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Shadow HRA: Test of Likely Significant Effects and Appropriate Assessment

Client

Hallam Land Management

Project

Church Road,

Laverstock

Date

April 2026

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Rev	Issue Status	Prepared/Date	Approved / Date
-	Draft	KH / 03.2026	
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1.0 INTRODUCTION

- 1.1 The following shadow Habitats Regulations Assessment Test of Likely Significant Effect and Appropriate Assessment has been provided by FPCR Environment and Design Ltd on behalf of Hallam Land Management in relation to an outline planning application for a Proposed Development at Church Road, Laverstock.
- 1.2 The aim of this document is to assess the potential effects of the proposals on the European / Natura 2000 designated sites listed in *Table 1*, in line with the tests under Regulation 63 of the Habitat and Species Regulations 2019 (the Habitat Regulations) (as amended) to inform the Competent Authority's determination under Regulation 63.

2.0 THE PROJECT

Site Location and Context

- 2.1 The site spans an area of approximately 8.26 ha and is located on the northeastern side of Salisbury, east of Laverstock village (central grid reference: SU164317). The Site is bordered to the west by Church Road and existing residential dwellings. The north of the Site is bounded by arable land and a small woodland strip along the south, leading on to an area of grassland, half of which is associated with a boundary to a light industrial unit. To the east of the Site, an area of land under intensive arable tenure separates the site from the Cockey Down SSSI.
- 2.2 The majority of the Site is used for arable crop production and consists of two land parcels which have been in consistent use as arable crop production since first surveyed by FPCR in 2014. Hedgerows form full to partial field boundaries across the Site, and two small woodland belts are located along the southern and north-eastern boundaries of the fields, and these range from non-native dominated to species rich native. There are two patches of scrub towards a southern entrance into the Site.

Site Proposals

- 2.3 The Site currently has Outline Planning Approval for up to 49 residential units that the current application seeks to increase up to 110 residential units with improved access into the Site from Church Road. The Site has Green Infrastructure (GI) provisions including retention of existing hedgerows and trees, proposed amenity landscaping and a proposed SANGs area to the north, a children's play area and drainage basin in the southwest of the Site and improved official pedestrian access from the Site to link into footpaths through Cockey Down SSSI to the east. The revised parameters plans reflects a reduction from the previously assessed 135 dwelling scenario to 110 dwellings, as reflected throughout this HRA and supporting documents.

Natura 2000 Sites Considered

- 2.4 All European Sites within 15km of the proposed residential development were considered within this assessment. For a summary of the European sites considered within this assessment please refer to *Table 1* below:

Table 1: European / Natura 2000 designated sites considered

Site Name	Site Reference	Proximity to site (approximate)	Reason for designation
River Avon SAC	UK0013016	c.400m west	The River Avon is a large, lowland river system that includes sections running through chalk and clay, with transitions in between. Five aquatic <i>Ranunculus</i> species occur in the river system, but stream water-crowfoot <i>Ranunculus penicillatus</i> ssp. <i>pseudofluitans</i> and river water-crowfoot <i>R. fluitans</i> are the main dominants. The site also supports several Annex II listed species that are qualifying features of its SAC designation: Desmoulin's whorl snail <i>Vertigo moulinsiana</i> , Sea lamprey <i>Petromyzon marinus</i> , Brook lamprey <i>Lampetra planeri</i> , Atlantic salmon <i>Salmo salar</i> , Bullhead <i>Cottus gobio</i> .
Porton Down SPA	UK9011101	c.3.70km northeast	An extensive area of chalk grassland with scrub and woodland which is important for downland breeding birds. 20 pairs of breeding stone curlew <i>Burhinus oedecnemus</i> (representing 10.6% of the UK breeding population) are present at Porton down. The SPA is also used by overwintering hen harrier <i>Circus cyaneus</i> , merlin <i>Falco columbarius</i> , and short-eared owl <i>Asio flammeus</i> .
Salisbury Plain SAC	UK0012683	c.3.7km northeast	This site is the best remaining example in the UK of lowland juniper scrub on chalk. Believed to be the largest surviving semi-natural dry grassland within the EU, it is therefore the most important site for this habitat in the UK. The site also supports a large cluster the Annex II listed marsh fritillary <i>Euphydryas Aurinia</i> , sub-populations that breed on the calcareous grassland.
Great Yews SAC	UK0012770	c.9.2km southwest	Designated as an SAC due to it once being a woodland dominated by Yew <i>Taxus baccata</i> , with some historic woodland regeneration noted.
Salisbury Plain SPA	UK9011102	10.45km northeast	Salisbury Plain SPA contains the largest expanse of unimproved chalk downland in NW Europe, some 41% of Britain's chalk downland. The site regularly supports c.10% of the British breeding population of stone curlew <i>Burhinus oedecnemus</i> and 1% of Britain's wintering hen harriers. Other annex II species also occur in small numbers, including overwintering merlin and short-eared owl. Montagu's harrier <i>Circus pygargus</i> have attempted to breed on at least one occasion. Also supports 20% of the British population of quail <i>Coturnix coturnix</i> and 1% of the British population of hobby <i>Falco subbuteo</i> .
New Forest SAC/SPA/RAMSAR/SSSI	UK0012557/ UK9011031	c.12km southeast	The New Forest SAC / SPA / SSSI / RAMSAR is a huge area formed from significant Annex I habitats, including Oligotrophic waters, Northern Atlantic wet heaths with <i>Erica tetralix</i> , European dry heaths, <i>Molinia</i> meadows on calcareous, peaty, or clay/silt-laden soils, Atlantic beech, oak woods, bog woodland and alluvial forests. Also supports significant populations of several Annex II species: southern damselfly <i>Coenagrion mercurial</i> , stag beetle <i>Lucanus cervus</i> and populations of great crested newt <i>Triturus cristatus</i> . The New Forest is designated a SPA as it supports 300 pairs of nightjar <i>Caprimulgus europaeus</i> (>15% of the British population) and 51-54 pairs of woodlarks <i>Lullula arborea</i> (24% British population), 454 pairs of Dartford warbler <i>Sylvia undata</i> (75% British population) and two pairs of honey buzzard <i>Pernis apivorus</i> (7% British population). Also notable are 10 pairs of kingfishers <i>Alcedo atthis</i> and 15 hen harriers <i>Circus cyaneus</i> (2% British wintering population).

- 2.5 The Site falls outside of the Impact Risk Zones for Salisbury Plain SPA as accessed via the MAGIC maps platform⁶. The HRA and Mitigation Strategy for Salisbury Plain SPA (Wiltshire Council, 2012)⁸ specifies a likely range (6.4km) for most visitors to Salisbury Plain SPA. The application Site is situated well outside these ranges. As such impacts to these European sites from the development proposals are considered unlikely and consequently neither are assessed further.

3.0 THE HRA PROCESS

- 3.1 The HRA process has developed into a four-stage process summarised as follows:
- **Stage One: Screening** – also known as the Test of Likely Significant Effect (TOLSE). If the Competent Authority cannot screen out a likely significant effect, an Appropriate Assessment is required.
 - **Stage Two: Appropriate Assessment** – the Competent Authority will only agree to plans or projects that will not affect the integrity of a European site also known as the “Integrity Test”.
 - **Stage Three: Alternative Solutions** – assesses any alternative solutions of a potentially damaging plan or project that failed the Integrity Test, and if it is determined there are no alternative solutions, the project cannot be agreed to and it will either need to be changed or refused.
 - **Stage Four** – The final stage may allow a plan or project to proceed if after failing stage three if it is for Imperative Reasons of Overriding Public Interest, and only if suitable compensatory measures are secured.
- 3.2 A note on the people Over Wind Judgement in relation to the HRA process is provided in *Appendix A1* Section 1.17 to 1.20 and the ‘Dutch Nitrogen Cases’ in *Appendix A1* paragraphs 1.21-1.25.
- 3.3 This report identifies and considers ecological pathways between the Site and the Natura 2000 site within the Zone of Influence identified. Each was screened with a TOLSE for alone effects, and then the effect in-combination with other plans or projects was considered. Where there are any ecological pathways that could not be screened without mitigation alone or in-combination, a Stage 2 Appropriate Assessment was conducted and included in this HRA.

Consultation

- 3.4 A large range of information sources have been consulted in order to prepare this report. The following listed sources represent a detailed baseline sufficient with which to undertake HRA Stages 1 and 2:
- JNCC 12/2015. Natura 2000 – Standard Data Form UK9011091 Avon Valley and River Avon SAC;
 - JNCC 12/2015. Natura 2000 – Standard Data Form UK0012770 Great Yews SAC;
 - JNCC 12/2015. Natura 2000 – Standard Data Form UK9011101 Porton Down SPA;
 - JNCC 12/2015. Natura 2000 – Standard Data Form UK0012557 The New Forest SAC;
 - Natural England 18.09.2014 European Site Conservation Objectives for River Avon SAC;
 - Natural England 27.11.2018 European Site Conservation Objectives for Great Yews SAC;

- Natural England 21.02.2019 European Site Conservation Objectives for Porton Down SPA;
- Natural England 27.11.2018 European Site Conservation Objectives for The New Forest SAC;
- Natural England, 10.10.2014 Site Improvement Plan, Avon Valley SPA UK9011091 & River Avon SAC UK0013016;
- Natural England, 07.11.2014 Site Improvement Plan, Great Yews SAC UK0012770;
- Natural England, 24.04.2015 Site Improvement Plan, Porton Down SPA UK9011101, Salisbury Plain SAC UK0012683 & Salisbury Plain SPA UK9011102;
- Natural England, 24.11.2014 Site Improvement Plan, The New Forest SPA UK9011031, SAC UK0012557;
- 6450 Church Road, Laverstock Fallow Land Management Plan (FPCR, April 2026); and
- 10679 Church Road, Laverstock, Salisbury Technical Note 01 Rv4: Nutrient Assessment and Mitigation Strategy. (Brookbanks Consulting, 30 March 2026).

4.0 STAGE 1: TEST OF LIKELY SIGNIFICANT EFFECT (SCREENING)

River Avon SAC (UK0013016)

- 4.1 The River Avon SAC was first designated in 2005 and comprises a large, lowland river system, which includes sections which pass through chalk, greensand and clay. Five aquatic *Ranunculus* species occur in the river system, mainly dominated by stream water-crowfoot and river water-crowfoot. An extensive population of Desmoulin's whorl snail exists along the margins and associated wetlands of the river. A mosaic of aquatic habitats in the river also supports a diverse fish community.
- 4.2 Eight SSSI sites are incorporated into the SAC and these include Avon Valley (Bickton to Christchurch) SSSI, Britford Water Meadows SSSI, East Harnham Meadows SSSI, Jones's Mill SSSI, Lower Woodford Water Meadows SSSI, River Avon System SSSI and River Till SSSI.

Qualifying Features

- 4.3 Annex I habitats that are a primary reason for selection of this site:
- H3260 Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-batrachion* vegetation.
- 4.4 Annex II species that are a primary reason for selection of this site:
- S1016 Desmoulin's whorl snail *Vertigo moullinsiana*
 - S1095 Sea lamprey *Petromyzon marinus*
 - S1096 Brook lamprey *Lampetra planeri*
 - S1106 Atlantic salmon *Salmo salar*
 - S1163 Bullhead *Cottus gobio*

Conservation Objectives

- 4.5 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;
- The extent and distribution of the qualifying natural habitats and of qualifying species
 - The structure and function 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.

Threats and Pressures

- 4.6 Site Improvement Plans (SIPs) were developed for each Natura 2000 site in England as part of the Improvement Programme for England's Natura 2000 sites (IPENS). *Table 2* shows the threats and pressures identified in the River Avon SAC Site Improvement Plan 2014.

Table 2: Threats and pressures: River Avon SAC Site Improvement Plan 2014

Priority & Issue	Measure
Physical modification	Restore channel morphology and natural hydro morphological river processes
Siltation	Reduce siltation inputs from agriculture, tracks and roads
Water pollution	Reduce phosphorus and organic pollutants from diffuse pollution and point sources
Water abstraction	Restore river flows (favourable condition targets)
Changes in species distributions	Monitor, investigate and aim to restore snail and salmon populations.
Invasive species	Control invasive plant species; monitor and investigate Signal crayfish impacts
Hydrological changes	Restore hydrology to sites and wetland mosaic/network that supports Desmoulin's whorl snail
Inappropriate weed control	Reduce the impact of weed cutting on the river habitat and fish species
Habitat fragmentation	Explore amendment to the SAC/ SPA designation

SAC Qualifying Features Condition Assessment

- 4.7 Natural England have published¹ a basic condition summary that relates specifically to the Qualifying Features of the SAC. This table contains the conditions of all three SSSI sites listed under the SAC and is therefore extremely long. For efficiency the table has been copied from the source and displayed here in *Table 3*.

¹ Natural England. <https://designatedsites.naturalengland.org.uk/SiteSACFeaturesMatrix.aspx?SiteCode=UK0013016>

Table 3: Qualifying features condition assessment for River Avon SAC.

		Avon Valley (Bickton to Christchurch) SSSI	Britford Water Meadows SSSI	East Harnham Meadows SSSI		Jones's Mill SSSI
Feature	Condition	154	001	001	004	001
H3260 Water courses of plain to montane levels with <i>R. fluitantis</i> ?	?					
S1016 Desmoulin's whorl snail, <i>Vertigo moulinsiana</i>	?	UR	?	?	F	?
S1095 Sea lamprey, <i>Petromyzon marinus</i>	?	UR				
S1096 Brook lamprey, <i>Lampetra planeri</i>	?	UR				
S1106 Atlantic salmon, <i>Salmo salar</i>	?	UR				
S1163 Bullhead, <i>Cottus gobio</i>	?	UR				

Lower Woodford Water Meadows SSSI		Porton Meadows SSSI		River Avon System SSSI																												River Till SSSI	
001	002	004	002	003	014	015	016	017	020	021	022	023	024	025	028	029	032	033	036	045	053	054	055	056	057	058	059	060	061	062	063	001	002
																					?	?	?	?	?	?	?	?	?	?	?	UR	UR
?	?	UR	UR	UN	UD	UR	UR	UD	UN	UN	UR	UR	F	UR	UD	UD	UN	F	UD	UD	UN	?	?	?		?	?	?	?	?	?	UR	UR
																						?	?	?	?	?	?	?	?	?		F	F
																						?	?	?	?	?	?	?	?	?		F	F
																																F	F

Ecological Pathways and Screening Conclusions

- 4.8 Only ecological pathways relevant to residential developments are included in the screening conclusions tables.

Table 4: Ecological Pathway and HRA Screening Conclusions – River Avon SAC

Ecological Pathway	Assessment applied	Likely Significant Effect
Recreational pressure	While the proposed development will result in an increase in local population, the River Avon SAC is not considered to be a significant recreational resource in this location. Public access to the River Bourne is limited, with existing housing along the riverbanks forming a barrier to access. No footpaths or PROW routes exist directly adjacent the riverside anywhere within typical walking range of the Site, nor are there any activity centres nearby (e.g., boating centres, angling sites etc.) along the river Bourne. Moreover, the Green Infrastructure of the Proposed Development includes 2.54 Ha Public Open Space (POS) with a further 2.33 Ha of designated Suitable Alternative Natural Green space (SANGs) for a projected 279 new residents. This is in excess of the 8 Ha / 1,000 population requirement recommended by Wiltshire Council². This, combined with the proposed footpath to Cockey Down SSSI is likely to alleviate any recreational pressure or disturbance on the SAC qualifying features. As such, increased recreational pressure on the SAC is not considered a credible impact pathway, either alone or in combination with other projects, and no Likely Significant Effect will arise.	No Likely Significant Effect

² New Forest District (NFDC) Council Mitigation for Recreational Impacts - Supplementary Planning Document (SPD) , Appendix D of the Dorset Heathlands Planning Framework 2020 – 2025 and Natural England's Guidelines for Thames Basin Heaths.

Ecological Pathway	Assessment applied	Likely Significant Effect
Loss of functionally linked land (LFLL)	Current land use on-site is dominated by a maize crop Zea mays, with associated margins comprised of species-poor semi-improved grassland, bordered by hedgerows, lacking in watercourses, or significant wetland, which may provide habitat for salmon or Desmoulin's whorl snail, and as such does not provide FLL in the context of the SAC. Likely Significant Effects on FLL associated with the SAC, as a result of the development, can be screened out of further evaluation.	No Likely Significant Effect
Water quality	The proposed Laverstock scheme falls inside of the Impact Risk Zones detailed on the MAGIC platform. Surface water at the application Site currently flows into the River Bourne prior to converging with the River Avon. The River Avon SAC, which encompasses several tributaries, including the river Bourne, is situated c.40m west of the application site. The gradient of the land and freely draining nature of the soil results in surface water draining in a westerly direction, towards the River Bourne. <i>Water Quality and nutrient Neutrality Advice</i> provided by Natural England states that before any development is able to proceed, the site must demonstrate that it can achieve nutrient neutrality to protect the River Avon Special Area of conservation (SAC) and demonstrate beyond reasonable scientific doubt that no Likely Significant Effects on the integrity of the River Avon Special Area of conservation (SAC) are possible as a result of the proposals. Appropriate assessment is required. The assessment has been updated to reflect the revised scheme parameter of 110 dwellings, as set out in the accompanying Nutrient Assessment Technical Note (FPCR, April 2026).	Uncertain Appropriate Assessment Required
Air pollution – dust	Dust and other particulate matter from construction activities typically travel no more than 350-400m ³ from the source, with impacts to flora and fauna likely to greatest within 100m. The northern section of the development footprint is situated between 40 and 100m west of the river Bourne (nearest part of the SAC). Potential risk of dust and particulates reaching, and impacting upon, the SAC. Likely Significant Effect alone uncertain.	Likely Significant Effect Appropriate Assessment Required

³ Guidance on the Assessment of Dust from Demolition and Construction (2014) Institute of Air Quality Management; Guidance on the Assessment of Mineral Dust Impacts for Planning (2016). Institute of Air Quality Management.

Ecological Pathway	Assessment applied	Likely Significant Effect
Air pollution - traffic	Nitrogen deposition from traffic only likely pathway. Natural England 4 step Guidance⁴ on traffic emissions applied as follows: Step 1: Does the proposal give rise to emissions which are likely to reach a European site? Yes Step 2: Are the qualifying features of sites within 200m of a road sensitive to air pollution? No Step 3: Could the sensitive qualifying features of the site be exposed to emissions? No – qualifying features are not sensitive to air pollution. Step 4: Application of screening thresholds. Use of the 1000 Annual Average Daily Traffic. No sensitive receptors – AADT calculation not required. The proposed development will result in a minor increase in traffic emissions. While these emissions may theoretically reach the River Avon SAC, the qualifying features of the SAC comprise aquatic habitats and species which are not sensitive to atmospheric nitrogen deposition. As such, despite potential exposure, no adverse effect for this pathway is present alone or in combination with other projects. The site is therefore not considered sensitive to air quality impacts, and further assessment (including application of AADT thresholds) is not required. On this basis, air quality does not represent a credible impact pathway and no Likely Significant Effect will arise.	No Likely Significant Effect

Porton Down SPA (UK9011101)

- 4.9 Porton Down is situated on the Hampshire/Wiltshire border in southern England and its boundaries are coincident with the Porton Down Site of Special Scientific Interest. It comprises an extensive area of chalk grassland, with scrub and woodland, supporting important numbers of breeding downland birds.

Qualifying Features

- 4.10 The following information regarding qualifying species is largely taken from the Standard Data Form for 'UK national site network of European Sites' for Porton Down. This states that the site qualifies under Article 4.1 of the Birds Directive (79/409/EEC⁵, amended to 2009/147/EC⁶) by regularly supporting more than 1% of the UK breeding population of the following species listed under Annex I of the Directive:

- Stone curlew *Burhinus oedichnemus*: 20 pairs, representing 10.6% of the UK breeding population (5-year peak mean 1995 – 1999).

- 4.11 Species listed that are not the primary reason for selection of this site, but which are of conservation interest:

- Hen harrier *Circus cyaneus*, merlin *Falco columbarius*, and short-eared owl *Asio flammeus*, all three of which are overwintering species listed under Annex I of the EC

⁴ Natural England, 2018. Internal Guidance – Approach to Advising Competent Authorities on Road Traffic Emissions under the Habitats Regulations

⁵ European Council Directive 79/409/EEC on the Conservation of Wild Birds

⁶ European Council Directive 2009/147/EEC on the Conservation of Wild Birds

Birds Directive; each is present in numbers that form less than 1% of the UK population (of each species) and thus not of European importance.

Conservation Objectives

- 4.12 The Conservation Objectives are to maintain or restore the integrity of the site and its qualifying features in line with the Habitats Regulations.

Threats and Pressures

- 4.13 Potential threats and pressures identified for this SPA in the Wiltshire Local Plan Habitats Regulations Assessment include:
- Physical loss of habitat - functionally linked habitat
 - Recreational pressure

Table 5: Ecological Pathway and HRA Screening Conclusions – Porton Down SPA

Ecological Pathway	Assessment applied	Likely Significant Effect
Loss of functionally linked habitat	Natural England advice, as cited in the Wiltshire Local Plan Habitats Regulations Assessment, identifies that a zone of 2km from an SPA should be considered for off-site functionally linked land (FLL) for birds. The proposed residential development at Laverstock falls outside 2km of the SPA and as such the habitat on-site is unlikely to constitute FLL for stone curlew associated with Porton Down. Further, the current habitat on-site, dominated by a commercial maize crop Zea mize, does not afford stone curlews with open areas of bare ground, among short, semi-natural grassland and heath, within which they would typically choose to nest. Maize reaches 1.5-2.5m in height and would be too tall for stone curlew to maintain the sight lines they require and is thus unsuitable as potential breeding habitat. Consultation with Wiltshire & Swindon Biological Records Centre (WSBRC) by FPCR, during the desk study process, returned 460 records of stone curlew with 10km of the Site. The nearest breeding record was located 3.1km from the Site. As expected given the habitat context, given the lack of suitable habitat, stone curlews were not recorded on-site by FPCR ecologists during breeding bird surveys, or surveys for other protected species, undertaken between 2014 and 2020. As the Site is not functionally linked to the SPA for the purposes of its qualifying features, there is no Likely Significant Effect, alone or in combination with other plans and this pathway can be screened out.	No Likely Significant Effect
Recreational pressure	Research indicates that stone curlew are highly sensitive to disturbance, responding to recreational activity at distances of up to 500m. However, the proposed development of 110 dwellings would result in a very limited increase in recreational pressure. The Salisbury Plain HRA and Mitigation Strategy identifies that only 1% of residents within 6.5km are likely to visit the SPA regularly; this equates to approximately 1–2 additional visitors from the proposed development. This visitor rate is derived from a strategic, plan-level evidence base which accounts for existing and planned growth within the zone of influence. As such, the predicted increase is embedded within an in-combination assessment framework and does not represent an unaccounted or additive effect. Furthermore, the development falls within the scope of the established mitigation strategy for Salisbury Plain SPA, which is specifically designed to manage recreational impacts at a strategic level, including in-combination effects from multiple developments. Given the very small scale of additional recreational use, the distribution of access across the extensive SPA, and the presence of strategic mitigation measures, there is no credible mechanism by which the proposal would result in an adverse effect on the integrity of the SPA, either alone or in combination. Any effects can reasonably be characterised as negligible and would not undermine the conservation objectives of the site, consistent with the principles established in Sweetman v An Bord Pleanála⁷.	No Likely Significant Effect

⁷ Advocate General's Opinion to CJEU in Case C-258/11 Sweetman and others v An Bord Pleanála 22nd Nov 2012.

Salisbury Plain SAC (UK0012683)/Porton Down SSSI/Parsonage Down SSSI/Salisbury Plain SSSI

- 4.14 Salisbury Plain SAC was first designated in 2005. Salisbury Plain represents *Juniperus communis* formations near the southern edge of the habitat's range on chalk substrate in southern England, where it is particularly rare. The site remains the best example of lowland juniper heath scrub on chalk substrate in the UK.
- 4.15 The juniper is juxtaposed with the largest surviving area of semi-natural dry grassland in Europe. Extensive examples of *Bromus erectus* grassland are present, the most widespread calcareous grassland in the UK, as well as significant areas of the rare *Festuca ovina* – *Hieracium pilosella* – *Thymus praecox* grassland, and one of the largest examples of *Avenula pubescens* grassland.
- 4.16 Three SSSI sites are incorporated into the SAC and these include Parsonage Down SSSI, Porton Down SSSI and Salisbury Plain SSSI.

Qualifying Features

- 4.17 Annex I habitats that are a primary reason for selection of this site:
- H5130 *Juniperus communis* formations on heaths or calcareous grasslands
 - H6210 Semi-natural dry grassland and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (important orchid sites). The wider site supports the nationally scarce burnt orchid *Orchis ustulata*, and notable populations of uncommon orchid species: green-winged *O. morio* and frog *Coeloglossum viride*.
- 4.18 Annex II species that are a primary reason for selection of this site:
- S1065 Marsh fritillary butterfly *Euphydryas* (*Eurodryas*, *Hypodryas*) *aurinina*. The site represents marsh fritillary in chalk grassland in central southern England and contains a cluster of large sub-populations where the species breeds.

Conservation Objectives

- 4.19 The Conservation Objectives are to maintain or restore the integrity of the site and its qualifying habitats and species.

Threats and Pressures

- 4.20 Published threats and pressures on Salisbury Plain SAC are listed below in *Table 6*.

Table 6: Threats and pressures: Salisbury Plain SAC Site Improvement Plan 2015

Priority & Issue	Measure
Changes in species distributions	Conservation management to improve the juniper populations on Salisbury Plain towards favourable condition.
Air pollution: risk of atmospheric nitrogen deposition	Control, reduce and ameliorate atmospheric nitrogen impacts

SAC Qualifying Features Condition Assessment

- 4.21 Natural England have published⁸ a basic condition summary that relates specifically to the Qualifying Features of the SAC. This table contains the conditions of all three SSSI sites listed

⁸ Natural England. <https://designatedsites.naturalengland.org.uk/SiteSACFeaturesMatrix.aspx?SiteCode=UK0012683>

under the SAC and is therefore extremely long. For efficiency the table has been copied from the source and displayed here in *Table 7*.

Table 7: Qualifying features condition assessment for Salisbury Plain SAC.

		Parsonage Down SSSI		Porton Down SSSI																								
Feature	Condition	001	002	003	001	002	003	005	007	008	009	010	011	012	013	014	015	016	017	018	019	020	021	022	023	024	025	
H5130 Juniperus communis formations on heaths or calc grasslands	?			?	?	?	?	UR	?	F	F	UN	UN	UN	UN	F	UN	UN	UN	UN	UN	UN	UN	UN	UN	UN	UN	
H6210 Semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia), (note that this includes the priority feature 'important orchid rich sites')	?	F	F	F	?	UR	?	UR	?	F	UR	UR	UR	F	UR	F	UR	UR	UR	UR	UR	UR	UR	UR	UR	UR	UR	
H6211 Dry grasslands and scrubland facies: important orchid sites	?		F	F										?			?											
S1065 Marsh fritillary, Eurodyas aurinia	?									F						F				?	F	?	F		?	?	?	

Salisbury Plain SSSI																																																							
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Ecological Pathways and Screening Conclusions

Table 8: Ecological Pathway and HRA Screening Conclusions – Salisbury Plain SAC

Ecological Pathway	Assessment applied	Likely Significant Effect
Air pollution – nitrogen	The SIP notes that nitrogen deposition at Salisbury Plain SAC exceeds the critical load for juniper, with a corresponding risk that this may contribute towards dominance by coarse grasses, a decline in lichens, and changes in plant biochemistry. Nitrogen levels also exceed the critical load for marsh fritillary populations. The proposed development lies 3.7km from Salisbury Plain SAC. At this distance, the likely significance of an air quality effect upon the SAC as a result of the proposed development is diminished. Strategic roads, including A30, A303, A338, A342, A343, and the A360, pass within 200m of the SAC boundary; however, the points at which these roads are located at this proximity to the SAC are 5.6km or more from the application Site (along the A30) and may not support qualifying features sensitive to air pollution impacts ('site-fabric'). Given their distance from the Site, most of these roads are unlikely to experience significant increases in the volume of traffic utilising them on a regular basis as a result of the proposed development at Laverstock. No assessment of the change in Annual Average Daily Traffic (AADT) resulting from traffic associated with the proposed development has been undertaken, with the Transport Statement (Jubb Ref 14150-TA-01, December 2020) focussing on the impacts on local transport and highways capacity. For a development of this size however, it is reasonable to conclude that the 1000 AADT threshold will not be exceeded. Consequently, no Likely Significant Effects of air pollution from the development alone are anticipated.	No likely significant effect

Air pollution - dust	Dust and other particulate matter from construction activities typically travel no more than 350-400m from the source, with impacts to flora and fauna likely to greatest within 100m.	No Likely Significant Effect
Habitat loss	Any loss of habitat within the SAC or loss / fragmentation / disturbance to functionally linked land.	No Likely Significant Effect
Noise and light	Precautionary assumption that the effects of noise, vibration and light are most likely to be significant within 500 metres.	No Likely Significant Effect

Great Yews SAC (UK0012770)

- 4.22 Great Yews SAC was first designated in 2005 and represents yew woodland in the southwest of the habitat's range. While the SAC comprises the smallest area of yew woodland habitat included in the SAC series, it remains important for the presence of approximately 300 old trees. The woodland likely originated a yew wood following beech *Fagus sylvatica* or ash *Fraxinus excelsior*. Some regeneration has been identified and as such the woodland has the full structural and functional range that would be expected of yew stands.

Qualifying Features

- 4.23 Annex I habitats that are a primary reason for selection of this site:
- H91J0 *Taxus baccata* woods of the British Isles

Conservation Objectives

- 4.24 The Conservation Objectives are to maintain or restore the integrity of the site and its qualifying features in line with the Habitats Regulations.

Threats and Pressures

- 4.25 Published threats and pressures on Porton Down SPA are listed below in *Table 9*.

Table 9: Threats and pressures: Great Yews SAC Site Improvement Plan 2014

Priority & Issue	Measure
Deer	Protect yew seedlings and layering shoots from deer by fencing
Air pollution: risk of atmospheric nitrogen deposition	Investigate potential atmospheric nitrogen impacts and take action as appropriate

Ecological Pathways and Screening Conclusions

Table 10: Ecological Pathway and HRA Screening Conclusions – Great Yews SAC

Ecological Pathway	Assessment applied	Likely Significant Effect
Non-toxic contamination	The woodland qualifying feature is sensitive to non-toxic contamination such as sediment and dust from construction which may lead to nutrient enrichment and disruption of habitat processes. Natural England identifies a precautionary zone of 500 meters for dust and contaminants adversely affecting a European Site. Greater Yews SAC is approximately 9km to the south-west of the Site, well beyond this distance. Given the substantial separation distance, there is no viable impact pathway for dust or sediment deposition to reach the SAC from the Site. Other local plans and projects would similarly be limited to their own local zones of influence and would not contribute to a combined effect at the SAC over distances of several kilometres. Therefore, no in-combination Likely Significant Effects are identified for this impact pathway.	No Likely Significant Effect
Air pollution	England 4 step Guidance¹⁴ on traffic emissions applied. Nitrogen deposition from traffic has been considered as a potential impact pathway. However, for an effect to occur, traffic generated by the proposed development would need to result on roads within 200 m of Great Yews SAC. Review of the local road network indicates that the Proposed Development, located to the east of Salisbury, would not result in traffic increases on roads in proximity to the SAC. The SAC is relatively isolated from the main road network, and there are no logical traffic routes connecting the Site to roads within 200 m of the SAC. As such, there is no plausible mechanism by which emissions from development-related traffic would affect the SAC. In the absence of a credible impact pathway, combination Likely Significant Effects can be excluded, both alone and in combination with other plans and projects.	No Likely Significant Effect

New Forest SPA/SAC/SSSI/RAMSAR

- 4.26 The New Forest comprises the largest area of 'unsown' vegetation in lowland England. The mosaic of habitats has been constructed over time through a traditional grazing system. Habitats include lowland heath, valley and seepage step mire/fen, ancient pasture woodland and riparian and bog woodland.
- 4.27 The site contains extensive stands of lowland northern Atlantic wet heaths, consisting of *Erica tetralix* – *Sphagnum compactum* and *Schoenus nigricans* – *Narthecium ossifragum* mires. The wet heaths are important for rare plants, such as marsh gentian *Gentiana pneumonanthe* and marsh clubmoss *Lycopodiella inundata*, and a number of dragonfly species, including the

¹⁴ Natural England, 2018. Internal Guidance – Approach to Advising Competent Authorities on Road Traffic Emissions under the Habitats Regulations

scarce blue-tailed damselfly *Ischnura pumilio*, southern damselfly *Coenagrion mercuriale* and small red damselfly *Ceriagrion tenellum*.

- 4.28 The largest area of lowland dry heathland in the UK is also found in the Forest. The dry heaths here comprise two main communities; *Calluna vulgaris* – *Ulex minor*, and *Ulex minor* – *Agrostis curtisii*. The grasslands are species-rich, with an abundance of small sedges: carnation sedge *Carex panicea*, common sedge *C. nigra* and yellow-sedge *C. viridula* ssp. *oedocarpa*, and the more frequent occurrence of mat-grass *Nardus stricta* and petty whin *Genista anglica*.
- 4.29 The site also contains nutrient-poor vegetation on the edge of large temporary ponds, shallow ephemeral pools and poached damp hollows in grassland, which support a number of specialist species. These include two nationally scarce species: coral-necklace *Illecebrum verticillatum* and yellow centaury *Cicendia filiformis*, often in association with allseed *Radiola linoides* and chaffweed *Anagallis minima*.
- 4.30 The New Forest RAMSAR site covers an area of 28,002.81 hectares and was designated in 1993. The New Forest contains areas of semi-natural vegetation including valley mires, fens and wet heath within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. The habitats present are of high ecological quality and diversity with undisturbed transition zones.
- 4.31 The extent of mires here is regarded as a classic example of this type of mire in Britain. Other wetland habitats include ponds varying in size and water chemistry, such as ephemeral ponds and acidic streams which are not present in other lowland areas of Britain. The valley and mire plant communities demonstrate considerable variation and are influenced by the nutrient content of groundwater here. In the most nutrient-poor zones, sphagnum bog-mosses, cross-leaved heath, bog asphodel, common cottongrass and similar species dominate.
- 4.32 The SAC contains five SSSI sites which consist of Landford Bog SSSI, Langley Wood and Homan's Copse SSSI, Loosehanger Copse and Meadows SSSI, The New Forest SSSI and White parish Common SSSI.

Qualifying features of the SPA

- 4.33 The site qualifies under Article 4.1 of EC Directive 79/409 on the Conservation of Wild Birds by regularly supporting nationally important population of Annex I species:
- Nightjar *Caprimulgus europaeus* (200 pairs, 15% of the British breeding population)
 - Woodlark *Lullula arborea* (51-54 pairs, 24% of the British population)
 - Dartford warbler *Sylvia undata* (454 pairs, 75% of the British population)
 - Honey buzzard *Pernis apivorus* (2 pairs, 10% of British population)
 - Kingfisher *Alcedo atthis* (up to 10 pairs)

Conservation Objectives

- 4.34 The Conservation Objectives are to maintain or restore the integrity of the site and its qualifying features in line with the Habitats Regulations.

Qualifying Features of the SAC

- 4.35 Annex I habitats that are a primary reason for selection of this site:

- H3110 Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*); Nutrient-poor shallow waters with aquatic vegetation on sandy plains
- H3130 Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea*; Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels
- H4010 Northern Atlantic wet heaths with *Erica tetralix*; Wet heathland with cross-leaved heath
- H4030 European dry heaths
- H6410 *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*); Purple moor-grass meadows
- H7140 Transition mires and quaking bogs; Very wet mires often identified by an unstable `quaking` surface
- H7150 Depressions on peat substrates of the *Rhynchosporion*
- H7230 Alkaline fens; Calcium-rich springwater-fed fens
- H9120 Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*); Beech forests on acid soils
- H9130 *Asperulo-Fagetum* beech forests; Beech forests on neutral to rich soils
- H9190 Old acidophilous oak woods with *Quercus robur* on sandy plains
- H91D0 Bog woodland
- H91E0 Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*); Alder woodland on floodplains*

4.36 Annex II species that are a primary reason for selection of this site:

- S1044 Southern damselfly *Coenagrion mercuriale*
- S1083 Stag beetle *Lucanus cervus*
- S1166 Great crested newt *Triturus cristatus*

Qualifying features of the RAMSAR

4.37 The site is designated under the following criterion for RAMSAR areas:

- Ramsar criterion 1: Valley mires and wet heaths are found throughout the site and are of scientific interest. The mires and heaths are within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. This is the largest concentration of intact valley mires of their type in Britain.
- Ramsar criterion 2: The site supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on the site, as are at least 65 British Red Data Book species of invertebrate.
- Ramsar criterion 3 The mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scarce wetland species. The whole site complex, with

its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.

Conservation Objectives

- 4.38 The Conservation Objectives are to maintain or restore the integrity of the site and its qualifying habitats and species.

Threats and Pressures

- 4.39 Published threats and pressures on New Forest SAC and RAMSAR are listed below in *Table 11*.

Table 11: Threats and pressures: New Forest SAC Site Improvement Plan 2014

Priority & Issue	Measure
Drainage	Restore the hydrology
Inappropriate scrub control	Remove and control excess tree and scrub cover
Fish stocking	Develop and implement a lake restoration plan for Hatchet Pond
Deer	Manage the deer population
Air pollution: impact of atmospheric nitrogen deposition	Control and reduce impacts of atmospheric nitrogen deposition
Public access/disturbance	Manage recreation to minimise disturbance to SPA birds and SAC habitats
Change in land management	Restore heathland
Changes in species distributions	Establish population status of the southern damselfly
Water pollution	Investigate the cumulative impact of domestic treatment unit discharge
Forestry and woodland management	Restore positive woodland management
Inappropriate ditch management	Reduce the impact of drainage
Invasive species	Monitor, control and if possible, eradicate, non-native invasive species
Vehicles	Reduce and control damage by vehicles
Inappropriate cutting/mowing	Remove and control excess tree and scrub cover, and reintroduce appropriate management
Direct impact from 3 rd party	Protect habitats from 3 rd party damage

Table 12: Ecological Pathway and HRA Screening Conclusions – New Forest SPA/ SAC / RAMSAR

Ecological Pathway	Assessment applied	Likely Significant Effect
Recreational	The Proposed Development will result in an increase in the local population, which is likely to lead to a corresponding increase in recreational activity. The Site lies within the identified Zone of Influence (13.8 km), as defined by Wiltshire Council's Interim New Forest Mitigation Strategy and supporting visitor survey evidence, within which residential development is recognised to contribute to recreational pressure on the New Forest SPA and SAC. In view of the increase in population and the Site's location within the Zone of Influence, it cannot be excluded that the proposal will result in increased recreational disturbance to qualifying habitats and species. A Likely Significant Effect cannot be ruled out, both alone and in-combination. Appropriate Assessment is therefore required.	Likely Significant Effect

- 4.40 No other credible impact pathways (e.g. air quality, hydrological connectivity, or functionally linked land) are identified due to the separation distance and absence of direct pathways.

Screening Conclusion

- 4.41 Table 13 provides a summary of the screening assessment of the proposed development for all of the European designated sites identified.

Table 13: Ecological Pathway and HRA Screening (TOLSE) Conclusions for all European designated sites identified

Site	Qualifying Feature(s)	Potential Impact Pathway – alone and in-combination	Likely Significant Effect?
Great Yews SAC	Yew dominated woodland	Non-toxic contamination	No Likely Significant Effect
		Air pollution	No Likely Significant Effect
Porton Down SPA	Breeding stone curlews	Loss of functionally linked habitat	No Likely Significant Effect
		Recreational pressure	No Likely Significant Effect
Salisbury Plain SAC	1. Juniper scrub 2. Semi-natural dry chalk grassland 3. Marsh fritillary	Air pollution – nitrogen	No Likely Significant Effect
		Air pollution - dust	No Likely Significant Effect
		Habitat loss	No Likely Significant Effect

Site	Qualifying Feature(s)	Potential Impact Pathway – alone and in-combination	Likely Significant Effect?
		Noise and light	No Likely Significant Effect
River Avon SAC	1. Lowland watercourse 2. Desmoulin's whorl snail 3. Atlantic salmon 4. Sea lamprey 5. Brook lamprey 6. Bullhead	Recreational pressure	No Likely Significant Effect
		Loss of functionally linked land (LFLL)	No Likely Significant Effect
		Water quality	Yes, Significant Effect Likely
		Air pollution – dust	Yes, Significant Effect Likely
		Air pollution - traffic	No Likely Significant Effect
New Forest SAC/SPA/Ramsar	1. Nightjar 2. Woodlark 3. Dartford warbler 4. Honey buzzard 5. Kingfisher	Increased recreation pressure	Yes, Significant Effect Likely
	1. Heathland 2. Acidic and nutrient-poor lakes and ponds 3. Bog and mire habitats 4. Species-rich grasslands 5. Beech and oak woodland 6. Alder woodland in floodplain areas 7. Southern damselfly 8. Stag beetle 9. Great crested newt		

5.0 STAGE 2: APPROPRIATE ASSESSMENT

Introduction

- 5.1 In accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), this Stage 2 Appropriate Assessment considers whether the Proposed Development, either alone or in combination with other plans and projects, will have an adverse effect on the integrity of European sites where a Likely Significant Effect (LSE) could not be screened out at Stage 1.
- 5.2 The Appropriate Assessment has been undertaken with reference to the conservation objectives of each relevant European site, the identified impact pathways, and the mitigation measures incorporated within the Proposed Development. The assessment applies the precautionary principle as required under the Habitats Regulations.
- 5.3 On the basis of the Stage 1 Screening (Section 4.0), Appropriate Assessment is required in respect of the following sites and pathways:
- River Avon SAC – Water quality (phosphate/nutrient inputs) and construction-related air quality (dust)
 - New Forest SAC/SPA/Ramsar – Recreational pressure

River Avon Special Area of Conservation (SAC)

- 5.4 The River Avon SAC is designated for its aquatic habitats and associated Annex II species, including Desmoulin's whorl snail, Atlantic salmon, brook lamprey, sea lamprey and bullhead. The conservation objectives require maintenance or restoration of habitat extent, structure, function and supporting processes, including water quality and hydrological regime.
- 5.5 Stage 1 identified two pathways requiring further assessment:
- Construction phase dust and particulate emissions
 - Operational phase water quality impacts (phosphates/nutrients)

Air Pollution – Construction Dust

- 5.6 Construction activities have the potential to generate dust and particulate matter; however, these impacts are highly localised and typically fall off rapidly with distance from source. Sensitive ecological receptors associated with the River Avon SAC are located beyond the zone of highest dust deposition influence.
- 5.7 A Construction Environmental Management Plan (CEMP) will be secured by planning condition. This will include:
- Use of clean water for dust suppression, to avoid re-circulating fine material.
 - High standards of housekeeping that will help minimise tracked-out and wind-blown dust.
 - A preventative maintenance programme, including readily available spares, to ensure efficient operation of plant and equipment; and
 - Effective staff training in respect of the causes and prevention of dust.

- 5.8 As an additional overriding consideration, during dry or windy weather, if any operations are identified as causing, or likely to cause, visible emissions across the site boundaries, or if abnormal emissions are observed within the site, then the Site Manager will immediately modify, reduce, or suspend those operations, until effective remedial actions can be taken, or the weather conditions giving rise to emissions have moderated.
- 5.9 The implementation of a CEMP represents standard best practice and is considered sufficient to ensure that dust emissions are avoided or effectively controlled such that they do not result in measurable changes in habitat condition within the SAC.
- 5.10 On this basis, and with mitigation secured through planning condition, the proposal will not result in an adverse effect on the integrity of the River Avon SAC through dust or particulate emissions.

Water Pollution – Phosphate Input

- 5.11 Natural England Letter (17 August 2020), the 'Dutch Nitrogen Cases' (See also *Appendix A*), has placed emphasis on plans or projects that are likely to, either directly, or indirectly increase the nutrient loads of international sites of nature conservation importance, where a reason for unfavourable condition of component units (SSSI's in this instance) is an excess of a particular pollutant(s), which in this instance is phosphorous. Where the conservation status of a protected natural habitat is 'unfavourable', the possibility of authorising activities which may subsequently compromise the ability to restore the site to 'favourable' condition and achieve the conservation objectives is "necessarily limited".
- 5.12 Given the current absence of any strategic approach to a solution to the problem of phosphate loading within the River Avon catchment area; and that any residential developments are likely to add additional phosphorous into River Avon SAC system from wastewater treatment effluent and surface water, via hydrological pathways, it cannot be concluded that that there would likely be no significant effect.
- 5.13 It would therefore also have to be concluded that in-combination effects would also be *likely* – with phosphate discharge levels from municipal wastewater treatment works also falling short in terms of reducing nutrient levels (phosphorous) in discharge.
- 5.14 Natural England advice is that the competent authority establishes a 'nutrient neutrality' approach to development that gives rise to additional phosphorous within the catchment and must demonstrate that it can achieve nutrient neutrality.
- 5.15 As work is still progressing with regards to strategic approaches to nutrient neutrality within the River Avon catchment, such measures cannot currently be relied upon in isolation for the purposes of the Habitats Regulations Assessment. The proposed development therefore adopts a precautionary approach by securing bespoke mitigation measures to ensure nutrient neutrality is achieved. These measures comprise a combination of on-site SuDS, wastewater assumptions, and off-site land-use change secured through a Fallow Land Management Plan. These measures are assessed on a worst-case basis to ensure that the development will not give rise to adverse effects on the integrity of the River Avon SAC, either alone or in-combination with other plans or projects.

- 5.16 In accordance with Natural England advice, a detailed assessment of the phosphate output resulting from surface water runoff and foul water drainage associated with the proposed Laverstock development is provided in *Church Street, Salisbury - Technical Note 01 Rv4: Nutrient Assessment and Mitigation Strategy* (Brookbanks Consulting, 30th March 2026). This nutrient assessment has been undertaken with reference to *Water Quality and Nutrient Neutrality Advice* (Natural England, March 2022). Phosphate leachate figures used in the assessment have however been based on a specific calculator that applies to the River Avon. Natural England advised Brookbanks on this approach, which has been adopted for other proposed and consented development sites in the River Avon catchment.
- 5.17 There are four key stages outlined in Natural England's guidance to determine the nutrient neutrality of a development. Full details of these stages (including relevant calculations) are provided within *Church Street, Salisbury - Technical Note 01 Rv4: Nutrient Assessment and Mitigation Strategy* (Brookbanks Consulting, 30th March 2026).
- 5.18 The four-stage process includes the following:
1. *Calculating wastewater Total Phosphorous (TP) load from the proposed development*
 - *Calculating additional population*
 - *Wastewater volume*
 - *Wastewater treatment works*
 - *Application of a deduction in TP loading*
 - *TP load discharged from the wastewater Treatment Works.*
- 5.19 A development of 110 dwellings would generate a Total Phosphorus (TP) load from wastewater of 12.25 kgTP/year (revised to 9.98 kgTP/year following reduction from 135 to 110 dwellings).
2. *Calculating phosphate load from current land use*
 - *Calculate the total existing agricultural land.*
 - *Confirmation and calculation of phosphate loss.*
- 5.20 The development would result in the removal of approximately **8.09ha** of agricultural land currently under intensive arable tenure. This generates a TP load from current land use of **0.98kgTP/year** (cereal crop leachate rate 0.12kgTP/ha/year).
3. *Calculating the adjusted Phosphorous Load to account for the future land uses*
 - *Calculation of Phosphorous Load from proposed future land uses.*
 - *Combine the Phosphorous Load from the proposed future land uses.*
- 5.21 The 110 dwellings, accounting for future land uses and SuDS provision (which removes surface water phosphorus contributions from residential areas), would generate a net TP load of 10.95 kgTP/year (pre-AMP8 scenario), as derived from the River Avon nutrient neutrality calculator (FPCR, April 2026) with a post-AMP8 net TP load of 1.98 kg/TP/year. This assumption is consistent with the Stage 1 screening assessment (FPCR, April 2026) and the accompanying Technical Note *Church Street, Salisbury - Technical Note 01 Rv4: Nutrient Assessment and Mitigation Strategy* (Brookbanks Consulting, 30th March 2026).

Proposed mitigation measures

- 5.22 To ensure Phosphate neutrality for the proposed Laverstock scheme, mitigation measures are required to achieve a positive phosphate budget. This would be achieved by a change in agricultural management, by fallowing agricultural land outside of the proposed development area, but within the wider land control of the applicant.
- 5.23 Based on the calculations set out in the Fallow Land Management Plan (FPCR, April 2026) and associated Nutrient Assessment Technical Note, it has been determined that the removal of land from intensive agricultural use can achieve a reduction in phosphate leaching sufficient to offset the predicted development-related phosphorus load associated with 110 dwellings. Based on the River Avon nutrient neutrality calculator (FPCR, April 2026), this area is sufficient to offset the net phosphorus load associated with the development including the application of a 20% precautionary buffer. This mitigation is delivered through a combination of approximately **7.40ha of temporary fallowed land and 1.34ha of permanent woodland planting**, both secured within land under the control of the applicant. The key design principles for fallowing are the creation and maintenance of permanent vegetative cover (as opposed to bare ground) to provide soil stability, decrease runoff of silt and suspended nutrients including Phosphate from the land.
- 5.24 Specifically, fallowing involves an area of land remaining open and undeveloped but reverted from arable land to a low maintenance grassland, with no artificial or organic fertilisers applied. It should be noted the applicant has identified an area of up to 22.2ha that is available for fallowing, of which 7.40ha will be temporarily; and 1.34ha permanently fallowed.
- 5.25 The land is to be fallowed and removed from agricultural production prior to the first occupation of any dwellings constructed following granting of Reserved Matters consent. The intention is for the land to remain fallowed in perpetuity, with no development, public access, or normal agricultural use. Initially, temporary fallowing a 7.40ha portion of the 22.2ha of agricultural land available, will ensure the proposed development achieves nutrient neutrality.
- 5.26 The remaining 1.34ha of agricultural land will be planted with new woodland, to be implemented from day 1 of the Fallowed Land Management Plan, removing further land from agricultural tenure that will provide permanent mitigation in the medium to long-term; ensuring the proposed development achieves nutrient neutrality beyond AMP8.
- 5.27 Land is to be removed from agricultural tenure prior to the first occupation of any dwelling constructed, following granting of Reserved Matters consent, with 1.34ha planted as native woodland (tree density of no less than 100 per ha) and a further 7.40ha to be temporarily fallowed, and managed as low intensity grassland. The woodland provides a long-term solution and will be managed in perpetuity.
- 5.28 It is the intention that the 7.40ha of fallowed agricultural land shall remain until 2030, subject to the implementation of wastewater treatment works upgrades or alternative measures delivering nutrient neutrality within the catchment. Subsequently, this land may be returned to agricultural use.

Mechanisms for delivery

- 5.29 Certainty of delivery of the proposed Phosphate Mitigation Strategy and detailed within the Fallow Land Management Plan (FPCR, April 2026) to achieve the required 'Phosphate neutrality'

can be adequately secured through an appropriately worded condition attached to planning consent. All land within the Fallow Land Management Plan area (*Figure 2*) is within the control of Hallam Land Management Limited.

Test of site integrity

Proposed mitigation measures would ensure that there would be no adverse effect on the integrity of the River Avon SAC, either alone or in combination with other plans or projects, as a result of water quality (phosphate) impacts. It is therefore concluded that no adverse effect on site integrity will occur, subject to implementation and long-term securing of mitigation measures.

New Forest SAC/SPA/Ramsar

Increased recreational pressure

- 5.30 Wiltshire Council's Interim New Forest Mitigation Strategy requires all developments of 50 or more dwellings within 13.8km of the New Forest International Protected Sites seek to provide on-site mitigation through Suitable Alternative Natural Green space (SANGs) with mitigation for smaller developments of 1-49 dwellings being secured through Community Infrastructure Levy (CIL) contributions.
- 5.31 Wiltshire Council's Interim New Forest Mitigation Strategy¹⁵, the New Forest SAC/SPA/Ramsar visitor study¹⁶ and discussion/analysis document¹⁷ clearly demonstrate that there is a steep drop-off in visit rates with increasing distance from the New Forest International sites. It therefore follows that Wiltshire Council adopt a proportional approach when considering whether greenspace components of proposed developments are sufficient to mitigate the likely potential effects of increased recreational pressure on the New Forest International sites.
- 5.32 The revised scheme includes greenspace which has been designed in accordance with the relevant guidelines as directed by Wiltshire Council i.e., New Forest District (NFDC) Council Mitigation for Recreational Impacts - Supplementary Planning Document (SPD)¹⁸, Appendix D of the Dorset Heathlands Planning Framework 2020 – 2025¹⁹ and Natural England's Guidelines for Thames Basin Heaths²⁰. In summary, the proposed development will deliver SANGs that includes a >2.3km walking route (see *6450-XX-XX-DR-L-09-P03-Access and Walking Routes Plan*).
- 5.33 Following the relevant guidelines for SANGs, these must be provisioned at a rate of 8 Ha / 1,000 population. In this instance the expected population of the Proposed Development during the operational phase is approximately 279 residents that makes the minimum SANGs area

¹⁵ INTERIM RECREATION STRATEGY FOR THE NEW FOREST INTERNATIONALLY PROTECTED SITES. Jan 2022 (Ver. 1 25/03/2022). Wiltshire Council

¹⁶ Liley, D., Clarke, R.T., Panter, C. & Saunders, P. (2019) Recreation use of the New Forest SAC/SPA/Ramsar: Overview of visitor results and implications of housing change on visitor numbers. Unpublished report, Footprint Ecology.

¹⁷ Liley, D. & Caals, Z. (2020). Discussion and analysis relating to the New Forest SAC/SPA/Ramsar and a zone of influence for recreation. Unpublished report. Footprint Ecology.

¹⁸ Mitigation for Recreational Impacts On New Forest European Sites Supplementary Planning Document (April 2021). New Forest District Council.

¹⁹ Appendix D: Guidelines for the establishment of Suitable Accessible Natural Greenspace (SANG) Quality Standards for the Dorset Heaths. The Dorset Heaths Planning Framework 2020-2025 (Dec 2019) Dorset Council.

²⁰ Guidelines for the creation of Suitable Accessible Natural Green Space. Natural England

requirement 2.33 Ha. Currently the Parameters Plans shows a 2.54 Ha available for SANG which is in excess of the required figure.

5.34 In addition to the area requirement, the proposals will also be able to meet the following requirements as laid out within the Natural England Guidance:

1. The Green Infrastructure provision, although <4 Ha in size is primarily intended for local pedestrian use only i.e., from proposed new residences and potentially existing residents of Laverstock (GI provision within 400m of development linked to it).
2. The Green Infrastructure provision includes more than one potential circular walk route in excess of 2.3km length.
3. The Green Infrastructure provision shall be perceived 'safe' and although new indigenous tree and scrub planting is to be included along parts of the recreational paths, direct tree cover over paths will be avoided.
4. All recreational paths shall be well maintained and most paths (all in the northern extent of the Green Infrastructure provision will be unsurfaced to avoid the sit becoming too urban in feel (except where there exists a conflict between accessibility in which case hoggin / self-binding gravel would be acceptable).
5. Access to the Green Infrastructure provision, the northern extent, shall be largely unrestricted with plenty of space provided for the safe exercise of free running dogs.
6. The landscape design of the Green Infrastructure provisions will provide a range of habitats and microhabitats for recreational users to experience, including varied grassland types and a mosaic of new native hedgerows, scattered indigenous scrub and trees that will create semi-natural spaces with little intrusion of artificial structures except in the immediate vicinity of the Proposed New Residences. Sustainable drainage features in the southwest of the Green Infrastructure provision will also provide an additional range of marginal and aquatic habitats that will further enhance user exposure to the experience of semi-natural habitats.
7. The Green Infrastructure provisions will be advertised through signage at appropriate locations throughout the proposed new development and a leaflet with relevant information (layout and routes available to users) will be distributed to new residences.
8. Dog waste, litter / recycling bins will be positioned at suitable locations.

Mechanisms for delivery

5.35 Certainty of delivery of the proposed Green Infrastructure can be adequately secured through planning consent and the above detailed prescriptions, through an appropriately worded condition attached to planning consent.

Test of site integrity

5.36 Proposed mitigation measures would serve to reduce the potential for increased recreational pressure and ensure that there would be no adverse effect upon the Conservation Objectives of the New Forest SAC/SPA/Ramsar, either alone or in-combination with other plans of projects. Accordingly, Wiltshire County Council can conclude that there would be no adverse effect upon the integrity of the SAC in respect of this impact pathway.

6.0 HRA APPROPRIATE ASSESSMENT CONCLUSION

- 6.1 This Shadow HRA concludes that there would be no Likely Significant Effect of the proposed Laverstock scheme on:
- Salisbury Plain SAC
 - Porton Down SPA; and
 - Great Yews SAC.
- 6.2 Therefore accordingly, Wiltshire County Council can screen-out the requirement for HRA Stage 2: Appropriate Assessment for these three European Sites and all possible ecological impact pathways associated with them.

River Avon SAC

- 6.3 A Likely Significant Effect upon the River Avon SAC has been identified as a result of water quality (Phosphate) impacts, in isolation and in combination with other projects and plans. Mitigation in the form of a change in land-use and fallowing of agricultural land, secured through the implementation of a Fallow Land Management Plan, would ensure that Phosphates generated by the proposed Laverstock scheme would be mitigated. It is therefore considered that Wiltshire County Council are able to conclude that there would be **no adverse** effect upon the integrity of the Conservation Objectives of the River Avon SAC and the favourable conservation status of its qualifying features, either alone or in combination.

New Forest SAC/SPA/Ramsar

- 6.4 A likely Significant Effect upon the New Forest SAC/SPA/Ramsar has been identified as a result of increased recreational pressure. The distance of the proposed development of 12.04km from the New Forest SAC/SPA/Ramsar is approaching the limits of the 13.8km ZOI surrounding the New Forest SAC/SPA/Ramsar, so is not expected to have a LSE alone (although this is uncertain); however, a LSE upon the New Forest SAC/SPA/Ramsar has been identified in combination with other plans or projects.
- 6.5 Mitigation in the form of Green Infrastructure provision and a quantum in-line with the size and other requirements recommended in guidelines for the creation of Suitable Alternative Natural Green space (SANGs) will serve to provide areas of locally convenient greenspace suitable for recreational use and reduce recreational pressure on the New Forest SAC/SPA/Ramsar. It is therefore considered that Wiltshire County Council are able to conclude that there would be no adverse effect upon the integrity of the Conservation Objectives of the New Forest SAC/SPA/Ramsar and the favourable conservation status of its qualifying features, either alone or in combination.

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APPENDIX A. THE HABITATS REGULATIONS ASSESSMENT PROCESS AND LEGISLATION

Legislative Background

- A1.1. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive (the Habitats Directive) 92/43/EEC, and EC Directive on Wild Birds (the Birds Directive) (Council Directive) 2009/147/EEC, into national UK law. The Regulations require the compilation and maintenance of a register of European sites that includes Special Areas of Conservation, as well as Special Protection Areas designated for birds and sites designated as internationally important wetlands under the Ramsar Convention known as “Ramsar Sites”. These three designations form a collective Europe wide network of internationally protected sites known as Natura 2000.

The Habitats Directive

- A1.2. Article 6(3) of the Habitats Directive requires an Appropriate Assessment of any plans that could affect a Natura 2000 site:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of Paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

- A1.3. Article 6(4) of the Habitats Directive discusses alternative solutions, the test of “imperative reasons of overriding public interest” (IROPI) and compensatory measures (transposed to Regulation 60):

“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.”

- A1.4. A “likely significant effect” is defined as: “any effect that may reasonably be predicted...that may affect the conservation objectives of the features for which the site was designated, but excluding trivial or inconsequential effects.”

- A1.5. The “integrity of a site” is defined as: “the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and / or the level of populations of the species for which it was classified.”

The Habitats Regulations

- A1.6. In relation to undertaking and consenting plans or projects, the due consideration of Natura 2000 sites is outlined in regulation 61 of the Habitats Regulations, which has led to the HRA process, as follows.

“61. 1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which - (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.

(2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required.

(3) The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify.

(4) They must also, if they consider it appropriate, take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate.

(5) In the light of the conclusions of the assessment, and subject to regulation 62 (considerations of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

(6) In considering whether a plan or project will adversely affect the integrity of the site, the authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or other authorisation should be given.”

Habitats Regulations Assessment Process

- A1.7. The HRA process has developed into a four-stage process as follows:

- Stage One: Screening - also known as the Test of Likely Significant Effect (TOLSE). If the Competent Authority cannot screen out a *likely significant effect*, an Appropriate Assessment is required.
- Stage Two: Appropriate Assessment - the Competent Authority will only agree to plans or projects that will not affect the *integrity* of a European site also known as the “Integrity Test”.
- Stage Three: Alternative Solutions - assesses any alternative solutions of a potentially damaging plan or project that failed the Integrity Test, and if it is determined there are no alternative solutions, the project cannot be agreed to and it will either need to be changed or refused.

- Stage Four: The final stage may allow a plan or project to proceed if after failing stage three if it is for Imperative Reasons of Overriding Public Interest, and only if suitable compensatory measures are secured.

Key Case Law in Relation to Test of Likely Significant Effect

A1.8. The following are some relevant case law judgement quotes in relation to “likely Significant Effect” which are of relevance for a Stage 1 screening.

A1.9. EC Case C-127/02 - Waddenvereniging and Vogelsbeschermingvereniging – the “Waddenzee Judgement” (paras 45, 47 and 48) – 7th September 2004:

“...any plan or project ... is to be subject to an appropriate assessment ... if it cannot be excluded, on the basis of objective information, that it will have a significant effect on that site, either individually or in combination with other plans or projects.”

“Where plan or project has an effect on that site but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on that site.”

“In assessing the potential effects of a plan or project, the significance must be established in the light, inter alia, of the characteristics and specific environmental conditions of the site concerned by that plan or project”

A1.10. R (Hart District Council) v Secretary of State for the Communities and Local Government [2008] EWHC 1204 (Para 55 and 76) – 1st May 2008:

“If the competent authority does not agree with the proponents’ view as to the likely efficacy of the proposed mitigation measures, or is left in some doubt as to the efficacy, then it will require an appropriate assessment because it will not have been able to exclude the risk of a significant effect on the basis of objective information ...”

“The competent authority is not considering the likely effect of some hypothetical project in the abstract. The exercise is a practical one which requires the competent authority to consider the likely effect of the particular project for which permission is being sought. If certain features ...have been incorporated into that project, there is no sensible reason why those features should be ignored at the initial, screening, stage merely because they have been incorporated into the project in order to avoid, or mitigate, any likely effect....”

A1.11. Boggis v Natural England [2009] EWCA Civ 1061 20th October 2009 (para 36 and 37)

“Notwithstanding the word “likely” ...is not that significant effects are probable, a risk is sufficient.”

“...a claimant who alleges that there was a risk which should have been considered by the authorising authority so that it could decide whether that risk could be “excluded on the basis of objective information”, must produce credible evidence that there was a real, rather than a hypothetical, risk which should have been considered.”

A1.12. Ec Case C-258-11 Reference for a preliminary Ruling, Opinion of Advocate General Sharpston ‘Sweetman’ (Para 48) – 22nd November 2012:

“The requirement that the effect in question be “significant” lays down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans

or projects capable of having any effect whatsoever on the site were to be caught by article 6(1), activities on or near the site would risk being impossible by reason of legislative overkill.”

A1.13. Bagmoor Wind Ltd v Scottish Ministers [2012] CSIH 93 7th December 2012 (para 45):

“The requirement for objective information at the preliminary examination is not to be equated with a need for scientific knowledge. The Court only refers to “the best scientific knowledge” in the context of the appropriate assessment (para [61]). “Objective”, in this context, means information based on clear verifiable fact rather than subjective opinion.”

A1.14. R (on application of An Taisce) v SoS [2014] EWCA Civ 1111 1st August 2014 (paras 38 and 39)

“The word “likely” ...implies at least some degree of flexibility. There comes a point when the probability...of a significant effect is so remote that it ceases to be “likely”, however broad the concept of likelihood.”

“The competent authority does not have to be satisfied that there is no risk, however remote...”

Note on Functionally Linked Land

A1.15. “Functionally Linked Land” (FLL) is a term that refers to the potential for habitat away from the designation boundaries of a Natura 2000 site, that is considered to have a “role” or “function” for a qualifying feature “beyond the boundary”. There is no strict legal definition but is mentioned in the Guidance document on the strict protection of animal species of Community interest under Habitats Directive 92/43/EEC 2007. Paragraph 7 states:

“Assessing and evaluating the conservation status of habitats and species within the Natura 2000 network is therefore not always enough, especially when the occurrences of habitats or species are only partly covered by the network, maybe even in some cases only to a relatively small extent.”

A1.16. A case law example of where the concept of Functionally Linked Land (FLL) has been applied was RSPB and others v SoS and London Ashford Airport Ltd [2014] EWHC 1523 16th May 2014 (para 27):

“There is no authority on the significance of the non-statutory status of the FLL. However, the fact that the FLL was not within a protected site does not mean that the effect which a deterioration in its quality or function could have on a protected site is to be ignored. The indirect effect was still protected. Although the question of its legal status was mooted, I am satisfied, as was the case at the Inquiry, that while no particular legal status attaches to FLL, the fact that land is functionally linked to protected land means that the indirectly adverse effects on a protected site, produced by effects on FLL, are scrutinised in the same legal framework just as are the direct effects of acts carried out on the protected site itself. That is the only sensible and purposive approach where a species or effect is not confined by a line on a map or boundary fence. This is particularly important where the boundaries of designated sites are drawn tightly as may be the UK practice.”

1.1 Paragraph 40 of The Holohan and others versus An Bord Pleanála C-461/17 [7th November 2018] judgement states “an ‘appropriate assessment’ must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site,

and for which that site has not been listed, and the implications for habitat types and species to be found **outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.**" i.e. the boundary for the AA may extend beyond the Natura 2000 site boundary.

- 1.2 FLL referred to as the role or function that land beyond the boundary of the SPA might fulfil in terms of supporting the population for which the SPA is designated, is the basis for the definition in Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects - a review of authoritative decisions (Natural England NECR207, 2016). For example:

"Sometimes, the mobility of qualifying species is considerable and may extend so far from the key habitat that forms the SAC or SPA that it would be entirely impractical to attempt to designate or classify all of the land or sea that may conceivably be used by the species."

"In practice, therefore...supporting habitat in areas beyond the boundary of a SAC or SPA which are connected with or "functionally linked" to the life and reproduction of a population for which a site has been designated or classified should be taken into account in a Habitats Regulations Assessment (HRA)."

Note on the Sweetman Ruling "People over Wind" and Definition of "Mitigation" in Relation to HRA

- A1.17. The *People Over Wind* judgement (Peter Sweetman v Coillte Teoranta (C-323/17)), in April 2018, changed the way mitigation is viewed during the HRA Stage One screening i.e. the Test of Likely Significant Effect. The ruling was based on the view that allowing mitigation measures to be considered at the screening stage allows projects to avoid an Appropriate Assessment (Stage Two). The ruling stated:

"Taking account of such measures at the screening stage would be liable to compromise the practical effect of the Habitats Directive in general, and the assessment stage in particular, as the latter stage would be deprived of its purpose and there would be a risk of circumvention of that stage, which constitutes, however, an essential safeguard provided for by the directive." (paragraph 37 of the judgment)"

- A1.18. This has made what constitutes "mitigation" directly in relation to the European site, and what is considered "integrated" into the scheme for other reasons, a question that carries some uncertainty. The PINS Note 05/2018 *Consideration of avoidance and reduction measures in Habitats Regulations Assessment: People over Wind, Peter Sweetman v Coillte Teoranta* provides some clarification as follows:

"The implication of the CJEU judgment is that competent authorities cannot take account of any integrated or additional avoidance or reduction measures when considering at the HRA screening stage whether the plan or project is likely to have an adverse effect on a European Site.

The screening stage must be undertaken on a precautionary basis without regard to any proposed integrated or additional avoidance or reduction measures. Where the likelihood of significant effects cannot be excluded, on the basis of objective information the competent authority must proceed to carry out an AA to establish whether the plan or project will affect the

integrity of the European site, which can include at that stage consideration of the effectiveness of the proposed avoidance or reduction measures.”

A1.19. PINS Note 05/2018 goes on to further explain:

“It should be noted that there is no authoritative definition of what constitutes an integrated or additional avoidance or reduction measure and this should be considered on a case by case basis. If a measure is being introduced to avoid or reduce an effect on a European site then it can be viewed as mitigation. It may be helpful to consider whether a proposal could be considered integral to a plan or whether it is a measure to avoid harm. For instance, the HRA report could identify European sites whose designated features are vulnerable to disturbance caused by people visiting the site. If evidence presented in the HRA report and during the examination demonstrates that the housing allocation is too far from the European site to lead to increased visitor numbers then it could be concluded that there is no pathway for likely significant effects to occur. However if the HRA report determines that the housing allocation would be likely to increase visitor use of the European site and relies on measures which reduce visitor pressure (such as securing land to provide a buffer to the European site or ensuring footpaths and car parks are located away from the site) to avoid or reduce likely significant effects an AA will be required to assess whether the plan will affect the integrity of the European site.”

The interpretation of the above being taken by legal professionals appears to be that if it can be argued that mitigation, whether integrated or additional, is an “avoidance or reduction” measure directly due to an ecological pathway to a Natura 2000 site, then an Appropriate Assessment is required. If it is truly integrated into the proposals for other reasons, for example green space due to an unrelated protected species mitigation licence, as was the case with UK High Court ruling in August 2018 (R (on the application of Langton) v Secretary of State for Environment, Food and Rural Affairs, Natural England [2018] EWHC 2190 Admin) in relation to mitigation within a badger cull licence, then the mitigation is fully integrated and would not automatically trigger the requirement for an Appropriate Assessment. However, in many cases, such a judgement would carry the risk of conflicting views within the planning process, and often it may be simpler to take a precautionary approach by progressing to Appropriate Assessment where there is room for doubt.

National Planning Policy Framework (December, 2023)

A1.20. The National Planning Policy Framework (NPPF) sets out the Government’s planning policy for England. As such, the NPPF must be a material consideration for local authorities when considering planning decisions. The following points within Chapter 15 highlight those policies/statements which particularly relate to ecology/biodiversity and the planning system.

15. Conserving and enhancing the natural environment

A1.21. 187. *Planning policies and decisions should contribute to and enhance the natural and local environment by:*

A1.22. a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

- A1.23. *b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- A1.24. *c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- A1.25. *d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
- A1.26. *e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- A1.27. *f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*
- A1.28. *188. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*
- A1.29. *189. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*
- A1.30. *190. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*
- A1.31. *a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- A1.32. *b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- A1.33. *c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*
- A1.34. *191. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 189), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major*

development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

Habitats and biodiversity

- A1.35. 192. *To protect and enhance biodiversity and geodiversity, plans should:*
- A1.36. *a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- A1.37. *b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*
- A1.38. 193. *When determining planning applications, local planning authorities should apply the following principles:*
- A1.39. *a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- A1.40. *b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- A1.41. *c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- A1.42. *d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*
- A1.43. 194. *The following should be given the same protection as habitats sites:*
- A1.44. *a) potential Special Protection Areas and possible Special Areas of Conservation;*
- A1.45. *b) listed or proposed Ramsar sites; and*
- A1.46. *c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*
- A1.47. 195. *The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.*