

**Shadow Habitats Regulations Assessment of the Deposit Local Development Plan (Replacement) to 2031**

1. Pembrokeshire Coast National Park Authority is a competent authority under the Conservation of Habitats and Species Regulations 2017<sup>1</sup> (“the Habitats Regulations”). In accordance with Regulation 105 of those regulations, Pembrokeshire Coast National Park Authority must make an assessment of the Local Development Plan as a matter of law before it is adopted<sup>2</sup>. This assessment is generally referred to as a ‘Habitats Regulations Assessment’ (HRA) and the regulations set out a clearly defined step-wise process which must be followed.
2. A draft Habitats Regulations Assessment of the Local Development Plan (Replacement) to 2031 has been prepared by the consultancy DTA Ecology Ltd. The Habitats Regulations Assessment follows the guidance set out in The Habitats Regulations Assessment Handbook<sup>3</sup>, which is produced by DTA. Current subscribers to the Handbook include Natural Resources Wales and the Planning Inspectorate. The ‘Practical Guidance for the Assessment of Plans under the Regulations’ contained in Handbook is considered to represent best practice as it is accepted by both Natural Resources Wales and the Planning Inspectorate as appropriate for their own staff to follow.
3. The draft Habitats Regulation Assessment screens all the draft Local Development Plan policies and potential housing allocations in respect of the potential for likely significant effects upon any European site, either alone or in combination with other plans and projects.
4. Following a preliminary screening, six policies and six potential housing allocations were identified as potentially having a likely significant effect. Mitigation measures, in the form of suggested amendments to the wording of policies and/or supporting text, were identified in respect of all twelve of these Local Development Plan elements.
5. For example, the suggested amendments to the potential allocation text recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development coming forwards, and specifies that development proposals must demonstrate compliance with Local Development Plan Policy 10 (Sites and Species of European Importance).
6. Assuming the recommended mitigation measures are all accepted (proposed edits are incorporated in Appendix 1 (**draft Deposit Local Development Plan (replacement) for consultation**)) for Members to consider, it is possible to screen out all the policies from the need for further assessment. In the consultant’s opinion, the Local Development Plan (as amended by the proposed mitigation measures) would then have no likely significant effect either alone or in combination with other plans and projects and there would be no need for a subsequent appropriate assessment under the Habitats Regulations.

<sup>1</sup> The Conservation of Habitats and Species Regulations 2017 SI No 1012

<sup>2</sup> Refer regulation 105

<sup>3</sup> Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook*, November 2017 edition UK: [DTA Publications Ltd.](#)