

Shepton Mallet Neighbourhood Plan Habitats Regulations Assessment

Shepton Mallet Town Council

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Quality information

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1. Introduction

Background to the Project

- 1.1 AECOM was appointed by Shepton Mallet Parish Council to assist in undertaking a Habitats Regulations Assessment (HRA) for the Shepton Mallet Parish Neighbourhood Plan (SMPNP) drafted October 2020. This is for the purpose of informing Shepton Mallet Parish Council and Mendip District Council of the potential effects on internationally designated sites and how they are being or should be addressed in the Neighbourhood Plan.
- 1.2 The objectives of the assessment are to:
 - Identify any aspects of the Neighbourhood Plan that would cause an adverse effect on the integrity of international sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs)) including, as a matter of Government policy, Ramsar sites, either in isolation or in combination with other plans and projects, and
 - To advise on appropriate policy mechanisms for delivering mitigation where such effects were identified.
- 1.3 The HRA of the Shepton Mallet Parish Council is required to determine if there are any realistic linking pathways present between an international site and the Neighbourhood Plan and where Likely Significant Effects cannot be screened out, an analysis to inform Appropriate Assessment to be undertaken to determine if adverse effects on the integrity of the international sites will occur as a result of the Neighbourhood Plan alone or in combination.

Legislation

- 1.4 The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 (“the Withdrawal Act”). This established a transition period, which ended on 31 December 2020. The Withdrawal Act retains the body of existing EU-derived law within our domestic law. During the transition period EU law applies to and in the UK. The most recent amendments to the Habitats Regulations – the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – make it clear that the need for HRA has continued after the end of the Transition Period.
- 1.5 Under the Regulations, an appropriate assessment is required, where a plan or project is likely to have a significant effect upon an international site, either individually or in combination with other projects. The Directive is implemented in the UK by the Conservation of Habitats and Species Regulations 2017 (as amended) (the “Habitats Regulations”).

The legislative basis for Appropriate Assessment

Conservation of Habitats and Species Regulations 2017 (as amended)

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

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

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

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

1.7 As 'competent authority', the legal responsibility for ensuring that a decision of 'likely significant effects' is made, for ensuring an 'appropriate assessment' (where required) is undertaken, and for ensuring Natural England are consulted, falls on the local planning authority and the Neighbourhood Plan examiner. However, they are entitled to request from the Qualifying Body the necessary information on which to base their judgment and that is a key purpose of this report.

1.8 Over the years the phrase 'Habitats Regulations Assessment' has come into wide currency to describe the overall process set out in the Conservation of Habitats and Species Regulations from screening through to Imperative Reasons of Overriding Public Interest (IROPI). This has arisen in order to distinguish the process from the individual stage described in the law as an 'Appropriate Assessment'. Throughout this report we use the term Habitats Regulations Assessment for the overall process.

Report Layout

1.9 **Chapter 2** of this report explains the process by which the HRA has been carried out. **Chapter 3** details the Internationally Designated Sites relevant to the parish. **Chapter 4** explores the relevant pathways of impact. **Chapter 5** summarises the Test of Likely Significant Effects of the policies and site allocations of the Plan considered 'alone' and 'in-combination'. **Chapter 6** contains the Appropriate Assessment for any linking impact pathways that could not be screened out from potentially resulting in a Likely Significant Effect. **Chapter 7** contains the conclusion and a summary of recommendations.

2. Methodology

Introduction

- 2.1 The HRA has been carried out with reference to the general EC guidance on HRA¹ and general guidance on HRA published by the UK government in 2021².
- 2.2 Figure 1 below outlines the stages of HRA according to current Department for Levelling Up, Housing & Communities guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations, and any relevant changes to the Plan until no significant adverse effects remain.

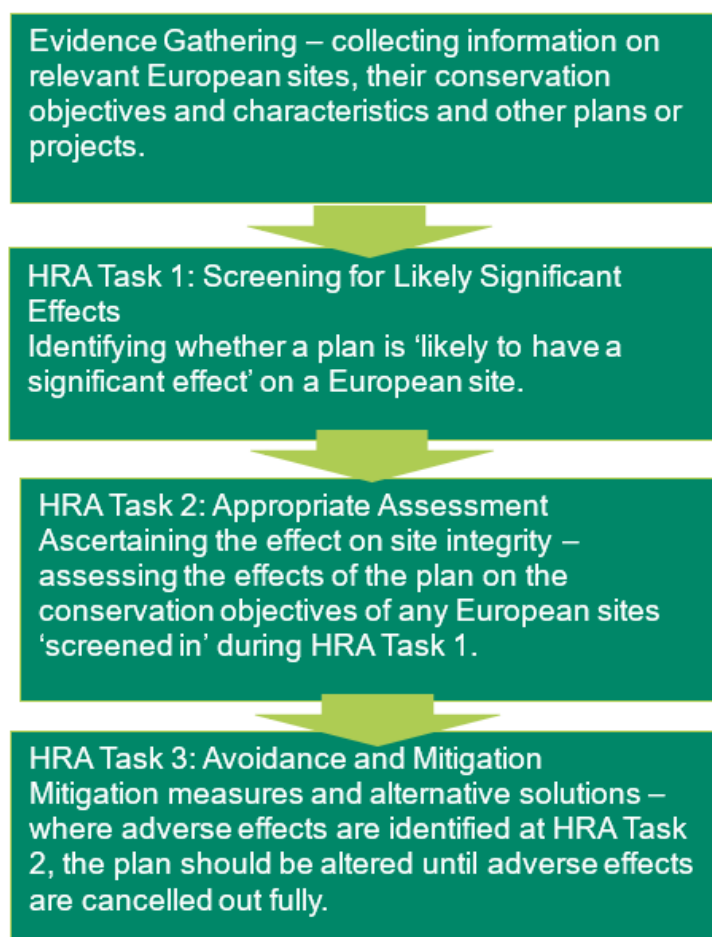


Figure 1: Four Stage Approach to Habitats Regulations Assessment (GOV.UK, 2019)

¹ European Commission, 2001. Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Luxembourg: Office of Official Publications of the European Communities.

² Department for Environment, Food & Rural Affairs, 2021. Guidance: Habitats Regulations Assessments: Protecting a European Site. [Online]
Available at: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

Task 1: Test of Likely Significant Effects (LSE)

- 2.3 Following evidence gathering, the first stage of any HRA is a Likely Significant Effect (LSE) test; essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:
- 2.4 *"Is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"*
- 2.5 The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites. This stage is undertaken in Chapter 5 of this report.

Task 2: Appropriate Assessment

- 2.6 Where it is determined that a conclusion of 'no likely significant effect' cannot be drawn the analysis has proceeded to the next stage of HRA known as Appropriate Assessment. Case law has clarified that 'appropriate assessment' is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment rather than determination of likely significant effects.
- 2.7 During July 2019 the Department for Levelling Up, Housing and Communities (DLHC) published guidance for Appropriate Assessment³. Paragraph: 001 Reference ID: 65-001-20190722 explains: *'Where the potential for likely significant effects cannot be excluded, a competent authority must make an appropriate assessment of the implications of the plan or project for that site, in view of the site's conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured'*.
- 2.8 One of the key considerations during appropriate assessment is whether there is available mitigation that would entirely/ appropriately address the potential effect. This reflects a recent decision by the European Court of Justice⁴ that concludes that measures intended to avoid or reduce the harmful effects of a proposed project on a European site cannot be taken into account at the Likely Significant Effects or 'screening' stage of HRA. In practice, the appropriate assessment takes any policies or allocations that could not be dismissed following the determination of Likely Significant Effects with a view to concluding whether there would actually be an adverse effect on integrity (in other words, disruption of the coherent structure and function of the European site(s)).

³ Department for Levelling Up, Housing and Communities, 2019. GOV.UK. [Online] Available at: <https://www.gov.uk/guidance/appropriate-assessment#what-are-the-implications-of-the-people-over-wind-judgment-for-habitats-regulations-assessment>

⁴ People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

Task 3: Avoidance and Mitigation

- 2.9 Where necessary, measures are recommended for incorporation into the Plan in order to avoid or mitigate adverse effects on European sites. There is considerable precedent concerning the level of detail that a Neighbourhood Plan document needs to contain regarding mitigation for recreational impacts on European sites. The implication of this precedent is that it is not necessary for all measures that will be deployed to be fully developed prior to adoption of the Plan, but the Plan must provide an adequate policy framework within which these measures can be delivered.
- 2.10 When discussing 'mitigation' for a Neighbourhood Plan document, one is concerned primarily with the policy framework to enable the delivery of such mitigation rather than the details of the mitigation measures themselves since the Local Development Plan document is a high-level policy document. A Neighbourhood Plan is a lower level constituent of a Local Development Plan.

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

- 2.11 It is a requirement of the Regulations that the impacts of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the European site(s) in question.
- 2.12 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation, i.e., to ensure that those projects or plans (which in themselves may have minor impacts) are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in-combination assessment is therefore of greatest relevance when the plan or policy would otherwise be screened out because its individual contribution is inconsequential.

3. Internationally Designated Sites

- 3.1 There is no guidance that dictates the general physical scope of an HRA of a Plan document. Therefore, in considering the physical scope of the assessment, AECOM has been guided primarily by the identified impact pathways (called the source-pathway-receptor model).
- 3.2 Briefly defined, impact pathways are routes by which the implementation of a project can lead to an effect upon a European designated site. An example of this would be visual and noise disturbance arising from the construction/decommissioning work or operational phase associated with a project. If there are sensitive ecological receptors within a nearby European site (e.g., non-breeding overwintering birds), this could alter their foraging and roosting behaviour and potentially affect the site's integrity. For some impact pathways (notably air pollution) there is guidance that sets out distance-based zones required for assessment. For others, a professional judgment must be made based on the best available evidence.
- 3.3 European sites under consideration within this report are as follows:
- Mells Valley SAC;
 - Mendip Woodlands SAC;
 - North Somerset and Mendip Bats SAC; and ,
 - Somerset Levels and Moors SPA and Ramsar site.

Mells Valley SAC

Introduction

- 3.4 The Mells Valley SAC lies at the eastern end of the Mendip Hills National Character Area in the County of Somerset. The site has three component parts: The Old Ironstone Works, Mells Site of Special Scientific Interest (SSSI); St. Dunstan's Well Catchment SSSI and Vallis Vale SSSI. The Old Ironstone Works SSSI formerly supported an outstanding breeding colony of the greater horseshoe bat (approximately 12% of the UK population) and was also a hibernation site but was damaged by a fire. The bats have moved to a nearby location outside of the SAC. St Dunstan's Well Catchment and Vallis Vale support cave systems. These systems are functionally linked land associated with the SACs they are used used as hibernacula by greater horseshoe bats. There is also a small area of limestone grassland in St Dunstan's Well Catchment used by the bats.
- 3.5 The closest portion of the SAC to the Parish boundary is St. Dunstan's Well Catchment SSSI, located approximately 2.9km north east from the Parish boundary.

Reason for Designation

- 3.6 The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (*important orchid sites)
 - Caves not open to the public
- 3.7 The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:
- Greater horseshoe bat (*Rhinolophus ferrumequinum*)

Current Threats or Pressures

- 3.8 The Site Improvement Plan⁵ identifies the following pressures and threats to the SAC:
- Public access/disturbance
 - Wildfire/arson
 - Direct impact from third party
 - Undergrazing
 - Inappropriate designation boundary
 - Air pollution: impact of atmospheric nitrogen deposition

Conservation Objectives⁶

- 3.9 *'Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*
- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
 - *The structure and function (including typical species) of qualifying natural habitats*
 - *The structure and function of the habitats of qualifying species*
 - *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
 - *The populations of qualifying species, and,*
 - *The distribution of qualifying species within the site.'*
- 3.10 The site's Conservation Objectives Supplementary Advice⁷ has also been considered as part of this assessment.

⁵ Available at: [Site Improvement Plan: Mells Valley - SIP135 \(naturalengland.org.uk\)](https://publications.naturalengland.org.uk/file/6245401586040832) [Accessed on the 13/04/2022]

⁶ Available at: <https://publications.naturalengland.org.uk/file/6245401586040832> [accessed 26/04/2022]

⁷ Available at: <https://publications.naturalengland.org.uk/file/5699803162083328> [Accessed 26/04/2022]

Mendip Woodlands SAC

Introduction

3.11 The Mendip Woodlands SAC comprises four individual woods in Somerset, all located on the southern slope of the Mendip Hills National Character Area (NCA Profile 141). Three of the woods, Cheddar Wood SSSI, Ebbor Gorge SSSI and Rodney Stoke SSSI lie in the west of Mendip while Asham Wood SSSI lies in the east. Asham Wood and Ebbor Gorge are both associated with limestone gorges while Cheddar Wood and Rodney Stoke lie on the steep southern slope of the hills. Only one of the woods, Asham, has permanent streams running through it. All four woods are dominated by ash *Fraxinus excelsior* while both Cheddar Wood and Rodney Stoke have a high population of small-leaved lime (*Tilia cordata*). Notable species present include Purple gromwell (*Lithospermum purpurocaeruleum*), Lily of the valley (*Convallaria majalis*) and Wild daffodil (*Narcissus pseudonarcissus*). All the woodlands were managed by coppicing and many were gradually reverting to high forest however some, like Cheddar Wood, are now being put back into coppice with standards.

3.12 The closest portion of the SAC to the Parish boundary is Asham Wood SSSI, located approximately 6.5km east from the Parish boundary.

Reason for Designation⁸

3.13 The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- *Tilio-Acerion* forests of slopes, screes and ravines

Current Threats or Pressures

3.14 The Site Improvement Plan⁹ identifies the following pressures and threats to the SAC:

- Vehicles: illicit
- Deer
- Disease
- Air pollution: impact of atmospheric nitrogen deposition

Conservation Objectives¹⁰

3.15 *'Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats*

⁸ Available at: <http://publications.naturalengland.org.uk/file/5707512066080768> [Accessed 26/04/2022]

⁹ Available at: [Site Improvement Plan: Mendip Woodlands - SIP137 \(naturalengland.org.uk\)](http://publications.naturalengland.org.uk/file/6245401586040832) [Accessed on the 13/04/2022]

¹⁰ Available at: <http://publications.naturalengland.org.uk/file/6245401586040832> [Accessed 26/04/2022]

- *The structure and function (including typical species) of qualifying natural habitats, and*
 - *The supporting processes on which qualifying natural habitats rely'*
- 3.16 The site's Conservation Objectives Supplementary Advice¹¹ has also been considered as part of this assessment.

North Somerset and Mendip Bats SAC

Introduction

- 3.17 An archipelago site incorporating individual components located mainly in the Mendip Hills National Character Area but also beyond this into the Bristol, Avon Valleys and Ridges National Character Area in North Somerset. The component sites are highly variable including one of the largest areas of ancient woodland in the former county of Avon; Cheddar Gorge and surrounding sites; as well as caves, mines and buildings in the surrounding areas. The SAC as a whole supports 3% of the UK population of Greater horseshoe bats and internationally significant populations of lesser horseshoe bats. The site also contains internationally important ravine woodland and calcareous grassland interest as supporting features of the bats and also in their own right.
- 3.18 The closest portion of the SAC to the Parish boundary is Wookey Hole SSSI, located approximately 7.2km north west from the Parish boundary.

Reason for Designation

- 3.19 The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:
- Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (*important orchid sites)
 - *Tilio-Acerion* forests of slopes, screes and ravines
 - Caves not open to the public
- 3.20 The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:
- Lesser horseshoe bat (*Rhinolophus hipposideros*)
 - Greater horseshoe bat (*Rhinolophus ferrumequinum*)

Current Threats or Pressures

- 3.21 The Site Improvement Plan¹² identifies the following pressures and threats to the SAC:
- Undergrazing

¹¹ Available at <http://publications.naturalengland.org.uk/file/5268689377296384> [Accessed 26/04/2022]

¹² [Site Improvement Plan: North Somerset & Mendip Bats - SIP155 \(naturalengland.org.uk\)](#) [Accessed on the 13/04/2022]

- Planning permission: general
- Change to site conditions
- Forestry and woodland management
- Disease
- Air pollution: impact of atmospheric nitrogen deposition

Conservation Objectives¹³

3.22 *'Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
- *The structure and function (including typical species) of qualifying natural habitats*
- *The structure and function of the habitats of qualifying species*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
- *The populations of qualifying species, and,*
- *The distribution of qualifying species within the site.'*

3.23 The site's Conservation Objectives Supplementary Advice¹⁴ has also been considered as part of this assessment.

Somerset Levels and Moors SPA / Ramsar

Introduction

3.24 The Somerset Levels and Moors are located in south-west England and are one of the largest and richest areas of traditionally managed wet grassland and fen habitats in lowland UK. The SPA and Ramsar is within this area, and covers about 35,000 ha in the floodplains of the Rivers Brue, Parrett, Tone, Axe and their tributaries. The majority of the site is only a few metres above mean sea level and drains through a large network of ditches, rhynes, drains and rivers. Flooding may affect large areas in winter depending on rainfall and tidal conditions. Parts of the site in the Brue Valley include areas of former raised peatbog that have now been substantially modified by agricultural intensification and peat extraction. This has created areas of open water, fen and reedbed. The site attracts important numbers of waterbirds (swans, ducks and waders) in winter. It supports 73,014 waterfowls, including Northern lapwing (*Vanellus vanellus*) (0.5% of the population) and Eurasian teal (*Anas crecca*) (3.3% of the population). The designated invertebrate assemblage is associated with the moorlands, damp meadows and the network of small rhynes

¹³ Available at: <http://publications.naturalengland.org.uk/file/5575002288291840> [Accessed 27/04/2022]

¹⁴ Available at : <http://publications.naturalengland.org.uk/file/5268689377296384> [Accessed 26/04/2022]

and ditches which support an outstanding assemblage of aquatic invertebrates, particularly beetles¹⁵. The area is used for recreation, fishing, commercial forestry, hunting, and grazing.

3.25 The closest portion of the SPA and Ramsar site to the Parish boundary is Westhay Moor SSSI, located approximately 13.2km west (in a straight line) from the Parish boundary.

SPA Qualifying Features¹⁶

3.26 This site qualifies under **Article 4.1** of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:

Over winter

- Bewick's Swan (*Cygnus columbianus bewickii*)
- Golden plover (*Pluvialis apricaria*)

3.27 This site also qualifies under **Article 4.2** of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:

Over winter

- Eurasian Teal (*Anas crecca*)
- Northern Lapwing (*Vanellus Vanellus*)

Waterbird Assemblage

3.28 The area qualifies under **Article 4.2** of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl

3.29 In addition to the Annex 1 and 2 species featured above (Bewick's swan, golden plover, teal and lapwing), the assemblage included gadwall *Anas strepera*, wigeon *Anas penelope*, shoveler *Anas clypeata*, pintail *Anas acuta*, snipe *Gallinago gallinago* and whimbrel *Numenius phaeopus*.

Ramsar Qualifying Features¹⁷

3.7 The Somerset Levels and Moors Ramsar is designated for the following criteria:

Ramsar Criterion 2

- Supports 17 species of Red Data Book invertebrates.
- The vascular plants *Wolffia arrhiza*, *Hydrocharis morsus-ranae* and *Peucedanum palustre* are considered vulnerable by the GB Red Book.

¹⁵ [HRA - Mendip Local Plan Part 2, Oct 2018 update, v3](#) [Accessed on the 13/04/2022]

¹⁶ Available at: <http://publications.naturalengland.org.uk/file/4509541668487168> [Accessed 27/04/2022]
and also Available at: <http://publications.naturalengland.org.uk/file/6166025083289600> [Accessed 27/04/2022]

¹⁷ Available at: [Somerset Levels and Moors Final \(ramsar.org\)](#) [Accessed 27/08/2022]

Ramsar Criterion 5: Assemblages of international importance:

- Species with peak counts in winter: 97,155 waterfowl (5 year peak mean 1998/99-2002/2003)

Ramsar Criterion 6: Species/populations occurring at levels of international importance.

Qualifying Species/populations (as identified at designation):

Species with peak counts in winter:

- Eurasian teal
- Northern lapwing

Species/populations identified subsequent to designation for possible future consideration under criterion 6.

Species with peak counts in winter:

- Eurasian wigeon
- Mute swan (*Cygnus olor*)
- Northern pintail
- Northern shoveler

Current Threats or Pressures

3.30 The following threats and pressures to the integrity of the Somerset Levels and Moors SPA have been identified in Natural England's Site Improvement Plan¹⁸:

- Drainage
- Inappropriate water levels
- Maintain and upgrade water management structure
- Change in land management
- Agricultural management practices
- Peat extraction
- Public access / disturbance
- Offsite habitat availability / management

Conservation Objectives for the SPA¹⁹

3.31 *'Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;*

¹⁸ Available at: [Site Improvement Plan: Somerset Levels & Moors - SIP221 \(naturalengland.org.uk\)](https://publications.naturalengland.org.uk/publication/4881623615275008) [Accessed on the 13/04/2022]

¹⁹ Available at: [http://publications.naturalengland.org.uk/file/4881623615275008](https://publications.naturalengland.org.uk/file/4881623615275008) [Accessed 27/04/2022]

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.¹*

3.32 The site's Conservation Objectives Supplementary Advice²⁰ has also been considered as part of this assessment.

²⁰ Available at: <http://publications.naturalengland.org.uk/file/6166025083289600> [Accessed 26/04/2022]

4. Pathways of Impact

Loss of Functionally Linked Habitat

- 4.1 While most European sites have been geographically defined in order to encompass the key features that are necessary for coherence of their structure and function, this is not the case for all such sites. Due to the highly mobile nature of waterfowl and bats, it is inevitable that areas of habitat of crucial importance to the maintenance of their populations are outside the physical limits of the European site for which they are an interest feature. However, this area will still be essential for maintenance of the structure and function of the interest feature for which the site was designated and land use plans that may affect this land should still therefore be subject to further assessment. This has been underlined by a recent European Court of Justice ruling (C-461/17, known as the *Holohan* ruling²¹) which in paragraphs 37 to 40 confirms the need for an appropriate to consider the implications of a plan or project on habitats and species outside the European site boundary provided that those implications are liable to affect the conservation objectives of the site.
- 4.2 For the two bat SACs of relevance to Mendip (Mells Valley SAC and North Somerset & Mendip Bats SAC), issues relating to loss of habitat, disturbance to and deteriorating habitats has been identified as a potential threat to the SAC and its bat species. The designated bat features use functionally linked land surrounding the SACs to forage, commute and use for seasonal migration into the wider countryside. Due to the large number of landowners that own and manage this potentially functionally linked land surrounding the SACs designated for their bat features it has been difficult to monitor the condition and suitability of these land parcels and thus encourage appropriate management. Additionally, increased recreational activities within land outside of the designated site itself is altering the land management strategies.
- 4.3 Mendip Council provides a strategic approach (as outlined in the Adopted Mendip Local Plan Policy DP6 supporting text²²). It states that:
- 4.4 *6.48 Applications occurring within the Bat Consultation Zone (identified on a map available from the Council's evidence base webpage) will require the Council to carry out a 'test of significance' under the Habitats Regulations. The Bat Consultation Zone shows areas in which Horseshoe Bats are known to be and are likely to regularly use for commuting and/or foraging and in night roosting. The mapping is drawn from radio tracking studies and aerial photographic interpretation of habitat used by bats, which are features of the SACs.*

Mendip Council Mapping (Figure 2) illustrates the key bat sustenance consultation zones located outside of the SAC sites within which is considered key functionally linked land²³. The pink lines in Figure 2 illustrate Parish boundaries. The red lines illustrate 'band C' of the Bat Consultation Zone for Mells Valley SAC. Figure 2

²¹ The *Holohan* ruling also requires all the interest features of the European sites discussed to be catalogued (i.e., listed) in the HRA. That is the purpose of Appendix B.

²² Available at: [Local Plans in Mendip - Mendip District Council](#) [accessed 29/04/2022]

²³ Available at: [Mendip District Council](#) [Accessed 28/04/2022]

illustrates that it is the northern tip of the Parish that is included within the Bat Consultation Zone for Mells Valley SAC.

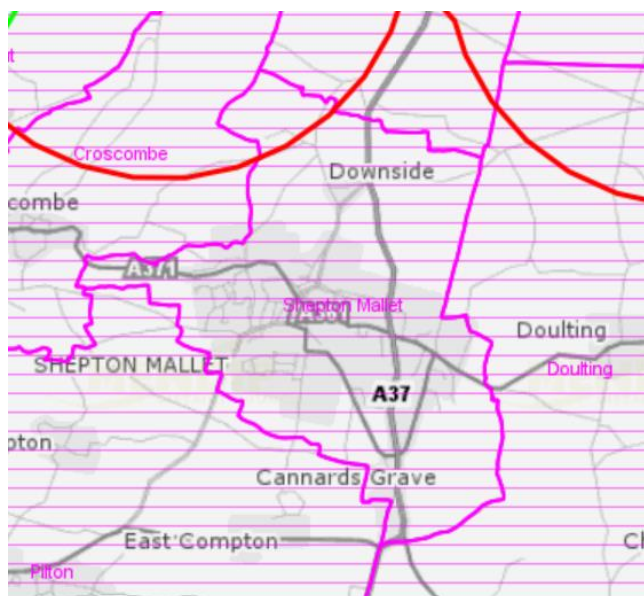


Figure 2 Location of Bat Consultation Zones in relation to Shepton Mallet. (excerpt from <https://maps.mendip.gov.uk/mycouncil.aspx> [Accessed 29/04/2022])

4.5 The Mendip Council Mapping²⁴ identifies that the Parish of Shepton Mallet is entirely located outside of the Bat Consultation Zone for the North Somerset and Mendip Bats SAC. As such, the impact of the Neighbourhood Plan on the SAC bat population is not considered further within this report as there is no realistic linking impact pathway.

Recreational Pressure

Trampling

4.6 Most types of terrestrial European site can be affected by trampling, which in turn causes soil compaction and erosion:

- Wilson & Seney (1994)²⁵ examined the degree of track erosion caused by hikers, motorcycles, horses and cyclists from 108 plots along tracks in the Gallatin National Forest, Montana. Although the results proved difficult to interpret, it was concluded that horses and hikers disturbed more sediment on wet tracks, and therefore caused more erosion, than motorcycles and bicycles.
- Cole et al (1995a, b)²⁶ conducted experimental off-track trampling in 18 closed forests, dwarf scrub and meadow & grassland communities (each tramped

²⁴ Available at: [Mendip District Council](https://maps.mendip.gov.uk/mycouncil.aspx) [Accessed 28/04/2022]

²⁵ Wilson, J.P. & J.P. Seney. 1994. Erosional impact of hikers, horses, motorcycles and off road bicycles on mountain trails in Montana. Mountain Research and Development 14:77-88

²⁶ Cole, D.N. 1995a. Experimental trampling of vegetation. I. Relationship between trampling intensity and vegetation response. Journal of Applied Ecology 32: 203-214

between 0 – 500 times) over five mountain regions in the US. Vegetation cover was assessed two weeks and one year after trampling, and an inverse relationship with trampling intensity was discovered, although this relationship was weaker after one year than two weeks indicating some recovery of the vegetation. Differences in plant morphological characteristics were found to explain more variation in response between different vegetation types than soil and topographic factors. Low-growing, mat-forming grasses regained their cover best after two weeks and were considered most resistant to trampling, while tall forbs (non-woody vascular plants other than grasses, sedges, rushes and ferns) were considered least resistant. Cover of hemicryptophytes and geophytes (plants with buds below the soil surface) was heavily reduced after two weeks but had recovered well after one year and as such these were considered most resilient to trampling. Chamaephytes (plants with buds above the soil surface) were least resilient to trampling. It was concluded that these would be the least tolerant of a regular cycle of disturbance.

- Cole (1995c)²⁷ conducted a follow-up study (in 4 vegetation types) in which shoe type (trainers or walking boots) and trampler weight were varied. Although immediate damage was greater with walking boots, there was no significant difference after one year. Heavier trampers caused a greater reduction in vegetation height than lighter trampers, but there was no difference in effect on cover.
- Cole & Spildie (1998)²⁸ experimentally compared the effects of off-track trampling by hiker and horse (at two intensities – 25 and 150 passes) in two woodland vegetation types (one with an erect forb understorey and one with a low shrub understorey). Horse traffic was found to cause the largest reduction in vegetation cover. The forb-dominated vegetation suffered greatest disturbance but recovered rapidly. Higher trampling intensities caused more disturbance.

4.7 Walkers with dogs contribute to pressure on sites through nutrient enrichment via dog fouling and also have potential to cause greater disturbance to fauna as dogs are less likely to keep to marked footpaths and also tend to move in a more erratic manner. Motorcycle scrambling and off-road vehicle use can cause more serious erosion, as well as disturbance to sensitive species.

4.8 The calcareous grasslands of the Mells Valley SAC and North Somerset and Mendip Bats SAC and the woodlands of Mendip Woodlands SAC and North Somerset and Mendip Bats SAC are theoretically vulnerable to recreational damage.

Disturbance

4.9 Human presence can also lead to the disturbance of bat interest features, particularly surrounding maternity roosts and hibernacula. Disturbance of bats at critical times of the year (e.g., during hibernation) is likely to affect population viability

Cole, D.N. 1995b. Experimental trampling of vegetation. II. Predictors of resistance and resilience. *Journal of Applied Ecology* 32: 215-224

²⁷ Cole, D.N. 1995c. Recreational trampling experiments: effects of trampler weight and shoe type. Research Note INT-RN-425. U.S. Forest Service, Intermountain Research Station, Utah.

²⁸ Cole, D.N., Spildie, D.R. 1998. Hiker, horse and llama trampling effects on native vegetation in Montana, USA. *Journal of Environmental Management* 53: 61-71

and site usage. Due to this many roost sites are secured against unauthorised access such as through grilles at site access points.

Water quality

4.10 The quality of the water that feeds European sites is an important determinant of the nature of their habitats and the species they support. Poor water quality can have a range of environmental impacts:

- At high levels, toxic chemicals and metals can result in immediate death of aquatic life, and can have detrimental effects even at lower levels, including increased vulnerability to disease and changes in wildlife behaviour.
- Eutrophication, the enrichment of plant nutrients in water, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, augmenting the oxygen depleting effects of eutrophication. In the marine environment, nitrogen is the limiting plant nutrient and so eutrophication is associated with discharges containing bioavailable nitrogen.
- Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life.

4.11 The most significant issue in relation to the Shepton Mallet Neighbourhood Plan is the discharge of treated sewage effluent and surface run-off from urban surfaces, both of which are likely to increase nutrient concentrations (particularly phosphate concentrations) in local watercourses. Phosphate is the main limiting nutrient in freshwater ecosystems and is likely to cause eutrophication if significant increases occur. The Somerset Levels and Moors SPA is designated for bird species (rather than habitats) and so is not primarily sensitive to an increase in nutrient levels. However, the Somerset Levels and Moors Ramsar is partly designated for its invertebrate populations, including 17 Red Data Book species of national importance.

4.12 The distance between the Neighbourhood Plan area and the closest component part of the Somerset Levels & Moors Ramsar (Westhay Moor SSSI: located 13.2km west (in a straight line) from the Parish boundary) is beyond the typical distance for which water quality impacts are considered. However, a recent shift towards catchment-scale analysis means that such effects are now also considered for European sites with an identified problem with nutrient loading, if they are hydrologically connected to the area affected by development.

4.13 Due to the unfavourable condition of the Somerset Levels and Moors Ramsar site, Natural England (NE) have confirmed to local authorities that development that discharging to water courses connected to the Somerset Levels and Moors Ramsar site could adversely affect the integrity of designated site. The catchment of the Somerset Levels and Moors SPA and Ramsar site is illustrated within the Mendip

Council's mapping tool²⁹ (Figure 3). The pink lines in Figure 3 illustrate Parish boundaries. The brown polygon illustrates the location of the Somerset Levels and Moors Ramsar Risk Area. Shepton Mallet is located within the River Sheppey catchment which is located within the wider Brue catchment that is identified to discharge to the Somerset Levels and Moors Ramsar.

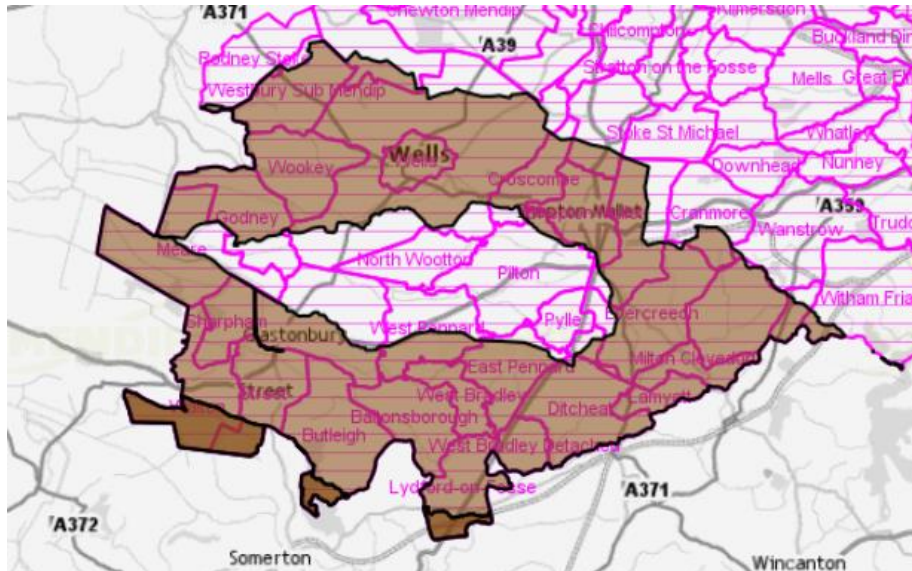


Figure 3 Location of the Somerset Levels and Moors Ramsar Risk Area Updated 2022 (excerpt from <https://maps.mendip.gov.uk/mycouncil.aspx> [Accessed 29/04/2022])

- 4.14 For European sites at risk from eutrophication, NE requires a demonstration of nutrient neutrality. This means that any new development should not result in a net increase in nutrient input to said site.
- 4.15 To support the Mendip Local Plan and guide development coming forward under (including under Neighbourhood Plans of constituent parishes), Mendip District Council have developed a phosphorus budget calculator in collaboration with NE. The methodology underpinning this calculator has been used in this HRA.

²⁹ Available at: [Mendip District Council](https://maps.mendip.gov.uk/mycouncil.aspx) [Accessed 29/04/2022]

5. Test of Likely Significant Effects

- 5.1 Shepton Mallet is a town and civil parish in the Mendip District of Somerset in Southwest England with a population of 10,369 (2011 census). Situated approximately 18 miles (29 km) south of Bristol and 5 miles (8.0 km) east of Wells. It is the second smallest of five towns in Mendip and is located in the geographical heart of the district.
- 5.2 The Mendip Hills lie to the north, and the River Sheppey runs through the town. Shepton Mallet is the closest town to the site of the Glastonbury Festival, the largest music festival in Europe.
- 5.3 Shepton Mallet had a relatively small retail centre until recently with its offer largely restricted to meeting local needs. However, the recently completed Townsend Retail Park to the south of the town centre has resulted in significantly less people leaving the town for food shopping.
- 5.4 The Mendip Local Plan Part I: Strategy and Policies 2006-2029 identifies the following points about Shepton Mallet:
- “Shepton Mallet, located in the heart of Mendip, is the second smallest town in the district. Despite its heritage and attractive appearance, the town’s image remains poor with a number of prominent areas in need of significant investment.”*
- 5.5 Based on early consultation with Natural England on the development of the Neighbourhood Plan, conclusions drawn from Natural England Site Improvement Plans and previous HRA work undertaken for surrounding parishes, a summary of the impact pathways that require consideration regarding increased development within the Shepton Mallet Parish and the aforementioned European Sites are:
- Loss of Functionally Linked Land
 - Recreational pressure
 - Water Quality
- 5.6 For the Screening assessment (Table 1) green shading in the final column indicates that the proposed development site or policy has been determined not to lead to a likely significant effect on any European sites due to the absence of any mechanism for an adverse effect. Orange shading indicates that a pathway of impact exists, and further discussion is therefore required.

Table 1. Screening assessment (Likely Significant Effects) of the Aldbourne Parish Neighbourhood Plan

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
Policy 1: Housing Requirement	Mells Valley SAC Mendip Woodland SAC North Somerset and Mendip Bats SAC	Identifies that the housing requirement for Shepton Mallet will be established by the Mendip Local Plan (currently set at 1,300 net new dwellings between 2014 and 2029). Over this period, new housing development will not reach a level that is clearly in excess of that which local infrastructure should be expected to support. Identifies that the Neighbourhood Plan allocates a single residential site allocation (SHEP092). Details that planning applications for residential development that exceeds the quantum established in the Mendip Local Plan will only be supported in specific situations (including that sufficient infrastructure is in place).	No Likely Significant Effects. Screened out. This policy notes the housing requirement for Shepton Mallet as set by the overarching Mendip Local Plan of 1,300 dwellings (2014 to 2029). This policy identifies the allocation of a residential site within the Neighbourhood Plan (Provided in Policy Two: SHEP092), but it does not allocate the SHEP092 itself (SHEP092 is allocated in Policy 2). This policy will not result in likely significant effects on European Sites.
Policy 2: Allocation	Site Mells Valley SAC Mendip Woodland SAC North Somerset and Mendip Bats SAC	Allocates SHEP092, for 150 dwellings along with associated open space. This quantum of dwellings in commensurate with the Mendip Local Plan.	Likely Significant Effects. Screened in (in combination only). This policy allocates 19.4ha for residential development. This policy allocates 150 dwellings during the Neighbourhood Plan period. It is to be noted that site capacity is to be agreed at the pre-application stage with specific regard for site-specific circumstances.

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
Policy 3: Retain Buildings or Structures of Character	N/A	<p>“Shepton Mallet Character Assessment” identifies the buildings and structures which are locally important heritage assets and should be preserved. Identifies the different character areas of the town which should be maintained. The effect of any development proposals on the significance of these heritage assets and character areas will be taken into account in determining an application in order to avoid or minimise conflict between the conservation of these areas and assets and any aspect of the proposal.</p>	<p>The following impacts pathways could arise in combination with surrounding growth:</p> <ul style="list-style-type: none"> - Loss of Functionally Linked Habitat - Recreational Pressure - Water Quality
Policy 4: Integration with the Character of the Area	N/A	<p>New developments must properly demonstrate how they have considered the impact of the proposed built form on their surroundings. ii. The design of new buildings is expected to contribute positively and reflect the richness of character and form of the historic area in which it sits. iii. Where appropriate, new development should follow established plot widths and follow the character of the existing building form to create a positive addition to the current style and mix of the area.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to buildings or structures of character and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p> <p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to the integration of the character of the area and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
Policy Materials	5: N/A	<p>New developments must pay particular attention to integration with both the character of nearby development as well as its landscape setting and demonstrate with evidence how this will work.</p> <p>Developments, extensions and renovations requiring planning permission that, by virtue of their materials, are clearly inharmonious with the immediate surrounding area will generally not be supported. ii. Where appropriate, new developments should seek to be sustainable and reflect local materials and features evident in the immediate surrounding area. This is particularly the case for buildings that are within the Conservation Area.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to materials and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on this policy will not result in likely significant effects on European Sites.</p>
Policy Housing Layout and Design	6: N/A	<p>Proposals for new development should demonstrate high quality design, reflect local distinctiveness, and seek to incorporate local design features evident in buildings in the surrounding area. ii. Development that seeks to meet the highest possible standards of construction Code for Sustainable Homes and BREEAM (Building Research Establishment Environmental Assessment Method) standards or equivalent will be strongly supported. iii. Layouts must retain important trees and hedgerows. The planting of new trees and shrubs of similar species to those already evident in the immediate surroundings shall be encouraged.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to housing layout and design and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
Policy 7: N/A Housing Density and Mix	N/A	<p>Within the built-up area boundary, development must be of a density appropriate for; and in keeping with; the setting of the immediate surrounding area.</p> <p>ii. New residential developments that propose a site density greater than the immediate surrounding area will generally be refused unless clear justification can be provided to support the need for a higher density development and how effectively the design integrates into the surrounding built form or landscape.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to housing density and mix and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 8: Up Boundary	Built Area N/A	<p>The fundamental principle is that the Neighbourhood Plan allocates sufficient land to deliver at least the minimum housing requirement in the Mendip Local Plan and that without a built-up area boundary, significant further development would encroach into the open countryside. Development of Shepton Mallet Parish shall be focused within the Built up Area Boundary and will generally be permitted subject to meeting other policies in the Plan</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to the built up area boundary and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 9: Development in Conservation Area	N/A	<p>The Design and Access Statement and accompanying drawings for all development within, or affecting the setting of the Conservation Area must provide sufficient detail for proposals to be properly understood and include:</p> <ul style="list-style-type: none"> • Drawings showing the proposals in relation to their surroundings which will include a street elevation and sections across the street. 	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to development in the conservation area and does not specifically allocate sites for development. Therefore, this policy will</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
		<ul style="list-style-type: none"> For larger developments, including all proposals for new or replacement dwellings three-dimensional drawings from at least two viewpoints will be required. Rendered elevations, clearly indicating the proposed palette of materials. Details of how window openings relate to the elevation (i.e., are they flush or set back etc?). <p>In addition, within conservation areas trees are protected by law and should not be removed, pruned, lopped, topped or have their roots cut as part of any proposed development without prior Conservation Area consent from Mendip District Council.</p>	<p>not result in likely significant effects on European Sites.</p>
<p>Policy 10: N/A Brownfield First</p>		<p>Applications for development on brownfield land over green field will be encouraged.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to prioritising development on brownfield sites and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
<p>Policy 11: N/A Parking Standards for</p>		<p>For all new residential developments, the following minimum standards shall apply for the provision of off-road parking:</p>	<p>No Likely Significant Effects. Screened out.</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
New Residential Development		<ul style="list-style-type: none"> • 1-bed house/flat 1 off-road car parking space • 2-bed house/flat 2 off-road car parking spaces • 3-bed house/flat 2 off-road car parking spaces • 4-bed house/flat 3 off-road car parking spaces • 5+ bed house/flat 4 off-road car parking spaces 	<p>This is a development management policy that sets out key development criteria in relation to parking standards for new residential development and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 12: N/A Minimising Effects of Additional Traffic		<p>Development proposals will be required to demonstrate that they can be incorporated in a satisfactory way into the capacity of the local highway network.</p> <p>ii. Planning applications will be expected to identify and assess the impact of the proposed development on pedestrians, cyclists, road safety and the free and safe flow of traffic in the plan area.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to minimising effect of additional traffic and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 13: N/A Improving Local Movement Routes		<p>New developments will be encouraged to create publicly accessible links from development sites to the wider footpath network/green spaces and, where possible, to public transport nodes in order to address gaps in the network and to improve existing provision. ii. New developments will be encouraged to provide cycle paths into the centre of the town. iii. New developments will be expected to provide pavements serving the new dwellings that are of sufficient width to accommodate at least two persons</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to improving local movement routes and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
		walking abreast and are suitable for wheelchairs, prams and pushchairs.	
Policy 14: Better Traffic Management	N/A	Seek developer contribution through 106 or CIL agreements to improve traffic management within the town centre.	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to traffic management contributions and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 15: Public Transport	N/A	Developer contributions will be used to improve the levels of public transport patronage. These contributions will be used to provide improved information about timescales (such as real time passenger information) and routes.	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to public transport and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 16: Improvements to the Town Centre	N/A	<p>Proposals for the redevelopment or refurbishment of the town centre will be strongly supported provided:</p> <ul style="list-style-type: none"> • They are consistent with a comprehensive regeneration plan for the whole town • Building uses and layout have regard to the general design principles and are designed to 	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to improvement to the Town Centre and does not specifically allocate sites for development. Therefore,</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
Policy 17: Local N/A Employment		<p>provide positive enclosure and oversight of the public realm with active frontages which contribute to the vibrancy of the area</p> <p>Alternative town centre uses will be supported where it can be demonstrated with clear evidence that they support the vitality of the town centre and are justified to ensure the viable re-development of the site.</p> <hr/> <p>There will be a general presumption against the loss of locations that provide employment within the Parish, either as a result of proposals for a change of use or for the redevelopment of existing premises or sites of employment for non-employment use. iii. Proposals for change of use or redevelopment, which would result in the loss of employment use, will only be acceptable if they demonstrate, with strong evidence, the following:</p> <ul style="list-style-type: none"> • The premises or site is no longer required for employment use in terms of need or demand, by the premises or site having been marketed for a period of not less than one year for employment use and no occupier has been found. Full details relating to the marketing must accompany any proposal • That the alternative use proposed will be a positive contribution to the sustainability of Shepton Mallet. 	<p>this policy will not result in likely significant effects on European Sites.</p> <hr/> <p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to employment and does not allocate sites or quantum for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
Policy 18: N/A Change of Use Retail Premises	N/A	<p>a) Within the Core Retail Area, the loss of Class E uses (formerly A1, A3, A5), as a result of proposals for change of use or for redevelopment for non-retail use (C3), where prior approval is not given, will generally not be supported.</p> <p>b) Proposals for change of use or redevelopment which would result in the loss of Class E retail use will only be acceptable if they demonstrate the following:</p> <p>The premises or site is shown to be no longer required for retail use in terms of need or demand, by the premises or site having been marketed for a period of not less than one year for retail use and no occupier having been found. Full details relating to the marketing must accompany any proposal.</p> <p>That the alternative use proposed will be deliverable and make a positive contribution to the sustainability, vitality and viability of Shepton Mallet.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to retail premise and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 20: N/A Protection of Local Green Spaces	N/A	<p>In recognition of their importance to the local community as green spaces of value, the following areas are designated as Local Green Spaces and will be strongly protected from development:</p> <ul style="list-style-type: none"> • Land surrounding River Sheppey weir • Land to the east of Coombe Lane • Shepton Mallet Cemetery • Land adjacent to Whitstone School 	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria in relation to the protection of local greenspace and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites. It should be</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
		<ul style="list-style-type: none"> • Collett Park • Kilver Court Gardens • Land to the east of Charlton Viaduct • Land around the Old Brewery • Play area, off Queen’s Road (this list might need adjusting) <p>Any development in these areas will only be permitted in exceptional circumstances where it is required to protect and enhance their role and function as Local Green Spaces of value to the community.</p>	<p>noted that the loss of local green spaces could potential increase recreational pressure on sensitive sites, so the retention of green space is positive in that it will not result in an increase in recreational pressure from the existing population.</p>
Policy 21: N/A Preserve Important Views within the Parish	N/A	<p>Any development must maintain the local character of the landscape and in particular, not cause any loss or diminution of the following iconic views, which provide views over open spaces of value to the community:</p> <ul style="list-style-type: none"> • View from gold hill • View of the meadows 	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to important Parish views and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 22: Green Infrastructure	N/A	<p>Wildlife corridors and priority habitats will be recognised and protected, where possible, from development proposals that would result in the loss of such identified green spaces or that results in any harm to their character, setting, accessibility, appearance, general quality or amenity value.</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria and does not specifically allocate sites for development. Therefore, this</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
		<p>Proposals will only be permitted if the community would gain equivalent benefit from the provision of suitable replacement green infrastructure.</p> <p>New open spaces should be created in residential areas either through on-site or off-site provision. They should, where possible, connect and enhance the existing network within Shepton Mallet.</p> <p>Provision of open space should be in advance of relevant developments being occupied and should also be accessible to people with disabilities.</p> <p>Green infrastructure includes the external environment and how it provides ecosystem services. For example, in the town centre an alternative to open space provision could be green roofs, rain gardens or green walls. These may be suitable alternatives which provide connectivity and help alleviate flood risk.</p>	<p>policy will not result in likely significant effects on this policy will not result in likely significant effects on European Sites.</p>
Policy 23:	N/A	<p>Proposals for development on the Health Campus which would reduce the space available for the continuation of provision of existing health services will be strongly opposed ii. If mitigation measures for any space lost are proposed, there will need to be reliable and compelling evidence to support them and show how there will be no reduction in services currently provided iii. Any proposals for improvement or expansion of the Health Campus will need to demonstrate how these will improve health services,</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to the retention of the Health Campus and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>

Policy	Designated Site in Proximity to Allocation Area	Brief Summary	Screening outcome
Policy 25: N/A Community Leisure Facilities	25: N/A	<p>and prove, with evidence, how the current provision will not be adversely affected.</p> <p>Any proposals for development of the Charlton Lido outdoor swimming facility in Shepton Mallet will be vigorously resisted ii. Should development proposals be submitted with mitigation included as part of the proposal, there will need to be significant and compelling evidence to prove the validity of such mitigation</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to community facilities and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>
Policy 26: Play Park in Compton Road Development	26: N/A	<p>Proposals which will deliver a community play park as part of the Canards Grave strategic site will be strongly supported, provided they comply with other policies within the Neighbourhood Plan and the Mendip Local Plan Proposals will be expected to demonstrate how the park will be integral to the development, and easily accessible to all residents as well as the wider community and people with disabilities</p> <p>Proposals for allotments in an accessible location on this site to serve the new community will also be strongly supported</p>	<p>No Likely Significant Effects. Screened out.</p> <p>This is a development management policy that sets out key development criteria relating to the play park in the Compton Road development and does not specifically allocate sites for development. Therefore, this policy will not result in likely significant effects on European Sites.</p>

In combination effects

- 5.7 It is a requirement of the Regulations that the impacts and effects of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the internationally designated site(s) in question.
- 5.8 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e., to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential. The overall approach is to exclude the risk of there being unassessed likely significant effects in accordance with the precautionary principle. This was first established in the seminal Waddenzee case.
- 5.9 Other Local Plans that lie within 8km of the Mendip District bat SACs must be considered as that is used in the Mendip guidance as the maximum foraging distance for greater horseshoe bats from their roosts. The identified districts other than Mendip that lie within 8km of the bat SACs are:
- Bath and North East Somerset Council;
 - Sedgemoor District Council;
 - South Somerset District Council; and,
 - Wiltshire Council
- 5.10 For the purposes of this assessment, we have determined that, due to the nature of the identified impacts, the key other plans and projects with potential for in combination likely significant effects are those schemes that have the following impact pathways: recreational pressure, loss of functionally linked habitat and water quality.
- 5.11 Out of the twenty four policies subject to a Test of Likely Significant Effects, none of the policies were screened in in isolation. One policy was screened in for Appropriate Assessment in combination. This is in relation to recreational pressure, loss of functionally linked land and disturbance, because it allocates new residential dwellings, which could increase the pressure at European Sites. The policy is:
- Policy 2: Site Allocation (allocates 150 dwellings at SHEP092)

6. Appropriate Assessment

Loss of Functionally Linked Land

- 6.1 The area of greatest bat activity surrounding a roost is defined as the Core Sustenance Zone (CSZ)³⁰. This term refers to the area surrounding a communal bat roost within which habitat availability and quality will have a significant influence on the resilience and conservation status of the colony using the roost. Greater horseshoe bat use commuting corridors along linear landscape features and forages in permanent pasture and woodland. The Bat Conservation Trust identifies a weighted average CSZ of 3km for greater horseshoe bats³¹ based on weighted averages from four studies. However, confidence in this zone size is described in the guidance as Moderate because the calculation is based on a reasonable sample size from multiple colonies and studies but is rounded down from weighted average. Other radio-tracking research on greater horseshoe bats has shown that they make longer foraging trips foraging from their roost sites than lesser horseshoe bats, up to 9-10km from their roost^{32 33} and the West of England LTP4 HRA cites studies³⁴ that identify greater horseshoe bats have shown to have a maximum home range of up to 8km from a roost.
- 6.2 The Bat Consultation Zone illustrates the geographic area where horseshoe bats may be found. It is divided into three bands, A, B and C, reflecting the density at which horseshoe species may be found at a distance from a roost site. The basis is based on the distances recorded through radio tracking studies at Mells Valley, Cheddar Caves, Brockley Hall Stables and Combe Down, and research into densities of occurrence throughout the species range. Note that the radio tracking studies only recorded the movements of a small number of bats from each of the maternity roosts and therefore it is likely that any area within the Bat Consultation Zone could be exploited by horseshoe bats. Although it is recognised that Greater Horseshoe bats mostly forage within 2.2km of a maternity roost, i.e., within Band A, they can also make regular use of key foraging habitat within 4km, i.e. within Band B. Furthermore, some key areas in Band C can be up to 8km away. The zoning band widths are set out in Table 3 below.

Table 2. Band Widths for Horseshoe Bats

Band	Greater Horseshow bat (metres)		Lesser Horseshoe bat (metres)	
	Maternity Roost	Other Roost	Maternity Roost	Other Roost
A	0 – 2200		0 – 600	

³⁰ https://cdn.bats.org.uk/pdf/Resources/Core_Sustenance_Zones_Explained_04.02.16.pdf?mtime=20190219173135 [Accessed on the 13/04/2022]

³¹ Schofield H.W. 2008. The Lesser Horseshoe Bat Conservation Handbook.

³² Billington G. 2008. Radio-tracking Study of Greater Horseshoe Bats at Dean Hall, Littledean, Cinderford. Natural England Commissioned Report NERR012.

³³ Billington G. 2009. Radio Tracking Study of Greater Horseshoe Bats at Dean Hall, Littledean, Cinderford. Natural England Commissioned Report. NECR021.

³⁴ Billington, G. 2003. Radio tracking study of Greater Horseshoe bats at Buckfastleigh Caves Site of Special Scientific Interest: English Nature Research Report no. 573. Peterborough: English Nature.

Billington, G. 2001. Radio tracking study of Greater Horseshoe bats at Brockley Hall Stables Site of Special Scientific Interest, May – August 2001. English Nature Research Report No. 442. Peterborough: English Nature

Band	Greater Horseshow bat (metres)		Lesser Horseshoe bat (metres)	
	Maternity Roost	Other Roost	Maternity Roost	Other Roost
B	2201 – 4000	0 – 610	601 – 2500	0 – 300
C	4001 - 8000	611 - 2440	2501 - 4100	301 – 1250

Source: https://www.mendip.gov.uk/media/22423/Technical-Guidance-Mendip-District-SAC-Bats-v2-1/pdf/Technical_Guidance_Mendip_District_SAC_Bats_v2.1_a2.pdf?m=637484770030800000

- 6.3 Juvenile Sustenance Zones within Band A are formed around maternity roosts to a distance of 1 kilometre (km) for Greater Horseshoe bats, to include whole fields that fall within that zone which have been under appropriate management. Juvenile Greater Horseshoe bats are highly dependent on prey produced by cattle grazed pasture within this zone. It is highly unlikely that this can be replaced within development proposals. The Juvenile Sustenance Zone for Lesser Horseshoe bats includes all mature woodland within 600 metres of the maternity roost. Juveniles select broadleaved woodland habitat. It is highly unlikely that the biomass or shelter that such woodland provides can be replaced within development schemes. Consideration also needs to be given to connecting flight routes between the maternity roost and the woodlands.
- 6.4 Preservation of foraging habitat, commuting hedgerows, treelines and watercourses and of satellite roosts, is fundamental to the ability of Mells Valley SAC to support its population of bats.
- 6.5 According to advice from Natural England³⁵ applications for proposed development sites within Band C of the Bat Consultation Zone, may require bat surveys depending on whether a commuting structure is present and the suitability of the adjacent habitat to support prey species hunted by horseshoe bats. If surveys identify the presence of horseshoe bats all appropriate mitigation must be provided within the planning application, with the preferred aim being to retain and enhance features of value to horseshoe bats.
- 6.6 However, the only allocation provided within the Neighbourhood Plan is SHEP092, which is not located within the Bat Consultation Zone, and as such there is no realistic impact pathway to the Mells Valley SAC.
- 6.7 It can therefore be concluded that there will not be an adverse effect on the integrity of Mells Valley SAC due to the development in Shepton Mallet Neighbourhood Plan.

Recreational Pressure

- 6.8 Mendip Woodlands SAC can be affected by habitat isolation as this is the combined effect of habitat loss, fragmentation and barrier effects. It affects the genetics of a population if it cannot interact with populations elsewhere which can have a long-term effect on viability. There is also a risk from trampling from increased use of footpaths through the habitat from recreational impacts arising from residents generated by new housing within reasonable travelling distance.

³⁵ <https://www.mendip.gov.uk/sacguidance>

- 6.9 Recreational pressure could arise from Mells Valley SAC if a significant increase in the population of the core catchment around the SAC arises. Any potential adverse effects on integrity would take the form of disturbing SAC bats if the caves in which they roost are entered or trampling and nutrient enrichment (from dog fouling) of calcareous grassland on site. The closest portion of the SAC to the Parish boundary is St. Dunstan's Well Catchment SSSI, located approximately 2.9km north east from the Parish boundary. The entirety of the Parish is located 6.7km from the SAC. The Neighbourhood Plan allocates 150 dwellings at SHEP092, (located within farmland on the urban fringe 5.9km from the SAC), whilst 1,300 dwellings are allocated within the adopted Mendip Local Plan within the Parish of Shepton Mallet.
- 6.10 Mendip Woodlands SAC is in a very rural setting with a relatively low housing density surrounding the SAC; the largest settlement within 5km of the St. Dunstan's Well Catchment SSSI portion of the SAC is Shepton Mallet which has a population of approximately 11,000 people..
- 6.11 The relevant part of the SAC is St Dunstan's Well Catchment which is also a SSSI. The SSSI condition assessment indicates that the calcareous grassland of the site is in unfavourable declining condition, but this is primarily due to undergrazing leading to scrub encroachment and the dominance of coarse grasses. This is supported by the Supplementary Advice on the Conservation Objectives for the SAC suggesting that far from excessive trampling being a concern, excessive vegetation growth is more of an issue. Moreover, the Site Improvement Plan for the SAC does not mention recreational trampling as a concern. While disturbance of roosting bats is mentioned, the SSSI condition assessment³⁶ (from 2020) post-dates the Site Improvement Plan and states that the reportable features (i.e., the bats) are highly likely to remain in favourable condition. The caves are now locked / gated and surveyed regularly by the Cerberus Spelaeological Society.
- 6.12 The steep ravine nature of much of the woodlands in the Mendip Woodlands SAC and North Somerset & Mendip Bats SAC mean that potential for off-track recreational activity in those woodlands is inherently limited, the calcareous grasslands at Cheddar Gorge and Wookey Hole are in areas that are a national recreational draw and yet are not identified to be at threat from recreational pressure. Indeed, for both these sites undergrazing is identified as a concern which suggests that excessive vegetation growth is more of a concern than vegetation damage by trampling.
- 6.13 As such, it is considered that no adverse effect on the integrity of Mells Valley SAC will arise through recreational pressure either alone or in combination with other plans and projects.

Water Quality

- 6.14 The concept of nutrient neutrality has been driven forward by the Dutch Nitrogen Case (DNC³⁷), which ruled that where a European site is failing to reach its

³⁶ Available at:

<https://designatedsites.naturalengland.org.uk/ReportUnitCondition.aspx?SiteCode=S1000377&ReportTitle=St.%20Dunstan%27s%20Well%20Catchment%20SSSI> [Accessed 05/05/2022]

³⁷ European Court of Justice combined cases C-293/17 and C-294-17

Conservation Objectives, any potential additions to its nutrient load from new development must necessarily be limited. Natural England's view is that any developments adding phosphorus to freshwater sites will result in Likely Significant Effects and must be further investigated in an Appropriate Assessment.

6.15 The Somerset Levels & Moors Ramsar is designated for its internationally important flora and fauna, including rare and threatened invertebrate ditch communities. Wetland ecosystems are critically important and provide valuable ecological services to people and wildlife. All Ramsar sites have high biodiversity and serve hydrological functions, such as flood protection. Phosphorus is the primary growth-limiting nutrient in freshwater systems, controlling the amount of primary production. For the Somerset Levels & Moors Ramsar, a high existing phosphorus loading has been documented and the site is at risk from eutrophication due to an increase in the abundance of algae and duckweed (e.g., certain *Lemna* species), with concomitant issues such as excessive shading, oxygen depletion and fish death. Phosphorus pollution can derive from point-source as well as diffuse sources, such as Wastewater Treatment Works (WWTWs) and agricultural run-off. The main pathway through which the Neighbourhood Plan is likely to contribute to phosphate loadings in the Ramsar is through an increase in the discharge of treated sewage effluent, which is the subject of this Appropriate Assessment. Many of the ditches in the Ramsar are classified as having 'unfavourable' condition due to exceedance of 0.1mg/l total phosphorus set in the Common Standards Monitoring Guidance.

6.16 Achieving nutrient neutrality is now accepted as the preferred tool to mitigate adverse effects of residential development within the catchment of aquatic European sites. Royal Haskoning DHV developed a phosphorus neutrality calculator³⁸ for a group of Council's including Mendip District Council. This calculator is based on nutrient neutrality guidance documents developed by Natural England (NE) for the Solent region and the Stodmarsh SPA / Ramsar / SAC. The calculator relies on several assumptions that are based on the best available information and scientific literature, including:

- Average occupancy rates of different types of residential developments (e.g., flats, care homes, hotel rooms) as provided by Local Authority sources;
- Expected water usage of 110l per person per day as stipulated under the Building Regulations (2010);
- Phosphate run-off coefficients for general and farm-specific land use types (ranging from 0.02 kg/ha/yr in nature reserves to 3.15 kg/ha/yr from pig farms on impermeable soils; and
- Definitions of key land use types and their characteristics as provided by CORINE 2018.

6.17 The Neighbourhood Plan allocates a single residential site, totalling 150 dwellings (SHEP092). This quantum is included within the quantum of residential development identified within Shepton Mallet within the Mendip Local Plan. The quantum of dwellings (1,300 net new dwellings) detailed within Policy 1, are allocated within the

³⁸ Royal Haskoning DHV. (2021). Phosphorus Budget Calculator. Available at: [Phosphates on the Somerset Levels and Moors Ramsar Site - Mendip District Council](#) [Accessed 05/05/2022].

overarching Mendip Local Plan). If developed on brownfield sites, depending on the previous occupancy of these sites, these allocations may contribute little to no additional phosphorus loading to the Somerset Levels & Moors Ramsar catchment. If the residential sites encompass existing greenfield sites with no prior urban development. It is these sites that present the highest risk in terms of nutrient neutrality. However, all sites will need assessment.

- 6.18 The residential development on these sites will increase the in-combination phosphorus loading in the Somerset Levels & Moors Ramsar catchment. Therefore, mitigation measures will need to be deployed to avoid adverse effects on site integrity in relation to water quality issues and eutrophication.
- 6.19 Any on-site greenspaces (however small) will reduce the volume of phosphate leachate associated with the Neighbourhood Plan (open spaces and greenspaces have a runoff coefficient of 0.14 kg/ha/yr³⁹). AECOM recommends that the amounts of greenspace / gardens / allotments within allocation boundaries should be maximised to help reduce nutrient run-off from impermeable urban surfaces.
- 6.20 Additional treated sewage effluent due to a growing population is the main driver of the predicted increase in phosphorus loading. Many WwTWs have consented phosphate permit limits, which are determined taking the Conservation Objectives of European sites and the available infrastructure / technology into account. This infrastructure is continually improved under Asset Management Plans (AMPs). However, the management of strategic resources, including water treatment infrastructure, and AMPs does not lie within the remit of parish councils. Rather it is pursued by water companies in dialogue with Local Planning Authorities, the Environment Agency and Natural England. Although upgrading the technology of South Somerset's WwTWs (e.g., by integrating lower phosphorus permits) is likely to be an expensive undertaking, it also means that any residual phosphorus surplus will be more easily mitigated using a package of interventions.
- 6.21 Phosphorus mitigation can be achieved through a combination of the following measures:
- Securing an agreement with wastewater treatment companies (in this case Wessex Water) to ensure that phosphorus removal efficiency is improved
 - Developing solutions that remove phosphorus directly at the development site or downstream from the WwTW (e.g., wetlands or reedbeds)
 - Since wetlands are able to remove phosphorus, an offsetting solution being explored is to deliver new wetlands, not to treat effluent from development, but to remove an equivalent amount of P from agricultural runoff that would otherwise enter the catchment. It should be noted that wetlands are generally only considered to be about 50% efficient at removing phosphates⁴⁰.

³⁹ Natural England. (2020). Advice on nutrient neutrality for new development in the Stour catchment in relation to Stodmarsh Designated Sites – For Local Planning Authorities. Version 3.

⁴⁰ Land et al (2016). How effective are created or restored freshwater wetlands for nitrogen and phosphorus removal? A systematic review. Environmental Evidence 5:9

- Acquiring parcels of agricultural land elsewhere and change land use in perpetuity towards natural habitat types (e.g., woodland, saltmarsh, grassland)
 - Increasing the proportion of greenspaces within allocated sites (see discussion above) to help reduce phosphorus leachate.
- 6.22 Experience indicates that option 3 identified above (wetlands) is the most likely to be feasible. It should be noted, however, that Natural England guidance is that to maximise reliability such wetlands should be more than 2ha in size. It should be noted that at the time of writing (May 2022), Natural England had reviewed their nutrient neutrality methodologies, however the advice on the websites of the Somerset Levels Councils is for the time being to continue to use their bespoke Somerset Levels calculator tool.
- 6.23 At the time of the adoption of the overarching Mendip Local Plan Part 1, nutrient neutrality had not been flagged by Natural England as an issue, so none of the policies within the Local Plan provide strategic protection relating to this impact pathway. However, to ensure individual planning applications do not fall foul of the Habitat Regulations, Mendip Council have included guidance relating to the need for a site specific HRA in relation to nutrient neutrality. It states *'For affected applications and development types, an HRA confirming no adverse effect on the integrity of the Ramsar site may be required before planning permission can be granted. Mitigation may also be required. In order to confirm the requirement for an HRA, and to provide any subsequent quantitative and qualitative data required to enable the Local Planning Authority to complete an Appropriate Assessment, a Nutrient Neutrality Assessment and Mitigation Statement is required to be submitted prior to a determination of approval being reached⁴¹.*
- 6.24 Given that Local Plan policy does not currently address the issue of phosphorus neutrality (this only recently having been put on the agenda by Natural England), it is recommended that the Neighbourhood Plan should acknowledge this concept and explicitly require a site specific HRA and mitigation measures for residential developments in line with the requirements detailed on the Mendip Council website⁴². This should identify that phosphorus neutrality should be demonstrated before residential developments are consented (subject to any subsequent advice on the issue from Natural England and the LPA).
- 6.25 AECOM recommends that the following text is inserted into the Neighbourhood Plan either within Policy 1 or the supporting text: ***'Given the sensitivity of the Somerset Levels and Moors Ramsar to elevated phosphorus loading and resulting eutrophication, all residential developments contributing to the total wastewater burden in the Neighbourhood Plan area must demonstrate phosphorus neutrality. Developments with an identified phosphorus surplus, will be required to provide appropriate mitigation measures (e.g., wetlands, reedbeds) in agreement with the Local Planning Authority and Natural England. The requirement for mitigation will be commensurate with the scale of development and might be achieved strategically, particularly in the case of smaller developments.'*** Provided that this text (or an appropriate equivalent) is

⁴¹ Available at: [Nutrient Neutrality Assessment and Mitigation Strategy \(NNAMS\) - Mendip District Council](#) [Accessed 10/05/2022]

⁴² Available at: [Nutrient Neutrality Assessment and Mitigation Strategy \(NNAMS\) - Mendip District Council](#) [Accessed 10/05/2022]

incorporated in the next iteration of the Neighbourhood Plan, it is concluded that the Neighbourhood Plan will not result in adverse effects on the integrity of the Somerset Levels and Moors Ramsar in relation to water quality, both alone and 'in-combination'.

6.26 In the longer term, Mendip District Council and its partners are developing a strategic mitigation solution in the form of a Phosphate Management Strategy. A definitive map of the Ramsar Site catchment and its sub-catchments has been developed as part of this work.. The key aims of the strategy are to:

- Review the geographical extent of the area at risk (in relation to surface water catchments and catchments for WwTWs)
- Review types of development that contribute to increased phosphorus loadings, and review the phosphorus calculator accordingly
- Develop a strategy – based at sub-catchment area level
- Develop a nutrient policy to embed within Local Plans – such as the emerging Local Plan Review
- Produce a Supplementary Planning Document (SPD) that will develop and agree the method and tariffs for administering, implementing, managing and monitoring strategic mitigation schemes put in place to achieve phosphorus neutrality

6.27 Therefore, any mitigation solutions proposed by applicants for addressing phosphorus neutrality must therefore be in line with the emerging Phosphate Management Strategy.

7. Conclusion and Summary of Recommendations

- 7.1 This HRA set out to assess the potential impacts of the Neighbourhood Plan and its policies on internationally designated sites. This HRA identified the sites requiring further consideration are the Mells Valley SAC, North Somerset and Mendip Bats SAC and Somerset Levels and Moors Ramsar.
- 7.2 Mells Valley is currently affected by the threat of loss of functionally linked land due to the potentially loss of foraging habitat, commuting hedgerows, treelines and watercourses. Recreational pressure is less of a concern as recreational activity in the woodlands is limited. Other local plans will also affect the SAC in combination with the Neighbourhood Plan.
- 7.3 Although Mells Valley SAC is susceptible to loss of functionally linked habitat from development outside the SAC boundary the Bat Consultation Zones shown on the Mendip Council website indicate that the single allocated site in Shepton Mallet lies outside those zones.
- 7.4 North Somerset and Mendip Bats SAC is not affected by recreational pressure, because the caves are gated and inaccessible to the visitors of Wookey Hole. The site is potentially threatened by undergrazing as the site is also important for the large number of rare plants, which are associated with Carboniferous limestone habitats, which can be outcompeted by other species. Other local plans will also affect the SAC in combination with the Neighbourhood Plan.
- 7.5 Somerset Levels and Moors Ramsar is threatened by existing high phosphorus loadings in ditches, putting the site at risk of eutrophication and threatening its Conservation Objectives Two sites are allocated within the Neighbourhood Plan for residential development. These will increase the total volume of treated wastewater effluent produced and surface run-off occurring within the Neighbourhood Plan area which will require mitigation measures. These interventions will need to be delivered as part of the wider nutrient-neutral strategic approach. Other local plans will also affect the SAC in combination with the Neighbourhood Plan.
- 7.6 For mitigation of the effects on water quality at Somerset Levels and Moors Ramsar, AECOM recommends that mitigation policy text is included in the Neighbourhood Plan (for detailed wording see the previous chapter). This wording will ensure that the Conservation Objectives of the Somerset Levels & Moors Ramsar are met and that the Neighbourhood Plan will not result in adverse effects on site integrity regarding water quality, both alone and in-combination.
- 7.7 Creation of greenspaces with easy accessibility to all residents as well as the wider community can reduce recreational pressure on SACs.
- 7.8 With the provision of the above recommendations, it can be concluded that the Shepton Mallet Neighbourhood Plan will not result in an adverse effect on the integrity of any European sites, either alone or in combination with other projects or plans.

Appendix A Map of European sites

