



HABITATS REGULATIONS  
ASSESSMENT  
(APPROPRIATE ASSESSMENT)  
REPORT

~~SUBMISSION~~  
~~FINAL DRAFT~~

Pembrokeshire Coast National  
Park Authority

Local Development Plan

August 2009

With revision September 2010



HABITATS REGULATIONS ASSESSMENT  
(APPROPRIATE ASSESSMENT) REPORT

PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY

LOCAL DEVELOPMENT PLAN

~~SUBMISSION FINAL DRAFT~~

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Pembrokeshire Coast National Park Authority](#)

# Pembrokeshire Coast National Park Authority

## Local Development Plan

### Habitats Regulations Assessment (Appropriate Assessment) Report

#### CONTENTS

#### EXECUTIVE SUMMARY

#### IMPLICATIONS OF THE INSPECTOR'S RECOMMENDATIONS

- 1 INTRODUCTION  
Requirement for Habitats Regulations Assessment  
Guidance for Habitats Regulations Assessment/Appropriate Assessment  
Consultation  
Purpose & Structure of Report
  - 2 METHOD  
Appropriate Assessment
  - 3 Justification for European Sites Scoped out at Screening Stage
  - 4 APPROPRIATE ASSESSMENT  
  
Task 1: Scoping and Additional Information Gathering  
Task 2: Assessing the Impacts (in-combination) – Appropriate Assessment  
Task 3: Mitigations measures (avoidance)  
Task 4: Main Findings & Recommendations  
Task 5: Consultation
  - 5 CONCLUSIONS, FUTURE WORK  
Monitoring
- #### REFERENCES/BIBLIOGRAPHY
- #### TABLES
1. Habitats Regulations Assessment: Key Stages
  2. Appropriate Assessment Stage: Key Tasks
- #### APPENDICES
1. Consultation Commentary

2. European Site Characterisation
3. Plans and Programmes Review
4. Policy Screening
5. Site Allocations Policy Screening
6. Likely Significant Effects Screening
7. AA Data Proformas

## EXECUTIVE SUMMARY

- 0.1 Habitats Regulations Assessment (HRA) of spatial, development plans is a requirement of the Habitats Directive (92/43/EEC) as set out in the amended Habitats Regulations (2007). This report details the HRA Appropriate Assessment stage for PCNPA's Deposit Local Development Plan (LDP) - It sets out the methods, findings and the conclusions of the Appropriate Assessment.
- 0.2 The Appropriate Assessment (AA) concluded that there will not be an adverse effect on the integrity of the European Sites considered. [This conclusion reflects amendments made to LDP policies as a result of recommendations arising from the assessment process, and specific consultation advice received from the Statutory Body, Countryside Council for Wales \(CCW\) during both the HRA Screening and AA stages. The findings of this plan level HRA do not obviate the need for lower level, project scale/ implementation plans to undertake HRA/AA where specific sensitivities have been identified and it is considered there is potential for significant effect on one or more European Sites. The findings of this HRA/AA should be used to inform any future assessment work.](#)
- 0.3 The Welsh Assembly Government (WAG) guidance notes that it is good practice to make information on HRA available to the public at each formal development plan consultation stage. Therefore, in addition to the statutory consultation undertaken with CCW this report is being made available for the wider public to view.

### Implications of the Inspector's Recommendations in the Report on the Examination into the Pembrokeshire Coast National Park Local Development Plan

In his report on the Examination of the Local Development Plan the Inspectors made a total of 13 Recommendations for changes necessary to make the Plan Sound. Of these, two are relevant to the Habitats Regulations Assessment as they affect the physical nature of development allocations

#### Recommendation 7

Site HA825 was identified as an element of the Likely Significant Effect of the Local Development Plan on the Bosherton Lakes and Pembrokeshire Bat Sites SAC. Subsequent Appropriate Assessment concluded that, due to the scale of development proposed, it would be possible to avoid or mitigate against these effects and therefore avoid Adverse Impact on the SAC. Wording was inserted into Appendix 2 of the Local Development Plan stating that any development proposal for this site would be subject to Habitat Regulations Assessment to confirm that avoidance and/or mitigation measures were possible and ensure their implementation.

The Inspector's Recommendation is to increase the size of the site from 0.82 hectares to 1.5 hectares and the number of units from 12 to 20. As with the original allocation in the Deposit Plan the detailed implications for the SAC will need to be assessed at project level. However it is unlikely that the ability to avoid or mitigate against damaging effects will be compromised by the change as the changes reduce the development density across the site and are likely to improve the scope to retain flight corridors and foraging areas, allowing the site to be developed as proposed.

#### Recommendation 8

Site MA733 was identified as an element of the Likely Significant Effect of the Local Development Plan on the Pembrokeshire Marine SAC. Subsequent Appropriate Assessment concluded that, due to the scale of development proposed, protection and mitigation measures provided by other Plan Policies would ensure no Adverse Impact on the SAC. Wording was inserted into Appendix 2 of the Local Development Plan stating that any development proposal for this site would be subject to Habitat Regulations Assessment to confirm that avoidance and/or mitigation measures were possible and ensure their implementation.

The Inspector's Recommendation is to reduce the size of the site from 47 to 40 units, and remove from the site an area in the Northwest corner of nature conservation interest. Therefore it is likely that this change will increase the likelihood that the site can be developed as proposed.

## 1.0 INTRODUCTION

- 1.1 Pembrokeshire Coast National Park Authority (PCNPA) is currently developing its Local Development Plan (LDP) and is undertaking Habitats Regulations Assessment in line with the requirements set by the Conservation (Natural Habitats &c) (Amendment) Regulations 2007.
- 1.2 This HRA report addresses the Appropriate Assessment stage of HRA which considers how the likely significant effects on designated European Sites identified through the first Screening stage of the HRA (Dec 2008) may affect European site integrity.
- 1.3 Habitats Regulations Assessment is also commonly referred to as Appropriate Assessment (AA) although the requirement for AA is first determined by an initial 'screening' stage undertaken as part of the full HRA. This report addresses the Appropriate Assessment stage of the HRA; it outlines the key tasks undertaken and the key findings/ recommendations emerging from the assessment.

### Requirement for Habitats Regulations Assessment

- 1.4 The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) protects habitats and species of European nature conservation importance. The Habitats Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 (N2K) sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) [which are classified under the Council Directive 79/409/EEC on the conservation of wild birds, the 'Birds Directive'].
- 1.5 Articles 6 (3) and 6 (4) of the Habitats Directive require AA to be undertaken on proposed plans or projects which are not necessary for the management of the site but which are likely to have a significant effect on one or more European sites either individually, or in combination with other plans and projects.<sup>1</sup> In 2007, this requirement was transposed into UK law in Part IVA of the Habitats Regulations (The Conservation (Natural Habitats, & c.)(Amendment) (England and Wales) Regulations 2007). These regulations require the application of HRA to all land use plans. Welsh Assembly Government (WAG) guidance also requires that Ramsar sites (which support internationally important wetland habitats) and are listed under the Convention on Wetlands of International Importance (Ramsar Convention 1971) are included within HRA/AA and that candidate SACs and proposed SPAs are treated as 'designated' sites in the context of HRA.

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<sup>1</sup> Determining whether an effect is 'significant' is undertaken in relation to the designated interest features and conservation objectives of the Natura 2000 sites. If an impact on any conservation objective is assessed as being adverse then it should be treated as significant. Where information is limited the precautionary principle applies and significant effects should be assumed until evidence exists to the contrary.

- 1.6 The purpose of HRA/AA is to assess the impacts of a land-use plan, in combination with the effects of other plans and projects, against the conservation objectives of a European Site and to ascertain whether it would adversely affect the integrity<sup>2</sup> of that site. Where significant negative effects are identified, alternative options or mitigation measures should be examined to avoid any potential damaging effects. The scope of the HRA/AA is dependent on the location, size and significance of the proposed plan or project and the sensitivities and nature of the interest features of the European sites under consideration.

### **Guidance for Habitats Regulations Assessment/Appropriate Assessment**

- 1.7 Draft guidance for HRA 'The Assessment of Development Plans in Wales under the Provisions of the Habitats Regulations', has been produced by WAG, (David Tyldesley and Associates, October 2006). The final WAG guidance is yet to be published, but is expected to be available in 2009.<sup>3</sup> A partnership of consultants<sup>4</sup> has also prepared guidance (Appropriate Assessment of Plans, August 2007) to assist planning bodies in complying with the Habitats Directive.
- 1.8 The methods and approach used for this Appropriate Assessment stage of the Habitats Regulations Assessment are based on the formal Welsh guidance currently available and emergent practice, which recommends that HRA is approached in three main stages - outlined in **Table 1**. This report outlines the method and findings for stage 2 of the HRA process - the Appropriate Assessment.

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<sup>2</sup> Integrity is described as the sites' coherence, ecological structure and function across the whole area that enables it to sustain the habitat, complex of habitats and/or levels of populations of species for which it was classified, (ODPM, 2005).

<sup>3</sup> Informal consultation with WAG has been undertaken to ascertain the nature and extent of any key changes to the Draft guidance in support of this HRA process (April, 2008).

<sup>4</sup> Scott Wilson, Levett-Therivel Sustainability Consultants, Treweek Environmental Consultants and Land Use Consultants (August, 2006).

Table 1	
Habitats Regulations Assessment: Key Stages	
<b>Stage 1</b>	
<b>Screening for likely significant effect</b>	<ul style="list-style-type: none"> <li>▪ Identify international sites in and around the plan/ strategy area in search area/ buffer zone agreed with the Statutory Body the Countryside Council for Wales</li> <li>▪ Examine conservation objectives of the interest feature(s)(where available)</li> <li>▪ Review plan policies and proposals and consider potential effects on European sites (magnitude, duration, location, extent)</li> <li>▪ Examine other plans and programmes that could contribute to 'in combination' effects</li> </ul>
	<ul style="list-style-type: none"> <li>▪ <i>If no effects likely – report no significant effect (taking advice from CCW as necessary).</i></li> <li>▪ <i>If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to <b>stage 2</b></i></li> </ul>
<b>Stage 2</b>	
<b>Appropriate Assessment</b>	<ul style="list-style-type: none"> <li>▪ Complete additional scoping work including the collation of further information on sites as necessary to evaluate impact in light of conservation objectives</li> <li>▪ Agree scope and method of AA with CCW</li> <li>▪ Consider how plan 'in combination' with other plans and programmes will interact when implemented (the Appropriate Assessment)</li> <li>▪ Consider how effect on integrity of site could be avoided by changes to plan and the consideration of alternatives</li> <li>▪ Develop mitigation measures (including timescale and mechanisms)</li> <li>▪ Report outcomes of AA including mitigation measures, consult with CCW and wider [public] stakeholders as necessary</li> <li>▪ If plan will not significantly effect European site proceed without further reference to Habitats Regs</li> </ul>
	<ul style="list-style-type: none"> <li>▪ <i>If effects or uncertainty remain following the consideration of alternatives and development of mitigations proceed to <b>stage 3</b></i></li> </ul>
<b>Stage 3</b>	
<b>Procedures where significant effect on integrity of international site remains</b>	<ul style="list-style-type: none"> <li>▪ Consider alternative solutions, delete from plan or modify</li> <li>▪ Consider if priority species/ habitats affected</li> <li>▪ Identify 'imperative reasons of overriding public interest' (IROPI) economic, social, environmental, human health, public safety</li> <li>▪ Notify Assembly Government</li> <li>▪ Develop and secure compensatory measures</li> </ul>

## Consultation

- 1.9 The Habitats Regulations require the plan making/competent authority to consult the appropriate nature conservation statutory body [Countryside Council for Wales (CCW)]. Advice on conducting the HRA was received from CCW during the screening stage (October 2008) and commentary on the findings of the HRA Screening stage and the key issues to consider during the AA stage been incorporated in the AA. [CCW was further consulted on the findings and conclusions of the AA stage of the HRA \(February & July 2009\). The consultation advice received, including recommendations for LDP policy have been incorporated into this report and the LDP as relevant.](#) CCW's comments [and the amendments made in relation to each comment](#) are noted at Appendix 1. The Habitats Regulations leave consultation with other bodies and the public to the discretion of the plan making authority. The WAG guidance notes that it is good practice to make information on HRA available to the public at each formal development plan consultation stage. Therefore, in addition to the documented statutory consultation undertaken with CCW this report is being made available for wider public consultation.

## Purpose & Structure of Report

- 1.10 This report documents the process and the findings from the Appropriate Assessment stage of the HRA for PCNPA's LDP Deposit Plan. Following this introductory section the document is organised into a further three sections:
- **Section 2** - outlines the method used for the Appropriate Assessment and includes reference to the key information sources used and the consultation comments received to date.
  - **Section 3** - outlines the reasoning for European sites that were scoped out at the screening stage.
  - **Section 4** - outlines the process and summary findings of the Appropriate Assessment.
  - **Section 5** - outlines the conclusions and how the plan should now proceed with reference to the Habitats Regulations.

## 2.0 METHOD

### Appropriate Assessment

2.1 The first Screening Stage report of the HRA or PCNPA's LDP Deposit Plan identified which European sites within and around the plan area should be considered in further detail as part of an Appropriate Assessment. The Screening combined a **plan** and a **site** focus.

- The **plan** focus first screened out those elements of the plan unlikely to affect European site integrity and then considered the impacts of the remaining elements on European sites, including the potential for 'in-combination' impacts.
- The **site** focus considered the environmental conditions of the sites and the factors required to maintain site integrity, and then looked at the potential impacts the plan may have including in-combination impacts.

2.2 The results of the screening identified that the following European sites may be potentially affected by activities/ impacts arising from the plan.

- Carmarthen Bay SPA
- Carmarthen Bay and Estuaries SAC
- North West Pembrokeshire Commons SAC
- Pembrokeshire Bat Sites and Bosherton Lakes SAC
- Pembrokeshire Marine SAC
- Ramsey and St David's Peninsula Coast SPA
- St David's SAC

[2.3 In response to consultation comments from CCW on the findings of the screening exercise, further information on why European sites considered in the screening were scoped out of the AA is provided in Section 3. A full record of the consultation commentary received from CCW is provided at Appendix 1.](#)

2.4 The key impacts of the Deposit LDP on these sites were identified during the screening stage as:

- **Increased recreational activity** - recreational pressure on land (e.g. through trampling, climbing, coasteering) can result in erosion and the disturbance of species. On water, disturbance to species can be significant in relation to site integrity, especially during particular times of the year when protected bird species are breeding/ moulting.
- **Reduced water quality** - new housing & employment development result in sewage and effluent discharges that may contribute to increased nutrients at Natura 2000 sites. Increased abstraction levels have the potential to reduce water levels, which can also have adverse effects on water quality. A growth in commercial and recreational use of the water environment

raises the likelihood of pollution incidents (e.g. fuel spillage, emissions).

- **Increased water abstraction** - new housing & employment development has the potential to increase levels of water abstraction, which could lead to reduced water levels at European sites.
- **Increased airborne pollutants** - European sites are potentially vulnerable to a range of pollutants. Nitrogen oxides, sulphur dioxide and ammonia can all contribute to acidification, with nitrogen deposition specifically implicated in eutrophication. Vehicle exhaust fumes comprise up to 50% of measured nitrogen oxide emissions and can be expected to rise where population centres are set for expansion.
- **Habitat fragmentation and loss** - development can lead to loss of wooded areas and vegetation cover (including scrub) and habitat links, such as hedgerows and even sections of walls and fences. This is particularly important for bat species as this habitat is used for foraging and movement between roosts.

2.5 The key tasks employed for the Appropriate Assessment stage of the HRA are set out in **Table 2**.

<b>Table 2</b>	
<b>Appropriate Assessment Stage 1: Key Tasks</b>	
<b>Task 1</b>  <b>Scoping and Additional Information Gathering</b>	<ul style="list-style-type: none"> <li>■ Gathering additional information on European sites</li> <li>■ Gathering additional data on background environmental conditions</li> <li>■ Further analysis of plans/ projects that have the potential to generate 'in-combination' effects</li> </ul>
<b>Task 2</b>  <b>Assessing the Impacts (in-combination) Appropriate Assessment</b>	<ul style="list-style-type: none"> <li>■ Examination of the policies and proposals identified during the screening phase and their likely significant effects on European sites</li> <li>■ Consideration of whether effects are direct/ indirect/ cumulative</li> <li>■ Consideration of whether other plans and programme are likely to generate effects that have the potential to act cumulatively with those arising from the plan</li> </ul>
<b>Task 3</b>  <b>Developing Mitigation Measures (including initial avoidance)</b>	<ul style="list-style-type: none"> <li>■ If effects identified – either arising from the plan alone and/or 'in-combination' with other plans – consider initial opportunities to avoid (e.g. delete/ remove or amend policy from plan)</li> <li>■ Develop mitigation measures – must be deliverable by the plan and have clear delivery/ monitoring responsibilities</li> </ul>
<b>Task 4</b>  <b>Findings &amp; Recommendations</b>	<ul style="list-style-type: none"> <li>■ Conclude the assessment, explain key findings and analysis informing conclusions.</li> </ul>
<b>Task 5</b>  <b>Consultation</b>	<ul style="list-style-type: none"> <li>■ Undertaken further consultation with CCW (assumes that consultation has also been an iterative process throughout the HRA/AA).</li> </ul>

2.6 [The full range of plans and projects \[and their potential impacts\] considered by the assessment in relation to possible 'in-combination' effects, are detailed in Appendix 3. This 'in-combination' analysis is integral to the assessment process as detailed in Appendix 7.](#)

Additionally, as part of the 'in-combination' assessment, consideration was also given to the concurrent Sustainability Appraisal (SA)/ Strategic Environmental Assessment (SEA) work which has informed the development of the Deposit Plan as well as related HRA work undertaken at a strategic level (the HRA of the Wales Spatial Plan Update and HRA of Welsh Water's Draft Water Resource Management Plan) and neighbouring authorities' HRAs, where available.

### 3.0 Justification for European Sites Scoped Out at Screening Stage

- 3.1 A number of European sites were scoped out at the HRA screening stage (December 2008) as the LDP policy screening (Appendix 4) and site allocations screening (Appendix 5) did not identify the potential for significant effects at those sites. In response to consultation comments from CCW a summary of the rationale for these screening decisions is provided below.

#### Cardigan Bay SAC

- 3.2 The Eastern and Western Cleddau rivers provide most of the domestic water supply for Pembrokeshire, as well as providing water for industry and agriculture. Therefore development within the PCNP will not have significant effects on water levels in any rivers flowing into the Cardigan Bay SAC. This SAC was screened out as development in the PCNP is not going to lead to increased abstractions from rivers flowing into it or have adverse effects on the water quality of these rivers. A very small proportion of the SAC falls within the PCNP to the north east and the majority of development proposed in the LDP is in the west and south east of the National Park. Given the location and level of development proposed it is not likely that the LDP will lead to increased levels of recreation on the SAC given the availability of alternative locations for recreational activity.

#### Cleddau Rivers SAC

- 3.3 The Eastern and Western Cleddau rivers provide most of the domestic water supply for Pembrokeshire, as well as providing water for industry and agriculture. This water is used by the water company, Welsh Water, to supply most of Pembrokeshire with its domestic water supply in addition to some of the major industry in the area. The Cleddau and Pembrokeshire Coastal Rivers Catchment Abstraction Management Strategy<sup>5</sup> (CAMS) has 5 surface water units (WRMU) as well as numerous groundwater management units (GWMU). The CAMS assesses that WRMU 1 (Western Cleddau) has 'no water available' and that WRMU 2 (Eastern Cleddau) is 'over licensed'.
- 3.4 Under the Habitats Regulations the Environment Agency Wales has a duty to assess the effects of existing abstraction licences and any new applications (Review of Consents - RoC) to make sure they are not impacting on internationally important nature conservation sites. Water efficiency is also tested by the EA before a new license is granted. [EAW's RoC of the Cleddau rivers will result in changes to the discharge consents and abstractions licences to reduce the overall volume of water abstracted from the River, including the prevention of abstraction when flow condition are low. EAW are confident that the proposed mitigation will prevent adverse impacts on the designated habitats and species of this SAC.](#)

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<sup>5</sup> Environment Agency Wales (2006) The Cleddau and Pembrokeshire Coastal Rivers Catchment Abstraction Management Strategy (including 2007 update).

- 3.5 The HRA of Welsh Water's Draft Water Resource Management Plan (Nov 2008) states that "accurate assessment of exposure (and therefore vulnerability)", of a European site "can only be achieved through detailed studies in the RoC process, informed by the site knowledge of the CCW local teams and officers"<sup>6</sup>. Therefore it cannot be concluded that there will be no likely significant effect on the Cleddau Rivers SAC if the dWRMP is implemented. Welsh Water's HRA suggests that appropriate caveats be included within the existing dWRMP to help ensure that no significant effects are likely as a result of its implementation. Welsh Water's (21/07/08) response to the LDP site allocations consultation states that, "based on future demands already shared with us we do not foresee any problems at present in meeting the anticipated domestic demands during the life of the Local Development Plan".
- 3.6 The LDP contains strong policies in regard to sustainable design (Policy 17) and surface water drainage (Policy 20) that will help to mitigate the adverse impacts of development on the water environment. Development proposed with the PCNP is downstream from the Cleaddau Rivers and is therefore not likely to have significant effects on water quality. The Cleddau Rivers SAC was not carried forward to the AA stage given the small level of proposed development and the strong policies within the LDP in regard to the water environment in the context of the regulatory restrictions imposed by EAW through the RoC process. a

### **Gweunydd Blaencleddau SAC**

- 3.7 The SAC is a large wetland complex in a shallow south-west trending valley that lies around the headwaters of the eastern Cleddau River. The site contains important populations of the Marsh Fritillary butterfly and Southern Damselfly, much of the site is grazed common land. According to the Core Management Plan<sup>7</sup> for the SAC, site level management of the site is the most important factor in returning the features to a favourable condition. This includes appropriate grazing regimes and maintaining natural drainage in the area. The level of development proposed in the LDP is not anticipated to significantly increase abstraction levels in the Cleddau Rivers. The Core Management Plan identifies that the site is potentially vulnerable to private water abstractions; this will not be affected by the LDP as the closest proposed development is approximately 12km away. The SAC was screened out given that site level management is the most important factor in returning the site features to favourable condition status.

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<sup>6</sup> Welsh Water (2008) HRA of the Draft Water Resource Management Plan. Available online: <http://www.dwrcymru.com/English/Company/Operations/resources/wrmp/index.asp>

<sup>7</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Gweunydd Blaencleddau Special Area of Conservation (SAC). Version 13, April 2008.

### **Limestone Coast of South West Wales SAC**

3.8 The Limestone Coast of South West Wales SAC comprises a series of SSSIs stretching from Castlemartin at the western end of southern Pembrokeshire, to the Bishopston Valley on the south east coast of Gower. The Core Management Plan<sup>8</sup> identifies the vegetated sea cliffs, dry heath, grasslands and early genitian as being unfavourable. This is mainly due to site level management issues such as grazing levels, burning and scrub invasion. The Core Management Plan also identifies that a number of the features are vulnerable to the impacts of recreational activity. The Deposit LDP proposes a relatively small level of development across the entire plan area during the life of the plan, therefore the increase in recreational activity is likely to be minimal given the range of alternative suitable areas. The Deposit LDP also contains strong policies in regard to the protection of biodiversity and habitats, which have been linked to the visitor economy (Policy 23) through the special qualities of the Park (Policy 45). Given that appropriate site level management is currently the most important factor in returning these features to a favourable condition status and the level of development proposed, it is not likely that the PCNPA Deposit LDP will have significant effects on the SAC either alone or in combination.

### **North Pembrokeshire Woodlands SAC**

3.9 The site is a complex of diverse woodland units, which range from strongly acidic upland oakwood to areas transitional to lowland oakwood; important fragments of floodplain woodland occur in the valley bottoms. The SAC's alluvial woodland is also important, and it is the only known breeding site for barbastelle bats in West Wales. The Core Management Plan<sup>9</sup> identifies that the alluvial forests and barbastelle bats are considered to be in a favourable status. The old sessile oak woods however, are considered to be unfavourable, which is mainly due to historical factors (felling during the two world wars). Many of the management units are already recovering but the core management plan states that it could be decades before the performance indicators are satisfied. Barbastelle bats can forage over several km from their roosts. Potential impacts arising from the LDP would be similar to those identified for the lesser and greater horseshoe bats (e.g. fragmentation of foraging routes) featured in the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The Deposit LDP proposes a small amount of development in Newport approximately 2.8km away. Site level HRA should support specific development proposals. This SAC was screened out due to the small level of

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<sup>8</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Limestone Coast of South West Wales Special Area of Conservation (SAC). Version 10, May 2008.

<sup>9</sup> Countryside Council for Wales (CCW). 2007. Core Management Plan including conservation objectives for North Pembrokeshire Woodlands Special Area of Conservation (SAC). Version 2, Dec 2007.

development proposed in the Deposit LDP and the favourable condition status of the majority of features.

### **Preseli SAC**

- 3.10 The Preseli SAC comprises the core section of the Hills and incorporates the extensive Mynydd Preseli SSSI and the smaller commons of Waun Fawr SSSI, Waun Isaf and Gors Fawr. Mynydd Preseli and Gors Fawr are physically linked whilst Waun Isaf and Waun Fawr are separate/detached components of the SAC. The Core Management Plan<sup>10</sup> identifies that the surrounding habitat within 2 km of the site is important to the integrity of the marsh fritillary population. The LDP proposes a small amount of development in Newport approximately 3.7 km away. The Core Management Plan identifies that the site is vulnerable to airborne pollutants, such as nitrous oxides from vehicle exhausts. The level of development proposed in Newport and Pembrokeshire CC is unlikely to lead to any traffic increase along the B4329, which runs through the SAC. The Preseli SAC was not carried forward to the AA stage as the Core Management Plan information indicates that appropriate site level management is currently the most important factor in achieving favourable condition status.

### **River Teifi SAC**

- 3.11 The Eastern and Western Cleddau rivers provide most of the domestic water supply for Pembrokeshire, as well as providing water for industry and agriculture. This water is used by the water company, Welsh Water, to supply most of Pembrokeshire with its domestic water supply in addition to some of the major industry in the area. This SAC was screened out as development in the PCNP is not going to lead to increased abstractions from the River Teifi or increased discharges into it. The location and level of development is also not likely to lead to increased levels of recreation, given the availability of alternative areas of recreation.

### **Castlemartin Coast SPA**

- 3.12 Castlemartin Coast is located on the south-west peninsula of Wales about 10 km south of Pembroke. The sea-cliffs around Castlemartin support the largest concentration of breeding seabirds on the Pembrokeshire mainland, including large and easily viewable colonies of guillemots, razorbills and kittiwakes at Stack Rocks. Rare breeding birds include the Red-billed Chough, which feed along the cliffs, adjacent to coastal grasslands, heath and dunes. The Red-billed Chough is considered to be in a favourable condition<sup>11</sup> and the level of development proposed in the LDP is unlikely to significantly increase disturbance at the site, which would affect the conservation status.

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<sup>10</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Preseli Special Area of Conservation (SAC). Version 8, April 2008.

<sup>11</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Castlemartin Coast Special Protection Area (SPA). Version 10, May 2008.

Access and recreation pressures are (as stated by the Core Management Plan) fairly well regulated by an on site ranger and information service. There are long-standing voluntary agreements with climbers ensure that chough nest site are quite well protected. This SPA was screened out as the development proposed within the LDP is not likely to significantly increase recreation and there are also restrictions currently in place to reduce the level of disturbance to the nesting chough.

### **Grassholm SPA**

- 3.13 Grassholm Island is situated 15 km off the Pembrokeshire coast, separated from the mainland by the Irish Sea. The SPA is a tourist attraction within the St. Davids peninsula. During the breeding season the 32,000 pairs of gannets nesting on the reserve make it impossible for visitors to land without causing undue disturbance. The gannet is currently assessed as having a favourable:maintained condition status<sup>12</sup>, as the population has seen a year-on-year increase. Given the current favourable condition status and the small level of development proposed in the LDP, the Grassholm SPA was not carried forward to the AA stage.

### **Skokholm and Skomer SPA**

- 3.14 Skomer, Skokholm and Middleholm are three islands lying off the extreme south-west tip of Pembrokeshire in south-west Wales. The SPA as a whole is of special interest for its breeding seabird colonies, in particular for Manx Shearwater, Puffin, Storm Petrel, Razorbill, Guillemot, Lesser Black-backed Gull, Kittiwake, as well as for breeding Chough and Short-eared Owl. There is some vegetation management including bracken control but, for the most part, these habitats are maintained by natural processes. The majority of present day management is directed towards the management of visitors and visitor facilities such as footpaths. Given the small level of development proposed and the various restrictions<sup>13</sup> in place to limit recreational access at certain times in the year, the Skokholm and Skomer SPA was not carried forward to the AA stage.

### **Carmarthen Bay Dunes SAC**

- 3.15 The SAC is approximately 5.8 km from the PCNP boundary and is largely comprised of sand dune and associated habitat. The site is currently vulnerable to inappropriate grazing and invasive species. Given the distance of the site from the PCNP boundary and that inappropriate site level management would appear to be the reason

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<sup>12</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Grassholm Special Protection Area (SPA). Version 2, April 2008.

<sup>13</sup> Pembrokeshire Marine Code (Accessed on 02/02/09) Marine Code Maps - Agreed Seasonal Restrictions for South Pembrokeshire. Available online:  
<http://www.pembrokeshiremarinecode.org.uk/documents/MarineCodeMaps-AgreedSeasonalrestrictionsforSouthPembrokeshire.pdf>

that certain features are considered unfavourable<sup>14</sup>, the Carmarthen Bay Dunes SAC was not carried forward to the AA stage.

### **Yeberston Tops SAC**

- 3.16 This SAC hosts an isolated meta population of over 1500 adult marsh fritillary butterfly and is an important outlier for the conservation of the species in west Wales. Currently the features are assessed as being unfavourable, which is mainly down to site level management issues, such as the need for appropriate grazing of the *Molinia* meadows. The Core Management Plan identifies that the surrounding habitat within 2 km of the site is important to the integrity of the marsh fritillary population. The LDP does not propose any development within 2 km of the SAC. Given that inappropriate site level management of the SAC and surrounding area is considered to be the reason for the unfavourable condition status, the Yeberston Tops SAC was not carried forward to the AA stage.

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<sup>14</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Carmarthen Bay Dune Special Area of Conservation (SAC)). Version 4, May 2008.

## 4.0 APPROPRIATE ASSESSMENT

### Task 1: Scoping and Additional Information Gathering

- 4.1 As noted in Section 2 of this report, the HRA Screening Report (Dec 2008) set out details of the European Sites and the types of impact to be considered in the more detailed Appropriate Assessment work.
- 4.2 To support the Appropriate Assessment additional evidence was gathered (see references/bibliography). This included air quality data and trends provided by the Welsh Air Quality Forum and UK Air Pollution Information System (APIS) and water quality and abstraction information provided by the Environment Agency. Further information was also sought on the scale, nature and effects of recreational activity in Pembrokeshire.

### Task 2: Assessing the Impacts (in-combination) Appropriate Assessment

- 4.3 The HRA Screening Report (Dec 2008) described the aims, objectives and outlined the key policies of PCNP's LDP. The Screening also considered and identified which policies had the potential (in implementation) to affect the integrity of the European sites within the plan's area of influence. The predicted key impacts were also identified in the report. This section of the AA report considers in more detail where the impacts identified in the screening report are likely to have a significant effect on site integrity, either alone or in-combination with other plans and projects.
- 4.4 No significant changes have been made to the LDP since the policy screening stage; however there have been a number of small changes that have improved the protection of Natura 2000 sites. Policies 44 (telecommunications) and 46 (Light Pollution) now include reference to Natura 2000 sites in the policy wording and supporting text respectively. During the policy screening stage Policy 17 (Sustainable Design) included a foot note that related to the need ensure that adequate sewerage disposal facilities and surface water drainage capacity is available before development is occupied. This has now been moved into the supporting text to strengthen the policy in regard to potential impacts on the water environment. This information has been taken into account of in the subsequent AA detailed below.
- 4.5 The consideration and assessment (AA) of potential effects was informed by the information provided by the Site Characterisation, (Appendix 2) the Plans and Projects Review (Appendix 3) and the additional information provided through the Scoping work (Task 1 of the AA). The detailed analysis is captured in the Appropriate Assessment Proformas (Appendix 7), and the key issues arising are summarised below.

## Carmarthen Bay SPA/ Carmarthen Bay and Estuaries

### *Disturbance*

- 4.6 Development proposed in Tenby and Saundersfoot could have the potential to increase levels of water based recreation. One of the conservation objectives for the Common Scoter is that “they are allowed to inhabit their feeding grounds and resting areas with minimum disturbance and no disturbance on their moulting ground at Cefn Sidan, and may move unhindered between them<sup>15</sup>”. Cefn Sidan is approximately 20km from PCNP, therefore disturbance arising in this area as a result of the Deposit LDP is unlikely. The assessment therefore focused on the potential for the LDP to increase levels of disturbance to the Common Scoter at their feeding ground.
- 4.7 The Regulation 33 advice for the SPA notes that in summer, numbers of common scoter are generally very low as most scoters have migrated to breeding grounds, although there are occasionally records of very large numbers. The South West Wales Recreation Audit (2005) identified that visitor activity on the coast and on the water within the Tenby area is intense and used for an increasing variety of activities during the summer months.
- 4.8 The Deposit LDP contains strong policies in regard to the protection of biodiversity and habitats, which have been linked to the visitor economy (Policy 23) through the special qualities of the Park (Policy 45). Given that common scoter numbers in the bay are generally very low at the time when water based recreational activity is at its peak (summer months), it is not likely that the Deposit LDP will have significant effects on the Carmarthen Bay SPA [through disturbance. Camarthenshire and Pembrokeshire County Councils' LDPs are under development and do not currently provide any spatial definition of development areas which is necessary in order to consider the potential pathways and outcomes of 'in-combination' effects. The adjacent authorities should consider the issues and findings identified in this HRA report in their future/ respective HRA work, in particular where the potential for specific 'in-combination' effects have been noted.](#)

### *Water Quality*

- 4.9 Carmarthen Bay is a wide, shallow bay west of the Gower Peninsula. It is approximately 28 km from east to west by 20 km north to south. The Deposit Plan proposes development Tenby and Saundersfoot, which are in close proximity to the site. Potential impacts arising as a result of the proposed development include increased pressure on sewerage system capacity/ flow. This could lead to potentially significant effects on the SAC and SPA through reduced water quality.

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<sup>15</sup> CCW (2005) Carmarthen Bay and Estuaries European Marine Site. Regulation 33 draft advice. Available online: <http://www.ccw.gov.uk/landscape--wildlife/protecting-our-landscape/special-sites-project/reg-33-plans.aspx>

- 4.10 The HRA Screening Report (December 2008) identified a number of site allocations that had the potential - using the precautionary principle - to put increased pressure on sewerage capacity/ flow. The assessments were based on a range of information, which included comments from statutory consultees on the individual site allocations. A number of these comments from EAW and Welsh Water stated that suitable infrastructure was not present to meet the level of development proposed at particular sites.
- 4.11 The current level of development proposed in the Deposit LDP is not likely to significantly increase the level of water abstractions in the Cleddau and Pembrokeshire Coastal Rivers Catchment. Welsh Water's (21/07/08) response to the LDP site allocations consultation states that, "based on future demands already shared with us we do not foresee any problems at present in meeting the anticipated domestic demands during the life of the Local Development Plan". The emerging Pembrokeshire CC LDP could have the potential to propose development that will act in-combination with the PCNPA LDP. As the Pembrokeshire CC LDP is still in the early stages it is difficult to assess the potential in-combination effects as no spatial development proposals have yet emerged.
- 4.12 Under the Habitats Regulations the Environment Agency Wales has a duty to assess the effects of existing abstraction licences and any new applications (Review of Consents - RoC) to make sure they are not impacting on internationally important nature conservation sites. Water efficiency is also tested by the EA before a new license is granted. If the assessment of a new application shows that it could have an impact on a SAC/SPA the EA will have to follow strict rules in setting a time limit for that license. This could involve the issue of a license with conditions attached, such as a 'Hands-Off Flow' condition. This specifies that if the flow or level in the river drops below that which is required to protect the environment the abstraction must stop.
- 4.13 The HRA of Welsh Water's Draft Water Resource Management Plan (Nov 2008) states that "accurate assessment of exposure (and therefore vulnerability)", of a European site "can only be achieved through detailed studies in the RoC process, informed by the site knowledge of the CCW local teams and officers"<sup>16</sup>. Therefore it cannot be concluded that there will be no likely significant effect on the Carmarthen Bay SPA if the dWRMP is implemented. The HRA suggests that appropriate caveats be included within the existing dWRMP to help ensure that no significant effects are likely as a result of its implementation. Welsh Water's (21/07/08) response to the LDP site allocations consultation states that, "based on future demands already shared with us we do not foresee any problems at present in meeting the anticipated domestic demands during the life of the Local Development Plan".

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<sup>16</sup> Welsh Water (2008) HRA of the Draft Water Resource Management Plan. Available online: <http://www.dwrcymru.com/English/Company/Operations/resources/wrmp/index.asp>

4.14 This AA is a strategic level assessment of the likely significant effects of the LDP (both alone and in-combination) on European sites, therefore individual site allocations would be more appropriately assessed at a lower tier of planning. Project level HRA would provide a detailed site level analysis of the potential impacts of that development on the Carmarthen Bay SPA, and provide suitable mitigation measures to reduce potential adverse effects on water quality. Any project level HRA should reflect the strategic context and issues identified as part of this plan level AA. [In support of this approach and in response to consultation advice provided by CCW on this issue the LDP has incorporated policy wording to address water resource and quality sensitivities. Where specific sensitivities have been identified through this HRA \(Appendices 5-7\) the LDP requires:](#)

- [early consultation with EAW and CCW to ensure that development is appropriately located and/or phased in areas that are sensitive and vulnerable to diffuse and point source water pollution; and](#)
- [that developments which might have the potential to affect European sites in the context of water pollution are subject to HRA and Environmental Impact Assessment \(EIA\) at project level, including where necessary, Water Cycle Studies \(and surface water management plans\) for all areas where significant effect are possible.](#)

4.15 These [policy amendments reinforce the](#) Deposit LDP policies with regard to sustainable design (Policy 17) and surface water drainage (Policy 20) that [aim to](#) mitigate the adverse impacts of development on the water environment. Within the supporting text of policy 17 it is stated that adequate sewage disposal facilities and surface water drainage capacity must be available before the development can be occupied. This should address concerns expressed in the HRA Screening Report (Dec 2008) in relation to certain site allocations not having adequate sewerage system capacity.

4.16 Given the current ecological and chemical water quality of rivers flowing into the site and coastal/estuarine waters (Appendix 7) within the SPA<sup>17</sup> and the mitigation provided by policies within the Deposit LDP, which includes the provision of adequate infrastructure before a development is inhabited, it is not likely that the Deposit LDP will have likely significant effects on water quality in the Carmarthen Bay SPA either alone or in-combination.

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<sup>17</sup> Environment Agency (Accessed 22/01/09) What's in Your Backyard? Available online: [http://maps.environment-agency.gov.uk/wiyby/wiybyController?extraClause=RIVER\\_NAME~'Usk](http://maps.environment-agency.gov.uk/wiyby/wiybyController?extraClause=RIVER_NAME~'Usk)

## North West Pembrokeshire Commons SAC

### *Air Quality*

- 4.17 The CMP identifies that the SAC is vulnerable to airborne pollution, such as nitrous oxides from vehicle exhausts. The A487 is less than 200m from management units 1 and 4, therefore an increase in traffic could lead to an increase in airborne pollutants in these units. Based on Natural England advice<sup>18</sup> to Local Authorities and the HRA of the SE Plan<sup>19</sup> it is assessed that air pollution only needs to be considered at a site if a road carrying a significant proportion of new traffic related to the plan runs within 200 meters of a European site. The proposed level of development in the area is not likely to significantly increase the level of traffic along the A487.
- 4.18 Air Quality data shows that in 2003, nitrogen and sulphur deposition did not exceed critical loads at this site and it is estimated that by 2010 nitrogen and sulphur deposition will have decreased even further<sup>20</sup>. The condition status of the designated habitats is unfavourable recovering, mainly due to site level management issues such as grazing and gorse control. Given that the level of proposed development will have a minimal impact on traffic levels and air quality at the site is expected to improve, it is not likely that the Deposit LDP will have significant effects on the North West Pembrokeshire Commons SAC either alone through increased levels of airborne pollution. The Regional Transport Plan (2008) is focused on delivering more sustainable transport solutions and reducing the contribution of transport to aerial emissions providing long term mitigation against 'in-combination' effects from a growth in traffic.

### *Burning*

- 4.19 Areas of dry heath have been burnt at the site on an annual basis. This is usually carried out by the commoners to encourage fresh growth for stock, but occasionally may be accidental burns or arson attacks. Burning the same area too frequently may impoverish the heath, encouraging a vigorous re-growth of more competitive, fire-resistant species like purple moor-grass, western gorse and bracken. Given the small amount of development proposed in St David's it is not likely that the Deposit LDP will have significant effects on the North West Pembrokeshire Commons SAC through increased risk of burning.

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<sup>18</sup> English Nature (16 May 2006) letter to Runneymede Borough Council, 'Conservation (Natural Habitats &c.) Regulations 1994, Runneymede Borough Council Local Development Framework'.

<sup>19</sup> Levett-Therivel (2006) Appropriate Assessment of the Draft South East Plan. Final Report.

<sup>20</sup> APIS (Accessed on 21/01/09) Site Relevant Critical Loads for North West Pembrokeshire Commons SAC. Available online: <http://www.apis.ac.uk/>

### *Drainage*

- 4.20 The CMP identifies that water quantity is a key factor in maintaining site integrity, specifically that peripheral drainage could have implications for the site. Site allocation HA737 is within 200m of management unit 1 and if developed could lead to changes in the hydrological regime. Given the level of proposed development and the mitigation offered by Deposit LDP Policies 17 (sustainable design) and 20 (surface water drainage), it is not likely that the Deposit LDP will have significant effects on the drainage at the North West Pembrokeshire Commons SAC, it is recommended that these issues are flagged at site level development.

### *Water Quality*

- 4.21 The CMP identifies that water quality is a consideration for features such as Floating Water Plantain, populations of RBD vascular plants and Small Red Damselfly. Water quality could potentially be affected by run-off from adjoining agricultural land (currently parts of this are under organic management) or via airbourne pollutants as described for air quality. As described for Air Quality, the critical loads for nitrogen and sulphur deposition have not been exceeded at the site and estimates suggest a decrease in deposition by 2010. In addition, given the level of proposed development and the mitigation offered by Deposit LDP Policies 17 (sustainable design) and 20 (surface water drainage), it is not likely that the LDP will have significant effects on water quality at the North West Pembrokeshire Commons SAC.

## **Pembrokeshire Bat Sites and Bosherton Lakes SAC**

### *Hydrology*

- 4.22 Groundwater abstraction in the area containing Bosherton Lakes is currently exempt from licensing and so there is no regulatory control. The lakes sit within Groundwater Management Unit 1 (GWMU 1) of the Cleddau and Pembrokeshire Coastal Rivers CAMS and are assessed as having 'no water available'. The EA does not think that existing unlicensed groundwater abstractions are adversely affecting the local environment in GWMU 1 and that the main cause of falling water levels is leakage at the base of the lakes. The CMP also identifies that natural leakage out of the lake-bed and shoreline is probably the largest and most difficult issue to deal with. Given these factors and the small level of development proposed, it is not likely that the Deposit LDP will have likely significant effects on the hard oligo-mesotrophic waters either alone or in-combination.

### *Habitat Loss and Fragmentation*

- 4.23 The Pembrokeshire Bat Sites and Bosherton Lakes SAC is underpinned by a series of eight Sites of Special Scientific Interest (SSSI). The

component SSSIs are in some cases separated by large distances, Felin Llwyngwair SSSI in the north is over 35km from Beech Cottage, Waterwynch SSSI in the south. Radio-tracking and long-term roost surveillance by bat workers<sup>21</sup> shows that the greater and lesser horseshoe bats from the SAC population disperse over a very wide geographical area of west Wales, utilising at least 100 known different roosts during the year. An important factor in the favourable condition status of the bat populations is the availability of bat fly-ways and feeding areas on surrounding land. Greater and lesser horseshoe bats require sheltered unlit cover as they leave their roosts to feed at night, key radial zones for the bats are provided in Appendix 2.

- 4.24 This AA involves a strategic level assessment of the likely significant effects of the LDP alone and in-combination on European sites, therefore individual site allocations would be more appropriately assessed at a lower tier of planning. Project level HRA would provide a detailed site level analysis of the importance of the site to the bats, and provide suitable mitigation measures to reduce the adverse effects of the proposed allocation on the greater and lesser horseshoe bat populations. Key considerations are likely to involve avoiding or minimising loss/breaching of linear features (e.g. hedgerows, woodland belts) and appropriate design of site lighting to maintain 'dark corridors' as far as practicable. Where loss or interruption of linear features is unavoidable, either mitigation should be provided and/or any gaps kept to a width of 10m or less. Ecological assessment of site allocations has begun to be carried out by PCNPA ecologists<sup>22</sup>.
- 4.25 Given that the level of development proposed within the Deposit LDP is minimal and the current condition status of the greater and lesser horseshoe bats is favourable: maintained, it is not likely that the Deposit LDP will have likely significant effects on the Pembrokeshire Bat Sites and Bosherton Lakes SAC through the loss and fragmentation of bat fly-ways and foraging areas. Site level HRA should support specific development proposals.

### *Disturbance*

- 4.26 The greater and lesser horseshoe bats are both vulnerable to disturbance at roost, for example from fumes, lighting and noise. As outlined above development proposed in Tenby and Newport is within 1km of maternity roost sites and therefore have the potential to lead to increased levels of disturbance.
- 4.27 Given that that the maternity roosts are already within 1km of existing settlements and the current condition status of the greater and lesser horseshoe bats is favourable: maintained, it is not likely that the LDP will

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<sup>21</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Pembrokeshire Bats and Bosherton Lakes Special Area of Conservation (SAC). Version10, April 2008.

<sup>22</sup> PCNPA (received 13/01/09 and 19/01/09) Notes on site visits to Manorbier Station and Newport.

have likely significant effects on the Pembrokeshire Bat Sites and Bosherton Lakes SAC through increased levels of disturbance to the maternity roosts.

- 4.28 There is also the potential for increased levels of disturbance to the hard oligo-mesotrophic waters and otters that are present in management unit 1 (Stackpole SSSI). The CMP states that "access and recreation pressures are fairly well regulated by on site wardening and information, so rare or sensitive species are reasonably well protected".<sup>23</sup> Given the location and level of development proposed in the Deposit LDP and the availability of alternative recreational areas, it is not likely that the Deposit LDP alone will have likely significant effects on the hard oligo-mesotrophic waters and otters through increased levels of disturbance. [The AA considered the potential for in-combination effects \(Appendix 7\) from the Pembrokeshire CC emerging LPD and relevant Tourism Strategies. Given that Bosherton Lakes is well regulated for access and recreation and that there are alternative recreational areas available, it is not likely that the LDP will have adverse in-combination effects on site integrity through increased disturbance on the hard oligo-mesotrophic waters and to the otters.](#)

## Pembrokeshire Marine SAC

### *Water Quality*

- 4.29 The Pembrokeshire Marine SAC extends from just north of Abereddy on the north Pembrokeshire coast to just east of Manorbier in the south and includes the coast of the islands of Ramsey, Skomer, Grassholm, Skokholm, the Bishops and Clerks and The Smalls. The Deposit Plan proposes development in a number of locations that are in close proximity to the SAC in St David's, Solva and a number of rural locations. Potential impacts arising as a result of the proposed development include increased pressure on sewerage system capacity/ flow. This could lead to potentially significant effects on the SAC through reduced water quality. As top predators, seals and otters are prone to accumulation of contaminants present within their food chains.
- 4.30 The HRA Screening Report (December 2008) identified a number of site allocations that had the potential - using the precautionary principle - to put increased pressure on sewerage capacity/ flow. The assessments were based on a range of information, which included comments from statutory consultees on the individual site allocations. A number of these comments from EAW and Welsh Water stated that suitable infrastructure was not present to meet the level of development proposed at particular sites. For example, site allocation

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<sup>23</sup> Countryside Council for Wales (CCW). 2008. Core Management Plan including conservation objectives for Pembrokeshire Bats and Bosherton Lakes Special Area of Conservation (SAC). Version10, April 2008.

HA733 in St Ishmael's proposes the development of 46 new dwellings and was screened in as the EAW's consultation response expressed concerns about localised drainage problems.

- 4.31 The current level of development proposed in the Deposit LDP is not likely to significantly increase the level of water abstractions in the Cleddau and Pembrokeshire Coastal Rivers Catchment. However, the emerging Pembrokeshire CC LDP could have the potential to propose development that will act in-combination with the PCNPA LDP. As the Pembrokeshire CC LDP is still in the early stages it is difficult to assess the potential in-combination effects as no spatial development proposals have yet emerged.
- 4.32 The PCNPA's Deposit LDP contains strong policies in regard to sustainable design (Policy 17) and surface water drainage (Policy 20) that will help to mitigate the adverse impacts of development on the water environment. Within the supporting text of policy 17 it is stated that adequate sewage disposal facilities and surface water drainage capacity must be available before the development can be occupied. This addresses concerns that were highlighted in the HRA Screening Report (Dec 2008) in relation to certain site allocations not having adequate sewerage system capacity.
- 4.33 Given the current biological and chemical water quality of coastal waters (Appendix 7) within the SAC and the mitigation provided by policies within the Deposit LDP, which includes the provision of adequate infrastructure before a development is inhabited, it is not likely that the Deposit LDP will have likely significant effects on water quality in the Pembrokeshire Marine SAC either alone or in-combination.

### *Disturbance*

- 4.34 The development proposed in the Deposit LDP along with the promotion of tourism in the region has the potential to increase recreational activities. Activities include bait collecting which can cause physical disturbance to the intertidal mud and sandflats and is a particular issue at collection 'hotspots'. Water based recreation - which includes jet skis, hovercraft, wildlife boat trips and water skiers/ wake boarders - causes disturbance to protected species, such as the seal and otter. Recreational sea angling can have indirect impacts on the SAC through lost/ discarded gear and litter upon the SAC features.
- 4.35 The South West Wales Recreation Audit (2005) identified that 28% of day visitors to the PCNP lived in or are within easy reach of the Park and most of the remainder came from other parts of Wales. The audit identifies that a chief impact on nature conservation is the danger to seals from anglers casting from cliffs, however [the Audit](#) concluded that the growth of sea angling in South West Wales is likely to be constrained by low fish stocks in the area.

- 4.36 The Regulation 33 advice for Pembrokeshire Marine SAC<sup>24</sup> states - in relation to the grey seal - that, "there is no evidence to suggest pup survival is in significantly modified by human action within the site; however, disturbance by human presence and activity, entanglement in anthropogenic debris and welfare intervention are known risks but unquantified impacts". The risk of disturbance from human activity to the otter is concentrated in residential and urban areas. The magnitude of the impact is reduced through the times of day favoured by the otter for activity (early morning and dusk) as the amount of interaction is minimised.
- 4.37 The Deposit LDP proposes a relatively small level of development across the entire plan area during the life of the plan (971 new dwellings); therefore the increase in recreational activity as a result of the LDP is likely to be minimal. It also contains strong policies in regard to the protection of biodiversity and habitats, which have been linked to the visitor economy (Policy 23) through the special qualities of the Park (Policy 45). Given the level of development proposed and the protection and mitigation measures provided within the Deposit LDP, it is not likely that the LDP will have likely significant effects on the Pembrokeshire Marine SAC either alone or in-combination through increased levels of disturbance.

#### **Ramsey and St David's Peninsula Coast SPA/ St David's SAC**

- 4.38 The assessment of the likely significant effect of increased recreational disturbance on the Ramsey and St David's Peninsula Coast SPA is closely related to the assessment findings for St David's SAC. The Core Management Plan identifies that the Maritime Grassland feature within St David's SAC is an important foraging habitat used by the chough. Therefore, if the assessment of St David's SAC concludes that there is likely significant effect on the Maritime Grassland feature; there is then the potential for likely significant effect to the chough.

#### ***Recreation***

- 4.39 PCNP has 258 miles of coastline the majority of which can be used for recreational activities, such as walking along the Pembrokeshire Coast Path, which covers 186 miles. Given the large availability of alternative areas for people to recreate, it is unlikely that the development proposed in the Deposit LDP and Pembrokeshire County along with the tourism strategies promoting tourism in the region would result in significant increases in recreational activity along the coast at Strumble Head, St David's Peninsula Coast and Ramsey Island.
- 4.40 The Core Management Plan for the St David's SAC (which includes Ramsey and St David's Peninsula Coast SPA) states that the impact of recreational disturbance on the Chough is minimised as the majority of

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<sup>24</sup> CCW (2005) Pembrokeshire Marine European Site Regulation 33 advice. Available online: <http://www.ccw.gov.uk/landscape--wildlife/protecting-our-landscape/special-sites-project/reg-33-plans.aspx>

nest sites are situated on inaccessible high cliffs and the numbers of visitors to Ramsey is strictly limited. Climbing restrictions are already in place at the St David's Head Area from the 1<sup>st</sup> of February to the 1<sup>st</sup> of August to protect nesting birds<sup>25</sup>. Taking this into account it is not likely that there will be any direct significant effects on the chough as a result of increased recreational disturbance. However, there is potential for indirect effects through recreational disturbance to the chough at their feeding grounds.

- 4.41 The CMP only identifies the Maritime Cliff and Crevice Vegetation feature as being susceptible to recreational pressure (localised impacts of climbing and coastering). The condition status of this feature was assessed as favourable: maintained in 2005. The level of development proposed in the LDP and Pembrokeshire County<sup>26</sup> including the promotion of tourism in the region through various strategies is unlikely to significantly increase this form of recreational activity (climbing and coastering) on the Maritime Cliff and Crevice Vegetation. The PCNP contains a range of alternative locations for climbing and coastering, such as at Abercastle and various other locations along the 258 miles of coastline. The climbing restrictions in place to protect the nesting birds will inherently help to protect certain areas of the Maritime Cliff and Crevice Vegetation from the impacts of climbing. Taking all these factors into account it is assessed that the Deposit LDP is not likely to have significant effects on the St David's SAC either alone or in-combination through increased recreational activity.

### *Air Quality*

- 4.42 The CMP identifies that the Maritime Heath "could be affected by airborne pollutants such as nitrous oxides from vehicle exhausts". The LDP proposes the development of 143 dwellings and 1.67ha of employment land in St David's and Solva which has the potential to increase traffic along the A487. The A487 is within 500m of the St David's SAC, however, based on Natural England advice to local authorities on traffic-related air pollution<sup>27</sup> and the HRA of the SE Plan<sup>28</sup>, it is generally considered that air pollution only needs to be considered at a site if a road carrying a significant proportion of new traffic related to the plan runs within 200 meters of a European site. The proposed level of development in the area is not likely to significantly increase the level of traffic along the A487.

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<sup>25</sup> PCNPA Website. Climbing. Available online:

<http://www.pcnpa.org.uk/website/default.asp?sid=186&CATID=2&InitApp=True>

<sup>26</sup> Pembrokeshire County Council LDP is still under development. Current known development and housing allocations are contained within the Adopted (2006) Joint Unitary Development Plan for Pembrokeshire. Available online:

[http://www.pembrokeshire.gov.uk/content.asp?nav=109&parent\\_directory\\_id=646&id=5058](http://www.pembrokeshire.gov.uk/content.asp?nav=109&parent_directory_id=646&id=5058)

<sup>27</sup> English Nature (16 May 2006) letter to Runneymede Borough Council, 'Conservation (Natural Habitats &c.) Regulations 1994, Runneymede Borough Council Local Development Framework'.

<sup>28</sup> Levett-Therivel (2006) Appropriate Assessment of the Draft South East Plan. Final Report.

- 4.43 Air Quality data shows that in 2003, nitrogen and sulphur deposition did not exceed critical loads at this site and it is estimated that by 2010 nitrogen and sulphur deposition will have decreased even further<sup>29</sup>. The condition status of the Maritime Heathland and Dry Heath is unfavourable recovering, mainly due to site level management issues such as grazing and gorse control. Given that the A487 is over 200m from the SAC and air quality at the site is expected to improve, it is not likely that the Deposit LDP will have significant effects on the St David's SAC alone through increased levels of airborne pollution. [The potential 'in-combination' effects from the emergent Pembrokeshire CC LDP cannot currently be assessed given that spatial development options have not been defined. However, potential issues should be considered in future assessments by the neighbouring authority, and through PCNP's wider LDP monitoring strategy.](#)

### Task 3: Developing Mitigation Measures (including initial avoidance)

- 4.44 The core aim of the Habitats Directive is to support the maintenance and promotion of biodiversity. Habitats Regulations Assessment provides the tool through which planners can ensure that they are meeting the commitments and legal requirements of the European and National legislation.
- 4.45 Following the more detailed AA it was determined that proposals in the Deposit LDP are not likely to have significant effects on the European sites considered. The AA considers that a sufficient level of mitigation is provided within the Deposit LDP policies to avoid any potential adverse effects on integrity. This takes into account that findings from the HRA Screening have been taken on board and incorporated as part of the LDP development prior to the AA stage [and that subsequent advice received from CCW on the findings of the AA stage have been incorporated into relevant LDP policies.](#)
- 4.46 The Deposit LDP contains strong policies in regard to sustainable design (Policy 17) and surface water drainage (Policy 20), will help to mitigate potential adverse impacts of development on the water environment. Within the supporting text of policy 17 it is stated that adequate sewage disposal facilities and surface water drainage capacity must be available before the development can be occupied. This provides effective policy mitigation to address issues raised at the screening stage that identified site allocations may not have adequate sewerage system capacity. The Deposit LDP also contains strong policies in regard to the protection of biodiversity and habitats, which have been linked to the visitor economy (Policy 23) through the special qualities of the Park (Policy 45). [The additional changes to policy noted at para 4.14 with regard to identified European Site sensitivities provide a robust framework to ensure compliance with the requirements of the Habitats Regulations.](#)

<sup>29</sup> APIS (Accessed on 21/01/09) Site Relevant Critical Loads for St David's SAC. Available online: <http://www.apis.ac.uk/>

#### Task 4: Findings and Recommendations

- 4.47 The assessment process has identified that for the majority of the European sites scoped into the AA, it is site level management issues & actions that are the most important factor in returning/ maintaining the designated features in a favourable condition (e.g. grazing regimes, scrub control, access restrictions). These site level management actions, coupled with the mitigation measures provided within the Deposit Plan policies [\(including those amendments and insertions made as a result of consultation advice from CCW\)](#), are assessed, in line with CCW's opinion as being sufficient to ensure that there will not be a significant effect on the integrity of the European Sites considered as a result of the spatial policy framework set by the PCNPA Deposit LDP.
- 4.48 The findings are based on a strategic level assessment in accordance with the requirements of plan level HRA and have taken into account: known environmental conditions; the actions of other plans implicated in protecting environmental condition; the potential effects other plans and programmes being implemented concurrently that may have an impact on European sites; and the nature and role of the PCNPA LDP Policies in delivering proposed spatial development.
- 4.49 The findings also reflect the iterative development of the LDP and changes to policy made as a result of screening recommendations and AA stage recommendations. Importantly, as identified through specific policy recommendations, this plan level HRA does not obviate the need for further HRA in lower planning tiers and it is recommended that this plan level work informs and supports project specific HRA where it is required. For example, in relation to the Pembrokeshire Bat Sites and Bosherton Lakes SAC , while the general area identified for development by the spatial plan will not have a significant effect on conservation objectives and site integrity, specific locations should be individually assessed by project level HRA.

#### Task 5: Consultation

- 4.50 As noted in Section One this report has been subject to consultation and advice from the Statutory Body CCW and is being made available for consultation alongside the LDP.

## 5.0 CONCLUSIONS/ FUTURE WORK

- 5.1 This report outlines the methods used and the findings arising from the Appropriate Assessment stage of the Habitats Regulations Assessment for PCNPA's Deposit LDP. The AA considered seven European sites in and around the plan area.
- 5.2 The results of the AA indicate that there will not be an adverse effect on the integrity of the European Sites considered, as the policies within the Deposit LDP (that include amendments made as a result of screening recommendations [and consultation advice received on the AA findings from the Statutory Body, CCW](#)) contain a sufficient level of protection to mitigate potential likely significant effects.
- 5.3 This HRA report is presented alongside the Deposit LDP as part of the evidence base for examination where it serves to provide a record of how the plan is consistent with Welsh Assembly and wider UK government/EU policy on biodiversity protection. The assessment should be revisited in the light of any significant changes to the plan.

### Monitoring

5.4 Monitoring is a central requirement of the new planning system and monitoring for biodiversity is an integral part of WAG Environment Strategy (2006) and wider UK biodiversity targets. Natura 2000 sites are, by definition, the key biodiversity resource within the plan area and monitoring should be undertaken to ensure that the core designations are supported.

5.4.5 The SA/SEA of the Deposit LDP sets out suggested indicators for biodiversity monitoring and it is appropriate that monitoring for HRA is aligned with the SA/SEA requirement and linked to the Annual Monitoring Report. In addition, it is appropriate that the LPD monitoring strategy reflects instances where compliance with the Habitats Regulations (e.g. through location/ project specific HRA in support of individual developments) affects the overall delivery of stated LDP targets for development.

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