

Wiltshire Local Plan Review Statement of Common Ground

As agreed between:

Wiltshire Council

And

Natural England

concerning

Wiltshire Local Plan Review

Date: March 2025

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1. Introduction and Context

- 1.1. The purpose of this Statement of Common Ground (SoCG) is to set out the strategic matters being addressed and progress towards cooperating on these matters between Wiltshire Council and Natural England relating to the preparation of the Wiltshire Local Plan review. The statement sets out areas of agreement, and areas of disagreement, as appropriate alongside proposing some suggested modifications for consideration by the planning inspector undertaking the examination of the Wiltshire Local Plan. Ongoing liaison is also continuing on other planning matters outside of the scope of the Wiltshire Local Plan review.
- 1.2. Wiltshire Council is Local Planning Authority for the Wiltshire administrative area. Natural England is a Prescribed Body as defined in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and is the government's adviser for the natural environment in England. Natural England's purpose is to help conserve, enhance and manage the natural environment for the benefit of present and future generations, thereby contributing to sustainable development.
- 1.3. Wiltshire Council and Natural England are obliged under the Duty to Cooperate to engage and work together on relevant strategic matters and cross boundary matters in a proportionate and meaningful manner.
- 1.4. Wiltshire Council is currently undertaking a review of the Wiltshire Core Strategy (WCS) and saved policies. The emerging Wiltshire Local Plan will, once adopted, replace the Core Strategy and the saved policies from former District Council Local Plans (i.e. Appendix D of the WCS).
- 1.5. The Wiltshire Local Plan review sets out a vision and framework for delivering growth across Wiltshire for the period until 2038 addressing strategic priorities such as – meeting housing needs and other economic, social and environmental matters. The evidence to support the emerging Local Plan has assessed forecast levels of future housing need for new homes, employment land and infrastructure as well as reviewing extant development management policies.
- 1.6. The needs of Gypsies and Travellers are being addressed in a separate development plan document. Minerals and waste planning is also covered in separate planning documents.
- 1.7. Wiltshire Council notified Natural England and other Prescribed Bodies of the intention to review the adopted Wiltshire Core Strategy and consulted on the subject and scope of the review in 2017. Representations were received from Natural England on this early-stage consultation. Wiltshire Council then consulted on key components of the emerging Local Plan, along with accompanying evidence through a 'Regulation 18' consultation from 13th January to 9th March 2021. In response to the Regulation 18 consultation,

representations were received from Natural England. Wiltshire Council then published the draft Wiltshire Local Plan, along with accompanying evidence, for a formal consultation from 27th September to 22nd November 2023.

- 1.8. In response to this Regulation 19 consultation, representations were received from Natural England (representation submission number 2969 and 2970). Natural England's response noted strong support for the overall approach the Wiltshire Local Plan takes on matters such as climate change and nature recovery. Notwithstanding this support the response also set out a series of strategic comments alongside more detailed commentary against specific parts of the plan and a separate response to the Habitats Regulations Assessment.
- 1.9. This statement is structured to provide a summary of the strategic matters, and how cooperation has progressed, between Wiltshire Council and Natural England in relation to the Wiltshire Local Plan review, founded upon the response to the Regulation 19 consultation. Section 3 of this report is intended to provide more detailed commentary on strategic matters, with Appendix A then highlighting areas of potential change resulting from the more detailed feedback issued by Natural England. This Statement of Common Ground will not exhaustively cover all matters raised as part of Natural England's response to the Regulation 19 consultation, rather those pertinent to the examination of the Wiltshire Local Plan following ongoing engagement between Wiltshire Council and Natural England. To this end this SoCG is a written record of the key matters addressed.

2. Governance Arrangements

- 2.1. Wiltshire Council and Natural England have worked constructively, actively and on an on-going basis throughout the production of the Wiltshire Local Plan. This has been through ongoing dialogue, through meetings and through the formal consultations outlined above.

3. Strategic Matters

- 3.1. There are several strategic matters that require ongoing liaison between Wiltshire Council and Natural England, ensuring Wiltshire's natural environment is conserved, enhanced, and managed. This section aims to summarise the latest position on strategic matters pertinent to the preparation of the Wiltshire Local Plan, incorporating matters raised as part of Natural England's response to the Regulation 19 consultation.

Internationally important wildlife sites including Special Areas of Conservation, Special Protection Areas and Ramsar Sites

- 3.2. Wiltshire's natural environment is one of its greatest assets and includes a network of wildlife sites. Among these are internationally important wildlife

sites including Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar Sites. Six mitigation strategies together with guidance documents are in place to ensure that the most commonly occurring effects upon international sites can be avoided. These have been adopted following review and endorsement by Natural England and are being revised and reviewed on an ongoing basis with a variety of stakeholders including Natural England.

- 3.3. For both the River Avon (Hampshire) and Solent Internationally Protected Sites / River Test this mitigation comprises nutrient neutrality to address the potential impacts from further development. Nutrient neutrality is a concept promoted by Natural England as a means of ensuring that development does not add to existing nutrient burdens, thereby providing certainty that the whole of a scheme is deliverable in line with legislation¹.
- 3.4. In preparing the Wiltshire Local Plan, Wiltshire Council must ascertain that allocations for residential development will not have an adverse effect on the integrity of internationally designated sites, alone or in combination with other plans or projects, either directly or indirectly.
- 3.5. As highlighted within their Regulation 19 consultation response, Natural England support the strategic solutions that are in place or being finalised or updated and consider they provide a firm basis for avoiding effects on the integrity of habitat sites, this notwithstanding ongoing work. The latest position on these strategic solutions is provided below.

Bat Special Areas of Conservation

- 3.6. The internationally designated sites of the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC), Chilmark Quarries SAC, and Mottisfont Bats SAC represent the internationally designated sites for bats within and around Wiltshire. The Bat SAC Planning Guidance for Wiltshire, prepared jointly by Natural England (NE) and Wiltshire Council, with input from, and data provided by local experts and Wiltshire Bat Group, has been prepared to inform and steer the production and assessment of development proposals in the landscapes surrounding Wiltshire's most sensitive bat roosting sites which are protected by European wildlife legislation.
- 3.7. The landscape surrounding Trowbridge is known to be of high importance for bats, supporting at least 14 of the 18 UK bat species (including all four of the rarer UK species listed on Annex II of the Habitats Directive, greater horseshoe, lesser horseshoe, Bechstein's and barbastelle bats). In particular, woodlands to the east and southeast of Trowbridge are known to support a large and internationally significant breeding meta-population of Bechstein's bat that is linked to the Bath and Bradford on Avon Bats SAC, including significant maternity colonies in Biss Wood, Green Lane Wood and Picket and Clanger Woods.

¹ Conservation of Habitats and Species Regulations 2017

- 3.8. Given the potential for significant effects upon these bat populations as a result of development at Trowbridge, coupled with the high level of growth anticipated at the town within the Wiltshire Core Strategy and allocated within the Wiltshire Housing Site Allocations Plan, the Trowbridge Bat Mitigation Strategy (TBMS) was developed. The TBMS is relevant to all new housing and tourist accommodation in the Trowbridge community area as well as parts of the Westbury and Melksham community areas. The overall aim is to provide a clear and detailed approach to considering impacts of development in the Trowbridge area on the Bath and Bradford on Avon Bats SAC to help inform strategic planning for the area's future housing needs.
- 3.9. The TBMS is currently being revised and is scheduled for consideration by Wiltshire Council's Cabinet in March 2025. Cabinet will be asked to approve for public consultation a revised bat mitigation strategy which has the objective of addressing impacts on bat habitat in and around Trowbridge and Westbury that is functionally and demographically linked to the Bath and Bradford-on-Avon Bats. The revised strategy will also be submitted to Natural England for review upon completion and in advance of the Cabinet meeting.
- 3.10. In January 2024, an update document pertaining to the council's bat mitigation strategy for Trowbridge and Westbury, was submitted to Natural England for review. The objective of the document was to detail in broad terms, the proposed revisions to the TBMS and to provide information regarding progress in respect of the delivery of strategic mitigation measures set out in the extant TBMS.
- 3.11. It is intended that the Bat SAC Planning Guidance for Wiltshire will be updated imminently to ensure that the document presents the latest evidence and data regarding core bat roosts in Wiltshire and the respective core areas.

North Meadow and Clattinger Farm Special Area of Conservation

- 3.12. North Meadow and Clattinger Farm are examples of lowland hay meadow. The grassland habitats present on typical floodplain soils are very restricted in distribution and form the basis for the SAC designation. North Meadow also contains a very high proportion of the surviving UK population of snake's head fritillary. The snake's head fritillary is also present at Clattinger Farm in lower abundance.
- 3.13. North Meadow is also a SSSI, a National Nature Reserve (NNR) and part of the site is common land, where the public have a right of access on foot. Clattinger Farm SSSI is managed by Wiltshire Wildlife Trust as a nature reserve. The habitats at Clattinger Farm are not considered to be subjected to damaging levels of recreational pressure at present. Natural England has highlighted, however, that growing visitor numbers in recent years has led to an increase in recreational impacts at North Meadow.
- 3.14. A joint Interim Recreation Mitigation Strategy (IRMS), prepared by Cotswold District Council, Swindon Borough Council and Wiltshire Council in

partnership with Natural England (NE) has been agreed to set out a strategic approach to mitigate recreational impacts, associated with new development, on the North Meadow part of the North Meadow and Clattinger Farm Special Area of Conservation (SAC). The IRMS details the agreed costed measures and identifies the two Zones of Impact (0-4.2 km and 4.2km to 9.4km). This provides a framework under which planning applications, which are likely to have a significant effect on the SAC, can be permitted. It sets out measures to ensure that adverse effects on the integrity of the SAC can be ruled out. This enables development, while ensuring sufficient protection is in place for the SAC. The Strategy applies to larger developments, which may affect the integrity of these sites alone, and smaller developments where “in combination” effects may be the critical factor.

- 3.15. Joint working is continuing between organisations through a North Meadow and Clattinger Farm SAC Interim Recreation Mitigation Steering Group.
- 3.16. Because the exact level and type of adverse recreational impacts on the SAC has not been determined and there remains uncertainty regarding the impacts on the site’s habitats on increased levels of winter flooding, it was concluded, following the precautionary approach, that an interim 5-year Mitigation Strategy was the appropriate way forward. Data collected as part of the monitoring elements of the Interim Mitigation Strategy will enable the Strategy to be reviewed and continued as necessary.
- 3.17. Natural England concurs with the view of the Council that new residential developments, securing the measures in IRMS, may reasonably be concluded to have demonstrated that they will not have an adverse effect on the North Meadows part of the SAC, as is required under The Conservation of Habitats and Species Regulations 2017.

New Forest Special Protection Area, Special Area of Conservation and Ramsar Site

- 3.18. Over half of the New Forest National Park has been designated as a SAC, Special Protection Area (SPA) and Ramsar site (wetland) (hereafter collectively referred to as the New Forest protected sites). The New Forest protected sites are legally protected. Consequently, it must be considered how development proposals could impact on these protected sites and to ensure they are not adversely affected.
- 3.19. Joint working on the recreational impacts arising from new development on the New Forest protected sites is undertaken by Wiltshire Council with other authorities, led by the New Forest National Park Authority, as part of a New Forest Mitigation Project Steering Group.
- 3.20. Wiltshire Council’s interim mitigation strategy for the New Forest protected sites identified a package of mitigation measures for certain types of development within 13.8km and 15km zones of influence. The interim strategy has now been superseded by a revised strategic mitigation approach to managing recreational pressures on the New Forest protected sites ² and

² As approved at Wiltshire Council’s Cabinet meeting on 7 May 2024.

ensuring compliance with the Habitats Regulations which has been implemented since May 2024.

- 3.21. Natural England supports the work undertaken by Wiltshire Council to address the recreational impacts of development within Wiltshire on the New Forest's designated sites.
- 3.22. The revised strategic approach has been developed alongside the Wiltshire Local Plan and will support the delivery of planned growth within the 13.8km and 15km zones of influence identified through the evidence base (and endorsed by Natural England) by ensuring that mitigation is delivered to address the potential for recreational impacts on the New Forest protected sites.
- 3.23. The allocations in the draft Local Plan and any windfall development coming forward for new residential and tourism development over the next plan period within the defined zone of influence will need to adhere to the revised requirements in the new mitigation strategy, in respect of Suitable Alternative Natural Greenspace (SANG) / Green Infrastructure (GI) and a contribution to Strategic Access Management and Monitoring (SAMM).
- 3.24. The updated strategy document is nearing completion; its finalisation has been pending due to the need to ensure that it aligns with the New Forest SAMM Mitigation Strategy that is being jointly prepared and progressed by the New Forest Mitigation Project Steering Group. A few outstanding matters in respect of the New Forest SAMM Mitigation Strategy, but which are also pertinent to Wiltshire Council's individual recreation mitigation strategy for the New Forest protected sites, were discussed and agreed at a meeting with Natural England on 24th October 2024. Therefore, Wiltshire Council's revised recreation mitigation strategy document is currently being finalised and will be submitted to Natural England for review imminently.

Salisbury Plain Special Protection Area and Special Area of Conservation

- 3.25. Salisbury Plain, used for military training alongside agricultural uses, is largely dominated by gently rolling chalk downland. It is designated as both a SPA and SAC under European legislation, notably for the populations of certain bird species including Stone-curlew, and for the chalk grassland habitat, one of the largest remaining areas of calcareous grassland in north-western Europe. Much of the natural environment is also protected through its designation as a SSSI for its populations of rare bee species and other invertebrates, and many rare birds and plants.
- 3.26. During the preparation of the Wiltshire Core Strategy, Natural England and the Royal Society for the Protection of Birds (RSPB) expressed some concern over the potential effects of increasing recreational pressure on breeding Stone-curlew populations at the Salisbury Plain Special Protection Area (SPA), particularly from planned residential housing for the local area.

- 3.27. In response to these concerns, a mitigation strategy was established which set out measures to identify, avoid and mitigate any potential effects of increasing recreational pressure on the SPA. Measures include annual Stone-curlew monitoring, advice to landowners / tenants alongside visitor monitoring to understand the potential for correlation between recreational pressure and breeding activity. The results of this ongoing work have demonstrated that since the start of the strategy in 2012, the Stone-curlew population within the SPA and supporting habitats fluctuated from year to year due to poor weather conditions. However, in 2023 the total number of pairs (78) was the highest recorded since 2012. Eighteen breeding pairs were recorded on Salisbury Plain SPA exceeding the 15 pairs required to achieve a favourable condition in respect of the number of breeding pairs of Stone-curlew.
- 3.28. A revised iteration of the Mitigation Strategy for Salisbury Plain SPA³ (in relation to recreational pressure from residential development) has been prepared in support of the Local Plan. The mitigation strategy reflected the content of the Pre-Submission Draft 2020 – 2038 (Regulation 19) (September 2023) version of the Local Plan.
- 3.29. Natural England agree that, with the measures set out within the Mitigation Strategy and associated policies within the Local Plan, adverse effects on the integrity of the Salisbury Plain SPA will be avoided.

River Avon Special Area of Conservation

- 3.30. The River Avon (Hampshire) is an internationally important wildlife site and contains waters filtered through chalk rock which makes them rich in minerals and low in nutrients. Development in the Hampshire Avon catchment can harm the river by increasing nutrient levels, which in the case of the Hampshire Avon is where development may lead to a further decline in water quality through phosphorus entering the River Avon via sewerage treatment works.
- 3.31. In 2018, a Memorandum of Understanding was signed between Wiltshire Council, New Forest District Council, New Forest National Park Authority, Natural England, Wessex Water and the Environment Agency. The signatories agreed to deploy a range of measures to ensure development between March 2018 and March 2026 will be phosphorus neutral. In the years that followed further revisions were necessary to respond to circumstances arising to ensure phosphorus neutral development is delivered in the catchment area of the River Avon (Hampshire).
- 3.32. Most recently Wiltshire Council agreed, via a Cabinet meeting on 6 February 2024, a revised nutrient neutrality strategy. The revised strategy came into effect immediately for all residential and overnight development seeking outline, full, reserved matters and discharge of conditions approval in the Hampshire Avon catchment (referred to as “qualifying development”).

³ As reviewed in June 2024

- 3.33. This strategy, in part, established a Council-led scheme of phosphorus credits for planned development with other development expected to make its own arrangements. The Council-led scheme is one option that development can potentially use to achieve phosphorus neutrality, forming part of the solution to achieving phosphorus neutral development in the catchment. Other options can also be progressed by developers.
- 3.34. This strategy is, in part, a result of joint working between several organisations that form part of the Hampshire Avon Working Group. Including both Wiltshire Council and Natural England, cooperation with the working group will continue to ensure that phosphorous neutral development can be delivered within the Hampshire Avon catchment.
- 3.35. Natural England supports the Council's approach to the delivery of the necessary phosphorus neutrality mitigation measures within the River Avon catchment. Natural England is also satisfied that the policy wording within the Local Plan provides sufficient safeguards to ensure an adverse effect on the River Avon SAC is avoided.

Solent Internationally Protected Sites / River Test

- 3.36. The water environment within the Solent region is of international importance and one of the most important for wildlife in the United Kingdom. The condition of this region is impacted by high levels of nitrogen and phosphorus input into the water environment with evidence indicating that these nutrients are causing eutrophication at designated sites. These nutrients mostly come either from agricultural sources or from wastewater from existing housing and other development.
- 3.37. A strategic nitrogen mitigation scheme is available to applications located in the River Test catchment in Wiltshire. Applicants can join the scheme by purchasing nitrogen 'credits'. Bespoke mitigation and alternative strategic mitigation schemes can also be used; these needing to be signed off by Natural England and the legal arrangements secured.
- 3.38. Natural England is satisfied that, in addition to supporting the Council's Roundbarrow Farm nitrogen mitigation strategy, sufficient nitrogen mitigation schemes are available within the catchment and supports that adverse effects on the integrity of the Solent European Sites will be avoided.

Water resources

- 3.39. Notwithstanding the position on the strategic plans and guidance documents with regards impacts upon internationally important habitat sites, at the Regulation 19 stage Natural England outlined uncertainty in the demonstration shown that sufficient water resources were available to accommodate planned levels of growth. It was highlighted how Wiltshire Council would need to be satisfied that it can rely upon Wessex Water's

Water Resource Management Plan to be able to demonstrate there to be sufficient water resources to deliver planned growth. Certainty being important in this regard to ensure the avoidance of harm to internationally important sites.

- 3.40. Having considered this uncertainty and following feedback from the Environment Agency at the Regulation 19 stage, JBA Consulting has prepared a Strategic Water Cycle Study (Stages 1 and 2). The Study essentially examines whether the level of planned and committed growth can be resourced with potable (drinking) water and serviced with sufficient wastewater treatment. It recommends that through working with water utility companies (exchanging data on committed/planned growth) and their Water Resource Management Plans (funding bids to OfWAT to support growth), there is either sufficient capacity within existing water treatment facilities, or the scope to influence investment in improvements.
- 3.41. Defra have also recently advised Wessex Water that they have permission to publish their 2024 Water Resource Management Plan subject to a number of amendments and conditions. With respect to the River Avon SAC, Defra made clear that Wessex Water should ensure that the water needs of new growth in the catchment are not met through increased abstraction. Furthermore, Wessex Water was instructed to monitor the situation to ensure that proposed demand management measures and leakage reduction actions are sufficient to prevent any increase, and that swift action should be taken, should any increase be detected. Defra also accepted Natural England's advice that licence headroom is removed from relevant abstraction permits to ensure compliance with Habitats Regulations requirements. Both the EA and the Company have confirmed with Natural England that this process will take place in 2025. Natural England has advised that this process should be implemented in such a way as to prevent any increase in flow target non-compliance across the SAC. In parallel, Natural England notes the JBA Consulting Wiltshire Water Cycle Study Stage 2 Report conclusion that 'given the evidence of pressures on the environment, particularly rare chalk streams, and on public water supply, it is recommended that the Council considers a domestic water efficiency target of 85l/p/d for all new homes and works with the water suppliers to incentivise even lower consumption.' Natural England supports this approach and considers it is justified in the context of the challenge for Wessex Water described above.
- 3.42. In respect of Wessex Water's revised draft WRMP24, Natural England advised during a meeting with council officers from the Strategic Planning and Ecology teams on 9th October 2024, that it is now acceptable to Natural England, in light of Defra's recent advice and the conditions that have been set to allow final publication, including the capping of existing water abstraction licenses. In order for the Council to rely on the WRMP, Natural England advises that confirmation should be sought from the Environment Agency that the necessary capping of the existing water abstraction licenses will take place to an appropriate timetable.

Habitats Regulations Assessment

- 3.43. When preparing development plans Wiltshire Council is required by law to carry out a Habitats Regulations Assessment (HRA). Wiltshire Council commissioned consultants to undertake the HRA work on its behalf (the HRA was undertaken by LUC) with the findings then being reported to and considered by Wiltshire Council as the 'competent authority'. HRA refers to the assessment of the potential effects of a development plan on one or more sites afforded the highest level of protection in the UK (e.g., SPAs and SACs). Natural England broadly supported the findings of the screening assessment published as part of the Regulation 19 consultation.
- 3.44. Notwithstanding the cross over with matters already covered within this SOCG, some comments with regards the HRA required further consideration. Key strategic matters are considered below. Some matters raised with regards the HRA have been resolved following further discussion and, in part, minor amendments to the HRA. Where matters raised, following further discussion, resulted directly to potential for change to the Wiltshire Local Plan, these matters are covered within Appendix A.

Air Quality

- 3.45. Whilst the conclusions of the Appropriate Assessment (AA) in respect of air quality (NO_x and Nitrogen deposition) impacts on habitats and international sites were agreed, matters for clarification were highlighted alongside critique that the AA had not considered ammonia either as a toxic pollutant directly or as a contributor to nitrogen deposition.
- 3.46. Having considered this, an air quality assessment was undertaken to inform an update to the Habitats Regulations Assessment to better understand ammonia levels and air quality impacts associated with vehicular movements. This work included modelling to better understand the potential impact relating to ammonia deposition that planned development may have on European designated protected sites. The outcome had been included in an update to the Habitats Regulations Assessment (September 2024). It showed that only a very localised area on the Salisbury Plain SAC would potentially be affected.
- 3.47. Natural England had provided a recent survey of mosses which are a feature of Salisbury Plain and which are likely to be adversely affected by air quality change. From the information in this report and a consideration of aerial photography of the two areas, a preliminary conclusion reached was that the habitat condition in the SAC areas did not appear suitable to support the moss species. Natural England advised a precautionary site visit would help to confirm this was the case. In the absence of specific lower plant interests Natural England advised that while habitat management (e.g. grazing and scrub management) may be needed, the air quality assessment will not require any additional measures other than those needed to restore the site anyway. As the two areas affected are owned by bodies who have statutory

duties to secure favourable conservation management (Ministry of Defence and the Highways Agency) the future management of the site can be secured following appropriate advice from Natural England. On this basis Natural England had no further concerns relating to the air quality assessment.

Protected landscapes

- 3.48. Natural England highlighted that some allocations / reserve sites within the Local Plan, falling either within or near to National Landscapes, have the potential to adversely affect the special qualities of National Landscapes. Whilst it was acknowledged these would be subject to detailed assessment of landscape and visual effects at the application stage, comments on certain allocations were submitted on this matter, highlighting the need for justification for major development within such landscapes and the need to avoid adverse effects.
- 3.49. The consideration of National Landscapes is a matter that has been embedded within both the process of arriving at an appropriate spatial strategy when planning for the appropriate distribution of growth and the selection of sites for development at each place; both processes having reflected the great weight that should be given to conserving and enhancing National Landscapes. Each site policy, complimented by the development management policies within the Wiltshire Local Plan, then go further and consider the best way development could come forward at each proposed allocation, ensuring development comes forward in the most sustainable manner.
- 3.50. Wiltshire Council acknowledge that s245 of the LURA introduced an amended duty (s85 of the CROW Act and s62 of the 1995 Environment Act) on relevant authorities for the need to 'have regard' to needing to 'must seek to further' the statutory purpose(s) of National Parks (including The Broads) and National Landscapes. This came into force on 26 December 2023. This matter is considered further within Appendix A with some proposed modifications outlined as a result.

Suitable Alternative Natural Greenspace

- 3.51. Suitable Alternative Natural Greenspace (SANG) is the name given to a suitable area of natural greenspace that is used to mitigate and offset the recreational pressure that new residential development can have upon designated sites, including SACs, SPAs and Ramsar. The Wiltshire Local Plan contains policies around the need to provide SANG at Salisbury, Trowbridge and Westbury. Natural England, whilst offering broad support for these proposals, emphasise the need for certainty of delivery for the proposals to ensure they are delivered in a timely and effective manner.
- 3.52. At Salisbury a SANG is identified within Policy 29 to reduce the potential for visitor and recreational pressure and associated adverse effects on the New Forest protected sites that could arise from planned growth. Natural England support the proposed SANG at policy 29 with their comments focussed upon

ensuring the deliverability of the SANG. Specifically, the need for certainty regarding the contributions each site will provide to ensure the deliverability of the SANG alongside highlighting the need for the SANG to be delivered prior to the first occupation of any dwellings. These matters have been clarified within Appendix A.

- 3.53. At North Trowbridge there is a proposal for a Country Park (Policy 54), functioning as SANG, to ensure that the planned growth within the plan period will seek to avoid harm to the Bechstein's bat maternity colonies in Green Lane and Biss Woods to the south-east of the town, which are functionally linked to the Bath and Bradford-on-Avon Bats SAC. Natural England offered support for the proposed North Trowbridge County Park as set out in Policy 54 of the draft Wiltshire Local Plan at the Regulation 19 stage. Natural England are aware of ongoing discussions with regards the delivery of this SANG and are working with the Council and landowners in bringing forward a deliverable scheme of suitable scale alongside the potential for a phased approach. Any outcome will need to mitigate impacts upon the aforementioned bat species / habitats with any agreed phasing / amendments needing to be agreed by Natural England to maintain a sufficient level of mitigation. Natural England can confirm that the most recent SANG masterplan as set out by the promoter will secure a suitable level and layout of SANG relative to the allocation at Policy 54 and appropriate landscaping will further enhance the foraging opportunities for Bechstein's bats across the SANG.
- 3.54. For Westbury Country Park, Policy 63 contains a proposal for Westbury County Park, functioning as SANG, to mitigate potential likely significant effects arising from development in the north of Westbury due to potential for visitor pressure and associated adverse effects on protected woodlands. This includes seeking to avoid harm to the Bechstein's bat maternity colonies in Picket and Clanger Woods, these being functionally linked to the Bath and Bradford-on-Avon Bats SAC. Natural England offered support for the proposed Westbury Country Park as set out in Policy 63 of the draft Wiltshire Local Plan at the Regulation 19 stage. If any amendments are proposed to this SANG, Natural England will need to agree that any solution maintains a sufficient level of mitigation.

Local plan site allocations and policies

- 3.55. Natural England commented on several of the policies within the Local Plan in the interests of refinement and enhancement. Following ongoing discussion and cooperation, where necessary, commentary and proposed changes are outlined within Appendix A.

Biodiversity Net Gain

- 3.56. In line with legislation and national planning policy, the biodiversity net gain policy within the Wiltshire Local Plan (Policy 89) guides development towards

enhancing the natural and local environment through the delivery of biodiversity net gain. The overarching aim is to ensure development leaves biodiversity in a measurably better state than before, in line with the intentions of the Environment Act 2021, alongside enhancing the provision of ecosystem services.

- 3.57. Whilst Natural England offered strong support for the policy at the Regulation 19 consultation stage, there have since been updates to legislation and guidance, alongside feedback through the regulation 19 consultation, that the Council feel could be reflected within the policy. Revisions to the Biodiversity Net Gain policy are suggested for consideration as part of the examination process at Appendix B.

4. Post submission engagement

- 4.1. Whilst the Duty to Cooperate applies up to the point of submission, Wiltshire Council and Natural England continue to engage on matters of strategic interest. This SOCG will continue to be kept under review and updated with information that may facilitate and inform the examination. Any such updates, post submission, can be found within this section.

Habitats Regulations Assessment: Air Quality

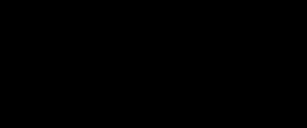

- 4.2. To complete the assessment of likely air quality impacts a site visit with Natural England was completed to Salisbury Plain SSSI and SAC units 138 and 171 on 31 January 2025. With regards to topography, Unit 171 is relatively flat and there is no feature which prevents either direct aerial deposition from the road or the effect of air pollution from adjacent arable field cultivation. In contrast Unit 138 is on a steep slope which falls away from the road onto lower lying farmland and Bulford Camp. The road is separated from Unit 138 by a mature tree belt (ash/sycamore) which will help screen air pollution. Both units support juniper scrub, an interest feature of the designated sites, but are not suitable for the short, scattered vegetation on bare chalk or skeletal soils required by the site's rare lower plant interests that are considered more susceptible to air pollution. APIS data shows 53% of N deposition on the units is from agricultural activities whilst road transport contributions are 6%.
- 4.3. Unit 171 lies in close proximity to the A303 and adjacent intensively managed agricultural fields and will therefore be expected to be subject to significant air pollution derived from both the road and farming activities. The unit is currently in active management by the Dept of Transport, grass cutting and collection serving to help remove excess nutrients from the site while preventing a thick thatch of vegetation from developing. Scrub removal is in place preventing further undesirable succession. Natural England is therefore satisfied that with continued management the unit's condition will be maintained. In contrast Unit 138, managed by the MoD has been neglected and has not been grazed or had any scrub control for a number of years. As a result of the lack of grazing the unit is overgrown with bramble which is

severely impacting the downland grassland interests. The impacts of the lack of management on the unit will far exceed any cumulative impacts of air pollution derived from the A303 and agricultural air pollution. Responsibility for the restoration of the unit lies with the MoD who have statutory duties to secure appropriate management. Provided such management is secured there is no reason to conclude that the unit would not eventually achieve favourable condition.

4.4. It is therefore concluded that the effects of air pollution from the A303 arising from additional transport movements during the Local plan period will not have an adverse effect on the integrity of the Salisbury Plain SAC.

5. Conclusion

5.1. Wiltshire Council and Natural England welcome the opportunity to continue engagement under the duty to cooperate considering matters of strategic interest. Both bodies are committed to ongoing communication and collaboration to ensure effective plan-making that delivers positive outcomes for our respective residents and the wider region. This statement serves as a foundation for continued cooperation and will be reviewed as the draft Wiltshire Local Plan progresses.


Signed:
Name: Georgina Clampitt-Dix, Head of Strategic Planning
For and on behalf of Wiltshire Council
Date: 17.03.25

Signed:
Name: John Stobart, Senior Advisor
For and on behalf of Natural England
Date: 17.03.25

6. Appendix A

Natural England comments on the Pre-Submission draft of the Wiltshire Local Plan review leading to potential changes

Table 1: Natural England comments on the Pre-Submission draft of the Wiltshire Local Plan review leading to potential changes

Ref	Theme/policy/site	Soundness theme	Summary of Natural England comment	Natural England proposed change in rep?	Wiltshire Council response including if change needed.	Agreed position
2	Policy 5 (Securing infrastructure provision from new development) Supporting text Paragraph 3.66, 3.69 and 3.70.	N/A	(supporting text paragraph 3.66) The list of infrastructure requiring protection and enhancement should be expanded to include the provision of green infrastructure. (supporting text paragraph 3.67) NE supports the list of essential infrastructure but recommends it is expanded to include green infrastructure. (supporting text paragraph 3.70) The list of place shaping infrastructure might include local nature reserves and allotments. While streetscape features should be expanded to include urban street trees and pocket parks.	Yes	The Council acknowledge these suggestions that are in the interests of ensuring green infrastructure and the value of the natural environment is recognised when planning for infrastructure. Whilst not averse to change, the extracts referenced are not intended to be exhaustive with the intention being that, when the Local Plan is read as a whole (e.g., incorporating policies on biodiversity and green / blue infrastructure), such policies will ensure assets such as green and blue infrastructure are appropriately conserved and enhanced.	Both parties recognise the importance of green and blue infrastructure when planning for development. Natural England's preferred approach is for the specific inclusion of green infrastructure in the supporting text but acknowledges the proportionate approach to the wording in question. The key is that the importance of green and blue infrastructure is reflected when planning for future development.

Ref	Theme/policy/site	Soundness theme	Summary of Natural England comment	Natural England proposed change in rep?	Wiltshire Council response including if change needed.	Agreed position
					Where change is suggested, <u>bold underlined</u> is proposed new text, strikethrough is proposed deleted text.	
3	Area strategies: Delivering allocated sites supporting text paragraph 4.17	N/A	NE supports the requirements set out for site allocations, but recommends the list is expanded to include the provision of allotments and urban trees.		<p>The Council acknowledge this suggestion that is in the interests of ensuring allotments and urban trees are included when planning for site allocations.</p> <p>Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies woodland, hedgerows and trees alongside open space), such policies will ensure such assets are appropriately planned for.</p>	<p>Both parties recognise the importance of allotments and urban trees.</p> <p>Natural England's preferred approach is for the specific inclusion of the recommended inclusions, but acknowledges the proportionate approach to the wording in question. The key is that allotments and urban trees are appropriately planned for.</p>
4	Site Allocations: reflecting concept plan content within policy		<p>NE outlined the need to reflect the contents of concept plans more clearly within site allocation policy, including:</p> <ul style="list-style-type: none"> • Policy 7 Land South of Chippenham and East of Showell Farm: minimum area of the extension required to the River Avon County Park (as set out in the concept plan) is specified within the policy. • Policy 11 Land to the North of Spitfire Road, Calne: policy includes a minimum provision (hectares) for public open green space (as set out in the concept plan). • Policy 18 Land East of Melksham: 18.7 hectares of green infrastructure 	Yes	<p>The Council acknowledge this suggestion that is in the interests of ensuring green infrastructure is delivered to a minimum quantum as has been outlined within concept plans.</p> <p>To inform the development of larger and more complex allocations, concept plans are provided. They show how the land uses proposed can be accommodated on site. Concept plans also show areas for infrastructure and what land would be left undeveloped, for instance, to help maintain the setting of a particular settlement,</p>	<p>Both parties recognise the importance of green and blue infrastructure when planning for development.</p> <p>Natural England acknowledge the approach to the concept plans and policy wording. The key is that adequate green and blue infrastructure is achieved when site allocations are delivered.</p>

Ref	Theme/policy/site	Soundness theme	Summary of Natural England comment	Natural England proposed change in rep?	Wiltshire Council response including if change needed. Where change is suggested, <u>bold underlined</u> is proposed new text, strike through is proposed deleted text.	Agreed position
			<p>within the concept plan should be set out in the policy as a minimum.</p> <ul style="list-style-type: none"> • Policy 19 Land off Bath Road, Melksham: 2.1 ha of Green Blue Infrastructure Corridor and 2 ha of Other Green Infrastructure should be set out in the policy as minimum. • Policy 20 Land North of the A3102, Melksham: 5.1 hectares of green infrastructure should be set out in the policy as a minimum. • Policy 23 Land North East of Old Sarum, Salisbury: 7.1 hectares of green infrastructure should be set out in the policy as a minimum. • Policy 25 Land North of the Beehive Park & Ride, Old Sarum: 2.45 hectares of green infrastructure should be set out in the policy as a minimum. • Policy 26 Land North of Downton Road, Salisbury: 7.2 hectares of green infrastructure should be set out in the policy as a minimum. • Policy 27 Land South of Harnham: 14.04 hectares of green infrastructure along with minimum 40 m green space buffers should be set out in the policy as a minimum. • Policy 40 Land South East of Empress Way, Ludgershall: 26 		<p>important views, access to the countryside or the setting and separate identity of villages in the wider landscape. This is intended to help guide and manage expectations amongst landowners and encourage collaboration to achieve the best possible form of development whilst conserving and enhancing the natural and historic environment. The principles of these should inform masterplans where required by policies. Concept plans show how a site may be developed, intended to illustrate one treatment of the site that considers mitigation requirements and the homes, other uses and infrastructure envisaged.</p> <p>Given they represent one treatment of a site, the Council feel it is better to leave the principle of the need to deliver green infrastructure within policy and not stipulate exact amounts at this stage, instead leaving this for the planning application / masterplanning stage.</p>	<p>However, where a minimum area of green infrastructure is required to meet Habitats Regulations mitigation requirements then Natural England advises that the Policy wording should provide certainty that the minimum area will be secured.</p>

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			<p>hectares of green infrastructure should be set out in the policy as a minimum.</p> <ul style="list-style-type: none"> • Policy 46 Land off Barton Dene, Marlborough: Landscape enhancement to west and east should be outlined as a quantifiable minimum. • Policy 48 Land at Marsh Farm: Policy should include minimum GI area. • Policy 49 Land at Midge Hall Farm: green infrastructure as set out in the concept plan should be supported by a minimum green infrastructure in policy. • Policy 50 Land West of Maple Drive: Policy should include minimum GI area. • Policy 51 Land at Woodshaw: 13.8 hectares of green infrastructure should be set out in the policy as a minimum. • Policy 53 Land North-East of Hilperton: 14 hectares of green infrastructure should be made a minimum requirement for the allocation. • Policy 61 Land west of Mane Way, Westbury: 17.7 ha of green infrastructure should be made a 			

Ref	Theme/policy/site	Soundness theme	Summary of Natural England comment	Natural England proposed change in rep?	Wiltshire Council response including if change needed. Where change is suggested, <u>bold underlined</u> is proposed new text, strike through is proposed deleted text.	Agreed position
			<p>minimum requirement for the allocation.</p> <ul style="list-style-type: none"> Policy 62 Land at Bratton Road, Westbury: 3.1ha of green infrastructure should be expressed as a minimum in policy. 			
5	Site Allocations: ecological buffer zones		<p>NE, whilst supporting the requirements for ecological buffer zones, outlined the need to outline minimum buffer zones within policy:</p> <ul style="list-style-type: none"> Policy 18 Land East of Melksham: A minimum buffer width should be specified. Policy 19 Land off Bath Road, Melksham: A minimum buffer width should be specified. Policy 20 Land North of the A3102, Melksham: A minimum buffer width should be specified. Policy 23 Land North East of Old Sarum, Salisbury: The minimum buffer width of 30m as set out in the concept plan should be specified in the policy. Policy 26 Land North of Downton Road, Salisbury: (Paragraph 4.141) supports the requirement for an ecological buffer to the north and east of the allocation as a means of protecting the ecology of the River Avon. A minimum buffer width should be specified. 	Yes	<p>The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced.</p> <p>Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure adequate buffers are provided when development comes forward.</p> <p>Given buffer requirements can vary on a site by site and asset by asset basis, it is the intention that the detailed width of buffers is decided at the planning application stage.</p>	<p>Both parties recognise the importance of buffering ecological habitat sufficiently.</p> <p>Natural England acknowledge the approach to ensuring those habitats in question are adequately buffered. The key is that adequate buffers are provided when site allocations are delivered.</p> <p>However, where a minimum ecological buffer size is required to meet Habitats Regulations mitigation requirements then Natural England advises that the Policy wording should provide certainty that the</p>

Ref	Theme/policy/site	Soundness theme	Summary of Natural England comment	Natural England proposed change in rep?	Wiltshire Council response including if change needed.	Agreed position
			<ul style="list-style-type: none"> Policy 45 Land at Chopping Knife Lane, Marlborough: A minimum buffer width should be specified to the northern margin of the allocation. 		Where change is suggested, <u>bold underlined</u> is proposed new text, strike through is proposed deleted text.	minimum area will be secured.
6	Policy 12 Corsham Market Town		NE supports policy clause (3) requirement to protect important habitats for bats but recommends the policy is required to “protect and enhance” important bat habitat.	Yes	<p>The Council acknowledge this suggestion that is in the interests of ensuring bat habitat is protected and enhanced.</p> <p>A policy change could read as follows:</p> <p>6.1. protect, improve, and extend the green and blue infrastructure network, including protecting <u>and enhancing</u> important habitats for bats and providing additional allotment sites to meet high demand;</p>	Both parties recognise the importance of buffering ecological habitat sufficiently and agree this change would reflect the need to protect and enhance bat habitat at this location.
7	Policy 13 Land South of Dicketts Road, Corsham		NE recommend that the policy is strengthened to specifically require the retention of mature native trees including those within the small copse located in the centre of the allocation site.		<p>The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced.</p> <p>Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating the policy on trees, hedgerows and woodland), such policies aiming to ensure the retention of mature native trees.</p>	<p>Both parties recognise the importance of retaining mature native trees.</p> <p>Natural England acknowledge the approach to ensuring such assets are retained. The key outcome being that mature native trees are retained when the site allocation is delivered.</p>

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						Nevertheless, Natural England's preferred approach is for the Policy to be amended to ensure the retention of the copse.
	Policy 25 Land North of the Beehive Park & Ride, Old Sarum		NE is supportive of the use of the adjacent area of mature woodland as a community woodland as identified in the concept plan, however, it is unclear whether the establishment of the community woodland will be a requirement of the development. If it is intended that the community woodland is to be provided by the development this should be secured by appropriate wording in Policy 25. We would also note that the Concept Plan should refer to a "Community Woodland" rather than a SANG.		The Council acknowledge this observation and have clarified that the reference to this woodland as a SANG on the concept map is incorrect. SANG is not required in this area. It is not a policy requirement. A proposed change to the concept plan will correct this.	Both parties agree the concept plan needs amending and agree to the need for a correction.
	Policy 26 Land North of Downton Road, Salisbury		The allocation site lies immediately adjacent to the East Harnham Meadows SSSI, a site of national importance for wildlife. The presence of the SSSI and the need to protect the site from potential harmful impacts (e.g. through changes in hydrology, pollution and any potential for increased public access) should be set out in the supporting text and be a requirement of Policy 26.	No	The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced. It is noted that within Natural England's response to the Regulation 19 consultation the need to mitigate and compensate any negative impacts upon sites such as SSSI and CWS is a common theme. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g.,	Both parties recognise the importance of ensuring publicly accessible SSSIs, CWS and nature reserves are protected from adverse impacts, including those associated with an increase in recreational visits. Wiltshire Council have outlined how this is dealt with within the Local Plan at present but is not

Ref	Theme/policy/site	Soundness theme	Summary of Natural England comment	Natural England proposed change in rep?	Wiltshire Council response including if change needed.	Agreed position
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					<p>incorporating the policy on Biodiversity), such policies aiming to ensure suitable mitigation and compensation is provided when considering the potential for impacts upon sites such as SSSI and CWS.</p> <p>For instance, currently Policy 88 includes wording “Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term” with supporting text at paragraph 5.118 including information on development on land within or outside a SSSI.</p>	<p>resistant to change in the interests of nature conservation.</p> <p>Natural England’s preferred approach is for the local plan supporting text to specifically note the importance of accessing and mitigating for adverse impacts on publicly accessible wildlife sites.</p>
	Policy 27 Land South of Harnham		The allocation includes Woodbury Ancient Village Scheduled Monument as green infrastructure. Natural England are seeking confirmation whether this area will be used as SANG and whether this is in addition to the adjacent area provided by Policy 29.		The Figure 4.20 concept plan shows the eastern part of the Policy 27 allocation as open space. The actual Scheduled Monument is further to the east. This area of open space is not officially part of the Policy 29 SANG (it is additional open space) but in reality, the SANG and open space will be indistinguishable from one another and will all be used for recreational purposes. There will not be a recognisable border on the ground between the open space and SANG.	Both parties understand the differentiation here and Natural England understand that whilst providing additional green infrastructure, the Scheduled Monument will not formally form part of the SANG.
	SANG		It is unclear from the wording of Policies 24, 26, 27 and 28 whether the SANG area		Policy 24 (Land at Netherhampton Road Garden Centre) is no longer	Natural England notes the deletion of Policy 24 and

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	<p>Policy 24 Land at Netherhampton Road Garden Centre</p> <p>Policy 26 Land North of Downton Road</p> <p>Policy 27 Land South of Harnham</p> <p>Policy 28 Land West of Coombe Road</p>		<p>identified in Policy 29 has been secured for this purpose. If it has been secured then the Policy should clarify that a contribution to the SANG will be required, if not then there remains uncertainty as to whether the scheme will be deliverable. The Policy and or supporting text should specify that the necessary SANG provision for the development must be secured prior to commencement of the development and the facility open and available to the public by first occupation.</p> <p>(Paragraph 4.155) The supporting text should be strengthened to clarify that the SANG should be secured prior to commencement of the schemes allocated under Policies 24, 26, 27 and 28 and be available for public use prior to occupation.</p>		<p>retained as a proposed allocation within the Local Plan.</p> <p>The promoters of the site allocations (Policy 26, 27 and 28) are not objecting to the delivery of the SANG. The policies, at present, do not set out the details of how contributions will be provided or how the delivery will take place.</p> <p>It is recognised that the SANG is required prior to the first occupation and this is reflected within Policy 29 that outlines “the additional SANG will be available in perpetuity for the public to access for informal recreation prior to the occupation of the first dwelling for which the policy is triggered.”</p>	<p>acknowledges the provisions relating to SANG provision provided in Policy 29.</p>
	<p>Policy 29 Suitable Alternative Natural Greenspace, South Salisbury</p>		<p>The SANG / Country Park provides significant opportunities for enhancing biodiversity interests through appropriate tree planting and habitat creation. Natural England therefore recommends that this aspect of SANG delivery is specified in the supporting text and or Policy.</p>		<p>The Council acknowledge this suggestion that is in the interests of optimising the ecological value and biodiversity benefits of the SANG.</p> <p>The council is not averse to changes to supporting text aiming towards optimising the biodiversity benefits of the SANG.</p> <p>Supporting paragraph 4.157 currently outlined that a further objective of the</p>	<p>Both parties agree that the SANG offers an opportunity to provide enhancements in biodiversity.</p> <p>Natural England's preferred approach is for the supporting text to identify the need for enhancing SANG and CPs for biodiversity.</p>

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					allocation is to manage pressure on Lime Kiln CWS with the aim of delivering overall ecological enhancement.	However, it is acknowledged that the requirements for Biodiversity Net Gain will also help drive the delivery of appropriate biodiversity enhancements.
	SANG Policy 30 Land East of Church Road, Laverstock		The allocation site is too small for the necessary SANG provision to be provided within the allocation. Clarification is therefore needed on the location and scale of the SANG for the allocation as well as how the SANG will connect with the public footpath network.		The promoters of the site have highlighted that the site will provide less than 50 dwellings and that the New Forest Mitigation Strategy only requires provision of a SANG for 50 dwellings or more.	Natural England agrees that provided the allocation is limited to under 50 dwellings then no further changes are required.
	Policy 30 Land East of Church Road, Laverstock		The allocation site is in close proximity to the Cockley Down SSSI, a nature reserve managed by the Wiltshire Wildlife Trust. Further, recreational assessments already completed have demonstrated that an increase in recreational activity on the reserve (e.g. dog walking) is likely. The supporting text and Policy wording should recognise that increased recreational activity are likely to result from the allocation and that any resulting increase in reserve management costs, including increased requirements for warden visits, are appropriately compensated.		The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced. It is noted that within Natural England's response to the Regulation 19 consultation the need to mitigate and compensate any negative impacts upon sites such as SSSI and CWS is a common theme. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating the Policy on Biodiversity), such policies aiming to ensure suitable mitigation and	Both parties recognise the importance of ensuring publicly accessible SSSIs, CWS and nature reserves are protected from adverse impacts, including those associated with an increase in recreational visits. Wiltshire Council have outlined how this is dealt with within the Local Plan at present but is not resistant to change in the interests of nature conservation.

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					<p>compensation is provided when considering the potential for impacts upon sites such as SSSI and CWS.</p> <p>For instance, currently Policy 88 includes wording “Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term” with supporting text at paragraph 5.118 including information on development on land within or outside a SSSI.</p>	<p>Natural England’s preferred approach is for the local plan supporting text to specifically note the importance of accessing and mitigating for adverse impacts on publicly accessible wildlife sites.</p>
	Policy 31 Salisbury central area		The Salisbury Central Area includes stretches of the River Avon SAC. The associated policies should therefore include a requirement to protect and enhance the ecology of the river corridor and ensure development avoids additional light spill into the designated site.		<p>The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced.</p> <p>Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the protection and enhancement of these assets.</p>	<p>Both parties recognise the importance of protecting and enhancing the River Avon SAC.</p> <p>Natural England acknowledge the approach to ensuring such assets are protected and enhanced. The key outcome being that the River Avon SAC is protected and enhanced when the policy is delivered.</p> <p>Natural England’s preferred approach</p>

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						however, is for the local plan supporting text to specifically note the importance of protecting and enhancing River Avon SAC corridor.
	Policy 38 Porton Down		(Paragraph 4.191) NE supports the statement that the continued protection of the Porton Down designated sites is a prerequisite for further development. However, this important caveat to the continued development at Porton should also be included within Policy 38.		The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately protected. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the protection and enhancement of these assets.	Both parties recognise the importance of protecting the nearby SPA and SAC. Natural England acknowledge the approach to ensuring such assets are protected. The key outcome being that the SPA and SAC are protected and enhanced when the policy is delivered. Nevertheless, Natural England's preferred approach is for the requirement to protect and enhance the Porton Down SAC is included in the policy wording.
	Policy 40 Land South East of		As part of the ongoing assessment of the possible need for phosphorus neutrality		The Council acknowledge this suggestion that is in the interests of	Wiltshire Council and Natural England will

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	Empress Way, Ludgershall		should the River Test be compensatory habitat to the River Itchen SAC, it is recommended that a hydrological assessment is completed in relation to the discharge to ground from the Ludgershall WWTWs. This assessment should be able to estimate the proportion of discharge that is likely to reach the ground water and watercourses in any given timeframe and therefore help to determine the scope of any potentially timing of any mitigation required.		<p>ensuring ecological assets are adequately protected and are open to the potential for change</p> <p>Wiltshire Council have recently received information from the Thames Solent Team at Natural England pertaining to compensatory measures on the River Test and River Meon arising from the Lower Itchen Drought Order and Candover Augmentation Scheme Drought Order. The information outlines: "Local Planning Authorities (LPAs) should familiarise themselves with the locations of compensatory habitat outside of the River Itchen Special Area of Conservation (SAC). These areas (will) perform a compensatory function for protected features of the River Itchen SAC which will suffer adverse impacts as a result of abstraction in drought situations."</p> <p>The advice received is currently under consideration and a meeting has been arranged with Natural England to discuss the implications particularly in respect of the assessment of plans and projects.</p>	continue to engage and cooperate to establish a solution to this matter and can provide further information as it becomes available.

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	Policy 40 Land South East of Empress Way, Ludgershall		Policy 40 currently outlines that mitigation will include <i>“ecological surveys to inform safeguarding lapwing and skylark populations and habitat;”</i> Natural England have outlined that, whilst welcomed, the policy should also, as far as possible, seek the maintenance of populations within the Green Infrastructure on site and where necessary unavoidable losses should be compensated through long-term off-site conservation measures.		The Council acknowledge this suggestion that is in the interests of ensuring ecological assets and protected species are adequately protected. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the protection and enhancement of these assets and protection of species.	Both parties recognise the importance of ensuring ecological assets and species and adequately conserved and protected. Wiltshire Council. Natural England’s preferred approach is for the Local Plan supporting text to specifically note the need to, as far as possible, seek the maintain lapwing and skylark populations within the Green Infrastructure on site and where necessary unavoidable losses should be compensated through long-term off-site conservation measures.
	Policy 45 Land at Chopping Knife Lane, Marlborough Policy 46		Natural England noted the Appropriate Assessments reporting of significant issues with the capacity of the Marlborough WWTWs leading to a high spillage record upstream of the Kennet and Lambourne Floodplain SAC. The WWTWs is also immediately upstream of the River Kennet SSSI. Given that a particular issue has been identified within the Appropriate Assessment		The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately protected. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to	Both parties recognise the importance of protecting the nearby SSSI and upstream SAC. Natural England acknowledge the approach to ensuring such assets are protected

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	Land off Barton Dene, Marlborough		and the proximity of the allocations (Policy 45 & 46) to the SSSI, Natural England suggest that the policies should make it clear that this issue needs to be investigated and satisfactorily resolved.		ensure the protection and enhancement of these assets. Clarity has been provided to Natural England that supporting text to the policies at Marlborough stipulates that: <i>“Due to water supply capacity constraints in the area, developers should undertake necessary engagement with Thames Water to ensure development does not outpace delivery of essential network upgrades needed to accommodate future development in the catchment. In terms of foul network capacity, the scale of growth is likely to require upgrades of the network and early engagement with Thames Water will be required to agree a housing phasing plan to determine what phasing may be required to ensure development does not outpace delivery of essential network upgrades.”</i>	and note the supporting text to clarify this matter. The key outcome being that the SSSI and SAC are conserved when the development comes forward.
	Policy 48 Land at Marsh Farm, Royal Wootton Bassett		Given the close proximity of the allocations to the Jubilee Lake LNR Natural England recommends that the policy includes a requirement to provide additional support for ongoing visitor management on the LNR.		The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced.	Both parties recognise the importance of ensuring publicly accessible SSSIs, CWS and nature reserves are protected from adverse impacts,

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	<p>Policy 49 Land at Midge Hall Farm, Royal Wootton Bassett</p> <p>Policy 50 Land West of Maple Drive, Royal Wootton Bassett</p>		<p>For Policy 50, it was outlined that given the very close proximity of the allocation to the Jubilee Lake LNR Natural England recommends that the policy includes a requirement to provide additional support for ongoing visitor management and the provision of enhanced recreational infrastructure on the LNR.</p>		<p>It is noted that within Natural England's response to the Regulation 19 consultation the need to mitigate and compensate any negative impacts upon sites such as SSSI and CWS is a common theme. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating the policy on Biodiversity), such policies aiming to ensure suitable mitigation and compensation is provided when considering the potential for impacts upon sites such as SSSI and CWS.</p> <p>For instance, currently Policy 88 includes wording "Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term" with supporting text at paragraph 5.118 including information on development on land within or outside a SSSI.</p>	<p>including those associated with an increase in recreational visits. Wiltshire Council have outlined how this is dealt with within the Local Plan at present but is not resistant to change in the interests of nature conservation.</p> <p>Natural England's preferred approach is for the local plan supporting text to specifically note the importance of accessing and mitigating for adverse impacts on publicly accessible wildlife sites.</p>
	<p>Policy 51 Land at Woodshaw, Royal Wootton Bassett</p>		<p>Morningside Farm County Wildlife Site is managed by the Wiltshire Wildlife Trust as a nature reserve. Given the proximity of the development to the reserve NE recommends the Policy recognises that increased recreational activity is likely to result from the allocation and that any resulting increase in</p>		<p>The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced.</p> <p>It is noted that within Natural England's response to the Regulation 19</p>	<p>Both parties recognise the importance of ensuring publicly accessible SSSIs, CWS and nature reserves are protected from adverse impacts associated with an</p>

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			reserve management costs, including increased requirements for warden visits, are appropriately compensated.		<p>consultation the need to mitigate and compensate any negative impacts upon sites such as SSSI and CWS is a common theme. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating the policy on Biodiversity), such policies aiming to ensure suitable mitigation and compensation is provided when considering the potential for impacts upon sites such as SSSI and CWS.</p> <p>For instance, currently Policy 88 includes wording “Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term” with supporting text at paragraph 5.118 including information on development on land within or outside a SSSI.</p>	<p>increase in recreational visits. Wiltshire Council have outlined how this is dealt with within the Local Plan at present but is not resistant to change in the interests of nature conservation.</p> <p>Natural England's preferred approach is for the local plan supporting text to specifically note the importance of accessing and mitigating for adverse impacts on publicly accessible wildlife sites.</p>
	Policy 53 Land North-East of Hilperton, Trowbridge		50 m ecological corridors on the east and through the development as shown on the concept plan are critical to the allocation and should be identified as minimum requirements within the Policy 53.		<p>The Council acknowledge this suggestion that is in the interests of ensuring core bat habitat is protected and enhanced as part of the design and layout, including a dark corridor on the eastern boundary of the site.</p> <p>In principle the Council agree that 50m may be an appropriate ecological corridor in this instance and are open</p>	Both parties recognise the importance of achieving mitigation for bat species at this location and agree this change would help achieve this.

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					to policy change should this be required.	
	Policy 55 Land at Innox Mills		NE fully supports the Policy 55 requirement for enhancing the River Biss corridor. The measures should include enhancing the river as an ecological corridor and include a requirement to avoid additional light spill from the developed areas onto the river corridor.		<p>The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately protected.</p> <p>Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the conservation and enhancement of these assets.</p>	<p>Both parties recognise the importance of conserving biodiversity interests.</p> <p>Natural England acknowledge the approach to ensuring biodiversity is conserved. The key outcome being that biodiversity is conserved when development is delivered.</p> <p>Nevertheless, Natural England's preferred approach is for the local plan supporting text to specifically note the importance of protecting and enhancing the River Biss ecological corridor.</p>
	Policy 58 Warminster Market Town		Policy 58 clause 8 includes a requirement to "ensure solutions to improve conditions within the River Avon SAC are prioritised". Due to the location of the Warminster WWTWs in relation to the town it is recognised that the		The Council acknowledge this suggestion that is in the interests of ensuring nutrient neutrality is achieved on the River Avon SAC.	Both parties recognise the importance of achieving phosphorus mitigation in the catchment of the Hampshire Avon and

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			provision of phosphorus neutrality measures at Warminster will be particularly difficult. While clause 8 is no doubt intended to reflect this concern, the current wording is confusing and suggests measures will be possible to "improve" the SAC, whereas in fact achieving phosphorus neutrality (i.e. not making the situation worse) will be a significant challenge in itself for new development. NE therefore recommends the policy is reworded to ensure policy support for measures that may come forward that will help to achieve the necessary levels of phosphorus mitigation required for new residential development.		The intention of the policy wording is as per Natural England's interpretation and, for clarity, a change could be made as follows: <ul style="list-style-type: none"> ensure phosphorus mitigation solutions to improve the conditions within is prioritised and achieved for development within the River Avon SAC catchment are prioritised. 	agree the change would help clarify the priority to achieve this mitigation.
	Policy 62 Land at Bratton Road, Westbury SANG Policy 63 Westbury Country Park		The future land for battery storage and/or renewable energy installations shown at Fig 4.46 appears to be within the area mapped as a Suitable Alternative Natural Greenspace in Policy 63. These uses would be incompatible, and the land would not be accessible, so we advise that either this is relocated outside of the proposed SANG, or the SANG is extended.		Wiltshire Council acknowledge this suggestion and agree that it would not be an appropriate use within the SANG. The figure should be amended to reflect this.	Both parties agree that the use would be inappropriate within the SANG.
	Policy 64 Additional Employment Land		This policy makes provision for protecting key landscape and heritage interests but not those for biodiversity.		The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately protected. Whilst not averse to change, it is the intention that the Local Plan is read as	Both parties recognise the importance of conserving biodiversity interests. Natural England acknowledge the approach to ensuring

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					a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the conservation and enhancement of these assets.	biodiversity is conserved. The key outcome being that biodiversity is conserved development is delivered. Nevertheless, Natural England's preferred approach is for key biodiversity interests to be given the same prominence in the policy wording as key landscape and heritage interests.
	Policy 77 Rural exceptions sites		To ensure appropriate protection of biodiversity and landscape interests, Natural England recommends that the policy includes the caveat that schemes will only be considered "provided that environmental, landscape and heritage assets and their settings considerations can be suitably addressed", as is applied to Policy 78.	Yes	The Council acknowledge this suggestion that is in the interests of ensuring environmental assets are adequately addressed. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity, landscape, heritage etc.), such policies aiming to ensure the conservation and enhancement of these assets.	Both parties recognise the importance ensuring environmental assets are adequately addressed. Natural England acknowledge the approach to ensuring the environment is adequately conserved. The key outcome being that environmental considerations are suitably considered when development is delivered.

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						However, Natural England's preferred approach is to include the same caveat as applied to Policy 78.
	Policy 79 First Homes exception sites		Policy 79 clause (4) should include reference to biodiversity and landscape interests.		<p>The Council acknowledge this suggestion that is in the interests of ensuring environmental assets are adequately addressed.</p> <p>Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity and landscape), such policies aiming to ensure the conservation and enhancement of these assets.</p>	<p>Both parties recognise the importance of ensuring environmental assets are adequately addressed.</p> <p>Natural England acknowledge the approach to ensuring biodiversity / landscape is conserved. The key outcome being that such assets are suitably conserved when development is delivered.</p> <p>However, Natural England's preferred approach is to include the same caveat as applied to Policy 78.</p>
	Open space and play facilities Paragraph 5.94		Natural England recommends that appropriate NGOs (e.g. wildlife charities) are included in the list of possible managers of new areas of PoS which should be considered in the first instance before resorting to management companies.		The Council acknowledge this suggestion that is in the interests of ensuring NGOs are considered for those who may manage public open spaces.	Both parties recognise the importance of ensuring NGOs such as wildlife charities are not excluded as those who may

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					<p>Whilst not averse to change, it is not the intention that this list within supporting text is exhaustive nor excludes the possibility of wildlife charities managing public open space.</p>	<p>manage public open space.</p> <p>Natural England acknowledge the approach. The key outcome being that NGOs such as wildlife charities are not excluded as those who may manage public open space.</p> <p>However, Natural England's preferred approach is to include NGO's in the potential list of PoS managers.</p>
	Policy 84 Public open space and play facilities		Recommend that the policy is expanded to include a requirement to provide appropriate financial contributions for local existing public open spaces, including locally accessible nature reserves that will be used by new residents. This support should compensate the managers of the Public Open Space / Nature Reserves for any increased visitor manager costs that would be incurred and provide for improved infrastructure to increase the resilience and visitor capacity of the sites affected.		<p>The Council acknowledge this suggestion that is in the interests of ensuring ecological assets are adequately conserved and enhanced.</p> <p>It is noted that within Natural England's response to the Regulation 19 consultation the need to mitigate and compensate any negative impacts upon sites such as SSSI and CWS is a common theme. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating the policy on</p>	<p>Both parties recognise the importance of ensuring public open spaces, including publicly accessible nature reserves, are protected from adverse impacts associated with an increase in recreational visits.</p> <p>Natural England's preferred approach is for the local plan supporting</p>

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					<p>Biodiversity), such policies aiming to ensure suitable mitigation and compensation is provided when considering the potential for impacts upon sites such as SSSI and CWS.</p> <p>For instance, currently Policy 88 includes wording “Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term”.</p>	<p>text to specifically note the importance of accessing and mitigating for adverse impacts and increased costs associated with an increase in use of publicly accessible spaces.</p>
	Policy 86 Renewable energy		<p>Part ‘h’ of the policy is also misleading. As written, it could give the impression that providing grazing is maintained for solar farms, harm to Bats SAC sustenance zones can be avoided. This is not the case and recent research has raised significant concerns that bats may avoid solar farms. Natural England therefore advises that clause h) is replaced with a requirement to ensure all renewable energy installations are required to protect bat foraging and commuting habitats, while schemes within defined SAC bat sustenance zones should be required to demonstrate a clear enhancement of bat habitats.</p> <p>Natural England also recommends the Council consider extending the policy to promote renewable energy generation schemes within the existing built</p>		<p>The Council acknowledge this suggestion that is in the interests of ensuring environmental assets are adequately addressed.</p> <p>Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the conservation and enhancement of these assets.</p>	<p>Both parties recognise the importance of ensuring environmental assets are adequately conserved.</p> <p>Natural England acknowledge the approach to ensuring biodiversity is conserved. The key outcome being that such assets are suitably conserved when development is delivered.</p> <p>Nevertheless, Natural England recommends that clause h) is amended to better reflect the importance of ensuring</p>

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			environment. For example, in association with employment sites, car parking, and community facilities.		Where change is suggested, <u>bold underlined</u> is proposed new text, strike through is proposed deleted text.	schemes provide an enhancement of bat foraging opportunities within the core SAC bat sustenance zones.
	Biodiversity and geodiversity Paragraph 5.118		NE strongly supports the list of features with nature conservation value. However, in line with NPPF paragraph 180 the list should be expanded to include specific mention of irreplaceable habitats (such as ancient woodland and ancient or veteran trees).		The Council acknowledges this suggestion and would be happy to suggest an additional bullet is added, for instance: <ul style="list-style-type: none"> • <u>Irreplaceable habitat: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity.</u> 	Both parties agree that this change is suitable to reflect the importance of irreplaceable habitat within the policy.
	Biodiversity and geodiversity Paragraph 5.128		Natural England state that silt contamination is correctly identified as a concern in relation to the River Avon SAC within the Appropriate Assessment (AA). Natural England state that the AA relies on Policy 88 to ensure appropriate protection of the SAC along with a requirement for a Construction Environmental Management Plan (CEMP) for development within 20m of the Avon SAC and its tributaries. The local Plan Review however at paragraph 5.128 only specifies that it is “anticipated” that a CEMP will be required. Natural England considers the Plan		The Council acknowledges this suggestion and would be happy to suggest additional text is added to paragraph 5.128. This change could read: <p>It is important for all watercourses, not just main rivers and ordinary watercourses, that development demonstrates how adverse impacts are to be avoided. It is anticipated that most development proposals within 20m of a watercourse should be</p>	Both parties agree that this change is suitable to reflect the importance of both conserving the River Avon SAC.

Ref	Theme/policy/site	Soundness theme	Summary of Natural England comment	Natural England proposed change in rep?	Wiltshire Council response including if change needed.	Agreed position
			Review should be strengthened to clearly specify that a CEMP is required for all development within 20m of any watercourse (including drainage ditches) within the hydrological catchment of the River Avon SAC.		Where change is suggested, <u>bold underlined</u> is proposed new text, strike through is proposed deleted text.	
	Biodiversity within the built environment Paragraph 5.135		The inclusion of the provision of wildflower verges and meadows is particularly welcome but should be expanded to include the “provision <i>and means to manage</i> ...” Ongoing management of such features typically requires suitable cut and collect mowers along with consideration in the design of arising deposal areas (i.e. established compost heaps).	Yes	The Council acknowledges this suggestion and would be happy to suggest additional text is added, for instance (bullet two, paragraph 5.135): <ul style="list-style-type: none"> provision <u>and means to manage</u> of wildflower verges/meadows; 	Both parties agree that this change is suitable to reflect the importance of both the provision of and ongoing management of wildflower verges / meadows.
	Policy 88 Biodiversity and Geodiversity		For clarity, we would recommend that the policy or supporting text includes the definition of “UK National Network Sites”.	No	The Council acknowledges this suggestion and would be happy to suggest additional text is added as a footnote to policy 88 where the National Site Network is referenced. Footnote could read: <u>UK National Site Network includes all existing and new Special Areas of Conservation and Special Protection Areas.</u>	Both parties agree that this change is suitable to reflect the definition of the UK National Site Network.
	Policy 88 Protection		Natural England set out the following suggestions: <ul style="list-style-type: none"> In relation to UK National Network Sites the policy should make it clear that any development that would 	Yes	The Council acknowledges these suggestions and suggest the following: <ul style="list-style-type: none"> Amend paragraph 4 under the protection heading as follows: Any development potentially 	Both parties agree that these changes are suitable.

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			<p>have an adverse impact on a UK National Network Site (including proposed or potential sites) <i>and or their supporting habitats</i> that cannot be fully mitigated shall be refused unless Imperative Reasons of Over Riding Public Interest can be demonstrated, <i>and</i> suitable compensatory measures are available.</p> <ul style="list-style-type: none"> The policy should set out the protection afforded to sites designated as nationally important (SSSI and NNR) as set out in NPPF (2022) paragraph 180. That is that development that 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”. The policy should also clearly set out the protection afforded to irreplaceable habitats as set out in 		<p>affecting a UK National Site Network site <u>and / or their supporting habitats</u> must provide avoidance measures in accordance with the strategic plans or guidance where possible, otherwise bespoke measures must be provided to demonstrate that the proposals would have no adverse effect upon the UK National Site Network.</p> <ul style="list-style-type: none"> Paragraph 5.118 outlines the approach to development within or outside a SSSI and is reflective of the approach suggested by Natural England. It is not the intention for the policy to replicate what is contained within National Policy. See point 4 for Natural England and the Forestry Commission’s standing advice for ancient woodland, ancient trees and veteran trees. Add footnote as follows (paragraph 2 under the heading ‘protection’): Development proposals must demonstrate how they protect features of nature 	<p>Natural England acknowledge there is not a need to repeat national policy but emphasise the importance of ensuring the conservation and enhancement of the natural environment is achieved.</p> <p>Nevertheless, Natural England’s preferred approach is for the policy to specifically mention the protection afforded to irreplaceable habitats.</p>

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			<p>NPPF (2022) paragraph 180. A reference to Natural England and the Forestry Commission's standing advice for ancient woodland, ancient trees and veteran trees is also recommended.</p> <ul style="list-style-type: none"> Natural England recommends that the policy also includes a requirement for all development to meet Natural England's standing advice for protected species. 		<p>conservation value (insert footnote: <u>taking account of guidance including Natural England and the Forestry Commission's standing advice for ancient woodland, ancient trees and veteran trees and Natural England's standing advice for protected species</u>), both terrestrial and aquatic, and geological value as part of the design rationale.</p>	
	<p>Conserving and enhancing Wiltshire's landscapes</p> <p>Paragraph 5.159</p>		<p>It is recommended that this paragraph is amended to ensure the best and most versatile agricultural land is protected. The paragraph currently refers to grade 1 and 2 however, national policy considers grades 1, 2 and 3a to be best and most versatile soil. Reference to the protection of these valuable soils should be included in policy 91.</p>		<p>The Council acknowledges these suggestions and suggest the following:</p> <p>Amend paragraph 5.159 as follows: The Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (DEFRA 2009) states that 'Soil is a fundamental and ultimately finite resource that fulfils a number of functions and services for society which are central to sustainability.' As well as protecting grade 1, and 2 <u>and 3a</u> agricultural soils the council requires all new developments to, where possible, protect and enhance the existing soil structure.</p>	<p>Both parties agree that this change is suitable.</p>

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	Policy 91 Conserving and Enhancing Wiltshire's Landscapes		Policy 91 should be expanded to include provision for further moderating and compensating adverse impacts on nationally designated landscapes through appropriate offsite measures. These might include financial contributions for the delivery of projects that help meet the objectives of the designated landscape's management plan.		The Council acknowledge this suggestion that is in the interests of ensuring National Landscapes are adequately conserved and enhanced. Whilst not averse to change, currently Policy 91 includes the wording "Development within, and influencing the setting of, these designated areas should be limited in scale and extent and are expected to contribute towards conserving and enhancing their natural beauty."	Both parties recognise the importance of ensuring National Landscapes are adequately conserved. Wiltshire Council have outlined how this is dealt with within the Local Plan at present but is not resistant to change if deemed necessary. Natural England's preferred approach is for the local plan supporting text to specifically note the importance of compensating adverse impacts upon nationally designated landscapes.
	Policy 91 Conserving and Enhancing Wiltshire's Landscapes		Wiltshire Council and Natural England acknowledge that s245 of the LURA introduced an amended duty (s85 of the CROW Act and s62 of the 1995 Environment Act) on relevant authorities for the need to 'have regard' to needing to 'must seek to further' the statutory purpose(s) of National Parks (including The Broads) and National Landscapes. This came into force on 26 December 2023.		The following factual amendments are suggested: Proposed inclusion of wording at the end of paragraph 5.165 as follows: <i>This is consistent with the legal duties placed on Wiltshire Council to seek to further the statutory purposes of National Parks and National Landscapes in making decisions that could affect them.</i>	Wiltshire Council and Natural England acknowledge the legislative change and agree on the proposed factual amendments.

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					<p>Proposed changes to the wording at the end of paragraph 5.167 as follows:</p> <p><i>Wiltshire Council has a legal duty to 'seek to further' the statutory National Park purposes under section 11A of the National Park & Access to the Countryside Act 1949; and an equivalent legal duty relating to the statutory purpose of National Landscapes under section 85 of the Countryside & Rights of Way Act 2000. 'Duty of Regard' under section 85 of the Countryside and Rights of Way Act 2000 to conserve and where possible enhance the natural beauty of Areas of Outstanding Natural Beauty and their setting</i></p>	
	Policy 93 Green and blue infrastructure	N/A	NE advise that the Council considers whether applying or adopting the most relevant standards in Natural England's Green Infrastructure Framework could make a difference to the delivery of aspirations for placemaking and the multi-functional benefits that are sought, particularly for key growth locations. That might include the access to greenspace standard, for example, in locations with		The Council acknowledges this suggestion and understands the value of Natural England's Green Infrastructure Framework and the benefits it may offer if incorporated into policy and the wider Local Plan. Whilst not averse to change, Wiltshire Council believe this may be more appropriate to consider in a future iteration of the Local Plan.	Both parties agree with regards the value of Natural England's Green Infrastructure Framework. It is agreed that this is a matter that would have benefits if incorporated into the Local Plan, and Natural England understand that Wiltshire Council believe this may

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			higher levels of deprivation and poor access to quality green space.			be best considered in a future iteration of the Local Plan.
	Policy 93 Green and Blue infrastructure		We recommend that the policy is expanded to include a requirement for providing appropriate support for offsite GBI which would otherwise be adversely affected by an increase in visitor pressure resulting from a development. This should include the provision of enhanced facilities for managing visitors on locally accessible areas of green space (eg footpath enhancement), as well as compensation for increased management costs by the site owner / manager (eg increased wardening or habitat management costs).	Yes	<p>The Council acknowledge this suggestion that is in the interests of ensuring natural assets and open are adequately conserved and enhanced. It is noted that within Natural England's response to the Regulation 19 consultation the need to mitigate and compensate any negative impacts upon sites such as open space and of nature conservation value is a common theme. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating the policy on Biodiversity), such policies aiming to ensure suitable mitigation and compensation is provided when considering the potential for impacts upon sites such as those designated for nature conservation purposes.</p> <p>For instance, currently Policy 88 includes wording "Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term" with policy 93 aiming to ensure</p>	<p>Both parties recognise the importance of ensuring sites of open space and of nature conservation value are protected from adverse impacts. Wiltshire Council have outlined how this is dealt with within the Local Plan at present but is not resistant to change in the interests of nature conservation.</p> <p>Natural England's preferred approach is for the local plan supporting text to specifically note the importance of providing appropriate support for offsite GBI which may be adversely effected by increased visitor pressure resulting from a development.</p>

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					GBI is adequately retained and enhanced.	
	Air quality Paragraph 5.259		The paragraph should be amended to make it clear all development that may harm a designated wildlife site via aerial deposition will require an air quality assessment in accordance with published guidance, this includes SSSIs as well as UK National Network Sites (i.e. SAC SPA and Ramsar sites).	No	The Council acknowledge this suggestion that is in the interests of ensuring the conservation of SSSIs and the UK National Site Network. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the conservation of these assets and that suitable measures are taken.	Both parties recognise the importance of conserving wildlife sites. Natural England acknowledge the approach. The key outcome being that wildlife sites are sufficiently conserved. Nevertheless. Natural England's preferred approach is an amendment to paragraph 5.259.
	Policy 101 Air quality		Natural England supports the principle of the policy; however, the pollutants of particular concern should be expanded to include Ammonia and acid deposition both of which can have harmful effects on designated wildlife sites.	No	The Council acknowledge this suggestion that is in the interests of ensuring the conservation of designated wildlife sites. Whilst not averse to change, it is the intention that the Local Plan is read as a whole (e.g., incorporating policies on biodiversity), such policies aiming to ensure the conservation of wildlife sites.	Both parties recognise the importance of conserving wildlife sites. Natural England acknowledge the approach. The key outcome being that wildlife sites are sufficiently conserved. Nonetheless. Natural England considers the specific exclusion of Ammonia and acid

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						deposition as both confusing and unhelpful for applicants progressing schemes.
	Local Plan throughout	N/A	Government announced that Areas of Outstanding Natural Beauty (AONB) will now be referred to as National Landscapes. NE recommend this terminology is adopted in the final Plan.	N/A	The Council acknowledges this and proposes the following change: Replace all mention of “Area of Outstanding Natural Beauty” with “National Landscape” for factual correctness throughout the Local Plan.	All parties agree to this factual correction.

7. Appendix B

Proposed changes to Policy 89: Biodiversity Net Gain

Table 2: Proposed changes to Wiltshire Local Plan Pre-Submission Draft 2020-2038 (Regulation 19) Policy 89: Biodiversity Net Gain

Ref	Policy 89 reference	Wiltshire Council commentary	Proposed change (<u>bold underlined</u> is proposed new text, strikethrough is proposed deleted text)	Agreed position
1	Second paragraph and associated bullet points regarding delivery of BNG in hierarchical manner.	<p>This text should reflect the Biodiversity Gain Hierarchy as set out in Article 37A of the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>This wording should be changed to be consistent with legal requirements. Wording should refer to relevant legislation with additional wording to reflect local requirement. This change also reflects Natural England’s commentary at Regulation 19 regarding the Local Nature Recovery Strategy’s role in targeting biodiversity enhancements.</p>	<p>The Council recommends the following change:</p> <p>“Biodiversity net gain must be delivered in the following hierarchical manner <u>as set out legislation (insert new footnote: i.e., as currently set out in Section 37A of the Town and Country Planning (Development Management Procedure) (England) Order 2015.) This hierarchical delivery should take account of the following:</u></p> <ol style="list-style-type: none"> 1. Onsite delivery: where delivered on site habitats should be functionally linked to the wider habitat network creating coherent ecological networks. 2. Offsite delivery: should prioritise contributing to nearby habitat recovery and creation strategies as identified within adopted mitigation strategies, strategic wildlife corridors, Local Nature Recovery 	<p>Both parties recognise the importance of delivering biodiversity net gain in a hierarchical manner. This change clarifies the manner in which this should be conducted in accordance with legislation.</p>

Ref	Policy 89 reference	Wiltshire Council commentary	Proposed change (<u>bold underlined</u> is proposed new text, strikethrough is proposed deleted text)	Agreed position
			<p>Strategy (footnote) and Green and Blue Infrastructure Strategy.</p> <p>3. Offsite delivery: on an alternative suitable site, prioritising strategic delivery in the Local Nature Recovery Strategy area.</p> <p>4. Credits: as a last resort, and where it is agreed by the local planning authority no suitable alternatives exist, through the purchase of an appropriate amount of national biodiversity units/ credits.</p>	
2	Third paragraph and supporting text.	<p>Timing of submission and content of Biodiversity Gain Plan should reflect latest legislation, i.e. Articles 37B and 37C of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Government guidance provides a Biodiversity Gain Plan template.</p> <p>The Council suggest amending policy text to refer to the legislation.</p>	<p>The Council recommends the following change:</p> <p>Planning applications subject to mandatory biodiversity net gain must <u>are encouraged</u> submit a <u>draft</u> Biodiversity Gain Plan (<i>amend footnote to read: <u>Biodiversity Gain Plans must be prepared in accordance with Articles 37B and 37C of the Town and Country Planning (Development Management Procedure) (England) Order 2015)</u>) at the application stage that should include:</i></p> <ul style="list-style-type: none"> • how the mitigation hierarchy has been adhered to; • justification for the baseline date and assessed value of the site prior to development, including a brief synopsis of the site’s historic biodiversity value and appointing strategic significance in metric; 	Both parties recognise the importance of delivering biodiversity net gain in accordance with a Biodiversity Gain Plan. This change clarifies the manner in which this should be prepared in accordance with legislation.

Ref	Policy 89 reference	Wiltshire Council commentary	Proposed change (<u>bold underlined</u> is proposed new text, strikethrough is proposed deleted text)	Agreed position
			<ul style="list-style-type: none"> • pre and post-development biodiversity value of onsite habitats and created off site habitats; • demonstrate how net gains are achieved through onsite, offsite or purchased credits, clarifying and explaining the predicted biodiversity outcomes both qualitatively and quantitatively; • how a positive proportionate contribution has been made to the ecological networks and priorities as outlined within the Local Nature Recovery Strategy and regional Nature Recovery Networks and for maintaining or creating local ecological networks through habitat creation, protection, enhancement, restoration and management <p><u>Once planning permission has been granted the Biodiversity Gain Plan must be finalised before works commence on site.</u></p>	
3	Fifth paragraph (sentence outlining monitoring report requirements).	Findings from the Regulation 19 consultation highlighted the requirements for annual monitoring reports to be submitted.	<p>The Council recommends the following potential change:</p> <p>Annual monitoring <u>Monitoring should be undertaken annually with</u> reports detailing the sites condition must be submitted to the council each year over this period <u>annually for years 1-5 and in years 10, 15, 20 and 30 unless evidence</u></p>	Both parties recognise the importance of ensuring monitoring is undertaken and reports received on a regular basis. This change ensures this approach is proportionate.

Ref	Policy 89 reference	Wiltshire Council commentary	Proposed change (<u>bold underlined</u> is proposed new text, strikethrough is proposed deleted text)	Agreed position
			<u>suggests an alternative frequency would be more appropriate.</u>	
4	Fifth paragraph (sentence outlining management plan requirements).	As per point reference 2 within this table, the content of Biodiversity Gain Plan should reflect latest legislation, i.e. Articles 37B and 37C of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Government guidance provides a Biodiversity Gain Plan template. The proposed change to the text (reference 2) covers the content required of the Biodiversity Gain Plan.	The Council recommends the following potential change: A management plan must be provided at the application stage detailing how the post development biodiversity values of the site and any supporting off-site provision will be secured, managed, and monitored in perpetuity.	Both parties recognise the importance of delivering biodiversity net gain and the monitoring and maintenance of this which is covered in accordance with legislation.
5	Sixth paragraph (outlining approach to neglected / damaged habitats)	Schedule 7A of the Town and Country Planning Act 1990 now deals with the issue of on-site habitats that have been lowered in value under the heading 'pre-development biodiversity value', at paragraphs 5, 6 and 6A. The Council suggest amending policy text to refer to the legislation.	The Council recommends the following potential change: Where there is evidence of neglect or damage to any of the habitats on development sites reducing their biodiversity value their deteriorated condition will not be taken into consideration and steps will be taken to establish the previous ecological baseline* of the site in order to decide the acceptability of any development proposals. *(new footnote to replace existing: Schedule 14 of the Environment Act enables planning authorities to recognise habitat degradation on a site since 30 January 2020, where necessary utilising an earlier habitat state as the baseline for biodiversity net gain calculation. In	Both parties recognise the importance of ensuring on site habitats are not degraded prior to assessment and that such decisions are carried out in accordance with legislation.

Ref	Policy 89 reference	Wiltshire Council commentary	Proposed change (<u>bold underlined</u> is proposed new text, strikethrough is proposed deleted text)	Agreed position
			<u>accordance with Schedule 7A of the Town and Country Planning Act 1990</u>	