bristol Avon is also not identified as a cause of water resource issues for the Salisbury Plain SAC/SPA.

Air Pollution / Nitrogen Deposition

- 3.11 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 Natura 2000 sites within 200m of a main road. Such effects were considered to be very small and difficult to predict at the strategic level⁸ (WCS HRA Update February 2014). The housing site allocations in the Southwick NDP allow for about a further 35 dwellings which is considered to be a small number in relation to the total for the county. All of the Natura 2000 sites listed above, except the Bath and Bradford on Avon Bats SAC and Salisbury Plain SAC/SPA are a considerable distance from the NDP area and effects are likely to be negligible. In relation to these sites the Wiltshire Core Strategy HRA concluded no likely significant effect where the existing approach to mitigation in Core Policy 55 is implemented. It is concluded that the proposals for housing in this NDP would not have an adverse effect on Natura 2000 sites through nitrogen deposition.

Physical Damage / Interruption of Flight Lines / Disturbance

- 3.12 The NDP area is too remote to have implications for stone curlews breeding at Porton Down SPA.
- 3.13 The adopted WHSAP and final HRA screened all six allocations at Trowbridge into appropriate assessment in relation to the Bath and Bradford on Avon Bat SAC, including H2.6 Southwick Court. The assessment

⁷ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

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

was concerned specifically with the potential for development to lead to increased recreational pressure and physical damage/interruption of flight lines/disturbance in areas which lie outside the SAC, but which are functionally related to it.

- 3.14 One of these allocations, Land off the A363 at White Horse Business Park, was also screened into appropriate assessment for Salisbury Plain SPA as it lies within a 6.4km radius of the Plain. The majority of visitors to the Plain are expected to live within this distance.

4. Screening of Policies in Southwick NDP Pre-Submission Draft June 2020

- 4.1 The Southwick NDP comprises eleven planning policies and three informal non-planning policies.
- 4.2 Taking into consideration the location, scale and nature of proposals in the NDP, there is a potential mechanism for effect upon two European Sites, namely the Bath and Bradford on Avon Bats SAC and Salisbury Plain SPA. All parts of the pre-submission draft of the NDP have been screened for potential impacts which may arise from the plan alone or in combination with other plans and projects. Five policies have the potential to give rise to significant effects and are therefore taken forward to appropriate assessment in sections 5 and 6 below.
- 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 Southwick NDP

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

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
Policy 1: Landscape Setting Gap	B for Bath and Bradford on Avon Bats SAC	<p>The NDP policy seeks to preserve the rural character and identity of Southwick Village through the establishment of a landscape setting gap comprising the open countryside between the village and Trowbridge allocated sites. The policy specifies that the landscape setting gap will be maintained, and if possible enhanced for biodiversity and recreation in compliance with the Trowbridge Bat Mitigation Strategy (TBMS) Supplementary Planning Document (SPD). The policy stipulates that development in the ‘Southwick Landscape Setting Gap’ will not be permitted except where it would accord with Wiltshire Core Strategy policy. It also sets out four criteria that any development within the landscape setting gap would need to satisfy; the fourth of which is that: <i>‘Any development must result in a measurable net gain for biodiversity.’</i></p> <p>Evidently, this policy does not promote development and will not itself lead to development, and therefore it will not lead to significant effects upon the Bath and Bradford on Avon Bats SAC.</p>	
	B for Salisbury Plain SPA	<p>This policy seeks to establish a landscape setting gap comprising the open countryside between Southwick Village and Trowbridge allocated sites, and as such does not promote development and will not lead directly to development. Furthermore, if any development that accords with the Wiltshire Core Strategy and the four criteria set out within the policy were to be undertaken, this would not lead to a likely significant effect upon the Salisbury Plain SPA as the ‘Southwick Landscape Setting Gap’ lies beyond the 6.4km buffer around the Salisbury Plain SPA.</p>	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
Policy 2: Bat Conservation	A1 and A2 for Bath and Bradford on Avon Bats SAC B for Salisbury Plain SPA	<p>The policy requires that all planning applications for development within the NDP area must comply with the requirements set out in the TBMS SPD.</p> <p>This policy seeks to avoid harm to bats and their habitat and as such will not itself lead to development, and therefore in turn will not result in a likely significant effect on either Bath and Bradford on Avon Bats SAC or Salisbury Plain SPA.</p>	
Policy 3: Southwick Country Park	C and D for Bath and Bradford on Avon Bats SAC	<p>The policy seeks to protect Southwick Country Park from development, unless development would be for recreational purposes, and specifies that the park will be enhanced for recreation and wildlife where possible. The policy supports proposals to sustain or extend the viable use of Southwick Country Park and the development of new recreational facilities, signage, maintenance and ancillary uses to meet local visitor needs providing that the following three criteria are met.</p> <p><i>'a) consultation with the community has been undertaken and support for the proposal has been demonstrated;</i> <i>b) a net gain in biodiversity is delivered;</i> <i>c) they comply with all other policies in the Development Plan.'</i></p> <p>Whilst this policy will not itself lead to development and on the whole promotes the protection of Southwick Country Park, it does support the development of new recreational and ancillary facilities at the park, and although the three specified criteria that any development would need to meet includes the requirement for a net gain in biodiversity, it fails to specify that compliance with the TBMS SPD would also be required for any new development at this greenfield site. The country park lies within the TBMS medium risk bat sensitivity zone in respect of habitat (yellow zone). It is noted that encouraging visitors to the park may have potential to reduce visitor pressure on the woodlands around Trowbridge identified as being utilised by the local Bechstein's 'meta-population',</p>	B

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
		<p>nonetheless, any planning application for development at the park which could result in the loss and/or degradation of habitat of importance for bats associated with the Bath and Bradford on Avon Bats SAC should comply with the TBMS SPD. In not requiring the need to adhere to the TBMS, the policy currently does not align with Policy 2 or the approach taken for Policy 1, and the potential for likely significant effects on the SAC cannot be screened out and as such the policy must be taken forward to appropriate assessment.</p>	
	B for Salisbury Plain SPA	<p>The policy will not itself lead to development and does not support any development that could result in additional visitor pressure on the Salisbury Plain. Moreover, Southwick Country Park Court lies beyond the 6.4km buffer around the Salisbury Plain SPA within which the majority of visitors to the SPA originate.</p>	
Policy 4: Local Green Space	C and D for Bath and Bradford on Avon Bats SAC	<p>The following areas are designated as Local Green Space by this policy:</p> <ul style="list-style-type: none"> - Southwick Country Park - The Playing Fields - The Baptist Church Cemetery <p>The policy stipulates that development proposals at the designated Local Green Space will not be supported other than in very special circumstances. It then sets out those circumstances as follows:</p> <p><i>'a) where there is an existing building/structure within the Local Green Space and the works are needed to maintain its viability/use into the future, including in accordance with Policy 5; or</i></p> <p><i>b) where the proposed development will be for the benefit of the community and will preserve the particular local significance of the space for which it was designated, including in accordance with Policy 5.'</i></p> <p>Whilst this policy will not itself lead to development and does not support development within the three designated Local Green Spaces, it does set out two circumstances within which development at these sites would in fact be supported. However, the policy does not specify that compliance with the TBMS SPD would be required for any new development at these greenfield sites, even though Southwick Country Park and the Baptist Church Cemetery lie within the</p>	B

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
		<p>TBMS medium risk bat sensitivity zone in respect of habitat. Any planning application for development at these sites which could result in the loss and/or degradation of habitat of importance for bats associated with the Bath and Bradford on Avon Bats SAC must comply with the TBMS SPD. In not referring to the need to adhere to the TBMS, the policy currently does not align with Policy 2 or the approach taken for Policy 1, and the potential for likely significant effects on the SAC cannot be screened out and as such the policy must be taken forward to appropriate assessment.</p>	
	B for Salisbury Plain SPA	<p>The policy will not itself lead to development and does not support any development that could result in additional visitor pressure on the Salisbury Plain. Moreover, Southwick Country Park Court lies beyond the 6.4km buffer around the Salisbury Plain SPA within which the majority of visitors to the SPA originate.</p>	
Policy 5a: Site Allocation: Heli-beds site, Frome Road	B for Bath and Bradford on Avon Bats SAC	<p>This policy allocates a site for the development of 8 dwellings (flats) at what is referred to as the Heli-beds site on Frome Road. The allocated site comprises a brownfield site and lies outside of any TBMS bat sensitivity zones, including the zone in respect of recreational pressure. Therefore, development at this site would not lead to significant effects on the SAC and appropriate assessment of this policy is not required.</p>	
	B for Salisbury Plain SPA	<p>The allocated site lies beyond the 6.4km radius around Salisbury Plain within which the majority of visitors to the SPA originate, and therefore development at this site would not result in significant effects on the SPA.</p>	
Policy 5b: Site Allocation: Land of Wesley Lane	C and D for Bath and Bradford on Avon Bats SAC	<p>This policy allocates a 1.6 hectare greenfield site on land adjacent to Wesley Lane for the development of approximately 27 dwellings. The site is located within the medium risk sensitivity zone for habitats as set out in the TBMS, and this is recognised in the accompanying text to the policy. The policy stipulates that development of the site must <i>'Deliver on-site mitigation in accordance with the TBMS to demonstrate that sufficient land can be set aside for habitat to mitigate for 100% of the land lost to the development footprint;...'</i></p> <p>Whilst this accords with the TBMS, the requirement specified in the policy only meets one of several criteria set out in the TBMS. Planning applications for</p>	B

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
		<p>development on greenfield sites within the medium risk zone must also be supported by an appropriate level of survey; retained core habitat must remain connected to the wider habitat network and should be adequately buffered; core bat habitat should remain relatively undisturbed; and a financial contribution towards the local planning authority (LPA) will need to be made.</p> <p>Development at this site would give rise to a likely significant effect on the Bath and Bradford on Avon Bats SAC and therefore must be taken forward to appropriate assessment.</p>	
	B for Salisbury Plain SPA	The allocated site lies beyond the 6.4km radius around Salisbury Plain within which the majority of visitors to the SPA originate, and therefore development at this site would not result in a likely significant effect on the SPA.	
Policy 6: Additional Housing Development	C and D for Bath and Bradford on Avon Bats SAC	<p>This policy specifies: <i>‘Proposals for infill development outside of the sites identified by Policy 2 will be supported if they are within the Southwick Limits of Development defined by the Wiltshire Core Strategy and Housing Site Allocations Plan and where such development’</i> would meet five criteria set out within the policy. It goes on to state that development in the open countryside should not be permitted unless it meets the exceptions set out in paragraph 4.25 of the Core Strategy and is in accordance with the TBMS SPD.</p> <p>Although no specific sites are identified in the policy, the whole of the NDP area, except for the settlement within the settlement boundary, lies within the TBMS zone of medium risk for habitats associated with the Bath and Bradford on Avon Bats SAC. Most of the settlement and the eastern half of the NDP area falls within a zone of medium risk for generating recreational pressure at the Bechstein’s roost sites. Therefore, development throughout the plan area has the potential to lead to a likely significant effect on the SAC either alone (if outside the settlement boundary and on a greenfield site) and/or in combination with other development if within the medium risk zone in respect of recreational pressure.</p>	B
	D for Salisbury Plain SPA	This policy states that development in the open countryside should not be permitted unless it meets the exceptions set out in paragraph 4.25 of the Core Strategy and <i>‘does not result in the loss in functionally linked habitat to the</i>	B

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
		<p><i>Salisbury Plain SAC/SPA and accords with the HRA and Mitigation Strategy for the Salisbury Plain SPA in relation to recreational pressure (sic) from residential development.'</i></p> <p>The southeast section of the NDP area lies within 6.4km of Salisbury Plain SPA and as such any new residential development within this section of the plan area has potential to result in a likely significant effect on the SPA.</p>	
Policy 7: Retail Services and Facilities	B for Bath and Bradford on Avon Bats SAC	Proposals for additional services and facilities within the village are supported through this policy subject to criteria in relation to noise/air pollution/disturbance, traffic and parking being met. The nature of such proposals could vary, and it is therefore difficult to anticipate any potential implications in regard to the Bath and Bradford on Avon Bats SAC. Proposals are primarily expected to be small in scale and it would be more appropriate for a project specific HRA to be undertaken at the planning application stage, where applicable. Most proposals are likely to be located within the settlement boundary which lies outside bat sensitivity zones as set out in the TBMS SPD.	
Policy 8: Open Space and Recreation	B for Bath and Bradford on Avon Bats SAC	<p>Development of additional retail services and facilities in the NDP area would not in themselves increase the number of visitors to Salisbury Plain SPA and as such would not lead to a likely significant effect on the SPA.</p> <p>This policy seeks to protect open spaces and sites for recreation within the NDP area, and specifies that development proposals which would entail loss of existing open space and recreation facilities will not be permitted unless the following criteria are met: <i>'a) appropriate alternative provision is made elsewhere; or b) the proposed development is ancillary to the use of the land used for sport or recreation.'</i></p> <p>This policy does not support development and would not in itself result in development, and as such does not have potential to result in a likely significant effect on the SAC.</p>	
	B for Salisbury	This policy does not support development and would not in itself result in any development, and as such does not have potential to result in a likely significant	

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
	Plain SPA	effect on the SPA.	
Policy 9: Public Rights of Way	B for Bath and Bradford on Avon Bats SAC	<p>This policy supports the creation of new Public Rights of Way (PRoW) and seeks to protect and enhance existing PRoW. The policy also specifies that any proposals for development should not result in unacceptable harm to a PRoW and that where development will affect such a feature, the associated planning application should demonstrate that mitigation measures will be implemented.</p> <p>This policy will not in itself lead to development and therefore will not give rise to a likely significant effect on the SAC.</p>	
	B for Salisbury Plain SPA	This policy will not in itself lead to development and therefore will not give rise to a likely significant effect on the SPA.	
Policy 10: Infrastructure and Developer Contributions	C and D Bath and Bradford on Avon Bats SAC	<p>This policy sets out the community's priorities for spending on local infrastructure and specifies that all new housing and employment development proposals in the NDP area will be expected to contribute to local infrastructure. The policy sets out five local priorities to be addressed via either Section 106 agreements or CIL funding.</p> <p>Whilst most of the listed local priorities would largely have no potential impact upon bats and the SAC, and priority number 4 could provide a benefit for bats, it is noted that the policy does not stipulate the need for compliance with the TBMS SPD. This is despite the supporting text to the policy acknowledging that schemes to improve public facilities and access routes could lead to impacts on bats, particularly where accompanied by new lighting or where habitat is affected, and therefore stating that <i>'proposals should consider the guidance contained in the Trowbridge Bat Mitigation Strategy and planning applications will need to demonstrate there will be no adverse effect on bats from the proposal along and in combination with other development.'</i></p> <p>The potential for effects on habitats used by SAC bat species for foraging, commuting or roosting was also identified in the previous iteration of the HRA and as such the requirement for any improvements to local infrastructure to comply</p>	B

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
		with the TBMS should be clearly set out within the policy. Although the policy will not in itself lead to development, it does seek to secure improvements to local infrastructure alongside any proposals for residential or employment development. Given that the policy currently omits reference to the need for any such proposals to adhere to the TBMS SPD, the potential for a likely significant effect on the SAC cannot be screened out and the policy must be taken forward to appropriate assessment.	
	B for Salisbury Plain SPA	The policy will not in itself lead to any development that could result in an increase in visitor pressure upon the SPA. Therefore, Policy 10 does not have potential for a significant effect on the SPA.	
Informal Non-Planning Policy A: Drainage and Habitats	B for Bath and Bradford on Avon Bats SAC B for Salisbury Plain SPA		
Informal Non-Planning Policy B: Sustainable Transport	B for Bath and Bradford on Avon Bats SAC B for Salisbury Plain SPA		
Informal Non-Planning Policy C: Tidy Village	B for Bath and Bradford on Avon		

Policy	Initial screening Category	Policy Summary and Assessment under Habitats Regulations	Screening Category Subsequent to Incorporation of Changes Recommended in the Appropriate Assessment
	Bats SAC B for Salisbury Plain SPA		

5. Appropriate Assessment – Bath and Bradford on Avon Bats SAC

Background to the Bath and Bradford on Avon SAC

- 5.1 The following account clarifies the key geographical and ecological relationships between the Bath and Bradford on Avon Bats SAC and the Southwick NDP area, as far as these are currently known. Details of the conservation objectives are available online at <http://publications.naturalengland.org.uk/publication/6279810384920576>. The current version is dated 27 November 2018 Version 3.
- 5.2 The SAC designation extends across former stone mines which are hibernation and swarming sites for the three species of bat which are primary and qualifying features of this SAC; great and lesser horseshoe and Bechstein's bats. The nearest mine is approximately 5.3km northwest of the NDP area at Winsley; others occur near Box and Bath. The mines are used by bats mainly during the winter and autumn.
- 5.3 While the SAC lies some distance from Southwick NDP area, the bats roost and feed across a much wider area during the spring and summer. Horseshoe bats generally breed in buildings while a significant breeding colony of Bechstein's bats occurs in woodlands to the south of Trowbridge. The Council has prepared guidance to demonstrate how development across the whole bat landscape must take account of the SAC⁹. 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.
- 5.4 Under the above guidance, Green Lane and Biss Woods, and Picket and Clanger Woods are all core roosts for Bechstein's bats. Although the core areas around these roosts do not extend into the NDP area, it is likely Bechstein's bats at the very least commute through it to swarming and hibernation sites at Box and Bath. This species cannot be identified from bat detectors and this is likely to explain the absence of records from the Southwick area. One only record exists, that of a roosting bat found during arboricultural work at Southwick Country Park.
- 5.5 There are a large number of records of greater horseshoes foraging / commuting across Pole's Hole Farm south of Southwick village as a result of systematic surveys carried out in the last few years. However, there are no records for elsewhere in the NDP area which is undoubtedly due to a lack of survey as the landscape at Pole's Hole's Farm is replicated across much of the NDP area. While the NDP area is likely to be important for foraging and commuting, the only roost records currently available lie just outside the NDP boundary but key potential roost sites may yet be un-surveyed. The northwest and southern parts of the plan area fall within core areas for this species. Interestingly Pole's Hole Farm lies in the intervening gap.
- 5.6 It is a similar pattern for records of foraging, commuting and roosting lesser horseshoe bats and likewise it can be assumed this species makes much greater use of the NDP area than the records suggest. None of the core areas for lesser horseshoes extend into the Southwick NDP area.

Plans and Projects to be Considered In-Combination

- 5.7 The screening assessment concluded that the Southwick NDP could lead to significant effects on the Bath and Bradford on Avon Bats SAC in combination with other plans and projects. The following assessment has been conducted taking the following plans and projects into consideration:
- Wiltshire Core Strategy (Adopted January 2015)
 - Wiltshire Housing Site Allocations Plan (WHSAP) (Council Version, February 2020) adopted by Full Council on 25th February 2020.

⁹ Bat Special Areas of Conservation, Planning Guidance for Wiltshire. Issue 3.0, 10 September 2015

- Application 15/04736/OUT Ashton Park, Trowbridge
- Application 16/04468/OUT land South West of Ashton Road, Trowbridge
- Application 16/00547/FUL Land SE of Southview Park, Trowbridge
- Application 17/12509/FUL Land SE of Southview Park, Trowbridge
- Application 18/00985/OUT The Grange, Hilperton
- Application 16/00672/OUT Land W of Elizabeth Way, SW of Hilperton Marsh, Trowbridge
- Application 17/09961/OUT Land West Of Biss Farm, West Ashton Road, Trowbridge
- Permission 13/06879/OUT Land South of Devizes Road, Hilperton
- Permission W/11/01932/REM Land North East of Green Lane Farm, Trowbridge (completed)
- Permission W/04/02105/OUTES Land adjacent to scrapyard, Trowbridge (completed)
- Application 18/02671/FUL Sunnyside Yarnbrook Road
- Application 18/10035/OUT Land south of Church Lane, Upper Studley, Trowbridge

HRA for the Adopted Wiltshire Housing Site Allocations Plan and the TBMS SPD

- 5.8 The Council published a pre-submission draft of the Wiltshire Housing Site Allocations Plan (WHSAP) together with a HRA dated 21 June 2017 which included an appropriate assessment of the six allocations proposed for Trowbridge. A schedule of proposed changes was considered by Cabinet supported by an Addendum to the HRA dated May 2018. The original Addendum to the HRA incorporating minor factual changes to support the consultation on the Council's Schedule of Proposed Changes was published in September 2018. An Amended Addendum comprising a minor factual update and incorporating further changes to support the Council's Further Main Modification was published in September 2019.
- 5.9 Subsequently, the adoption of the WHSAP (Council Version, February 2020) was approved by Full Council on 25th February 2020 and this was accompanied by the final WHSAP Assessment under the Habitats Regulations (Wiltshire Council, February 2020). In regard to Trowbridge, the WHSAP allocates six sites that will deliver approximately 1050 new homes on greenfield land over the plan period to 2026. These proposals have been rigorously assessed through the Sustainability Appraisal (SA) and the HRA.
- 5.10 The adoption of the Trowbridge Bat Mitigation Strategy (TBMS) Supplementary Planning Document (SPD) was also approved on the 25th February 2020. The overall aim of the TBMS is to provide a clear and detailed approach to considering impacts of development in the Trowbridge area on the Bath and Bradford on Avon Bats SAC in order to help inform strategic planning for the area's future housing needs. The aforementioned version of the TBMS has been prepared to support the WHSAP and Core Policies 2 and 29 of the Wiltshire Core Strategy. The TBMS sets out the mitigation measures required by the HRA of the WHSAP and is designed to ensure no adverse impact on the important bat populations associated with the Trowbridge landscape due to the WHSAP, and therefore no adverse impact on the integrity of the Bath and Bradford on Avon Bats SAC.
- 5.11 The final HRA (February 2020) concluded that with regard to habitat loss/deterioration, the allocations proposed in the WHSAP are likely to have significant effects on the local Bechstein's population associated with the Bath and Bradford on Avon Bats SAC, particularly when the effects of the plan are considered as a whole, as the cluster of sites will coalesce the urban landscape south of Trowbridge, which could sever strategic flight routes between the key roosts to the east of the town and the underground sites west of the town. It specifies that the TBMS provides a scheme of mitigation which addresses impacts from each of the allocations in the plan alone and the in-combination impacts of these in combination with other development coming forward through neighbourhood plans, as rural exception sites and development within the settlement boundary. In view of the uncertainty surrounding bat use of the landscape, the TBMS takes a precautionary approach to allow appropriate

assessments for individual applications to be concluded favourably without delay, provided the principles are followed.

5.12 The HRA therefore concluded that the WHSAP would not have an adverse effect on the integrity of the Bath and Bradford Bats SAC alone or in combination with other plans or projects, subject to the adoption and delivery of the finalised TBMS and incorporation of the following within the policies for H2.1 – H2.6:

- Development at the allocation site will be subject to an approved masterplan and will meet the following requirements:
 - Core bat habitat will be protected and enhanced. Design and layout will be informed by appropriate surveys, impact assessments and the Trowbridge Bat Mitigation Strategy.
 - Appropriate mitigation to protect bats, including financial contributions towards management, monitoring and offsite measures as necessary, as informed by the Trowbridge Bat Mitigation Strategy.

5.13 In terms of recreational pressure, the HRA concluded that the WHSAP could have an adverse effect on the integrity of the Bath and Bradford on Avon Bats SAC both alone and in-combination with other planned development through increased recreational disturbance. The TBMS is supported by Natural England who consider the strategy to be sufficient but not excessive as a means of protecting the features of the SAC. The HRA states that it has been demonstrated through consultation and the examination in public for the WHSAP, that the TBMS is achievable and deliverable within an appropriate timescale. The HRA then stipulates that on this basis, it is considered that the Council may rely on the TBMS for the purposes of the appropriate assessment, and as such it can be concluded that the WHSAP would not have an adverse effect on the integrity of the Bath and Bradford on Avon Bats SAC alone or in-combination with other plans or projects subject to incorporation within the policy text of wording to ensure that the site allocations will be required to contribute proportionately to the TBMS.

5.14 Essentially, the HRA concluded that allocations would not lead to adverse effects alone or in-combination with other plans and projects provided that:

- Sensitive habitat features are retained and buffered by wide, dark, continuous habitat corridors;
- Other bat habitat e.g. grazing/arable land, is fully offset by creating new high quality bat habitat within the application boundary;
- Developments contribute to strategic mitigation offsite, to be delivered by Wiltshire Council, to address residual in-combination habitat impacts, and;
- Developments contribute to measures to offset in-combination increases in recreational pressure at publicly accessible woodlands used by breeding Bechstein's bats.

5.15 Mitigation criteria for retaining and buffering habitat within green field sites is detailed in the TBMS. Specific mitigation measures to address in-combination effects on habitats are also detailed in the TBMS and these will be secured with appropriate developer contributions and implemented through a scheme run by the Council.

5.16 The TBMS is supported by a study investigating recreational use of publicly accessible open spaces including the woodlands south of Trowbridge used by roosting Bechstein's bats. The findings suggest that residents from this NDP area do not tend to visit the woodlands used by Bechstein's bats. Rather they are most inclined to visit Southwick County Park.

5.17 The TBMS is intended to address impacts arising from the quantum of development coming forward from three categories of development: (i) allocations in the WHSAP, (ii) allocations in Neighbourhood Plans and (iii) windfall development within existing settlement boundaries. It identifies zones of

sensitivity for a) bat habitat and b) generation of recreational pressure at woodlands used by Bechstein's bats.

- 5.18 Apart from the area within the Southwick Village settlement boundary, the whole of the Southwick NDP area falls within the zone of medium sensitivity for damaging bat habitat with the consequence that any greenfield development outside the Southwick village settlement boundary could conflict with the conservation objectives for all three SAC bat species when considered alone and in-combination with other developments. In addition, the eastern half of the NDP area falls within a zone of medium risk for generating recreational pressure at the Bechstein's roost sites. It is therefore anticipated that new dwellings within this zone would lead to increased recreational pressure in-combination with other new development in and around Trowbridge.

Analysis of Policies in the NDP Screened into Appropriate Assessment

Policy 3: Southwick Country Park

- 5.19 Policy 3 will not itself lead to development and predominately seeks to protect Southwick Country Park, nevertheless, it does support the development of new recreational and ancillary facilities at the park. Although the policy stipulates three criteria that any development would need to meet, and this includes the requirement for a net gain in biodiversity, it fails to specify that compliance with the TBMS SPD would also be required for any new development at this greenfield site. The country park lies within the TBMS medium sensitivity zone in respect of bat habitat (yellow zone).
- 5.20 It is possible that undertaking developments within the country park to increase facilities for visitors could encourage visitors to the park whom may have otherwise visited the woodlands around Trowbridge that have been identified as being utilised by the local Bechstein's 'meta-population'; thereby potentially reducing visitor pressure on the aforementioned woodlands. Nonetheless, any planning application for development at the park which could result in the loss and/or degradation of habitat of importance for bats associated with the Bath and Bradford on Avon Bats SAC should comply with the requirements of the TBMS SPD. By not specifying the need to adhere to the TBMS, any development that comes forward as a result of the policy could lead to adverse impacts on the SAC alone and in-combination with other developments as a result of loss and/or degradation of habitat of importance to the SAC bat species for foraging, commuting and roosting. Furthermore, omission of reference to the need to comply with the TBMS means that Policy 3 does not align with Policy 2 or the approach taken for Policy 1.
- 5.21 Any planning application for development at Southwick Country Park would need to comply with the TBMS and the Habitats Regulations and would likely necessitate the undertaking of a project level appropriate assessment by the competent authority.
- 5.22 Given these issues, revised wording for the policy is recommended as the current wording does not reflect the requirements of the TBMS in respect of Trowbridge and the Bath and Bradford on Avon Bats SAC, or NDP Policy 2.

Recommendation for Policy 3: Southwick Country Park

It is recommended that the wording of Policy 3 is amended as follows:

"Southwick Country Park, as shown shaded on Map 2, will be protected from development for uses other than recreational and enhanced for recreation and wildlife where possible. Proposals to sustain or extend the viable use of the Southwick Country Park and the development of new recreational facilities, signage, maintenance and ancillary uses to meet local visitor needs and to enhance biodiversity will be supported providing that;

a) consultation with the community has been undertaken and support for the proposal has been demonstrated;
b) development complies fully with the guidance on survey, design, mitigation and developer contributions set out in the Trowbridge Bat Mitigation Strategy;
c) a net gain in biodiversity is delivered;
d) development complies with all other policies in the Development Plan.”

Policy 4: Local Green Space

- 5.23 Whilst this policy will not itself lead to development and does not support development within the three designated Local Green Spaces, it does set out two ‘*very special circumstances*’ in which development at these sites would in fact be supported. The policy does not, however, specify that compliance with the TBMS SPD would be required for any new development at these greenfield sites, even though Southwick Country Park and the Baptist Church Cemetery lie within the TBMS medium risk bat sensitivity zone in respect of habitat. Any planning application for development at these sites which could result in the loss and/or degradation of habitat of importance for bats associated with the Bath and Bradford on Avon Bats SAC must comply with the TBMS SPD.
- 5.24 By not specifying the need to adhere to the TBMS, any development that comes forward as a result of the policy could lead to adverse impacts on the SAC alone and in-combination with other developments as a result of loss and/or degradation of habitat of importance to the SAC bat species for foraging, commuting and roosting. Additionally, in not referring to the need to comply with the TBMS, Policy 4 does not align with Policy 2 or the approach taken for Policy 1. The policy does not appear to support new residential development at any of the Local Green Spaces and as such, potential recreational impacts on the woodlands that support Bechstein’s bat as a result of the policy are considered unlikely.
- 5.25 Any planning application for development at Southwick Country Park and/or the Baptist Church Cemetery would need to comply with the TBMS and the Habitats Regulations, and would likely necessitate the undertaking of a project level appropriate assessment by the competent authority.
- 5.26 In light of the above, revised wording for the policy is recommended as the current wording does not reflect the requirements of the TBMS in respect of Trowbridge and the Bath and Bradford on Avon Bats SAC, or NDP Policy 2.

Recommendation for Policy 4: Local Green Space

It is recommended that the wording of Policy 4 is revised as follows:

“Development proposals will not be supported on areas designated as Local Green Space identified below, other than in very special circumstances. These circumstances are:

- a) where there is an existing building/structure within the Local Green Space and the works are needed to maintain its viability/use into the future, including in accordance with Policy 5; or*
b) where the proposed development will be for the benefit of the community and will preserve the particular local significance of the space for which it was designated, including in accordance with Policy 5.

The area designated as Local Green Space (as identified on the map) is:

- Southwick Country Park*
- The Playing Fields*
- The Baptist Church Cemetery*

Any planning applications for development on Local Green Space must comply fully with the guidance on survey, design, mitigation and developer contributions set out in the Trowbridge Bat Mitigation Strategy. Southwick Country Park and the Baptist Church Cemetery fall within the zone of medium sensitivity in regard to habitat for species of bats which are features of the Bath and Bradford on Avon Bats SAC, as set out in the aforementioned strategy.”

Policy 5b: Site Allocation: Land of Wesley Lane

- 5.27 This policy allocates a 1.6 hectare greenfield site outside the settlement boundary on land adjacent to Wesley Lane for the development of approximately 27 dwellings. The site is located within the medium sensitivity zone for habitats as set out in the TBMS, and as such development at the site would lead to loss of bat habitat and potential effect on the Bath and Bradford on Avon Bats SAC. This matter is recognised in the supporting text to the policy.
- 5.28 Any proposals for new residential development on greenfield land must fulfil criteria set out in the TBMS in order to offset habitat loss and/or degradation and to demonstrate no adverse effect on the integrity of the SAC. Broadly speaking, the criteria are as follows:
- Provision of 100% mitigation for all greenfield habitat loss within the allocation site boundary as demonstrated by use of The Biodiversity Metric 2.0 or any subsequent revisions thereof.
 - Retained core habitat must remain connected to the wider habitat network and should be adequately buffered. Sensitive habitat features on/adjacent to allocation sites will be retained and buffered from development (including residential gardens) by wide, dark (<1 lux), continuous corridors of native landscaping which will allow for their long-term protection and favourable management in order to secure continued or future use by SAC bats.
 - Core bat habitat should remain relatively undisturbed by the effects of urbanisation.
 - Development will deliver new habitats to offset in-combination habitat losses due to the effect of ongoing urbanisation at a landscape scale, and a financial contribution towards the local planning authority (LPA) scheme set out in Appendix 1 to the TBMS to mitigate residual in-combination effects from loss/degradation of bat habitat will need to be collected.
- 5.29 The on-site measures required by the TBMS considerably reduces the housing capacity of allocation sites. Nonetheless, Policy 5b specifies that development of the site must *‘Deliver on-site mitigation in accordance with the TBMS to demonstrate that sufficient land can be set aside for habitat to mitigate for 100% of the land lost to the development footprint;...’* This is welcomed and a review of Map 8 within the NDP indicates that this will be achievable and would therefore comply with the requirements of the TBMS.
- 5.30 Notwithstanding the aforementioned inclusion of the need for mitigation within Policy 5b, planning applications for development on greenfield sites within the medium risk zone for habitat must also be supported by an appropriate level of survey; must ensure retained core habitat remains connected to the wider habitat network and is adequately buffered; must ensure core bat habitat remains relatively undisturbed; and must commit to a financial contribution to the LPA which will go towards the landscape scale scheme set out in Appendix 1 to the TBMS. Currently, Policy 5b sets out the requirement for the development to compensate for 100% of habitat lost and does not address the other aforementioned requirements. Moreover, Wiltshire Council’s ecology team put forward recommended policy wording in the last iteration of the HRA which stated that such allocated sites will

need to be surveyed and designed in accordance with the TBMS. This goes above and beyond the requirement currently set out in Policy 5b as it omits the requirement for an appropriate level of supporting survey and design in accordance with the TBMS. Thus, it is suggested that the policy wording is amended to include similar wording as that recommended in the previous iteration of the HRA, and also to stipulate the need for survey, retention and buffering of retained core bat habitat and the need for financial contribution from any respective developer. Given that the supporting text to the policy indicates that the allocation would be brought forward in full compliance with the guidance contained in the TBMS, as is necessary, amending the policy to more closely align with the criteria set out in the TBMS would be prudent.

Recommendation for Policy 5b: Site Allocation: Land of Wesley Lane

It is recommended that the wording in Policy 5b is amended to include the following, or similar wording (please note that only relevant sections of the policy and those needed for context are included below rather than the policy in its entirety):

“...Development of the site must:...

- *Be subject to survey, designed and mitigated in full accordance with the Trowbridge Bat Mitigation Strategy; including delivery of on-site mitigation for 100% of greenfield habitat loss and a financial contribution towards funding the local planning authority scheme set out in Appendix 1 to the TBMS;...”*

Policy 6: Additional Housing Development

- 5.31 This policy specifies that proposals for infill development outside of the sites identified by Policy 2 will be supported if they are within the Southwick Limits of Development. Firstly, it must be highlighted that the reference to Policy 2 appears to be incorrect as Policy 2 in the current version of the NDP pertains to Bat Conservation; presumably the policy should instead be referring to sites identified in current Policies 5a and 5b.
- 5.32 The TBMS only mitigates for “windfall” schemes if they are located within existing settlement boundaries where the loss of bat habitat will be minimal. The Council’s Strategy seeks to ensure that the loss of green field land is fully mitigated and to this end it has identified a specific quantum of off-site mitigation to deal with residual in-combination effects.
- 5.33 It is recognised that the policy has been amended to reflect the recommendation put forward by the Council’s ecology team in the previous iteration of the HRA of the NDP, however, the policy wording does not wholly align with that recommended and it should be noted that the terms ‘windfall development’ and ‘settlement boundary’ should be used rather than ‘infill development’ and ‘Limits of Development.’ It is recommended that the policy is amended as per the recommendation below (and as per the recommendation in the previous iteration of the HRA).
- 5.34 The policy now specifies that *‘Development should not be permitted in the open countryside unless it is for development permitted by the exceptions at paragraph 4.25 of the Core Strategy, is in accordance with the Trowbridge Bat Mitigation Strategy SPD, does not result in the loss in functionally linked habitat to the Salisbury Plain SAC/SPA and accords with the HRA and Mitigation Strategy for the Salisbury Plain SPA in relation to recreational pressure (sic) from residential development.’*
- 5.35 Paragraph 4.25 of the Wiltshire Core Strategy pertains to ‘exception policies’, and whilst Policy 6 does refer to the need for adherence to the TBMS, I must highlight that the TBMS states: *‘This strategy will therefore provide guidance for sites coming forward as rural exceptions (sic) sites under core policy 44 and through neighbourhood planning. The location and number of such dwellings is difficult to predict*

and therefore a precautionary approach must be taken towards their mitigation. While the numbers coming forward can be expected to be relatively limited, all such sites will be subject to assessments to ensure compliance with the TBMS and the Habitats Regulations.'

- 5.36 Therefore, of the 'exception policies' listed in paragraph 4.25, the TBMS only provides guidance for rural exception sites that may come forward under Policy 44. Moreover, any such proposed development on greenfield land within the NDP area, most of which falls within the medium risk zone for bat habitat, would need to demonstrate no adverse effect on the integrity of the SAC by means of implementing the measures set out within the TBMS, and a project level appropriate assessment undertaken by the competent authority.
- 5.37 Although no specific sites are identified in the policy, the whole NDP area lies within a zone of medium sensitivity for habitats associated with the Bath and Bradford on Avon Bats SAC, with the exception of Southwick Village as defined by the settlement boundary. Therefore, any application for development on a greenfield site that comes forward within the NDP area under Core Policy 44 as a 'rural exception site', has the potential to lead to impacts on individual sites (therefore alone) and in-combination with other development as a result of loss and/or degradation of habitat of importance to SAC bat species for foraging, commuting and roosting. Policy 6 requires that any such development in '*open countryside*' must accord with the TBMS, and I would concur that such adherence is absolutely necessary, as well as compliance with the Habitats Regulations.
- 5.38 Most of the settlement (defined by the settlement boundary) lies within the TBMS zone of medium risk for generating recreational pressure upon the woodlands that support Bechstein's bat roost sites. Therefore, any applications for windfall development within the settlement boundary have potential to lead to in-combination impacts with other developments as a result of an increase in recreational pressure on woodland sites used by Bechstein's bats. In addition, the eastern half of the NDP area lies within the medium risk zone for generating recreational pressure on the woodlands used by Bechstein's bats. As such, any applications that come forward for development of 'rural exception sites' outside of the settlement boundary on greenfield land within the eastern part of the NDP area, and which lie within both the medium risk zone for habitat loss and the medium risk zone for recreational pressure, would have potential to lead to adverse effects upon the SAC both alone and in-combination with other developments. Any such proposals must comply with the TBMS and the Habitats Regulations.
- 5.39 It is deemed that the risk of windfall development and rural exception sites contributing significantly to an increase in recreational pressure upon the woodlands used by Bechstein's bat is relatively low given the proximity of Southwick Country Park which would more likely be visited by local residents. Nonetheless, developer contributions would need to be secured for any new dwellings within the medium risk zone assessed from visitor data to be generating recreational pressure.
- 5.40 The previous version of the HRA recommended wording to be included within the supporting text to the policy and it is noted that this has been incorporated within the current draft of the NDP. However, as discussed above, the recommended amendment to the wording of the policy itself has not been entirely implemented, and there is now an incorrect policy reference within Policy 6. Furthermore, for the avoidance of doubt and purpose of clearly setting out the requirements that any windfall development within the settlement boundary would need to meet, as well as to ensure consistency with other policies, it is suggested that the requirement for such development to deliver a financial contribution (current mechanism would be via CIL) is clearly set out in the policy along with the other specified criteria. Suggested wording to cover this is set out below.

Recommendation for Policy 6: Additional Housing Development

It is recommended that the wording in Policy 6 is amended to include the following, or similar wording (please note that only relevant sections of the policy and those needed for context are included below rather than the policy in its entirety):

“Proposals for windfall development outside of the sites identified by Policy 5a and 5b will only be supported if they are within the Southwick Village settlement boundary and where such development: ...

e) complies with the other policies within the development plan; and

f) will make a financial contribution from the developer towards mitigating residual in-combination effects from recreational pressure as set out in the Trowbridge Bat Mitigation Strategy...”

Policy 10: Infrastructure and Developer Contributions

- 5.41 This policy sets out the community’s priorities for spending on local infrastructure and specifies that all new housing and employment development proposals in the NDP area will be expected to contribute to local infrastructure. The policy sets out five local priorities to be addressed via either Section 106 agreements or CIL funding.
- 5.42 Although most of the local priorities listed in Policy 10 would largely have no potential adverse impact upon bats and the SAC, and in fact priority number 4 could provide a benefit for bats as it requires tree and hedgerow planting, provision of ponds and others features beneficial to biodiversity, it is noted that the policy does not stipulate the need for compliance with the TBMS SPD. This is despite the supporting text to the policy acknowledging that schemes to improve public facilities and access routes could lead to impacts on bats, particularly where accompanied by new lighting or where habitat is affected, and the supporting text therefore stating that *‘proposals should consider the guidance contained in the Trowbridge Bat Mitigation Strategy and planning applications will need to demonstrate there will be no adverse effect on bats from the proposal along and in combination with other development.’*
- 5.43 The potential for effects on habitats used by SAC bat species for foraging, commuting or roosting was also identified in the previous iteration of the HRA, and as such the requirement for any improvements to local infrastructure to fully comply with the TBMS should be clearly set out within the policy. Although the policy will not itself lead to development, it does seek to secure improvements to local infrastructure alongside any proposals for residential or employment development. The whole NDP area, aside from the settlement (as defined by the settlement boundary) lies within the TBMS medium risk zone in terms of habitat loss, and the eastern half of the NDP area including most of the settlement, lies within the TBMS medium risk zone in terms of recreational pressure.
- 5.44 On account of Policy 10 not stipulating the requirement to adhere to the TBMS, any proposals for development of local infrastructure that come forward as a result of the policy could lead to adverse impacts on the SAC alone and in-combination with other developments as a result of loss and/or degradation of habitat of importance to the SAC bat species for foraging, commuting and roosting. Furthermore, by not referring to the need to comply with the TBMS, Policy 10 does not align with Policy 2 or the approach taken for Policy 1. It is deemed that the policy would be unlikely to lead to recreational impacts on the woodlands that support Bechstein’s bats as new residential development would not come forward as a result of the policy.
- 5.45 Due to the above, revised wording for the policy is recommended in order to address the potential for effects arising on account of Policy 10, and to ensure the policy accords with the TBMS, and NDP Policy 2.

Recommendation for Policy 10: Infrastructure and Developer Contributions

It is recommended that the wording in Policy 10 is revised as follows, or that similar wording is used:

“All new housing and employment development proposals in the area will be expected to contribute towards local infrastructure in proportion to their scale and in accordance with National and Wilshire Core Strategy policy. Local priorities, which may apply to either section 106 or CIL funding are as follows (not in order of importance):

- 1. Improvements to sustainable transport, including footpaths, cycle ways, bus services and charging points for electric vehicles including mobility scooters;*
- 2. Support for provision of enhanced local drainage for surface water and foul water;*
- 3. Improvements to safe crossing pedestrian crossing points;*
- 4. Enhancement of tree and hedgerow planting, provision of ponds or other features beneficial to biodiversity;*
- 5. Support for the provision of a post office.”*

Any local infrastructure proposals should comply fully with the guidance on survey, design, mitigation and developer contributions set out in the Trowbridge Bat Mitigation Strategy. Associated planning applications will need to demonstrate there would be no adverse effect on the integrity of the Bath and Bradford on Avon Bats SAC from the application alone and in-combination with other development.”

Conclusion for the Bath and Bradford on Avon Bats SAC

- 5.46 On the basis that the recommendations set out above for each of the policies taken forward to appropriate assessment, are incorporated into the NDP, it is deemed possible to conclude, beyond reasonable scientific doubt, that there would be no adverse effects on the Bath and Bradford on Avon Bats SAC, alone or in-combination with other plans and projects as a result of the Southwick NDP.

6 Appropriate Assessment – Salisbury Plain SPA

Background to the Salisbury Plain SPA

- 6.1 Salisbury Plain SPA encompasses a plateau of chalk grassland, which supports the following SPA features: breeding common quail, Eurasian hobby, stone-curlew and non-breeding hen harrier. Details of the conservation objectives are available online <http://publications.naturalengland.org.uk/publication/5745803545018368>. The current version is dated 30 June 2014. More recently Natural England has published Supplementary Advice on conserving and restoring the site features¹⁰ and this is available from the same weblink. This recognises that often active and ongoing conservation management is needed to protect, maintain and restore the function of supporting habitat both within and outside the SPA in order to sustain the stone curlew population. The MoD estate and other landowners through Environmental Stewardship are actively involved in delivering these measures.
- 6.2 Evidence from research has demonstrated that stone-curlew is particularly susceptible to recreational pressure. Mitigation for the impacts of the Core Strategy was agreed with Natural England in 2012 and comprised Council funding for monitoring breeding bird numbers and liaising with farm managers to

¹⁰ Supplementary Advice on Conserving and Restoring Site Features: Salisbury Plain Special Protection Area (SPA) Site Code UK9011102 dated 27 October 2017

maximise breeding success. As a consequence, the HRA for the Core Strategy which was supported by a strategic HRA for housing development¹¹ was able to conclude no adverse effect.

Projects and Plans to be Considered In-Combination

6.3 The screening assessment in Section 4 above found that the Southwick NDP would not lead to significant effects on the Salisbury Plain SPA alone. Impacts would only occur in combination with other plans and projects. The following plans and projects have been taken into consideration:

- Wiltshire Core Strategy (Adopted January 2015).
- Wiltshire Housing Site Allocations Plan (WHSAP) (Council Version, February 2020) adopted by Full Council on 25th February 2020.
- Army basing Programme delivering 917 dwellings at 4 sites in close proximity to the Plain

HRA for the Adopted Wiltshire Housing Site Allocations Plan

6.4 Evidence from a visitor survey commissioned by the Council in 2015 demonstrated that 75% of visitors accessing the plan lived within 6.4km of the SPA boundary and 1% of the population within that distance would be expected to visit on a regular basis. Using these findings the HSAP HRA¹² calculated that the housing sites plan would increase visitor numbers to the Plain by 1% over the estimates calculated for the Core Strategy. This figure incorporated a number of precautionary assumptions to counteract any constraints of the data used. Taking the favourable condition of the SPA into consideration, it was considered that existing mitigation measures in place for the Core Strategy would continue to provide an effective, timely and reliable means of mitigating any additional effects from the HSAP should they arise.

Analysis of NDP Policy 6: Additional Housing Development Screened into Appropriate Assessment

6.5 Policy 6 stipulates that proposals for infill development outside of the sites identified by Policy 2 will be supported if they are within the Southwick Limits of Development. As discussed earlier in this document, it must be highlighted that the reference to Policy 2 appears to be incorrect as Policy 2 in the current version of the NDP pertains to Bat Conservation; presumably the policy should instead be referring to sites identified in current Policies 5a and 5b.

6.6 As also discussed above, it is recognised that Policy 6 has been amended to reflect the recommendation put forward by the Council's ecology team in the previous iteration of the HRA of the NDP. However, the policy wording does not wholly align with that which was recommended, and it should be noted that the terms 'windfall development' and 'settlement boundary' should be used rather than 'infill development' and 'Limits of Development' respectively. It is recommended that the policy is amended as per the recommendation below (and as per the recommendation in the previous iteration of the HRA).

6.7 The southeast section of the NDP area lies within 6.4km of Salisbury Plain SPA and as such any new residential development within this section of the plan area has potential to result in a likely significant effect on the SPA in-combination with other plans and/or projects.

6.8 Policy 6 anticipates that any windfall sites coming forward would be within the settlement boundary and stipulates that such development should be *'of a scale and form in keeping with surrounding*

¹¹ HRA and Mitigation Strategy for Salisbury Plain SPA (in relation to recreational pressure from redevelopment), Wiltshire Council, 30 March 2012

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

properties.’ Nonetheless, a threshold or maximum number of residential properties that would be considered acceptable is not specified in the policy or supporting text.

- 6.9 The policy goes on to specify that: *‘Development should not be permitted in the open countryside unless it is for development permitted by the exceptions at paragraph 4.25 of the Core Strategy,..., does not result in the loss in functionally linked habitat to the Salisbury Plain SAC/SPA and accords with the HRA and Mitigation Strategy for the Salisbury Plain SPA in relation to recreational pressure (sic) from residential development.’* If any such ‘rural exception sites’ were to come forward within the section of the NDP area that coincides with the 6.4km buffer round the SPA, it is likely that the numbers of dwellings proposed would be small.
- 6.10 Furthermore, the part of the NDP area which lies within 6.4 km of Salisbury Plain SPA lies outside the limits of large and small villages and comprises almost exclusively farm complexes. As such it is unlikely that development will come forward in this area other than as rural exception sites, which as discussed above, would likely be for small numbers of dwellings. The current mitigation scheme will therefore be adequate to ensure no effects on the Salisbury Plain SPA due to an increase in visitor/recreational pressure.

Recommendation for Policy 6: Additional Housing Development

No changes to the policy are required aside from the policy reference correction and amendments to terminology discussed above. In order to address these points, it is recommended the policy is revised as follows (please note that only relevant sections of the policy and those needed for context are included below rather than the policy in its entirety):

*“Proposals for windfall development outside of the sites identified by Policy 5a and 5b will only be supported if they are within the Southwick Village settlement boundary and where such development:
...”*

Conclusion for the Salisbury Plain SPA

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

Prepared by Emma Fisher, Ecologist, Wiltshire Council
28th October 2020