

Dilton Marsh Neighbourhood Plan

Report to Inform Habitats Regulations Assessment

Dilton Marsh Parish Council

November 2023

Quality information

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Revision History

Revision	Revision date	Details	Authorized	Name	Position
0	27/10/23	Draft issued for Client comment	JR	James Riley	Technical Director
1	06/12/23	Updated following receipt of client comments (Hollie Sturgess)	JR	James Riley	Technical Director

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1. Introduction

- 1.1 AECOM was appointed by Dilton Marsh Parish Council to undertake a Report to Inform the Habitats Regulations Assessment (HRA) of the Dilton Marsh Neighbourhood Development Plan (DMNP) 2020-2038. This is to inform the planning group and local council (Wiltshire Council, as competent authority) of the potential effects of Neighbourhood Development Plan (NP) development on Habitats Sites (Special Areas of Conservation, SACs, Special Protection Areas, SPAs, and Ramsar sites designated under the Ramsar convention), and how they are being, or should be, addressed in the draft NP.
- 1.2 The DMNP contains policies on green spaces and the natural environment; on the community and leisure; on heritage and protection for historical features in the community; policies to encourage employment and others on transport addressing the needs of residents who have a variety of reasons to travel.
- 1.3 For the purpose of informing this report, policies contained within the Wiltshire Core Strategy, which is the current Local Plan at the time of writing (adopted in January 2015), and information within the Wiltshire Housing Site Allocations Plan Assessment under the Habitats Regulations (February 2020) and the HRA and Mitigation Strategy for Salisbury Plain SPA - in relation to recreational pressure from residential development (Reviewed May 2018) have been referenced.
- 1.4 The Wiltshire Core Strategy is the overarching planning policy framework for Wiltshire for the period up to 2026.
- 1.5 The objective of this report is to identify if any site allocations and/or policies proposed in the DMNP have the potential to cause Likely Significant Effects (LSEs) and, where identified, adverse effects on the integrity of Habitats Sites, either in isolation or in combination with other plans and projects, and to determine whether site-specific or policy mitigation measures are required.

Legislative Context

- 1.6 The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). This established a transition period, which ended on 31 December 2020. The Withdrawal Act retains the body of existing EU-derived law within our domestic law. Habitats Regulations Assessment will continue as set out in the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019¹.
- 1.7 The HRA process applies the 'Precautionary Principle'² to Habitats (previously known as European) sites. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the Habitats site(s) in question. Plans and projects with predicted adverse impacts on Habitats sites may still be permitted if there are no alternatives to them and there are Imperative Reasons of Over-riding Public Interest (IROPI) as to why they should

¹ these don't replace the 2017 Regulations but are just another set of amendments

² The Precautionary Principle, which is referenced in Article 191 of the Treaty on the Functioning of the European Union, has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: "*When human activities may lead to morally unacceptable harm [to the environment] that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis*".

go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

- 1.8 The need for Appropriate Assessment (**Box 1**) is set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

Box 1: The legislative basis for Appropriate Assessment

Conservation of Habitats and Species Regulations 2017 (As Amended)

With specific reference to Neighbourhood Plans, Regulation 106(1) states that:

"A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority [the Local Planning Authority] may reasonably require for the purpose of the assessment under regulation 105... [which sets out the formal process for determination of 'likely significant effects' and the appropriate assessment]."

- 1.9 It is therefore important to note that this report has two purposes:

- To assist the Qualifying Body (Dilton Marsh Parish Council) in preparing their plan by recommending (where necessary) any adjustments required to protect Habitats sites, thus making it more likely their plan will be deemed compliant with the Conservation of Habitats and Species Regulations 2017 (as amended); and
- On behalf of the Qualifying Body, to assist the Local Planning Authority (Wiltshire Council) to discharge their duty under Regulation 105 (in their role as 'plan-making authority' within the meaning of that regulation) and Regulation 106 (in their role as 'competent authority') and undertake the formal Habitats Regulations Assessment decision.

- 1.10 As 'competent authority', the legal responsibility for ensuring that a decision of LSEs is made, an 'Appropriate Assessment' (where required) is undertaken, and Natural England are consulted, falls on the local planning authority. However, they are entitled to request from the Qualifying Body the necessary information on which to base their judgment and that is a key purpose of this report.

- 1.11 Over the years, the term 'Habitats Regulations Assessment' (HRA) has come into wide currency to describe the overall process set out in the Habitats Regulations, from screening through to identification of IROPI. This has arisen in order to distinguish the overall process from the individual stage of "Appropriate Assessment". Throughout this report the term HRA is used for the overall process and restricts the use of Appropriate Assessment to the specific stage of that name.

Quality Assurance

- 1.1 This report was undertaken in line with AECOM's Integrated Management System (IMS). Our IMS places great emphasis on professionalism, technical excellence, quality, environmental and Health and Safety management. All staff members are committed to establishing and maintaining our certification to the international standards BS EN ISO 9001:2015 and 14001:2015, and ISO 44001:2017 and ISO 45001:2018. In addition, our IMS requires careful selection and monitoring of the performance of all sub-consultants and contractors.

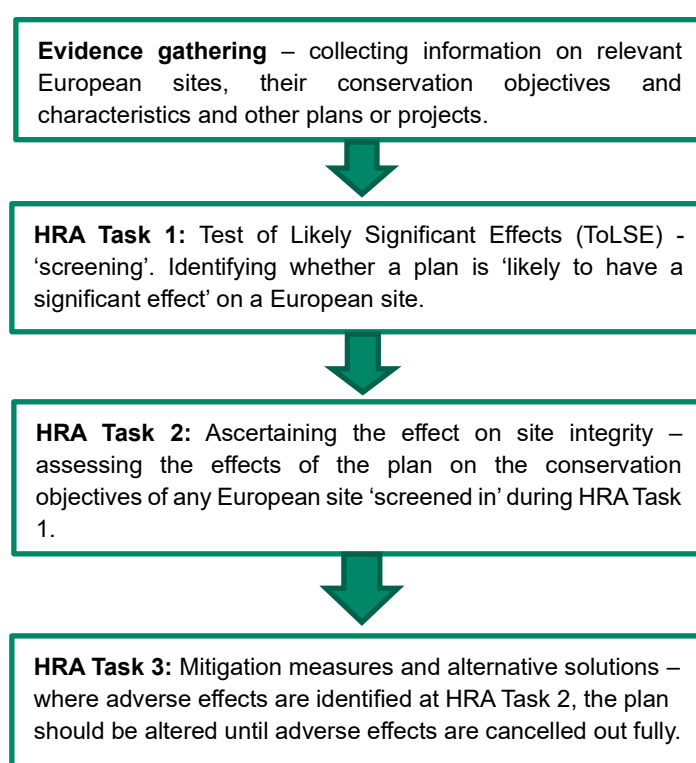
- 1.2 All AECOM Ecologists working on this project are members (at the appropriate level) of the Chartered Institute of Ecology and Environmental Management (CIEEM) and follow their code of professional conduct (CIEEM, 2017).

2. Methodology

Introduction to HRA Methodology

- 2.1 The HRA will be carried out with reference to the general EC guidance on HRA³ and that of the UK government⁴.
- 2.2 **Figure 1** below outlines the stages of HRA. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the Plan until no significant adverse effects remain.

Figure 1. Four Stage Approach to Habitats Regulations Assessment. Source EC, 2011.



Description of HRA Tasks

HRA Task 1 – Test of Likely Significant Effects (ToLSE)/ Screening

- 2.3 Following evidence gathering, the first stage of any Habitats Regulations Assessment is a Test of Likely Significant Effects (ToLSE) test - essentially a brief, high-level assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

“Is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon Habitats sites?”

³ European Commission (2001): Assessment of plans and projects significantly affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive.

⁴ <https://www.gov.uk/guidance/appropriate-assessment>

- 2.4 The objective is to ‘screen out’ those plans and projects that can, without any detailed appraisal, be concluded to be unlikely to result in significant adverse effects upon Habitats sites, usually because there is no mechanism for an adverse interaction.
- 2.5 The ToLSE is based on identification of the impact source, the pathway of impact to receptors and then confirmation of the specific Habitats Site receptors. These are normally designated features but also include habitats and species fundamental to those designated features achieving favourable conservation status (notably functionally linked land outside the Habitats site boundary).
- 2.6 In the Waddenzee case⁵, the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive, including that:
- An effect should be considered ‘likely’, *“if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site”* (para 44);
 - An effect should be considered ‘significant’, *“if it undermines the conservation objectives”* (para 48); and
 - Where a plan or project has an effect on a site *“but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned”* (para 47).
- 2.7 The ToLSE consists of two parts: firstly, determining whether there are any policies that could result in negative impact pathways and secondly establishing whether there are any Habitats Sites that might be affected. It identifies Habitats designated sites that could be affected by the Plan and also those impact pathways that are most likely to require consideration.
- 2.8 It is important to note that the ToLSE must generally follow the precautionary principle as its main purpose is to determine whether the subsequent stage of ‘Appropriate Assessment’ (i.e., a more detailed investigation) is required.

Screening methodology

- 2.9 In line with other Neighbourhood Plan HRAs undertaken by Wiltshire Council, each element of the plan has been categorised against screening criteria developed by DTA Publications Ltd as documented in their Habitats Regulations Assessment Handbook, to provide a clear audit trail for the screening assessment.
- 2.10 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 Habitats 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

⁵ Case C-127/02

later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on Habitats sites and associated sensitive areas.

- Category B: No Likely Significant Effects.
- Category C: Likely Significant Effects alone; and
- Category D: Likely Significant Effects in combination.

Confirming Other Plans and Projects That May Act 'In Combination'

2.11 It is a requirement of the Regulations that the impacts of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the Habitats site(s) in question.

2.12 In considering the potential for combined regional housing development to impact on Habitats sites the primary consideration is the impact of visitor numbers – i.e., recreational pressure and urbanisation.

2.13 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e., to ensure that those projects or plans (which in themselves may have minor impacts) are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore of greatest relevance when the plan or policy would otherwise be screened out because its individual contribution is inconsequential.

2.14 The following plans are considered to have the potential to act in combination with the DMNP.

Wiltshire Core Strategy

2.15 The Wiltshire Core Strategy HRA (October 2009, February 2012⁶, March 2013⁷, February 2014⁸ and April 2014⁹) identified general parameters to determine the likelihood of potential impacts on Habitats sites. The following potential impact pathways and associated parameters were identified and assessed for the European (Habitats) sites stipulated below:

Recreation – European (Habitats) sites within 5 km of the plan area, or where Salisbury Plain SPA/SAC is within 6.4 km of the plan area (it should be noted that the relevant parameter for the latter was originally 15 km but was subsequently revised on the basis of data obtained by means of visitor surveys). These are:

- Salisbury Plain Special Area of Conservation (SAC) / Special Protection Area (SPA)
- River Avon SAC
- New Forest SAC / SPA
- Bath and Bradford on Avon Bats SAC (added post adoption of Wiltshire Core Strategy)

⁶ Wiltshire Core Strategy Submission Draft – Assessment under the Habitats Regulations, Wiltshire Council, February 2012

⁷ Wiltshire Core Strategy – Assessment under the Habitats Regulations, Wiltshire Council, March 2013

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

⁹ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

Hydrology / Hydrogeology - Sites that fall wholly or partly within the Wessex Water Resource Zone and the catchment of the River Test may be susceptible to impact. These are:

- 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
- Solent Maritime SAC (River Test drains into Solent)
- Solent and Southampton Water SPA (River Test drains into Solent)
- Chichester and Langstone Harbours SPA (River Test drains into Solent)
- Portsmouth Harbour SPA (River Test drains into Solent)

Air Pollution / Nitrogen Deposition – European (Habitats) sites within 200m of a main road. These are:

- Porton Down SPA
- Salisbury Plain SAC / SPA
- Solent and Southampton Water SPA
- North Meadow and Clattinger Farm SAC o River Avon SAC
- Rodborough Common SAC
- Cotswolds Beechwoods SAC

Physical Damage / Interruption of Flight Lines / Disturbance. Relevant European sites are:

- 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

2.16 Since the Core Strategy was adopted, Wiltshire Council published 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. 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).

- 2.17 The screening criteria for the adopted WHSAP and final HRA were modified for some Habitats 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 screening assessment (Test of Likely Significant Effects) in this report applies the most up to date criteria available from the WHSAP and HRA.
- 2.18 Furthermore, since the Core Strategy was adopted, Natural England 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 damage. Natural England 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. Natural England considers that the mounting recreational pressure in the SAC is primarily 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.
- 2.19 A review of the Core Strategy is currently underway, the Wiltshire Local Plan Review¹⁰ and is due for publication for pre-submission consultation in the period Q3 2023 to Q2 2024.

HRA Task 2 – Appropriate Assessment

- 2.20 Where it is determined that a conclusion of 'no Likely Significant Effects' cannot be drawn, the analysis must proceed to the next stage of HRA known as Appropriate Assessment. Case law has clarified that 'Appropriate Assessment' is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to Appropriate Assessment rather than ToLSE. Appropriate Assessment refers to whatever level of assessment is appropriate to form a conclusion regarding effects on the integrity (coherence of structure and function) of Habitats Sites in light of their conservation objectives.
- 2.21 By virtue of the fact that it follows the ToLSE process, there is a clear implication that the analysis will be more detailed than undertaken at the previous stage. One of the key considerations during Appropriate Assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the Appropriate Assessment would take any policies or allocations that could not be dismissed following the high-level ToLSE analysis and evaluate the potential for an effect in more detail, with a view to concluding whether there would actually be an adverse effect on site integrity (in other words, disruption of the coherent structure and function of the Habitats site(s)).
- 2.22 In 2018 the Holohan ruling¹¹ handed down by the European Court of Justice included among other provisions paragraph 39 of the ruling stating that '*As regards other habitat types or species, which are present on the site, but for*

¹⁰ Wiltshire Local Plan Review <https://www.wiltshire.gov.uk/article/8037/The-Local-Plan-review#:~:text=Scope%20of%20the%20Wiltshire%20Local,economic%2C%20social%2C%20and%20environmental%20priorities> [Accessed Oct 2023]

¹¹ Case C-461/17

which that site has not been listed, and with respect to habitat types and species located outside that site, ... typical habitats or species must be included in the appropriate assessment, if they are necessary to the conservation of the habitat types and species listed for the protected area' [emphasis added].

- 2.23 In evaluating significance, AECOM will rely on professional judgement as well as the results of bespoke studies, supported by appropriate evidence/data, and previous stakeholder consultation regarding the impacts of development on the Habitats Sites considered within this assessment.

HRA Task 3 – Mitigation

- 2.24 Where necessary, measures will be recommended for incorporation into the Plan in order to avoid or mitigate adverse effects on Habitats sites. There is considerable precedent, both nationally and locally, concerning the level of detail that a Plan document needs to contain regarding mitigation for recreational impacts on Habitats sites, for example. The implication of this precedent is that it is not necessary for all measures that will be deployed to be fully developed prior to adoption of the Plan, but the Plan must provide an adequate policy framework within which these measures can be delivered.
- 2.25 In evaluating significance, AECOM has relied on professional judgement, the Core Strategy HRA and the Wiltshire Housing Site Allocations Plan HRA regarding development impacts on the Habitats sites considered within this assessment.
- 2.26 When discussing 'mitigation' for a Neighbourhood Plan document, one is concerned primarily with the policy framework to enable the delivery of such mitigation rather than the detail of the mitigation measures themselves since the Local Development Plan document is a high-level policy document. A Neighbourhood Plan is a lower-level constituent of a Local Development Plan.

3. Test of Likely Significant Effects

Screening of the Dilton Marsh NP

- 3.1 The Habitats sites considered relevant to the Dilton Marsh NP are shown on Figure A.1, Appendix A and the potential pathways of impact are discussed below.

Recreation

- 3.2 Dilton Marsh is approximately 3.5 km away from the Salisbury Plain SPA. The whole of the Dilton Marsh Neighbourhood Area (and therefore the housing allocations included in the NP) is therefore located within the Salisbury Plain SPA 6.4 km buffer¹². While the Stone Curlew Mitigation Strategy has been developed to mitigate recreational pressure within the SPA, this mitigation strategy cannot be taken into consideration at the screening stage due to the People over Wind ruling. Therefore, the policies which allocate land for development have been screened into Appropriate Assessment.
- 3.3 However, the closest part of the NP area allocated for development is located approximately 2.5 km from the boundary of the Salisbury Plain SAC. Given the distance, restricted public access, and the fact that the SAC interest features have not been identified in the Site Improvement Plan¹³ as being at risk of damage due to housing growth, it is unlikely that the allocations in the NP would result in LSEs on the SAC. Effects on the SAC were also screened out of Appropriate Assessment in the HRA of the overarching Core Strategy, on the advice of Natural England.
- 3.4 The Dilton Marsh NP area is located approximately 5 km from the River Avon SAC at its closest point. The closest development is allocated or proposed is 6.5 km from the River Avon SAC. Therefore, as this is outside of the 5 km buffer zone defined in The Wiltshire Core Strategy HRA, the potential for LSEs on the River Avon SAC due to the NP has been screened out.
- 3.5 The entirety of the NP area is located within the 4 km core roost buffer¹⁴ for a greater horseshoe bat roost in Westbury Leigh, which is a component part of the Bath and Bradford on Avon Bats SAC. Because the roost is located within a private house, there is no potential for an increase in recreational access to this site.
- 3.6 The northern part of the Dilton Marsh NP Area is also located within the grey hatched zone set out in the Trowbridge Bat Mitigation Strategy (TBMS, February 2021) Supplementary Planning Document (SPD)¹⁵ and a small area to the north is adjacent to the yellow zone of the TBMS. The TBMS seeks to reduce the potential for impacts on the woodlands around Trowbridge which are functionally linked to the Bath and Bradford on Avon Bats SAC for Bechstein's bats. The sites allocated for development within the Dilton Marsh NP are further south than

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

¹³ <http://publications.naturalengland.org.uk/publication/5384236060114944>

¹⁴ <https://www.wiltshire.gov.uk/media/3928/Trowbridge-Bat-Mitigation-Strategy-SPD/pdf/whsap-trowbridge-bat-mitigation-strategy.pdf?m=637273390249630000>

¹⁵ <https://www.wiltshire.gov.uk/media/3928/Trowbridge-Bat-Mitigation-Strategy-SPD/pdf/whsap-trowbridge-bat-mitigation-strategy.pdf?m=637273390249630000>

either the grey or yellow zone. However, there remains the potential for LSEs on the Bath and Bradford on Avon Bats SAC due to additional recreational pressure as a result of policies in the NP and these have been screened in for Appropriate Assessment in the table below.

- 3.7 All other Habitats Sites considered regarding recreational pressure in the Core Strategy HRA have been screened out from Appropriate Assessment due to the long distances to the NP area. For example, the NP area is located well beyond the 13.8 km core recreational catchment zone surrounding the New Forest SAC and SPA, from which the majority of day visitors to the New Forest originate¹⁶.

Water Abstraction

- 3.8 The Dilton Marsh NP allocates a minimum of 48 residential dwellings and a relatively small amount of employment floorspace, which will increase the demand for potable water across the parish. As identified above, the NP area lies within 5 km of the River Avon SAC, which is designated for the feature 'river with floating vegetation' and several fish species (e.g., Atlantic salmon). Maintaining adequate river flows within naturally occurring limits is particularly important for anadromous fish that require sufficient hydrological connectivity to reach their upstream spawning grounds. Natural England's Site Improvement Plan (SIP) for the SAC identifies water abstraction as a pressure / threat to the integrity of the site. Parts of the river system, particularly the upper reaches, are already experiencing lower than normal flow conditions and the SIP and Habitats Site Conservation Objectives: Supplementary advice on conserving and restoring site features targets the restoration of river flows to favourable/ natural flow condition.
- 3.9 Wessex Water supplies water to Neighbourhood Area and have undertaken the process of creating a Water Resource Management Plan (WRMP) which sets out how demand will be met and how the environment will be protected over the next 25 years. These are updated every 5 years. Wessex Water's current WRMP was published in August 2019 and was accompanied by an HRA¹⁷. Their final package of measurements consisted of demand management schemes (e.g., water metering and water efficiency measures) which would not result in new development or an increase in abstraction. Therefore, it was concluded that the WRMP would not have a significant effect upon Habitats sites. Given that the WRMP sets out how Wessex Water intend to provide a sustainable water supply to the c. 2 million people and 50,000 businesses in their supply area to 2045 (i.e., beyond the Neighbourhood Plan period) and take account of both population growth and climate change it is unlikely that growth within the Neighbourhood Plan will cause a likely significant effect on any water resource sensitive Habitats site even in combination with growth across the Wessex Water supply area.
- 3.10 Overall, LSEs of the housing and employment allocations contained in the NP on the River Avon SAC regarding water abstraction can be excluded.

Phosphorus

- 3.11 The Avon Valley and River Site Improvement Plan¹⁸ identifies water pollution as a pressure/ threat to the features of interest, with the main issue being the levels of phosphorus (P). The Dilton Marsh Neighbourhood Area lies within 5 km of the

¹⁶ Wiltshire Core Strategy Updated Habitats Regulations Assessment, April 2014

¹⁷ Ricardo (2017) Wessex Water: Draft Water Resources Management Plan (dWRMP) 2019– Habitats Regulation Assessment, Stage 1 Screening

¹⁸ [Site Improvement Plan: Avon River and Valley - SIP185 \(naturalengland.org.uk\)](https://www.naturalengland.org.uk/About-us/Our-work/Planning-and-policy/Site-Improvement-Plan-Avon-River-and-Valley-SIP185)

River Avon SAC therefore increased development could potentially have an adverse effect in terms of water pollution on this Habitats site.

- 3.12 Elevated levels of phosphorus can cause increased growth of algae and large aquatic plants, which can result in decreased levels of dissolved oxygen – a process called eutrophication. High levels of phosphorus can also lead to algal blooms that produce toxins which can be harmful to human and animal health.
- 3.13 In preparing the Wiltshire Housing Site Allocations Plan (adopted February 2020), Wiltshire Council made assurances through a memorandum of understanding with Natural England, Environment Agency and other Local Planning Authorities that development would be phosphate neutral to ensure no adverse impact on the River Avon SAC. Phosphate neutral development means that any residual phosphates from foul water discharge arising from occupation of residential developments (e.g., that which can't be stripped out at sewerage treatment works (STW)) can be offset through mitigation to reduce phosphates entering the watercourse upstream of the point at which the relevant STW discharges into the river.
- 3.14 The EA Catchment Data Explorer website¹⁹ shows that Dilton Marsh WwTW discharges northward into the Severn River Basin District and has no hydrological linkage with the River Avon SAC. It can therefore be concluded that the proposals for housing in this NP would not have an adverse effect on this Habitats site as a result of water pollution.

Air Pollution/ Nitrogen Deposition

- 3.15 The Wiltshire Core Strategy HRA identified that increased traffic would lead to potential effects through an increase in atmospheric pollution and nitrogen deposition upon a range of Habitats sites within 200 m of major commuter roads. Such effects were considered to be very small and difficult to predict at the strategic level²⁰ (WCS HRA Update February 2014).
- 3.16 Residential development within the Dilton Marsh Neighbourhood Area could decrease air quality through increased emissions from vehicle exhausts. There are two measures of relevance regarding air quality impacts from vehicle exhausts. The first is the concentration of oxides of nitrogen (known as NO_x) in the atmosphere. In extreme cases NO_x can be directly toxic to vegetation but its main importance is as a source of nitrogen, which is then deposited on adjacent habitats. The guideline atmospheric concentration advocated by Government for the protection of vegetation is 30 micrograms per cubic metre (µg m⁻³), known as the Critical Level, as this concentration relates to the growth effects of nitrogen derived from NO_x on vegetation.
- 3.17 The routes that nitrogen deposition impacts habitats and vegetation as described above are through environmental changes, toxicity and the movement of nitrogen through trophic levels. Another route of effect is through nitrogen acidification. A study undertaken by Maskell et al (2010)²¹ observed that with increasing acid deposition from NO_x there was a decrease in species richness within heathland. Acid deposition can have serious impacts to the health of soil structure and the

¹⁹ <https://environment.data.gov.uk/catchment-planning/search/near?name=Dilton+Marsh¢er=51.24767541266418%2C-2.216333731500622> [Accessed 25 Sep 23]

²⁰ Update to the Wiltshire Core Strategy Habitats Regulations Assessment, February 2014 (Exam/89)

²¹ Maskell, L.C., Smart, S.M., Bullock, J.M., Thompson, K.E.N. and Stevens, C.J., (2010). Nitrogen deposition causes widespread loss of species richness in British habitats. *Global Change Biology*, 16(2), pp.671-679.

microbial communities found here. These species carry out a natural decaying process known as nitrification (converting ammonium to nitrate) that generates acidity. However, when in combination with acid deposition from NO_x pollution the soil pH may become too acidic for specialised plant communities to survive and result in a net decrease in biodiversity²². Acidification tends to be more of an issue for acid substrates, which have poor buffering capacity (i.e., heathland), than neutral or calcareous substrates.

- 3.18 A zone of 10 km is typically used to screen in Habitats sites vulnerable to reductions in air quality. This is based on the average UK car journey being approximately 10.6 km. According to the Department of Transport's Transport Analysis Guidance, "*beyond 200m (from the road centre), the contribution of vehicle emissions from the roadside to local pollution levels is not significant*".

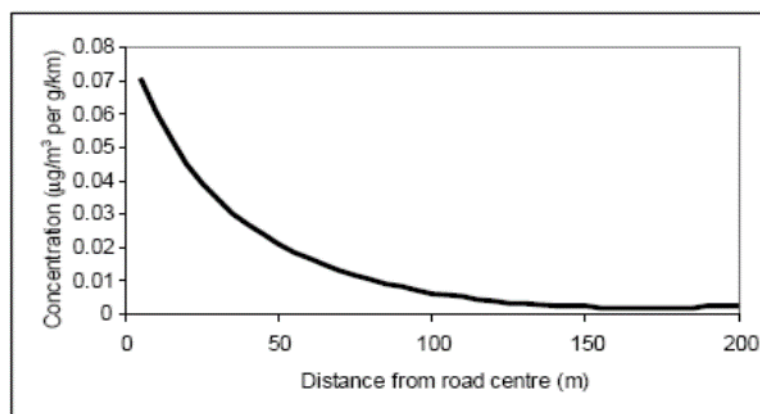


Figure 2: Traffic contribution to concentrations of pollutants at different distances from a road
 (Source: www.dft.gov.uk/ha/standards/dmr/vol11/section3/ha20707.pdf)

- 3.19 These are therefore the distances that have been used in this HRA in order to determine whether Habitats sites are likely to be significantly affected by traffic generated by development under the NP.
- 3.20 All Habitats Sites listed above, except Salisbury Plain SAC/SPA and River Avon SAC are a considerable distance from the NP area.
- 3.21 The Site Improvement Plan for Salisbury Plain²³ identifies nitrogen deposition as a pressure on the SAC features of interest. On Salisbury Plain SAC, nitrogen deposition exceeds the critical load for juniper *Juniperus communis subsp. communis*. There is a risk that this could contribute towards coarse grass dominance, decline in lichens, changes in plant biochemistry and an increased sensitivity to abiotic stress. Nitrogen deposition also exceeds the critical load for the marsh fritillary population.
- 3.22 There are no major roads within 10 km of the allocations in the NP that lie within 200m of Salisbury Plain SAC. The A303 does lie within 200m of the SAC in places but this is a regional route and the closest point where it lies within 200m is well over 10 km from Dilton Marsh. The A36 also lies within 200m of the River Avon SAC in places however, air pollution/ nitrogen deposition is not considered a pressure on the River Avon SAC.
- 3.23 The housing which will be delivered through this NP is considered to be a small number in relation to the total for the county. It is concluded that the proposals

²² Defra (2007) Acid Deposition Processes. Nobel House: London.

²³ [Site Improvement Plan: Salisbury Plain - SIP209 \(naturalengland.org.uk\)](http://www.naturalengland.org.uk)

for housing in this NP would not have an adverse effect on Habitats sites through nitrogen deposition.

Physical Damage / Interruption of Flightlines/ Disturbance

- 3.24 As noted above most of Dilton Marsh Parish is located within the 4 km buffer of the Bath and Bradford on Avon Bats SAC core roost located in Westbury Leigh. The northern part of the NP area also lies within the grey hatched zone of the TBMS and a small section to the north is adjacent to the yellow zone of the TBMS. Allocated sites for development are outside of these areas. Based on the proximity to the Westbury Leigh roost, there is the potential for policies within the NP to cause direct physical damage to bats, interrupt flight lines and disturb bats and their habitats (including those used for foraging, roosting, and breeding) in relation to this core roost. Therefore, relevant policies in the NP have been screened in for Appropriate Assessment in the table below.
- 3.25 The NP is considered to be too remote from the Chilmark Quarries SAC and Mottisfont Bats SAC to cause physical damage to features that provide breeding, roosting and foraging habitats for bats or to fragment bat flightlines.
- 3.26 Furthermore, the NP area is beyond the potential zone of influence for stone curlews breeding in the Porton Down SPA. It will not result in physical damage to stone curlew habitats within or outwith the Habitats Site, nor will it result in the interruption of flightlines or visual and noise disturbance to breeding stone curlew.

Screening of Policies in the Dilton Marsh Neighbourhood Plan 2021 - 2036, v1.9.1 September 2023

- 3.27 The Dilton Marsh NP comprises 24 planning policies. The effect of each NP policy has been considered both individually and in combination with other plans and projects (see Table 1 below).

Table 1. Habitats Regulations Assessment ToLSE of the Dilton Marsh NP Policies**A / B (Green) – Screened out****C / D (Red) – Screened in**

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
Protecting Our Rural Landscape		
DM01: Landscape Character	A3 / A5	<p>This policy sets the expectation that development proposals will be expected to:</p> <ul style="list-style-type: none"> i. Recognise and seek to conserve and enhance the natural landscape and local character of the Parish, including the high-quality and valued landscape of the Chapmanslade Greensand Hills / Longleat-Stourhead Greensand Hills to the south and south-west of the Parish. ii. Maintain the rural character and separate identity of Dilton Marsh, Penleigh, Penknap, Hisomley, Fairwood, Clearwood and Old Dilton as distinct settlements. <p>This policy will not lead to development, instead it requires developments be planned in a manner which is sympathetic to the character of the local landscape. The policy will not result in a likely significant effect on any Habitat 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>
DM02: The Biss Catchment	A2	<p>This policy confirms commitment to protect the Biss Brook and its tributaries in accordance with the priorities for improving management of the Bristol Avon Strategic Green and Blue Infrastructure Corridor. The policy sets out the conditions which must be met for approval of planning applications.</p> <p>This policy will not lead to development. It aims to ensure that the natural environment of the Biss Brook and its tributaries are protected. The policy will not result in a likely significant effect on any Habitat 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>
DM03: Key Views	A3 / A5	<p>This policy sets out conditions which must be met before a development that may affect a key view will be approved. A Key View is defined as a publicly accessible viewpoint in the Dilton Marsh Neighbourhood Area that is reflective of what makes our settlements distinct as a rural community.</p> <p>This policy will not lead to development, instead it requires developments be planned in a manner which is sympathetic to views which show the character of the local landscape. The policy will not result in a likely significant effect on any Habitat 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>
DM04: Local Green Space	A2 / A3	<p>This policy confirms eight sites which meet the criteria for, and have been adopted as, local green spaces. This step protects the spaces from development in-line with national policies for managing Green Belts. These Local Green Spaces are defined in accordance with the provision of paragraphs 101, 102 and 103 of the National Planning Policy Framework (NPPF, 2023).</p> <p>This policy will not lead to development. It aims to ensure that the natural environment of designated local green spaces is protected. The policy will not result in a likely significant effect on any Habitat sites.</p>

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
Protecting our natural environment		
DM05: Biodiversity	A2 / A3	<p>This policy sets out the Parish Councils commitment to biodiversity including the expectation that developers deliver a minimum 20% net gain for biodiversity. Development proposals should retain and where possible, enhance, features of biodiversity value including mature trees, species rich hedgerows, ponds, streams, and existing areas of woodland. Development plans that result in the loss or deterioration of habitats will not be supported.</p> <p>The policy establishes a clear baseline that where relevant, development applications must provide sufficient information to inform project specific Habitats Regulations Assessment in order to demonstrate that the development will have no likely significant effect on the Salisbury Plain Special Protection Area. Proposals must also ensure compliance with the Habitat Regulations through adherence to the Bat Special Areas of Conservation (SAC) Planning Guidance for Wiltshire (Wiltshire Council and Natural England, 2015) or successor document.</p> <p>This policy will not lead to development. It aims to ensure that measures are in place to ensure BNG gains for all developments and to ensure developments do not impact Habitats Sites. The policy will not result in a likely significant effect on any Habitat sites.</p>
DM06: Trees	A2 / A3	<p>This policy sets out that development proposals must seek to protect existing trees and hedgerows that are of good amenity, arboricultural, ecological, or historical quality and that proposals must seek opportunities for planting new trees, for carbon capture.</p> <p>This policy will not lead to development. It aims to ensure that key natural features are protected and, where possible, enhanced. The policy will not result in a likely significant effect on any Habitat 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>
Protecting Our Historic Environment		
DM07: Heritage	A1 / A3	<p>This policy states that development proposals will only be permitted where they conserve and enhance the historic environment, including through the safeguarding of heritage assets and their setting in a manner consistent with their significance.</p> <p>This policy will not lead to development. It aims to conserve the historic environment. The policy will not result in a likely significant effect on any Habitat 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>
Setting Our Design Vision and Expectations		
DM08: High Quality Design	A1	<p>This policy states that development proposals should be designed in a way which has regard to the linear form of the village and takes account of their surroundings in their siting, built form, height, materials, historic character, and boundary treatments. New residential development should be of the highest standard of design to ensure that it is in keeping with the character in the village.</p> <p>This policy will not lead to development. It relates to design principles which are in place to conserve the historic character of the parish. The policy will not result in a likely significant effect on any Habitat 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>
DM09: Sustainable Design and Construction	A1 / C / D Bath and Bradford on Avon Bats SAC	<p>Policy DM09 reinforces Wiltshire's commitment to being carbon neutral and seeks new development to focus on sustainability and climate change resilience through prioritising fabric energy efficiency as far as possible in accordance with the energy hierarchy.</p> <p>This policy will not directly lead to development as it does not allocate sites, however it does propose to support the development of new off-site renewable and low carbon energy generation facilities where appropriate. The majority of the NP area is located within a consultation zone associated with the Bath and Bradford on Avon Bats SAC. As a result, the policy has the potential to lead to</p>

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
		<p>disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh as well potentially in the wider functional landscape relied upon by SAC bats.</p> <p>The policy does include the requirement for compliance with the Habitat Regulations (via policy DM05), however this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>As a result of Policy DM09 cannot be screened out and the policy must be subject to Appropriate Assessment</p>
DM10: Retrofitting Existing Buildings	C and D Bath and Bradford on Avon Bats SAC	<p>This policy encourages retrofitting measures to existing buildings to improve their energy efficiency and climate change adaptation, including for historic buildings. The installation of energy efficiency measures and renewable energy projects on existing development will therefore be supported, provided they do not adversely impact on the character or appearance of the parish character and safeguards historic characteristics.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats.</p> <p>The policy does include the requirement for compliance with the Habitat Regulations (via policy DM05), however this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>As a result of Policy DM10 cannot be screened out and the policy must be subject to Appropriate Assessment</p>
Delivering Our Housing Requirement		
DM11: Housing Strategy	A5	<p>This policy states that the identified housing requirement for 61 dwellings in the period 2020 to 2038 for the Dilton Marsh designated Neighbourhood Area will be met by:</p> <ul style="list-style-type: none"> • Completions and existing commitments that have not yet been implemented. • Windfall development: <ul style="list-style-type: none"> – The development and redevelopment of suitable sites within the Dilton Marsh settlement boundary as defined in the Wiltshire Housing Site Allocations Plan or successor. – Permitted development. • Rural conversions and exception sites in accordance with the development plan and national planning policies. • Site allocations of a suitable scale on sustainable sites at the 'Large Village' of Dilton Marsh: <ul style="list-style-type: none"> – DM13: Land at 34 Petticoat Lane for approximately 16 dwellings – DM14: Land at Five Farthings Farm for approximately 10 dwellings – DM15: Land at High Street, east of Railway for approximately 18 dwellings – DM16: Land to the rear of 14 St Marys Lane for approximately 4 dwellings <p>Proposals for new residential development that does not accord with the housing strategy will not be supported.</p> <p>This policy acknowledges the identified housing requirement and gives a broad perspective on how these will be met. It confirms four site allocations, which are the subject of further policies within this plan under which development will be managed. The policy itself therefore will not lead to development. Any proposed developments must comply with policy DM05 which requires evidence that they</p>

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
		will not impact Habitat sites. The policy will not result in a likely significant effect on any Habitat sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.
DM12: Meeting Housing Needs	A1 / A5	<p>This proposal states that all new housing development that will result in a net gain of two or more dwellings will be subject to the following criteria:</p> <ul style="list-style-type: none"> • Demonstrate how the proposal contributes to the overall sustainable mix of housing in the neighbourhood area informed by the current need, current demand, and existing housing stock (including approved developments) considering the context and character of the site, in order to significantly boost the supply of: <ul style="list-style-type: none"> – Smaller two- and three-bedroom homes equating to at least 80% of new dwellings; and – All new dwellings capable of adaptation under Building Regulations M4(2) and a minimum of 10% as M4(3) to meet changing needs over time and housing for older people. • Demonstrate that where a mix of different house sizes and types is provided on site, the development is designed to avoid excessive concentrations of the same size or type of home. • Delivery of on-site affordable housing of an appropriate mix according to the latest evidence where required by the development plan and national policy. <p>This policy gives overall design guidance for larger developments but will not lead to development itself. This policy will not therefore result in a likely significant effect on any Habitat 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>
Housing Allocation		
DM13: Housing Allocation – Land at 34 Petticoat Lane (Site 23)	C and D Bath and Bradford on Avon Bats SAC	<p>This policy states that the Land at 34 Petticoat Lane, Dilton Marsh (approximately 0.85 hectares) is allocated for residential development of approximately 16 (sixteen) dwellings. Proposals will be expected to conform with core criteria and relevant policies within the Development Plan.</p> <p>This policy allocates land for approximately 16 dwellings and associated infrastructure. The following are noted:</p> <ul style="list-style-type: none"> • The site lies within the 4 km buffer of the core roost in Westbury Leigh. As a result, the allocation has the potential to lead to disturbance and impact on functional habitat for bats within the core sustenance zone of Westbury Leigh as well as the wider functional landscape relied upon by SAC bats. • The site lies within the 6.4 km buffer of the Salisbury Plain SPA <p>This policy is expected to comply with other relevant policies within the NP which includes Policy DM05. Policy DM05 confirms the requirement for developments to have no Likely Significant Effect on Habitats Sites. However, this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats. This policy must be considered through an Appropriate Assessment because LSEs regarding damage to or loss of functionally linked land cannot be excluded.</p>
	C and D Salisbury Plain SPA	<p>The site lies within the 6.4km buffer of the Salisbury Plain SPA and thus must be considered through an Appropriate Assessment, because LSEs regarding recreational pressure cannot be excluded.</p>

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
DM14: Housing Allocation – Land at Five Farthings Farm (Site 9)	C and D Bath and Bradford on Avon Bats SAC	<p>Land at High Street, east of Railway (approximately 1.2 hectares) is allocated for residential development of approximately 18 (eighteen) dwellings following the demolition of the existing buildings. Proposals will be expected to conform with core criteria and relevant policies within the Development Plan.</p> <p>This policy allocates land for approximately 18 dwellings and associated infrastructure. The following are noted:</p> <ul style="list-style-type: none"> The site lies within the 4 km buffer of the core roost in Westbury Leigh. As a result, the allocation has the potential to lead to disturbance and impact on functional habitat for bats within the core sustenance zone of Westbury Leigh as well as the wider functional landscape relied upon by SAC bats. The site lies within the 6.4 km buffer of the Salisbury Plain SPA <p>This policy is expected to comply with other relevant policies within the NP which includes Policy DM05. Policy DM05 confirms the requirement for developments to have no Likely Significant Effect on Habitats Sites. However, this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats. This policy must be considered through an Appropriate Assessment, because LSEs regarding damage to or loss of functionally linked land cannot be excluded.</p>
	C and D Salisbury Plain SPA	<p>The site lies within the 6.4km buffer of the Salisbury Plain SPA and thus must be considered through an Appropriate Assessment, because LSEs regarding recreational pressure cannot be excluded.</p>
DM15: Housing Allocation – Land at High Street, east of Railway (Site 13)	C and D Bath and Bradford on Avon Bats SAC	<p>Land at Five Farthings Farm, Dilton Marsh (approximately 0.43 hectares) is allocated for residential development of approximately 10 (ten) dwellings following the demolition of the existing buildings. Proposals will be expected to conform with core criteria and relevant policies within the Development Plan.</p> <p>This policy allocates land for approximately 10 dwellings and associated infrastructure. The following are noted:</p> <ul style="list-style-type: none"> The site lies within the 4 km buffer of the core roost in Westbury Leigh. As a result, the allocation has the potential to lead to disturbance and impact on functional habitat for bats within the core sustenance zone of Westbury Leigh as well as the wider functional landscape relied upon by SAC bats. The site lies within the 6.4 km buffer of the Salisbury Plain SPA <p>This policy is expected to comply with other relevant policies within the NP which includes Policy DM05. Policy DM05 confirms the requirement for developments to have no Likely Significant Effect on Habitats Sites. However, this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats. This policy must be considered through an Appropriate Assessment, because LSEs regarding damage to or loss of functionally linked land cannot be excluded.</p>
	C and D Salisbury Plain SPA	<p>The site lies within the 6.4km buffer of the Salisbury Plain SPA and thus must be considered through an Appropriate Assessment, because LSEs regarding recreational pressure cannot be excluded.</p>

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
DM16: Housing Allocation – Land to the rear of 14 ST Mary's Lane (Site 2)	C and D Bath and Bradford on Avon Bats SAC	<p>Land to the rear of 14 St Mary's Lane (approximately 0.3 hectares) is allocated for residential development of approximately 4 (four) dwellings following the demolition of the existing buildings. Proposals will be expected to conform with core criteria and relevant policies within the Development Plan.</p> <p>This policy allocates land for approximately 4 dwellings and associated infrastructure. The following are noted:</p> <ul style="list-style-type: none"> The site lies within the 4 km buffer of the core roost in Westbury Leigh. As a result, the allocation has the potential to lead to disturbance and impact on functional habitat for bats within the core sustenance zone of Westbury Leigh as well as the wider functional landscape relied upon by SAC bats. The site lies within the 6.4 km buffer of the Salisbury Plain SPA <p>This policy is expected to comply with other relevant policies within the NP which includes Policy DM05. Policy DM05 confirms the requirement for developments to have no Likely Significant Effect on Habitats Sites. However, this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats. This policy must be considered through an Appropriate Assessment, because LSEs regarding damage to or loss of functionally linked land cannot be excluded.</p>
	C and D Salisbury Plain SPA	The site lies within the 6.4km buffer of the Salisbury Plain SPA and thus must be considered through an Appropriate Assessment, because LSEs regarding recreational pressure cannot be excluded.
Protecting Our Community and Rural Community		
DM17: Community Facilities	A3 / C and D Bath and Bradford on Avon Bats SAC	<p>This policy provides for support for proposals to develop and modernise existing valued services and facilities (subject to compliance with other relevant policies) whilst safeguarding those same services against proposals that would result in their unnecessary loss.</p> <p>This policy is expected to comply with other relevant policies within the NP which includes Policy DM05. Policy DM05 confirms the requirement for developments to have no Likely Significant Effect on Habitats Sites. However, this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats. This policy must be considered through an Appropriate Assessment, because LSEs regarding damage to or loss of functionally linked land cannot be excluded.</p>
DM18: Allotments	A3	<p>This policy is to safeguard Land south of Whitecroft, Dilton Marsh (as identified) for use as community allotments to widen opportunities for locally grown food production. This land has been made available for this purpose.</p> <p>This policy effectively exempts an area of ground from development and promotes the retention of the natural environment. This policy will not result in a likely significant effect on any Habitat 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>
DM19: Business Strategy	C and D Bath and Bradford on Avon Bats SAC	<p>This policy states that proposals will be supported for uses offering local employment opportunities including use for research and development, light industry and small-scale offices where specified conditions are met.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional</p>

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
		<p>habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats.</p> <p>The policy does include the requirement for compliance with the Habitat Regulations (via policy DM05), however this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>As a result of Policy DM19 cannot be screened out and the policy must be subject to Appropriate Assessment.</p>
DM20: Fairwood Industrial Estate	C and D Bath and Bradford on Avon Bats SAC	<p>This policy states that land south of Fairwood Industrial Estate (approximately 0.9 hectares) is protected and allocated for employment use under Use Classes B2 and B8. Development proposals for the intensification of employment use on this site will be supported where it can be demonstrated there are no adverse impacts on landscape and ecological features, and the access/highway.</p> <p>This policy has the potential to affect functional habitat for bats within the core sustenance zone for example, through damage to and/or loss of potential ancillary roost structures. As a result, the policy has the potential to lead to disturbance and impact on functional habitat for bats, within the core sustenance zone of Westbury Leigh roost as well potentially in the wider functional landscape relied upon by SAC bats.</p> <p>The policy does include the requirement for compliance with the Habitat Regulations (via policy DM05), however this cannot be taken into account in determining Likely Significant Effects and must instead be considered as potential mitigation at the appropriate assessment stage.</p> <p>As a result of Policy DM19 cannot be screened out and the policy must be subject to Appropriate Assessment.</p>
Helping us to Move Around		
DM21: Parking	A1 / A5	<p>This policy states that all parking for new development must, where possible, be provided off-street. The amount of parking provided must be in accordance with the parking standards set by Wiltshire Council. All new parking spaces should be equipped with appropriately located electric vehicle (EV) charging points providing a minimum power supply of 7kW. The installation of charging points at existing residential or non-residential parking will be supported.</p> <p>This policy stipulates minimum requirements (constraints) for any new development, it does not directly lead to any new developments and is not spatially specific. This policy will not result in a likely significant effect on any Habitat 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>
DM22: Traffic Management	A1 / A5	<p>This policy states that development proposals which will directly access onto the High Street (B3099), Clivey (B3099), The Hollow, St Mary's Lane, and Petticoat Lane will be required to make provision for, and contribute to traffic calming and control measures, including making improvement for pedestrian safety and connectivity, near the vicinity of the development.</p> <p>This policy stipulates minimum requirements (constraints) for any new development which directly access specified roads, it does not directly lead to any new developments. This policy will not result in a likely significant effect on any Habitat 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>
DM23: Footpaths, Bridleways and Cycleways	A1 /A5	<p>The policy states that the existing Public Rights of Way (PRoW) network will be protected, and their recreational value enhanced. Applications for developments that is adjacent to a Public Rights of Way should ensure that connectivity is provided to those routes. Applicants are encouraged to make contributions to other local routes adjacent to or near to those sites that could ensure a more fully linked local network.</p> <p>This policy will not lead to development however it does expect developments to provide connectivity to PRoW enhancing their recreational value. This includes the connection into and extension of the existing network of local off-road routes. There is the potential for these new routes and the potential upgrading of existing routes to have impacts on bat species associated with the Bath and Bradford on Avon Bats SAC through habitat fragmentation and additional lighting. However, all developments are governed by</p>

Policy	Screening Category	Policy Summary and Assessment under Habitats Regulations
		policy DM05 which mandates no Likely Significant Effects on Habitat sites. This policy will therefore not result in a likely significant effect on any Habitat sites. Developments will be considered at the planning stage to ensure they comply with this policy, the NPPF and other relevant Development Plan policies.
DM24: Infrastructure	A1 / A5	<p>This policy states that all new developments should assess the impact on the residents of the parish quality of life and mitigate any such impacts. Proposals for new development will only be supported if they satisfactorily address their infrastructure impacts, including energy and water supply, drainage, waste disposal, transportation, rights of way, school places and health services.</p> <p>This policy will not lead to development however it does expect developments to provide connectivity to PRoW enhancing their recreational value. This includes the connection into and extension of the existing network of local off-road routes. There is the potential for these new routes and the potential upgrading of existing routes to have impacts on bat species associated with the Bath and Bradford on Avon Bats SAC through habitat fragmentation and additional lighting. However, all developments are governed by policy DM05 which mandates no Likely Significant Effects on Habitat sites. This policy will therefore not result in a likely significant effect on any Habitat 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>

ToLSE Conclusion

This HRA screening exercise has concluded that the Dilton Marsh NP has the potential to result in LSEs on two European sites alone and/or in combination with other plans and projects. This is due to the allocated sites in policies DM13, DM14, DM15 and DM16 (shown on Figure 2, Appendix A), and policies DM09, DM10, DM17, DM19 and DM20 due to the potential for recreational impacts on the Salisbury Plain SPA and physical damage or disturbance to bat species and/or habitats associated with the Bath and Bradford on Avon Bats SAC. Therefore, under Regulation 105 of the Habitats and Species Regulations 2017 (as amended), it is necessary for these nine policies in the NP to be taken forward to Appropriate Assessment.

4. Appropriate Assessment

- 4.1 The law does not prescribe how an appropriate assessment should be undertaken or presented but the appropriate assessment must consider all impact pathways that have been screened in, whether they are due to policies alone or to impact pathways that arise in combination with other projects and plans. That analysis is the purpose of this section. The law does not require the 'alone' and 'in combination' effects to be examined separately provided all effects are discussed.
- 4.2 By virtue of the small amount of growth the NP specifies for Dilton Marsh, the main impact pathways of concern to this HRA i.e., recreational pressure and physical damage or disturbance to bat species and/or habitats are inherently 'in combination' with neighbouring plans and projects. However, for completeness, potential impacts of the 48 net residential dwellings allocated within the Dilton Marsh Neighbourhood Area in isolation are also assessed.
- 4.3 The HRA screening exercise undertaken in Table 1 indicates that nine NP Policies were considered to pose Likely Significant Effects for European sites alone (and will therefore also do so 'in combination' with other projects and plans) and require further assessment:
- DM09: Sustainable Design and Construction
 - DM10: Retrofitting Existing Buildings
 - DM13: Housing Allocation – Land at 34 Petticoat Lane (Site 23)
 - DM14: Housing Allocation – Land at Five Farthings Farm (Site 9)
 - DM15: Housing Allocation – Land at High Street, east of Railway (Site 13)
 - DM16: Housing Allocation – Land to the rear of 14 ST Mary's Lane (Site 2)
 - DM17: Community Facilities
 - DM19: Business Strategy
 - DM20: Fairwood Industrial Estate
- 4.4 All the policies above have the potential to for physical damage or disturbance to bat species and/or habitats (functionally linked land) associated with the Bath and Bradford on Avon Bats SAC.
- 4.5 Additionally, policies DM13, DM14, DM15 and DM16 identify sites allocated for development and specify housing numbers, which could result in increased recreational pressure on the Salisbury Plain SPA.

Salisbury Plain SPA

- 4.6 There is growing concern over the cumulative impacts of recreation on key nature conservation sites in the UK, as most sites must fulfil conservation objectives while also providing recreational opportunity. Various research reports have provided compelling links between changes in housing and access levels and

- impacts on Habitats protected sites^{24 25}. Different Habitats sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex. HRAs of Plans tend to focus on recreational sources of disturbance as a result of new residents²⁶.
- 4.7 Human activity can affect organisms directly (e.g., loss of habitat or by causing species to flee) and indirectly (e.g., by damaging their habitat or reducing their fitness in less obvious ways e.g., stress). The most obvious direct effect is the loss of habitat as a result of increased visitors to a site (i.e., trampling). But human activity can also lead to much subtler behavioural (e.g., alterations in feeding behaviour, avoidance of certain areas and use of sub optimal areas etc.) and physiological changes to species (e.g., an increase in heart rate). While these are less noticeable, they might result in major population-level changes by altering the balance between immigration/birth and emigration/death²⁷.
 - 4.8 During the preparation of the draft Wiltshire Core Strategy (WCS), Natural England (NE) and the Royal Society for the Protection of Birds (RSPB) expressed some concern over the potential effects of increasing recreational pressure on breeding stone curlew populations at the Salisbury Plain SPA, particularly from planning residential housing for the local area.
 - 4.9 Salisbury Plain is a vast chalk plateau covering a large proportion of southern and eastern Wiltshire. Used for military training since the mid-19th Century, it is very sparsely populated and has largely escaped intensive post-war arable farming practices. This unique history of land use has resulted in the conservation of the largest remaining area of calcareous grassland in north-west Europe which supports internationally important populations of rare and declining bird species including the stone curlew.
 - 4.10 Stone Curlews visit the UK to breed in summer (March – October), spending the rest of the year in southwest Europe and Africa. It is a ground nesting species requiring open, flat ground with short vegetation in undisturbed locations to breed and invertebrate rich pasture to feed. Given its specific habitat requirements and sensitivities to disturbance, it has undergone significant declines across the UK largely as a result of changing farming practices, and by the early 1990s the British Stone Curlew population had declined to only 150-160 individuals²⁸. Salisbury Plain remained as one of the core strongholds, while elsewhere the former species range contracted due to conversion of grasslands to arable and increasing mechanisation, and indeed it is now absent from most of its previously known British range.
 - 4.11 In response to these concerns, Wiltshire Council (referred to hereafter as 'the Council') carried out a Habitats Regulations Assessment (HRA) to assess the effects of new residential development on the SPA, both alone and in combination, based on the projected housing numbers in the draft WCS. That

²⁴ Liley D, Clarke R.T., Mallord J.W., Bullock J.M. 2006a. The effect of urban development and human disturbance on the distribution and abundance of nightjars on the Thames Basin and Dorset Heaths. Natural England / Footprint Ecology.

²⁵ Liley D., Clarke R.T., Underhill-Day J., Tyldesley D.T. 2006b. Evidence to support the appropriate Assessment of development plans and projects in south-east Dorset. Footprint Ecology / Dorset County Council.

²⁶ The RTP1 report 'Planning for an Ageing Population'(2004) which states that 'From being a marginalised group in society, the elderly are now a force to be reckoned with and increasingly seen as a market to be wooed by the leisure and tourist industries. There are more of them and generally they have more time and more money.' It also states that 'Participation in most physical activities shows a significant decline after the age of 50. The exceptions to this are walking, golf, bowls and sailing, where participation rates hold up well into the 70s'.

²⁷ Riley, J. 2003. Review of Recreational Disturbance Research on Selected Wildlife in Scotland. Scottish Natural Heritage.

²⁸ <http://jncc.defra.gov.uk/pdf/UKSPA/UKSPA-A6-58.pdf>

HRA was accompanied by a mitigation strategy (referred to hereafter as ‘the Strategy’), which set out measures to identify, avoid and mitigate any potential effects of increasing recreational pressure on the SPA. The Strategy broadly required the following measures:

- Annual stone curlew monitoring – Identifying and monitoring stone curlew nests throughout the nesting season. Carrying out analysis of the results and compiling monitoring information in an annual report.
- Advice to landowners / tenants – informing landowners and tenants about the presence and location of active nests on their land and advising them on how to carry out land management sensitively to avoid damaging / disturbing nests.
- Visitor monitoring - monitoring the effects of additional housing on visitor activity, particularly in order to understand whether changes in breeding activity are related to recreational pressures or other factors. Visitor surveys would be carried out and reported on a quinquennial basis. The Strategy was developed with the support of key partners including NE, RSPB and the Ministry of Defence (MoD).

4.12 The Council has also prepared another major planning document, the Wiltshire Housing Site Allocations Plan (WHSAP)²⁹, and has commenced work on a wider review of the Local Plan. The Council therefore considered it a timely opportunity to undertake a full review of the best available evidence which underpins the HRA and reflect on the effectiveness of the Strategy in supporting the conclusions of that assessment. The HRA Review³⁰ has been referred to in order to inform this AA.

4.13 The Strategy was based on a visitor survey originally carried out by the MoD in autumn 2007³¹. That study had been focused on the eastern part of the SPA, on the basis that public access is restricted in the central and western training areas. The study found that the vast majority of visitors (82%) visited from within 15km, which was taken as the visitor catchment for the eastern plain for the purposes of the Strategy. The study also found that a relatively high proportion of regular visitors came from within 4km of the plains.

4.14 In 2015, the Council commissioned a further visitor study³² intended to repeat the 2007 study and help to identify trends in visitor numbers on the plains. The methodology was broadly comparable; however, it was extended to include the central and western plains in order to provide visitor data on these areas for the first time. It was also carried out during the summer months to provide a more accurate picture of access patterns during the stone curlew breeding season.

4.15 The 2015 study confirmed that the eastern plain does generally have a larger visitor catchment than the central and western plains, with 75% of regular visits to Salisbury Plain SPA originating from within 6.4km; however, the difference was not considered to be significant. It was therefore recommended that an average visitor catchment of 6.4km could be assumed for all the plains. The study also found that the number of visits to the central and western plains were higher than

²⁹ Wiltshire Housing Site Allocations Plan, Adopted February 2020

³⁰ HRA and Mitigation Strategy for Salisbury Plain SPA (in relation to recreational pressure from residential development) Reviewed May 2018

³¹ Liley, D., Payne, K. & Peat, J. (2007). Access patterns on Salisbury Plain. Unpublished report for Enviro Ltd. Footprint Ecology, Wareham, Dorset

³² Footprint Ecology (2015) Salisbury Plain Visitor Survey 2015

expected, which was driven by regular visits from nearby market towns and villages to the north and west of the plains. This increase over the 2007 study is likely to reflect the survey period, with higher proportions of the local population visiting the plains during the summer period (June – August) than in the autumn (September – October). On the basis of the new study, it can be estimated that approximately 1% of the population within the visitor catchment are regular visitors to the plains.

- 4.16 The 2018 review of HRA and Mitigation Strategy for Salisbury Plain SPA concluded that the WCS, WHSAP and MoD's Army Basing Programme will all continue to have likely significant effects on the Salisbury Plain SPA through increasing recreational pressure as a result of the delivery of residential development within the visitor catchment. The Strategy provides an effective, timely and reliable means of mitigating these effects, and as a result **concluded that planned growth as a result of the WCS, WHSAP and ABP, will not have an adverse effect on the integrity of the Salisbury Plain SPA, either alone or in-combination with other plans and projects.**
- 4.17 Where new development is proposed within the visitor catchment which is within overall housing figures set out in the WCS, WHSAP and ABP masterplan, the Council may continue to rely upon the conclusions of this strategic level HRA, without the need to carry out individual project level HRAs of individual planning applications (subject to the advice of NE in relation to specific projects). Likewise, developers and applicants should therefore not normally need to prepare or submit HRAs of their projects in support of their planning applications for residential development, so long as the overall quantum of development within the visitor catchment remains within the figures assessed in the HRA report.
- 4.18 As discussed at paragraph 3.2, The whole of the Dilton Marsh NP area is located within the Salisbury Plain SPA 6.4km buffer³³, therefore the housing allocations are located within the buffer.
- 4.19 The Core Strategy identifies Dilton Marsh within the Westbury Community Area where development will be limited to that needed to help meet the housing needs of the settlements and to improve opportunities. Table 4.10 North and West HMA - Distribution of housing development 2006-2026 in the WHSAP³⁴ gives an indicative housing requirement of 115 for the period with completed and committed developments totalling 106 (Data as of 2017).
- 4.20 The Local Plan Review³⁵ proposes to associate Dilton Marsh within the Trowbridge Housing Market Area (HMA) and proposes a growth of 61 dwellings in the period 2020 to 2038. The residual housing requirement is for 41 dwellings after deducting those homes already built or estimated to be built on sites already allocated in the development plan. This revised plan has not yet been adopted, and a revised HRA is not yet available.
- 4.21 The HRA of the WHSAP notes that since 2002 there has been a steady increase in breeding success of stone curlew, measured as numbers of breeding pairs and number of young fledged per breeding pair and the period 2012-2017 also

³³ HRA and Mitigation Strategy for Salisbury Plain SPA (in relation to recreational pressure from residential development) Reviewed May 2018

³⁴ Wiltshire Housing Site Allocations Plan, Adopted February 2020

³⁵ Wiltshire Local Plan Review <https://www.wiltshire.gov.uk/article/8037/The-Local-Plan-review#:~:text=Scope%20of%20the%20Wiltshire%20Local,economic%2C%20social%2C%20and%20environmental%20priorities> [Accessed Oct 2023]

reflects this trend. The conservation target for the SPA is to maintain the breeding population at or above 15 pairs. Over the last ten years the number of pairs has remained fairly stable at around 24 and it can therefore be concluded that the SPA is in favourable condition in respect of this target. It notes that the revised Salisbury Plain SPA HRA and Mitigation Strategy concludes that the SPA remains in favourable condition and there is no evidence that increased visitor numbers are having an impact. The WHSAP HRA also notes that ‘A few hundred dwellings could come forward as windfall development through Neighbourhood Plans in addition to those anticipated in the WCS’ and that ‘*For the time being the current strategy is adequate to support housing numbers proposed by the WHSAP in combination with other plans and projects as monitoring will ensure that any necessary review of mitigation measures will be timely*’. There is therefore no reason to conclude that the SPA Mitigation Strategy will not continue to be the most appropriate mechanism for delivering successful SPA mitigation for recreational pressure including that from Dilton Marsh Neighbourhood Plan.

- 4.22 Policy DM05 in the NP states that “*Applicants must provide sufficient information to inform project specific HRA in order to demonstrate that the development will have no likely effect on the Salisbury Plain SPA*”.
- 4.23 The Dilton Marsh NP proposes 48 new residential units across four allocated sites. This means that the housing allocations identified in the WHSAP for Westbury Community Area are likely to be exceeded. Although the draft Local Plan Review identifies allocations for Dilton Marsh housing, this has not yet been adopted and no HRA has been completed.
- 4.24 In the original version of this report it was recommended that Policy DM05 should be adjusted to refer to the need to comply with any review of the Salisbury Plain Mitigation Strategy as a result of the review of the Wiltshire Local Plan. It was also recommended that additional wording be added to Policies DM13, DM14, DM15 and DM16 requesting developers to undertake and submit project specific HRA in order to demonstrate that the development will have no likely significant effect on the SPA. This will include consideration of whether the growth they intend to deliver is covered by the Salisbury Plain Mitigation Strategy at the time the application is submitted. If so, then an appropriate payment should be made to delivery of the mitigation strategy. If not, then the applicant will need to liaise with Wiltshire Council to agree bespoke mitigation. These changes have since been made.

It can therefore be concluded that the Neighbourhood Plan will have no adverse effects on integrity of Salisbury Plain SPA through recreational pressure. Bath and Bradford on Avon Bats SAC

- 4.25 Functionally linked land (FLL); is defined as land beyond the boundary of a Habitats site which ecologically supports the populations for which the site was designated or classified. Such land is therefore ‘linked’ to the Habitats site in question because it provides an important role in maintaining or restoring the population of qualifying species at favourable conservation status. Case law and appeal decisions have demonstrated that once identified as functionally linked land, the evidence required by decision makers in the Habitats Regulations Assessment process is no different to that which might reasonably be expected in relation to direct or on-site effects on the Habitats site, and that the

precautionary principle applies equally to functionally linked land and sea - (Natural England, 2016).

- 4.26 The Core Strategy HRA identified the potential for development in the landscapes surrounding the Bath and Bradford on Avon Bats SAC to affect the associated bat populations through loss, damage and deterioration of roosts, commuting routes and foraging areas through urbanisation of greenfield and derelict sites, and associated disturbance such as lighting. However, those effects are very difficult to predict at a strategic scale, as they depend on the particular habitat features used by the qualifying bat species, the extent to which those features would be affected by the specific development proposals, and the nature and scale of mitigation measures proposed to avoid or reduce impacts. It was therefore considered that these issues would need to be assessed on a site-by-site basis through HRA of individual planning applications. In addition, it was proposed that guidance for developers and planners would help to identify those sites where HRA is most likely to be a constraint to development at an early stage in order to ensure that appropriate mitigation measures were fully incorporated into schemes coming forward. The Council therefore produced the Wiltshire Bats SAC Guidance³⁶ document in consultation with NE, Bath and North East Somerset Council and local experts and researchers. The document identifies 'Core Roosts' associated with the SACs and 'Core Areas' surrounding those roosts which are important for the sustenance of the SAC populations and where development has the potential to trigger likely significant effects on the SAC. The document also describes the general type of onsite 'Sensitive Features' which are likely to be used by the qualifying features, the presence of which increases the potential to trigger likely significant effects on the SAC.
- 4.27 NE confirmed it was satisfied that the document provided an appropriate mechanism to avoid and reduce potential impacts of development for the purposes of the Wiltshire Core Strategy HRA. The document has been in use by the Council for three years and was reviewed and updated in 2015.
- 4.28 The Trowbridge Bat Mitigation Strategy (2021) for the Bath and Bradford on Avon Bats SAC (TBMS) supports development coming forward under the WHSAP and Core Strategy including allocations, neighbourhood plan housing, rural exception sites and development within the settlement boundaries.
- 4.29 The overall aim of the TBMS is to provide a clear and detailed approach to considering impacts of development on the Bath and Bradford on Avon Bats Special Area of Conservation (SAC). The TBMS sets out:
- Spatial areas (or Bat Sensitivity Zones) where development could have an effect on the SAC and trigger the requirements of the Habitat Regulations,
 - Survey requirements for bats and lighting that will be expected for development proposals located within the Bat Sensitivity Zones,
 - Basic mitigation standards and principles that will be expected for development proposals located within the Bat Sensitivity Zones,
 - Requirements for landscape-scale, strategic mitigation to support development proposals, covering both the impacts on core bat habitat.

³⁶ Bat Special Areas of Conservation (SAC) Planning Guidance for Wiltshire (2015)

and recreational pressures on key bat sites. Key measures are identified, together with any funding required to implement the strategic mitigation, and

- The mechanism for implementation of strategic mitigation – namely developer contributions via section 106 legal agreement or through Community Infrastructure Levy (CIL) payments.

4.30 The requirements relating to each zone are:

Red Zone

- New development unlikely to be granted permission.

Yellow Zone

- permission only likely to be granted in accordance with the development plan for Wiltshire.
- Development proposals within this zone **must provide appropriate survey of bats.**
- Development proposals within this zone must **mitigate for all impacts on target bat species on site** through retaining and enhancing wide swathes of unlit bat habitat with associated buffer zones. Housing is expected to be provided at lower density to achieve this. Development areas and the area required for bat mitigation for each allocated site within the WHSAP have been estimated. For each allocated site, it is anticipated that in most circumstances the full residual green space will be required for mitigation.
- Development proposals within this zone should expect to make a **payment for strategic habitat mitigation.**

Grey (Hatched) Zone

- Development proposals within this zone should expect to make a payment for recreational mitigation.

4.31 The northern part of the Dilton Marsh NP Area is located within the grey hatched zone set out in the Trowbridge Bat Mitigation Strategy (TBMS, February 2021) Supplementary Planning Document (SPD); however, no proposed development sites fall within this area.

4.32 The entirety of the NP area is located within the 4 km core roost buffer³⁷ for a greater horseshoe bat roost in Westbury Leigh, which is a component part of the Bath and Bradford on Avon Bats SAC.

4.33 The Dilton Marsh NP allows for some development within the core roost buffer. Policy DM05 in the NP states that “*Proposals must also ensure compliance with the Habitat Regulations through adherence to the Bat Special Areas of Conservation (SAC) Planning Guidance for Wiltshire (Wiltshire Council and Natural England, 2015) or successor document*”. It can therefore be concluded

³⁷ <https://www.wiltshire.gov.uk/media/3928/Trowbridge-Bat-Mitigation-Strategy-SPD/pdf/whsap-trowbridge-bat-mitigation-strategy.pdf?m=637273390249630000>

that the Neighbourhood Plan will have no adverse effects on integrity of the Bath and Bradford on Avon Bats SAC.

5. Conclusion

- 5.1 Due diligence should be applied in assessing applications under policies DM09, DM10, DM13, DM14, DM15, DM16, DM17, DM19 and DM20 to ensure compliance with DM05 and therefore compliance with the requirements of the Habitats Regulations. However, it is considered that this would be a standard part of the development control process when planning applications are considered. Therefore no recommendations are made for changes to these policies.
- 5.2 It is considered that the Dilton Marsh Neighbourhood Plan contains an appropriate policy framework to ensure no adverse effects on the integrity of any European sites, either alone or in combination with other plans or projects.

Appendix A Figures

A.1 Habitats sites

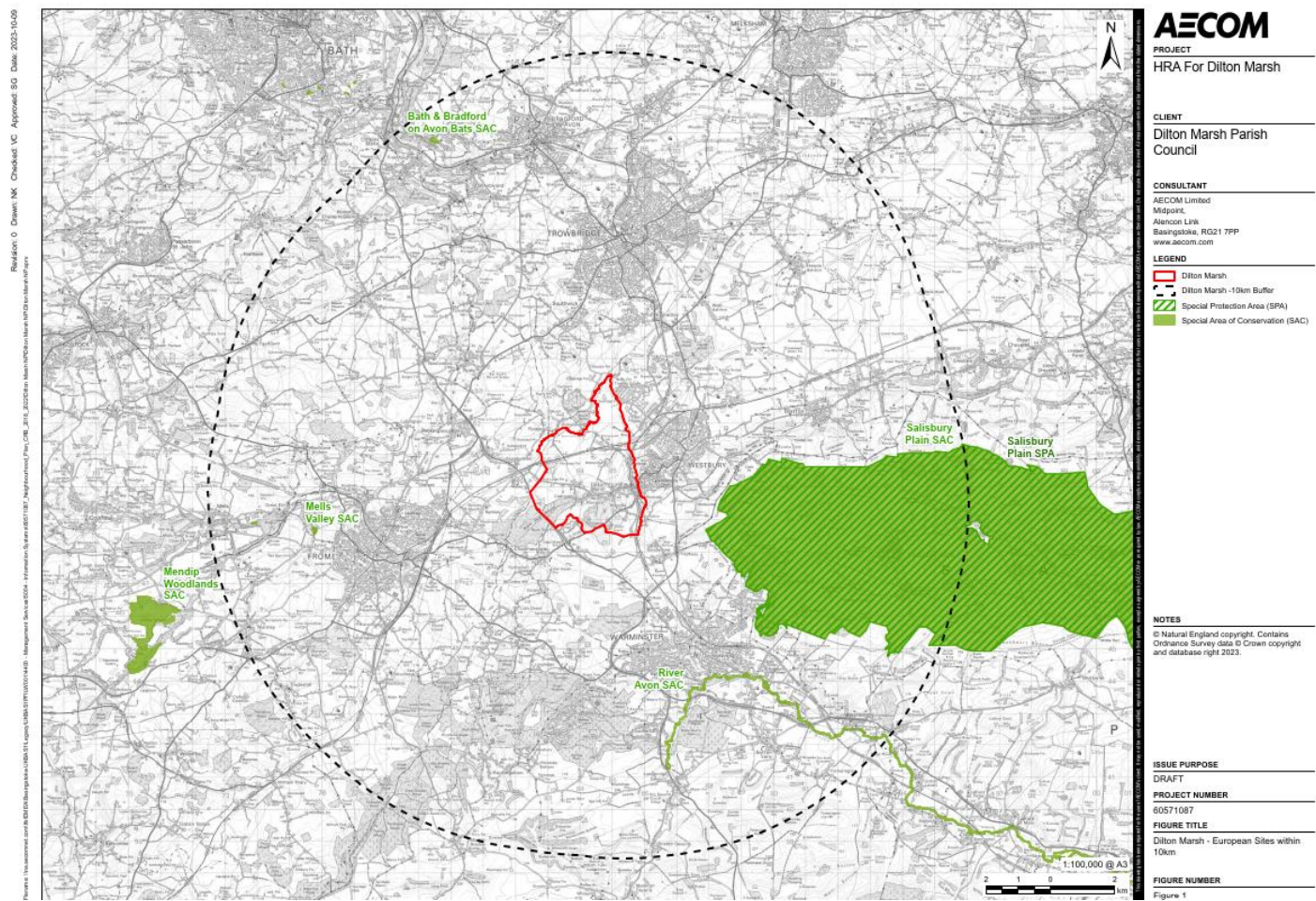


Figure 1 Habitat Sites within 10km of the Dilton Marsh Parish Boundary

A.2 Allocated sites

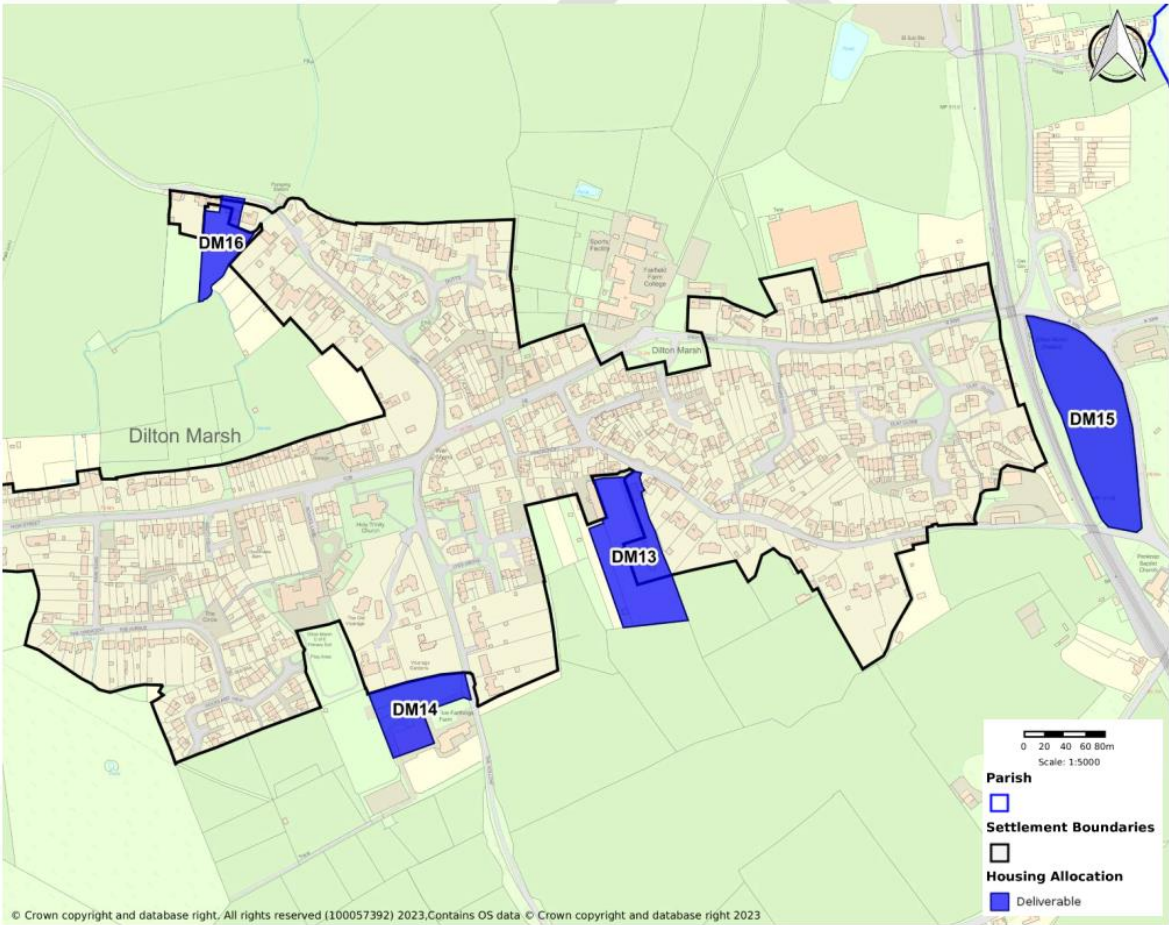


Figure 2 Allocated development sites

5.3 Figure 2 is taken from the Dilton Marsh Neighbourhood Development Plan³⁸

³⁸ Dilton Marsh Neighbourhood Development Plan 2020-2038 v1.9.1 September 2023

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