Appropriate Assessment of Effects on a European Site

This is a record of the appropriate assessment of Wiltshire Council required by Regulation 63 of the Habitats Regulations 2017. The project has been assessed as likely to have significant effects on one or more European protected sites and is not directly connected to or required for the management of such sites. This assessment is made in accordance with the relevant guidance documents (ref. *HRA Handbook*, David Tyldesley Associates).

PART A: INFORMATION REVIEWED	
Information about the plan or project	This Appropriate Assessment relates to planning application PL/2023/11125 **–** Land North of A303, Winterbourne Stoke, Salisbury, SP3 4ET Engineering works associated with the creation of a replacement stone curlew breeding plot. The development is located within the statutory designated site Salisbury Plain SAC and SPA within Parsonage Down SSSI and therefore has potential to result in significant adverse impact on the qualifying features of those sites. A Development Consent Order (DCO) has been agreed between National Highways and Natural England for the proposed works along the A303. The DCO application underwent a Habitats Regulations Assessment (HRA) prior to the SoS granting permission. This HRA included the proposed replacement of the stone curlew plot at Parsonage Down for which National Highways are now seeking a planning consent. The DCO included a separate s253 agreement between National Highways and NE with regards to the proposed stone curlew plot as it lies outside of the red line boundary. This s253 agreement sets out NE's agreement with National Highways to locate a replacement plot on their land at Parsonage Down. The plot identified for this application was selected following a number of criteria and a study of suitable locations within the area in consultation with NE and RSPB. - 8.58 – Stone Curlew Breeding Plot Specification The Statement of Common Ground (SoCG) also states that NE are satisfied with the mitigation measures that have been incorporated into the embedded design. Statement of Common Ground The submitted information confirms that habitats within the designated sites at the location of the proposed development are representative of the qualifying features of the SAC and SPA. Surveys have confirmed that no breeding birds are present within the plot, however, it is likely that qualifying species are present in adjacent habitat and may be adversely impacted by the development. Technical Note – Marsh Fritillary Habitat Quality Assessment. June 2024 was submitted in support of this Appropriate Assessment. The additional surveys confirmed the absence of

	devils bit scabious and assessed the potential stone curlew plot as '*potential habitat which is not typically included in habitat considered to be 'available' for marsh fritillary* and as such is considered *unlikely to support populations of marsh fritillary*. The SOCG states that '*NE is satisfied with the siting of the stone curlew mitigation breeding plot within Parsonage Downs. The specifications of the stone curlew plot and fencing have been agreed.'* In light of the judgement in Case C 323/17 CJEU "people over wind" (12 April 2018) the Council has identified that the current planning application must be subject to an appropriate assessment under Regulation 63 of the Habitats Regulations 2017.
Natura 2000 site(s)	**Salisbury Plain SPA and Salisbury Plain SAC**
List of European Site interest features	**Salisbury Plain SPA** Qualifying Features • Circus cyaneus; Hen harrier (Non-breeding) • Falco subbuteo; Eurasian hobby (Breeding) • Coturnix coturnix; Common quail (Breeding) • Burhinus oedicnemus; Stone-curlew (Breeding) The SPAs conservation objectives are[1] Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. **Salisbury Plain SAC** The SACs Qualifying Features • Juniperus communis formations on heaths or calcareous grasslands • Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) • Marsh fritillary butterfly Euphydryas (Eurodryas, Hypodryas) aurinia The SACs conservation objectives are: • The extent and distribution of qualifying natural habitats and habitats of qualifying species.

	• The structure and function (including typical species) of qualifying natural habitats. • The structure and function of the habitats of qualifying species. • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely. • The populations of qualifying species, and, • The distribution of qualifying species within the site
Information about the SPA/SAC	**Salisbury Plain SPA** This SPA is designated for internationally important populations of breeding stone-curlew and overwintering hen harrier. Other Annex II species include breeding common quail and Eurasian hobby. Ongoing monitoring at the site demonstrates that the stone-curlew population is relatively stable. Non-designated land outside the plains (within 5km) has also been found to be of vital importance to maintaining the overall stone curlew population, with productivity generally higher on the surrounding farmland than within the SPA. Although the SPAs SSSI units appear to be either favourable or unfavourable recovering the site is understood to be currently in favourable condition for both stone curlew and hen harrier. **Salisbury Plain SAC** Salisbury Plain SAC is an extensive chalk plateau in the middle of Wiltshire, with the biggest area of unimproved chalk grassland in north-west Europe supporting rare plants and rare and notable invertebrates. The SACs SSSI units appear to be either favourable or unfavourable recovering. Parsonage Down SSSI is recorded as being in favourable condition.
Other relevant plans or projects	There are no other current applications within or adjacent to the application boundary.
PART B: IMPACT PREDICTION ALONE	
Impact	**Predicted Effect of Impact**
Salisbury Plain SPA	
Temporary disturbance to nesting/foraging birds from construction/operational light spill.	The proposed application is located within Cherry Lodge Farm. The closest known record for stone curlew is approximately 1km to the south. There are no records of quail or hobby in close proximity however, habitat adjacent to the development may be suitable for these species. Temporary construction works may result in disturbance to breeding birds. No lighting will be required and therefore no lighting impacts are anticipated. Construction period impacts are considered to be minimal. An access track exists for farm vehicles to the north of the site.

	There is therefore likely some noise and visual disturbance from this track and from the A303 to the south. However, this is existing and with records for stone curlew located closer to the A303, it is considered that vehicles are unlikely to cause significant disturbance. The report 'Replacement Stone Curlew Breeding Plot Creation Ecological Impact Assessment and Habitat Regulations Assessment. December 2023. Costain Mott Macdonald' includes measures such as avoiding construction during the bird breeding season and pre commencement surveys, to avoid disturbance to breeding birds. When existing conditions and mitigation are considered, disturbance to nesting birds from construction/operational light spill is considered to be minimal not significant.
Disturbance to breeding birds from an increase in building mass and height	No Impact Predicted.
Disturbance to breeding birds from an increase in people/noise/ during construction and operation.	When considering the existing conditions, listed above, in addition to avoidance and mitigation measures (refer to Part E below) disturbance to nesting/foraging birds from an increase in noise is considered to be minimal non significant.
Recreational disturbance to breeding birds from an increase in the numbers of people (with dogs) using public paths.	No impact predicted.
Salisbury Plain SAC	
Temporary or permanent loss of qualifying habitats Juniperus communis formations on heaths or calcareous grasslands and semi-natural dry grasslands and scrubland facies on calcareous substrates through disturbance, changes in management, encroachment, fragmentation and or removal.	The proposed engineering works lie within the SAC. There will be some temporary disturbance within the area and loss of 1ha of calcareous grassland due to removal of top soil as part of a change in management. Track matting will be used to obtain access to the site to minimise disturbance to the wider area. There will be a loss of 1ha of existing grassland through a change in management for the lifetime of the scheme. However, no likely significant effect is considered on the basis that additional surveys have confirmed the likely absence of marsh fritillary on site (Marsh Fritillary Habitat Quality Assessment- Technical Note. June 2024. National Highways). With the proposed measures to reduce impacts outlined in the submitted documents and agreement through the s253 agreement between National Highways and NE, the

	permanent loss of qualifying habitats is considered unlikely and not significant.
Reduction in distribution and or extent of key plant species Juniperus communis and orchid species through direct loss, disturbance and or changes in management.	For the reasons given above, land which may support key plant species will not be adversely impacted. A change in management of land within the SAC is not required as part of the development. With mitigation the reduction in distribution and or extent of key plant species is considered unlikely and not significant.
Permanent loss of qualifying habitats through increased atmospheric nitrogen deposition.	Not predicted.
Reduction in distribution and or extent of key species Marsh fritillary butterfly through habitat loss, habitat fragmentation loss of key plant species.	As outlined within the Technical Note (June 2024) the stone curlew plot was assessed for the current suitability of the site for the presence of Marsh Fritillary. This report concluded that 'Based on the habitat quality assessment survey conducted in June 2024, the replacement stone curlew breeding plot is not currently considered likely to support any local population of marsh fritillary. Accordingly, the Scheme will not adversely affect marsh fritillary, such that no likely significant effect on this qualifying feature of the Salisbury Plain SAC is anticipated.
PART C: IMPACT PREDICTION IN-COMBINATION	
There are no current planning applications or projects that may result in adverse impacts on the Parsonage Down SSSI. All applications that may impact the Salisbury Plain SAC and SPA are subject to Habitat Regulations Assessment and Appropriate Assessment (AA) where necessary. Only applications with AAs that have reached a favourable conclusion are permitted. In-combination impacts are not predicted.	
PART D: CONSEQUENCES FOR CONSERVATION OBJECTIVES	
Does the project or plan have the potential to:	
Cause delays in progress towards achieving the conservation objectives of the site/s?	No.
Interrupt progress towards achieving the conservation objectives of the site?	No.
Disrupt those factors that help to maintain the favourable condition of the site?	No

Interfere with the balance, distribution and density of key species that are the indicators of favourable condition of the site?	No
Change the dynamics of the relationships that define the structure and/or function of the site?	No.
Reduce the population of key species?	No
Reduce diversity of the site?	No
PART E: MITIGATION FOR APPLICATION PL/2023/11125	
1. Avoidance and mitigation measures will be secured by compliance condition. These measures will include adherence to the following documents: • Replacement Stone Curlew Breeding Plot Creation Method Statement. November 20203. Costain/Mott Macdonald; • Proposed Site Plan. December 2023. Costain/Mott Macdonald; • Construction Environment Management Plan. December 2023. Costain/Mott Macdonald and; • Replacement Stone Curlew Breeding Plot Creation Ecological Impact Assessment and Habitat Regulations Assessment. December 20023. Costain/Mott Macdonald	
PART F: CONCLUSION	
Is the project likely to affect site integrity?	
a) Alone?	No
b) In combination with other plans or projects?	No
Recommendation:	
Application can be determined with no likely significant negative impacts to Salisbury Plain SAC and SPA, subject to suitable mitigation measures being secured by condition and implemented.	
Name of officer(s) making the assessment and date	Jenna Buss Ecologist, Landscape and Design Team, Wiltshire Council 02/10/2024
Natural England Comments	
Name of Natural England officer and date	
Authorised by:	

Wiltshire Council Manager and date	