

ADVICE TO PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY

Shadow Habitats Regulations Assessment of the Local Development Plan (replacement) – end date 2031

STATUS: CONSULTATION VERSION
(updated for *People Over Wind*)

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1 Relevant background and introduction

1.1 Relevant background

- 1.1.1 Pembrokeshire Coast National Park Authority (PCNPA) is preparing a replacement Local Development Plan. The Plan sets out the long term vision of the National Park and the objectives and land use policies needed to deliver that vision.
- 1.1.2 The LDP Document consists of 5 chapters as follows:
1. Introduction
 2. Where we are now – National Park Portrait
 3. Where we want to be – Vision and Objectives
 4. How we get there – Local Development Plan Strategy and Policies
 5. Monitoring
- 1.1.3 For the purpose of an initial screening exercise under the Habitats Regulations, chapters 1 and 2 provide primarily background and contextual information. Chapter 3 sets out the vision and objectives; each objective is considered further in chapter 4 where a series of policies are identified under each objective heading. Chapter 5 looks forward to monitoring of the Plan once it is implemented.
- 1.1.4 For the purpose of the screening work, whilst the entire Plan will be screened, it is chapters 3 and 4 which have the greatest potential to exert an influence over European sites and will be of most relevance.

1.2 Habitats Regulations of land use plans generally

- 1.2.1 PCNPA is a competent authority under the Conservation of Habitats and Species Regulations 2017¹, commonly referred to as the Habitats Regulations. In accordance with Regulation 105 of those regulations, PCNPA must make an assessment of their Local Development Plan as a matter of law before it is adopted². This assessment is generally referred to as a ‘Habitats Regulations Assessment’ or ‘HRA’ and the regulations set out a clearly defined step-wise process which must be followed.
- 1.2.2 Under the regulations, HRA is required in respect of both ‘plans’ and ‘projects’. Where a project is subject to assessment, there is generally sufficiently detailed *project specific* information against which to make a comprehensive assessment. A plan based assessment is different; in most cases a plan is a strategic level document setting out broad intentions and often lacking the project specific details which may not be developed until after the plan has been published. Indeed, it is the plan itself which frequently steers the detail of the projects which it envisages. As such the HRA of a ‘plan’ is recognised to require a different approach to that of a ‘project’.

¹ The Conservation of Habitats and Species Regulations 2017 SI No 1012 (replacing the 2010 Regulations and coming into force on 30th November 2017)

² Refer regulation 105

1.2.3 In the case of the EC v UK³ the European Court of Justice (the ECJ) required the UK Government to secure the assessment of Britain's land use plans under the provisions of the Habitats Directive. In that judgment the Advocate General, and the Court itself, recognised that although they considered Britain's land use plans could potentially have significant effects on European sites, despite the subsequent need for planning permission at 'project' level stage, the assessment of plans had to be tailored to the stage in plan making.

1.2.4 The Advocate General's opinion⁴ which informed the judgment of the court acknowledged the difficulties associated with an assessment of a plan. In paragraph 49 of her opinion Advocate General Kokott stated that adverse effects:

'...must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure.'

Consistently, in the UK High Court case of Feeney⁵ the judge said:

'Each appropriate assessment must be commensurate to the relative precision of the plans at any particular stage and no more. There does have to be an appropriate assessment at the Core Strategy stage, but such an assessment cannot do more than the level of detail of the strategy at that stage permits.'

1.2.5 In undertaking plan based HRAs, it is therefore important to get the balance right; too severe an approach may be excessive. Caution is required, even adopting a precautionary approach, not to assign a 'likely significant effect' to policies and proposals that could not, realistically, have such an effect, because of their general nature. It is important to apply the precautionary principle in the 'likely significant effect test' in the Regulations, but the European Commission in its own guidance on the application of the test⁶, accepts that policies in a plan that are no more than general policy statements or which express the general political will of an authority cannot be likely to have a significant effect on a site.

1.2.6 To include such policies or general proposals in a formal 'appropriate assessment' is likely to generate a considerable amount of abortive or unnecessary work. It could even lead to the plan failing the 'integrity test'. Not because, in practice, any policy or proposal might adversely affect the integrity of any European site, but because policies have been 'screened in' which generate no more than theoretical risks, or vague or hypothetical effects, and for which no meaningful assessment can be made at this stage, because no particular significant effect on any particular European site can actually be identified. Such an approach is not believed to be in the interests of the plan or the European sites. In the Boggis judgment⁷, the Court of Appeal ruled that there should be "*credible evidence that there was a real, rather than a hypothetical, risk*". What the assessment needs to concentrate on are those aspects of the plan that could, realistically, be likely to have a significant effect.

³ Case C-6/04: Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland judgment of the Court 20 October 2005.

⁴ Opinion of Advocate General Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland

⁵ Sean Feeney v Oxford City Council and the Secretary of State CLG para 92 of the judgment dated 24 October 2011 Case No CO/3797/2011, Neutral Citation [2011] EWHC 2699 Admin

⁶ European Commission, 2000, *Managing Natura 2000 Sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC* section 4.3.2 at http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_en.pdf

⁷ Peter Charles Boggis and Easton Bavants Conservation v Natural England and Waveney District Council, High Court of Justice Court of Appeal case C1/2009/0041/QBACF Citation No [2009] EWCA Civ. 1061 20th October 2009

1.2.7 Too lenient a view however can be equally problematic. For example, in respect of proposed mitigation measures, the intention to simply rely on a general European ‘site protection policy’ in the eventual plan would not form a compliant basis for the HRA. Reliance on a general European site safeguard policy as the ‘mitigation measure’ in the HRA of a plan is insufficient to resolve any tensions or conflicts in the plan between site protection and policies or proposals which could significantly affect European sites. In the EC v UK, the ECJ found that it was the requirement to determine planning applications in accordance with the development plan (unless material considerations indicate otherwise) that made Britain’s land use plans capable of significantly affecting European sites. Consequently, policies or proposals which could have a high potential for significant adverse effects on European sites should be removed from the plan, or policy-specific, or proposal-specific, mitigation measures must be introduced to the plan. This is in preference to a general protection policy which merely creates an internal conflict between plan policies, rather than avoiding the potentially significant effects. Any tension in the plan must be resolved in favour of protecting the European sites from harm which may be caused by the effects of the policies or proposals in the plan.

1.3 The HRA approach

- 1.3.1 This HRA follows the guidance set out in *The Habitats Regulations Assessment Handbook*⁸ (hereafter referred to as ‘The HRA Handbook’). 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 Part F is considered to represent best practice as it is accepted by both these bodies as appropriate for their own staff to follow.
- 1.3.2 This HRA has originally finalised in February 2018. In April 2018, prior to publication of the Deposit Local Plan Document, the Court of Justice of the European Union handed down their judgment in the case of *People Over Wind*⁹. This judgment had a profound effect on the methodology that had been widely accepted (and universally adopted by key statutory bodies in England and Wales). Prior to the ruling it had been established practice that competent authorities should take account of mitigation measures which had been incorporated into a plan or project when deciding whether it would have a likely significant effect. The court has now ruled that this is incorrect and that it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce harmful effects on a European site. **In September 2018 this HRA record was updated to take account of this ruling.**
- 1.3.3 The process and method of assessment is summarised in the following three diagrams which are taken from the HRA Handbook (and updated accordingly in response to *People Over Wind*). Figure 1.1 illustrates the statutory procedures required by the regulations. Figure 1.2 is an outline of the four stage approach to the HRA of plans; this report represents ‘stage 1’ in the diagram. Figure 1.3 illustrates how the HRA process is integrated into the plan making process.

⁸ Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook*, September 2018 edition UK: [DTA Publications Ltd](#).

⁹ Case C-323/17 Request for a preliminary ruling, *People Over Wind* and Peter Sweetman v Coillte Teoranta, 12th April 2018

Figure 1.1: Procedures required by regulations 63 and 105 of the Habitats Regulations

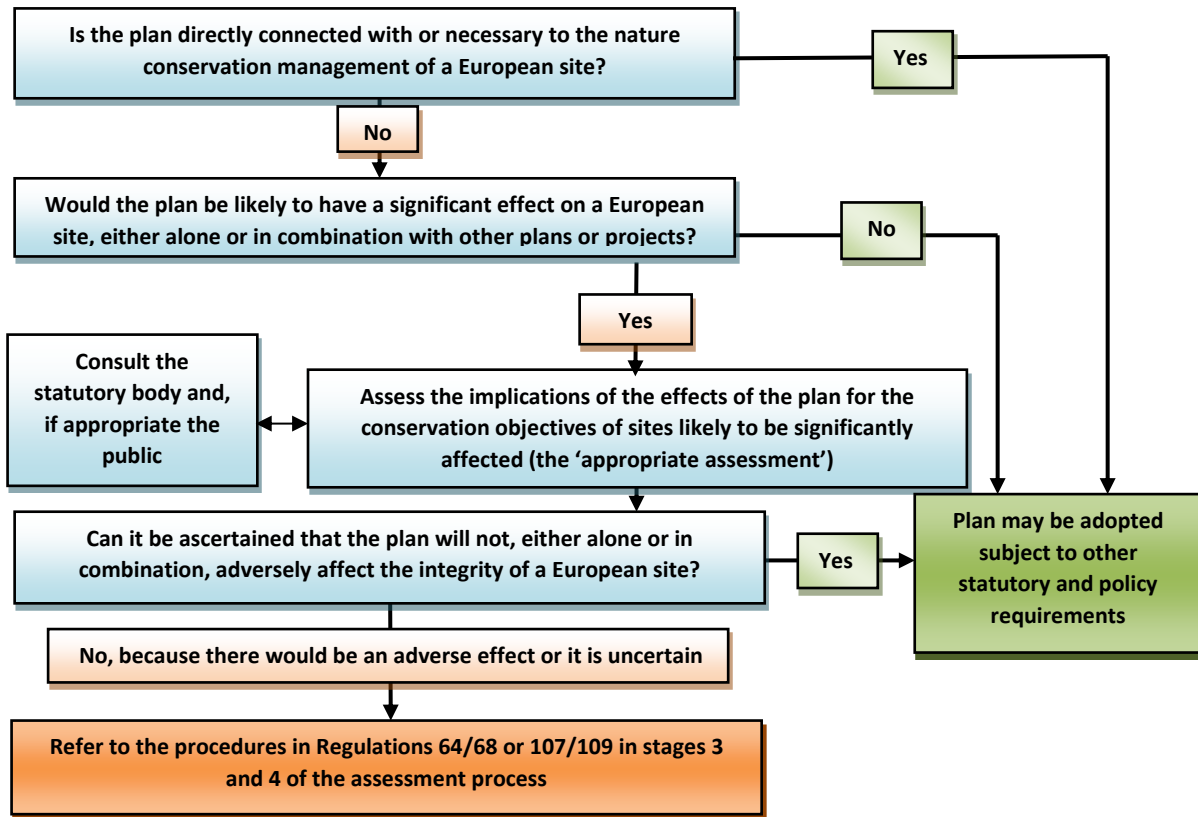


Figure 1.2

Outline of the four stage approach to the assessment of plans under the Habitats Regulations

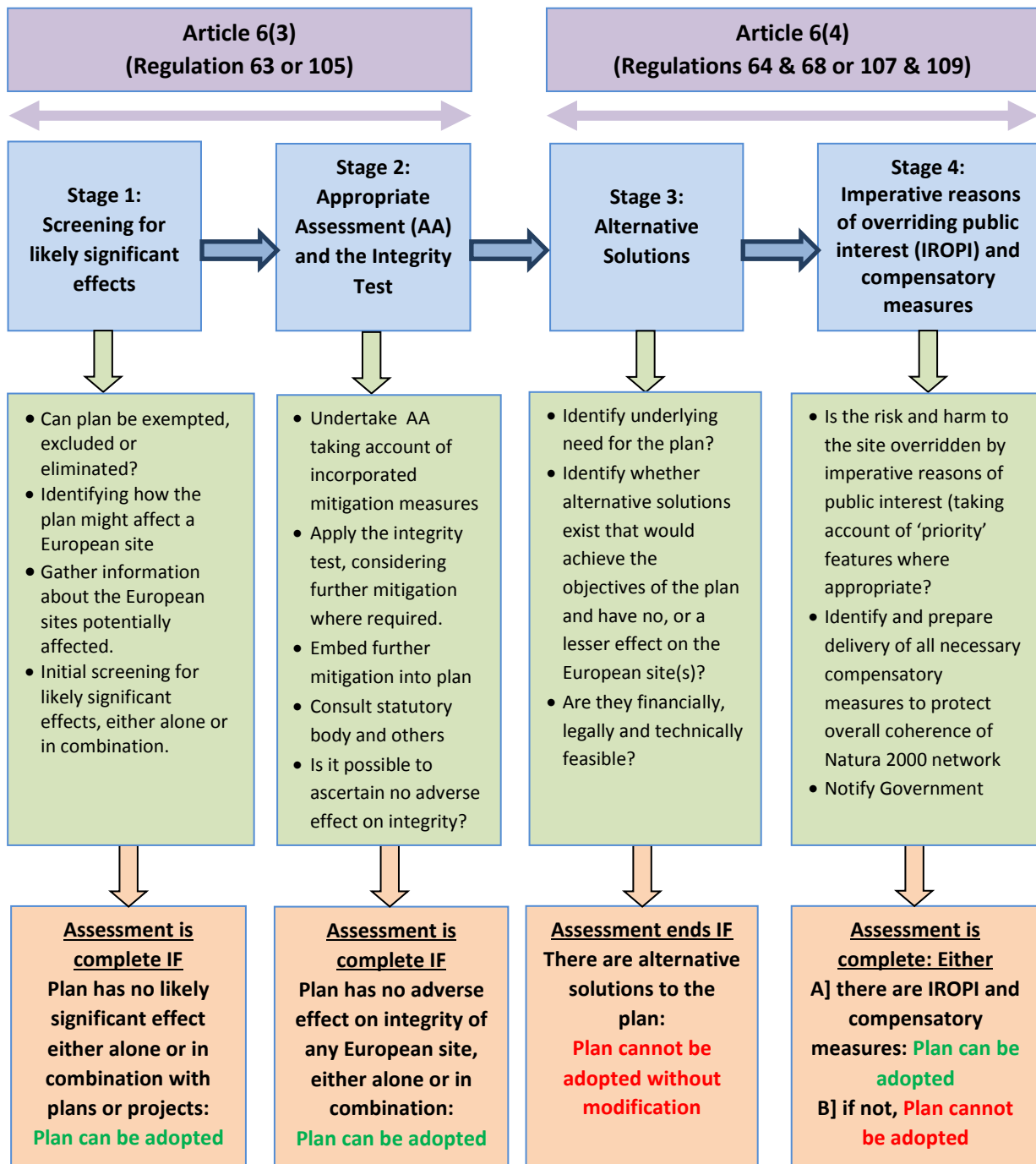
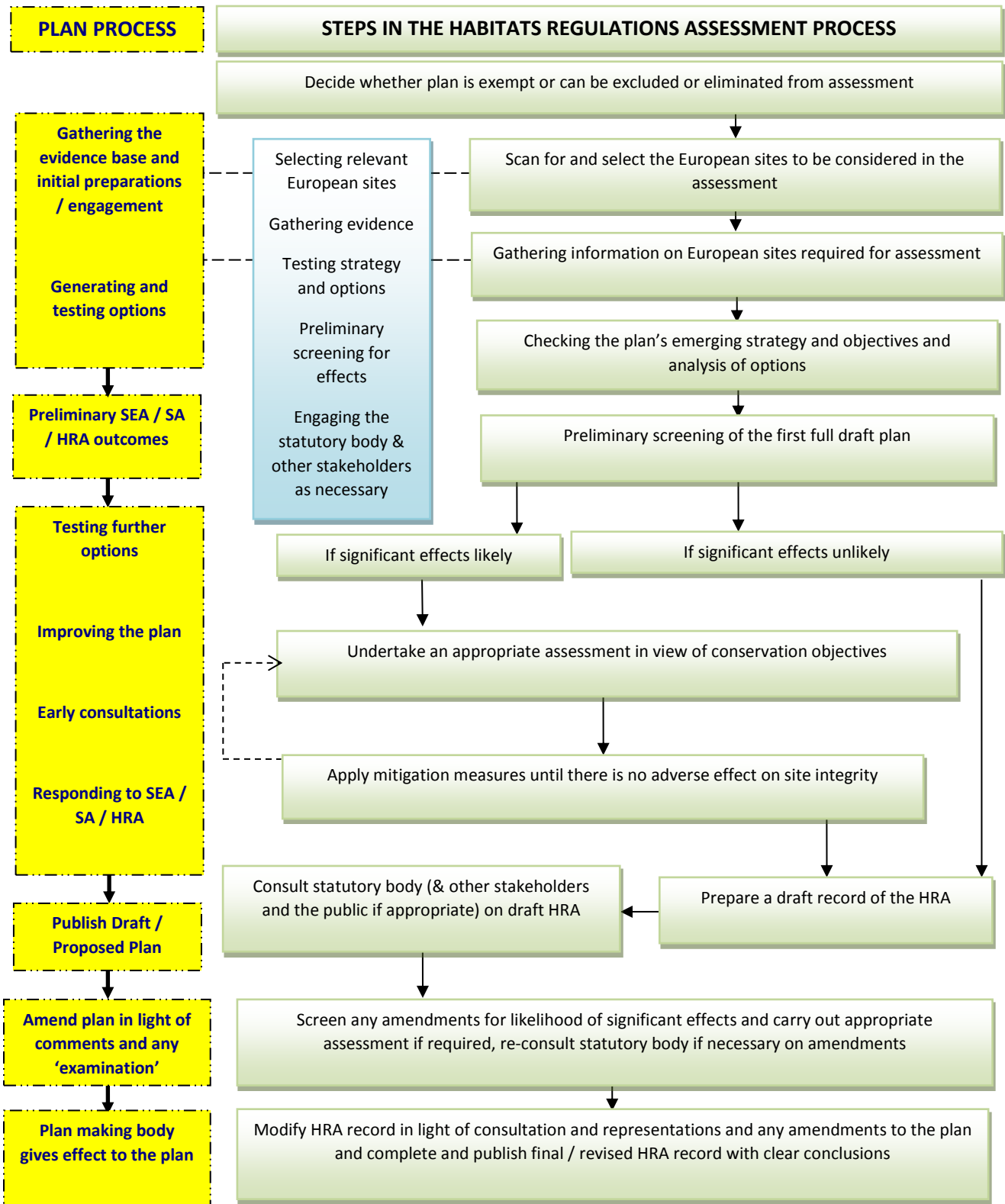


Figure 1.3: Relationship of steps in the Habitats Regulations Assessment with a typical plan making process



1.4 Scope of this assessment

- 1.4.1 This report is a *shadow* Habitats Regulations Assessment as required under regulation 105 of the Habitats Regulations. It is the responsibility of PCNPA as the competent authority to apply the specific legal tests and make the formal decisions which are required to be taken. This report sets out advice to PCNPA as to how a Habitats Regulations Assessment of the LDP might be completed. PCNPA, as the competent authority, are then able to adopt the conclusions and findings set out in this report, should they consider it appropriate to do so.

1.5 The Defra guidance on competent authority co-ordination

- 1.5.1 An important, but frequently overlooked, provision within the Habitats Regulations can be found at regulation 67 which reads as follows:

Co-ordination where more than one competent authority involved

67. (1) *This regulation applies where a plan or project—*
- (a) is undertaken by more than one competent authority;*
 - (b) requires the consent, permission or other authorisation of more than one competent authority; or*
 - (c) is undertaken by one or more competent authorities and requires the consent, permission or other authorisation of one or more other competent authorities.*
- (2) *Nothing in regulation 63(1) or 65(2) requires a competent authority to assess any implications of a plan or project which would be more appropriately assessed under that provision by another competent authority.*

- 1.5.2 In light of the significance of this provision for minimising duplication of assessment effort and increasing efficiency, in England Defra issued guidance on regulation 67¹⁰ (then regulation 65) under the provisions of 67(3); competent authorities are obliged to have regard to this guidance under the provisions of regulation 67(4). In the absence of equivalent guidance in Wales, the Welsh Government are supporting of the Defra guidance being relied on as best available information to satisfy the requirements of regulation 67.
- 1.5.3 It is recognised that, strictly speaking, the provisions of regulation 67 do not apply as a matter of law to the assessment requirements for this LDP Document, as it does not meet any of the three scenarios in regulation 67(1). However it is generally accepted¹¹ that paragraphs 5-7 of the Defra guidance should be applied widely as a matter of good practice. Paragraph 4 of the guidance refers to two situations where competent authorities might ‘co-ordinate’ their assessment requirements. The first scenario is of relevance to the current HRA as it states that ‘*where previous decisions have been taken in relation to the appropriate assessment requirements for a plan or project, competent authorities should adopt the parts of the earlier assessment that are robust and have not become outdated by further information or developments*’.

¹⁰ [Defra guidance on competent authority co-ordination](#), July 2012

¹¹ Refer section C.12 of The Habitats Regulations Assessment Handbook

1.5.4 Having introduced the concept of ‘adopting’ earlier decisions in order to ‘*simplify the assessment process and reduce its time and costs for both the applicant and the competent authorities involved*’¹², paragraphs 5-7 then provide specific further guidance on how and when a competent authority might adopt the reasoning or conclusions from an earlier assessment; they read as follows:

5. The Regulations transposing the Habitats Directive enable competent authorities to adopt the reasoning or conclusions of another competent authority as to whether a plan or project is likely to have a significant effect on a European site, or will adversely affect the integrity of a European site. They also provide that a competent authority is not required to assess any implications of a plan or project that would be more appropriately assessed by another competent authority’.

6. Competent authorities should adopt the reasoning, conclusion or assessment of another competent authority in relation to the appropriate assessment requirements for a plan or project, if they can. This can happen when all or part of the appropriate assessment requirements have already been met by another competent authority. It could also happen if one competent authority is completing all or part of the appropriate assessment requirements on behalf of others. Competent authorities remain responsible for ensuring their decisions are consistent with the Habitats Directive, so must be satisfied:

- *No additional material information has emerged, such as new environmental evidence or changes or developments to the plan or project, that means the reasoning, conclusion or assessment they are adopting has become out of date*
- *The analysis underpinning the reasoning, conclusion or assessment they are adopting is sufficiently rigorous and robust. This condition can be assumed to be met for a plan or project involving the consideration of technical matters if the reasoning, conclusion or assessment was undertaken or made by a competent authority with the necessary technical expertise.*

‘7. Due to these conditions there may be cases where it is not appropriate to adopt the reasoning, conclusions or assessment of another competent authority, or it is only appropriate to adopt some elements of an earlier assessment. In addition, even where the conditions are met, a competent authority may need to undertake additional work to supplement the assessment they have adopted in order to meet the full appropriate assessment requirements.’

1.5.5 The application and implications of the Defra guidance has been considered in detail within Part C12 of the HRA Handbook which refers to a ‘common sense’ approach at C.12.3 and states that:

‘In respect of ‘earlier decisions’ that relate to a separate plan or project, the competent authorities do not need to ‘coordinate’, because only one authority has a decision to take... However, the principles set out in the Defra statutory guidance, about adopting the reasoning and conclusions of another authority may be applicable and should be adopted as good practice. ‘Earlier decisions’ that relate to

¹² Refer para 2 of the Defra guidance

a separate plan or project could be separated by short, or relatively long, periods of time. The point is that the earlier decision is made before the later competent authority embarks on its assessment'

In the context of this assessment it is appropriate for PCNPA to 'adopt' the reasoning, conclusion or assessment of relevant earlier (or 'previous') HRA findings if they can.

Earlier relevant HRA assessments

HRA of the earlier version of the Local Plan

1.5.6 The earlier version of the Local Development Plan was itself subject to HRA¹³. There are elements of the 'reasoning' contained within this earlier assessment, such as the supporting justification as to the selection of European sites which should be subject to assessment which would apply equally to this HRA. Where appropriate therefore, this assessment 'adopts' some of the underlying reasoning from the earlier HRA of the previous LDP where:

- No material information has emerged which would render the reasoning 'out of date', and
- The analysis underpinning the reasoning is sufficiently rigorous and robust

HRA of the Pembrokeshire Coast National Park Authority Management Plan

1.5.7 PCNPA have also produced a HRA in respect of their 2009-2013 Management Plan¹⁴, and took a proportionate approach to screening the 2015-2019 Management Plan¹⁵ (para 3.2.14 of the Management Plan). Where appropriate this assessment will also seek to 'adopt' the assessment, reasoning or conclusions from this HRA work.

HRA of the Dŵr Cymru Welsh Water Water Resources Management Plan

1.5.8 Dŵr Cymru Welsh Water (DCWW) has produced a Water Resources Management Plan 2015-2040¹⁶. This plan covers the entire LDP plan period and was subject to HRA¹⁷ in its own right. The findings of this HRA are therefore highly relevant to an assessment under this HRA of the effects that might be associated with water supply to new development.

HRA of the Shoreline Management Plans

1.5.9 The LDP also includes reference to proposals in respect of flooding and coastal inundation. These sections refer to work to be undertaken in accordance with relevant Shoreline Management Plans and it is therefore relevant that these plans will have also been subject to HRA. Where appropriate therefore, this assessment will 'adopt' the findings of this associated HRA work.

¹³ http://www.pembrokeshirecoast.wales/Files/Files/dev%20plans/HRA_Report_Adoption.pdf

¹⁴ Habitats Regulations Assessment Screening Report PCNPA National Park Management Plan, Dec 2008

¹⁵

[http://www.pembrokeshirecoast.wales/Files/files/Management%20Plan/Final%20Management%20Plan%202015-19/National%20Park%20Management%20Plan%202015-2019%20\(Eng\)%20www.pdf](http://www.pembrokeshirecoast.wales/Files/files/Management%20Plan/Final%20Management%20Plan%202015-19/National%20Park%20Management%20Plan%202015-2019%20(Eng)%20www.pdf)

¹⁶ <http://www.dwrcymru.com/en/Environment/Water-Resources/Water-Resource-Management-Plan.aspx>

¹⁷ <http://www.dwrcymru.com/en/Environment/Water-Resources/RDWRMP-2014-SEA-and-HRA.aspx>

Review of Consents work for NRW consented sewage treatment works

1.5.10 NRW (formerly Environment Agency Wales) has reviewed all their consents under the Habitats Regulations in response to the review provisions set out in regulation 65. This review assessed the works on the basis of them operating at maximum consented capacity. Where appropriate therefore, this assessment will 'adopt' the findings of this associated HRA work.

2 Identification of European sites potentially affected

2.1 Scanning and site selection

- 2.1.1 The HRA of the first version of the Local Development Plan identified the European sites potentially at risk from the implementation of the Plan. It follows that, as this LDP Document is directly related to potential effect mechanisms which can reasonably be anticipated to arise from the new Plan the ‘reasoning’ for the selection of sites potentially affected can be ‘adopted’ for the purpose of this HRA.
- 2.1.2 With reference to Appendix 2 of the earlier LDP HRA Screening Report, eighteen sites were initially identified for screening. The European sites for which effects which are considered to represent a credible risk, and which should therefore be considered as part of the preliminary screening, are those listed in Appendix 2 of the HRA LDP and summarised in table 2.1 below.

Table 2.1 European Sites already identified in HRA of earlier plan	
European Sites within the Plan area	
1	Cardigan Bay SAC
2	Carmarthen Bay and Estuaries SAC/SPA/Ramsar
3	Castlemartin Coast SPA
4	Cleddau Rivers SAC
5	Gweunydd Blaencleddau SAC
6	Grassholm SPA
7	Limestone Coast of South West Wales SAC
8	North Pembrokeshire Woodlands SAC
9	North West Pembrokeshire Commons SAC
10	Pembrokeshire Bat Sites and Bosherton Lakes SAC
11	Pembrokeshire Marine SAC
12	Preseli SAC
13	Ramsey and St David’s Peninsula Coast SPA
14	Skokholm and Skomer SPA
15	St David’s SAC
European Sites beyond the Plan area	
16	Carmarthen Bay Dunes SAC
17	River Teifi SAC
18	Yerbeston Tops SAC

- 2.1.3 Whilst this list provide a good starting point, it is necessary to recognise that the previous HRA was undertaken in 2009 (revised in 2010) meaning it is therefore appropriate to check for any additional sites which may have been designated or classified since this earlier HRA work was undertaken. In addition to the sites identified above the following sites have also been identified as potentially relevant bring the overall site list up to 20.

Table 2.2: Additional sites to add to the list	
European Sites within the Plan area	
19	West Wales Marine cSAC
--	Skomer, Skokholm and the Seas off Pembrokeshire SPA (extension to site 14 above)
20	Bristol Channel Approaches cSAC

2.1.4 Information on the sites and their qualifying features can be found within Appendix 1.

2.1.5 Having identified the sites that are within (or adjacent) to the Plan area, the next step is to identify the potential impact mechanisms through which the Plan might exert an influence over the sites identified, and hence identify which of the 20 sites need to be subject to further assessment. This is of particular importance where, as is the case here, a large number of sites have been identified within the Plan area. Part F.4.2 of the HRA Handbook recognises:

'...scanning for relevant sites potentially affected (and then selecting those which will need to be considered in respect of the plan's effects) is not always a straightforward process. It is important to ensure all sites potentially adversely affected are considered to a sufficient degree, but it is equally important to avoid unnecessary or excessive data gathering about sites that would either not be affected at all, or in respect of which there are only theoretical risks. This will help to keep the assessment proportional to the residual risk of significant effects.'

2.1.6 The HRA Handbook continues:

'It is acknowledged that in plan assessment or in considering options at an early stage the scanning and selection process may need to be quite 'coarse grained', due to the lack of information about the precise nature of what may be proposed in the plan and how it might affect the qualifying features.'

As a general guide, and subject to case-by-case analysis by an ecological adviser, as necessary, the sites described in the Scanning and Site Selection List in Figure F.4.4 at the end of this section, are likely to be relevant. In almost all cases a scan of such sites will enable an appropriate 'short-list' of sites potentially affected to be drawn up, from which the final list of sites to be included in the assessment can be selected after considering the relevant information. Selection of the sites is an iterative process, considering and reconsidering information and effects as understanding and information improve, until there is a satisfactory degree of confidence that all sites potentially adversely affected have been selected....'

... If there is no causal connection or link between the plan's proposals and the site's qualifying features there cannot be an effect. If there is a 'theoretical' pathway, or 'hypothetical' cause, but in practice there is no credible evidence of a real rather than a hypothetical link to the site, it cannot be regarded as being potentially significant, either alone or in combination with other plans or projects. There is no point including that supposition in further assessment.'

2.1.7 It is therefore important, before embarking on a detailed assessment of all 20 sites listed above, to identify those sites where there is credible evidence of a real risk sites from the adoption of the Plan as currently drafted. Whilst there are many European sites within the Plan area, it may be fairly straightforward to exclude sites based on a common sense approach which recognises the credible evidence for real risks which are likely to arise in view of the sensitivity of the site and its qualifying features. This will help to focus later steps in the assessment and minimise unnecessary assessment effort.

2.1.8 Table 2.3 below is a completed 'scanning and site selection' list referred to in the extract of the HRA Handbook quoted above (figure F.4.4 of the Handbook) to inform this sifting process.

Table 2.3: Scanning and site selection list		
Types of plan	Sites to scan for and check	Names of sites selected
1. All plans (terrestrial, coastal and marine)	Sites within the geographic area covered by or intended to be relevant to the plan	Sites 1-15 and 19-20 from list above
2. Plans that could affect the aquatic environment	Sites upstream or downstream of the plan area in the case of river or estuary sites	Carmarthen Bay & Estuaries SAC/SPA Cleddau Rivers SAC Pembrokeshire Bat Sites & Bosherton Lakes SAC
	Open water, peatland, fen, marsh and other wetland sites with relevant hydrological links to land within the plan area, irrespective of distance from the plan area	Cleddau Rivers SAC Gweunydd Blaencleddau SAC North Pembrokeshire Woodlands SAC Pembrokeshire Bat Sites and Bosherton Lakes SAC Preseli SAC River Teifi SAC
3. Plans that could affect the marine environment	Sites that could be affected by changes in water quality, currents or flows; or effects on the inter-tidal or sub-tidal areas or the sea bed, or marine species	Bristol Channel Approaches SAC Cardigan Bay SAC Carmarthen Bay & Estuaries SAC/SPA Castlemartin Coast SPA Grassholm SPA Limestone Coast of SW Wales SAC Pembrokeshire Marine SAC Ramsey and St David's Peninsula SPA Skomer, Skokholm and the Seas off Pembrokeshire Coast SPA St David's SAC West Wales Marine SAC
4. Plans that could affect the coast	Sites in the same coastal 'cell', or part of the same coastal ecosystem, or where there are interrelationships with or between different physical coastal processes	Bristol Channel Approaches SAC Cardigan Bay SAC Carmarthen Bay & Estuaries SAC/SPA Castlemartin Coast SPA Grassholm SPA Limestone Coast of SW Wales SAC Pembrokeshire Marine SAC Ramsey and St David's Peninsula SPA Skomer, Skokholm and the Seas off Pembrokeshire Coast SPA St David's SAC West Wales Marine SAC

Table 2.3: Scanning and site selection list

Types of plan	Sites to scan for and check	Names of sites selected
5. Plans that could affect mobile species	Sites whose qualifying features include mobile species which may be affected by the plan irrespective of the location of the plan's proposals or whether the species would be in or out of the site when they might be affected	Bristol Channel Approaches SAC Cardigan Bay SAC Cleddau Rivers SAC Carmarthen Bay & Estuaries SAC/SPA Castlemartin Coast SPA Grassholm SPA Limestone Coast of SW Wales SAC North Pembrokeshire Woodlands SAC Pembrokeshire Bat Sites and Bosherton Lakes SAC Pembrokeshire Marine SAC Ramsey and St David's Peninsula SPA Skomer, Skokholm and the Seas off Pembrokeshire Coast SPA West Wales Marine SAC
6. Plans that could increase recreational pressure on European sites potentially vulnerable or sensitive to such pressure	Such European sites in the plan area	Bristol Channel Approaches SAC Cardigan Bay SAC Carmarthen Bay & Estuaries SAC/SPA Cleddau Rivers SAC Pembrokeshire Bat Sites and Bosherton Lakes SAC Skomer, Skokholm and the Seas off Pembrokeshire Coast SPA West Wales Marine SAC
	Such European sites within an agreed zone of influence or other reasonable and evidence-based travel distance of the plan area boundaries that may be affected by local recreational or other visitor pressure from within the plan area	Carmarthen Bay Dunes SAC
	Such European sites within an agreed zone of influence or other evidence-based longer travel distance of the plan area, which are major (regional or national) visitor attractions such as European sites which are National Nature Reserves where public visiting is promoted, sites in National Parks, coastal sites and sites in other major tourist or visitor destinations	None
7. Plans that would increase the amount of development	Sites in the plan area or beyond that are used for, or could be affected by, water abstraction irrespective of distance from the plan area	Cleddau Rivers SAC Gweunydd Blaencleddau SAC Limestone Coast of SW Wales SAC North Pembrokeshire Woodlands SAC Pembrokeshire Bat Sites and Bosherton Lakes SAC Preseli SAC St David's SAC River Teifi Carmarthen Bay Dunes SAC

Table 2.3: Scanning and site selection list		
Types of plan	Sites to scan for and check	Names of sites selected
	Sites used for, or could be affected by, discharge of effluent from waste water treatment works or other waste management streams serving the plan area, irrespective of distance from the plan area	Carmarthen Bay & Estuaries SAC/SPA Cleddau Rivers SAC Pembrokeshire Bat Sites and Bosherton Lakes SAC Pembrokeshire Marine SAC River Teifi SAC
	Sites that could be affected by the provision of new or extended transport or other infrastructure	None
	Sites that could be affected by increased deposition of air pollutants arising from the proposals, including emissions from significant increases in traffic	None: Coastal sites are generally not sensitive to air pollution. The scale of development and generally remote location of non-coastal sites means there is no credible evidence that air pollution is a real risk from this plan.
8. Plans for linear developments or infrastructure	Sites within a specified distance from the centre line of the proposed route (or alternative routes), the distance may be varied for differing types of site / qualifying features and in the absence of established good practice standards, distance(s) to be agreed by the statutory nature conservation body	None
9. Plans that introduce new activities or new uses into the marine, coastal or terrestrial environment	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the new activities proposed by the plan	None (no such 'new' uses introduced by the Plan)
10. Plans that could change the nature, area, extent, intensity, density, timing or scale of existing activities or uses	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the changes to existing activities proposed by the plan	None (recreational/leisure uses covered at 6 above)
11. Plans that could change the quantity, quality, timing, treatment or mitigation of emissions or discharges to air, water or soil	Sites considered to have qualifying features potentially vulnerable or sensitive to the changes in emissions or discharges that could arise as a result of the plan	None
12. Plans that could change the quantity, volume, timing, rate, or other characteristics of biological resources harvested, extracted or consumed	Sites whose qualifying features include the biological resources which the plan may affect, or whose qualifying features depend on the biological resources which the plan may affect, for example as prey species or supporting habitat or which may be disturbed by the harvesting, extraction or consumption	None

Table 2.3: Scanning and site selection list		
Types of plan	Sites to scan for and check	Names of sites selected
13. Plans that could change the quantity, volume, timing, rate, or other characteristics of physical resources extracted or consumed	Sites whose qualifying features rely on the non-biological resources which the plan may affect, for example, as habitat or a physical environment on which habitat may develop or which may be disturbed by the extraction or consumption	None
14. Plans which could introduce or increase, or alter the timing, nature or location of disturbance to species	Sites whose qualifying features are considered to be potentially sensitive to disturbance, for example as a result of noise, activity or movement, or the presence of disturbing features that could be brought about by the plan	None (disturbance from recreational pressure covered at 6 above)
15. Plans which could introduce or increase or change the timing, nature or location of light or noise pollution	Sites whose qualifying features are considered to be potentially sensitive to the effects of changes in light or noise that could be brought about by the plan	None
16. Plans which could introduce or increase a potential cause of mortality of species	Sites whose qualifying features are considered to be potentially sensitive to the source of new or increased mortality that could be brought about by the plan	None (disturbance issues covered at 6 above)

2.1.9 The scanning and site selection table has identified six potential mechanisms through which the Plan might exert an influence over European sites which are summarised below.

Potential effects	Further comment
Effects upon the aquatic environment	This covers <u>direct</u> impacts upon the aquatic environment from contamination of surface water, changes in flow regime. Such effects are generally limited to proposals in close proximity to the site (and excludes indirect impacts from water supply and disposal of wastewater which are covered separately).
Effects upon the marine environment	This covers <u>direct</u> impacts upon the marine environment. Such effects are generally limited to proposals in close proximity to the site (and excludes indirect impacts from water supply and disposal of wastewater which are covered separately).
Effects upon the coast	This includes <u>direct</u> impacts upon coastal processes. Such effects are generally limited to proposals in close proximity to the site.
Effects on Mobile species	This recognises the potential for species to be impacted within land or sea out-with the boundary of a designated site, but functionally connected to the population for which the site has been designated.
Recreational pressure	This impact mechanism is directly related to general increases in housing development and associated increases in recreational pressure from new residents moving into an area.
Water supply/disposal of wastewater	This impact mechanism is directly related to general increases in housing development and associated increases in demand for water and treatment of wastewater from new residents moving into an area.

3 Screening the LDP Document for likely significant effect

3.1 An introduction to screening

- 3.1.1 Having identified the sites which might potentially be affected by aspects of the LDP Document, the first stage in the HRA process is commonly referred to as the 'screening' stage.
- 3.1.2 'Screening' is not a term used in the Directive or Regulations but is widely used for convenience to describe the first step of the HRA process. The purpose of the screening stage is to consider each aspect of the Plan and identify whether it is:
- a) Exempt from the need for assessment (where a plan is directly connected with or necessary for the management of the European site concerned)
 - b) Excluded from the need for assessment (where a document under consideration is not a 'plan' within the context of the Habitats Regulations)
 - c) Eliminated from the need for assessment (where it is obvious from the beginning that there is no conceivable effect upon any European sites)
 - d) Subject to assessment and screened out from further consideration (that is the case where an aspect of the plan is considered not 'likely to have a significant effect on a European site, either alone or in combination with other plans and projects')
 - e) Subject to assessment and screened in for further assessment (that is the case where an aspect of the plan is considered 'likely to have a significant effect on a European site, either alone or in combination with other plans and projects')
- 3.1.3 For aspects of the Plan which are subject to assessment, the screening test requires a decision to be made as to whether that aspect of the Plan has a 'likely significant effect, either alone or in combination with other plans and projects', or not.
- 3.1.4 The HRA Handbook contains further guidance regarding this practical interpretation of this step, with reference to case law and government guidance. Section C.7.1 sets out a series of principles relevant to the screening decision; key extracts are set out below:
- *As a result of European case law in Waddenzee, irrespective of the normal English meaning of 'likely', in this statutory context a 'likely significant effect' is a possible significant effect; one whose occurrence cannot be excluded on the basis of objective information. In this context it is permissible to ask whether a plan or project 'may have a significant effect'...(principle 3)*
 - *A significant effect is any effect that would undermine the conservation objectives for a European site... (principle 4)*
 - *An effect which would not be significant can properly be described as : as 'insignificant effect'; or a 'deminimis effect; or a 'trivial effect'; or as having 'no appreciable effect'; but it is important to bear in mind that, in this context, all the terms are synonymous and are being used to describe effects which would not undermine the conservation objectives'....(principle 8)*
 - *'Objective', in this context, means clear verifiable fact rather than subjective opinion. It will not normally be sufficient for an applicant merely to assert that the plan or project*

will not have an adverse effect on a site, nor will it be appropriate for a competent authority to rely on reassurances based on supposition or speculation. On the other hand, there should be credible evidence to show that there is a real rather than a hypothetical risk of effects that could undermine the site’s conservation objectives. Any serious possibility of a risk that the conservation objectives might be undermined should trigger an ‘appropriate assessment’ (principle 11).

3.2 Screening the introductory chapters

- 3.2.1 Chapters 1 & 2 of the LDP Document are entirely comprised of introductory text and contextual information. These parts of the document are factual and not proposing any change *per se*, and cannot conceivably have any effects on a European site and are screened out of further assessment.

Element of the Plan	Assessment and reasoning	Screening conclusion
Chapter 1: Introduction	Administrative text	Screened out
Chapter 2: Where we are now	Background/Context	Screened out

3.3 Screening the vision and objectives

- 3.3.1 Chapter 3 of the LDP sets out the Plan’s vision and objectives. Sections F.6.2.2 and F.6.2.3 of the HRA Handbook refer to a plan-maker’s vision and objectives in the following terms:

‘Some plans include a ‘vision’ of how the plan-making body would wish to see the state of the subject area or topic of the plan at some point in the future. Whilst not entirely excluding the possibility of a plan’s vision being the driver of a significant effect on a European site, it is likely that this ‘vision’ or similar ‘aspiration’ can be screened out as a ‘general aspiration’. Even if the general aspiration is the driver of a potential effect, it is likely that the plan will contain a more specific policy or proposal that would be the better target for assessment...

The screening process will progress to look at the plan’s overall goal and objectives. As discussed above, it is possible that the goals and objectives are the drivers for the possibility of a significant effect on a European site, but in most cases, it will be subsequent, more detailed policies or proposals that would have such implications, rather than the general goals or objectives. In most cases the general goals and objectives will be screened out, either because they will have no effect at all, or because they are general statements which are too vague to have a significant effect on a particular site. Even if they are the driver of the potential effect, it is likely that the plan will contain a more specific policy or proposal that would be the better target for assessment.’

- 3.3.2 The vision and objective for the Pembrokeshire Coast National Park set out general, high level, aims and aspirations. Even though these aspirations may be drivers for change provided for in later policies, it is the policies themselves which are the focus of the assessment under HRA. The vision and objectives are therefore screened as follows:

Table 3.2: Screening the Plan's vision and objectives		
Element of the Plan	Assessment and reasoning	Screening conclusion
Vision	A general aspiration	Screened out
Objective A. Special Qualities	General statement of objectives	Screened out
Objective B. Major development, the potential for growth	Possibly a driver of potential effects but implications assessed under later policies	Screened out
Objective C. Climate change, sustainable design, renewable energy, flooding	General statement of objectives	Screened out
Objective D. Visitor economy, employment and rural diversification	General statement of objectives	Screened out
Objective E. Affordable housing and housing growth	Possibly a driver of potential effects but implications assessed under later policies	Screened out
Objective F. Community facilities	General statement of objectives	Screened out

3.4 Screening the Local Plan Policies

3.4.1 The LDP Document then continues in chapter 4 to set out 61 detailed policies under the 6 objective headings. In accordance with the approach adopted for this assessment (refer 1.3 above) a list of 'screening categories' have been used to provide a rigorous and transparent approach to the screening process. These categories are taken from Part F of the HRA Handbook and are as follows:

- A. General statement of policy / general aspiration (screened out).
- B. Policy listing general criteria for testing the acceptability / sustainability of proposals (screened out).
- C. Proposal referred to but not proposed by the plan (screened out).
- D. Environmental protection / site safeguarding policy (screened out).
- E. Policies or proposals which steer change in such a way as to protect European sites from adverse effects (screened out).
- F. Policy that cannot lead to development or other change (screened out).
- G. Policy or proposal that could not have any conceivable effect on a site (screened out).
- H. Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects) (screened out).
- I. Policy or proposal with a likely significant effect on a site alone (screened in)
- J. Policy or proposal with an effect on a site but not likely to be significant alone, so need to check for likely significant effects in combination
- K. Policy or proposal not likely to have a significant effect either alone or in combination (screened out after the in combination test).
- L. Policy or proposal likely to have a significant effect in combination (screened in after the in combination test).

3.4.2 All 61 policies were screened against these categories and detailed policy based conclusions are provided in Appendix 2.

3.4.3 Appendix 2 sets out the justification for the screening conclusions for all policies (with the exception of policy 48 ‘housing allocations’ which was screened separately in Appendix 3). The results of the preliminary screening work are presented in table 3.3 below:

Table 3.3: Summary of preliminary screening conclusions of the Plan policies	
Screening category	Policies screened
A: General Statement of policy / general aspiration (screened out)	1, 14, 17, 27, 30, 47
B: Policy listing general criteria for testing the acceptability /sustainability of proposals (screened out)	7, 20, 22, 23, 25, 26, 28, 34, 36, 37, 38, 40, 41, 42, 43, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61
C: Proposals referred to but not proposed by the plan (screened out)	35
D: Environmental protection / site safeguarding policies (screened out)	8, 9, 12, 13, 15, 16, 31, 32, 33, 10
E: Policies which steer change in such a way to protect European sites from adverse effects (screened out)	10, 11
F: Policy that cannot lead to development or other change (screened out)	2, 3, 4, 5, 6, 7, 21, 44,
G: Policy which could not have any conceivable effect on a site (screened out)	6, 21, 44, 49, 53
H: Policy for which the (actual or theoretical) effects cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects) (screened out)	25, 28, 34, 36, 37, 38, 41, 42, 43, 45, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61
I: Policy of proposal likely to have a significant effect on a site alone (screened in)	18, 19, 24, 29, 39, 46

3.5 Screening the potential housing allocations (for policy 48)

3.5.1 Prior to undertaking the screening work for each potential housing allocation, it is appropriate to recognise that certain potential effect mechanisms can be assessed at a strategic level. Water supply and wastewater disposal is dealt with by Welsh Water through mains water supply and sewerage connections. The supply of water for a given housing development might be sourced from a public water supply located at some distance from the development itself; likewise a sewage treatment works might be distant from the housing it serves.

3.5.2 The supply of water and the treatment of wastewater are consented activities and, as set out in 1.5 above, are subject to regulatory control by Natural Resources Wales. The sewage treatment works to which new housing will connect have already been subject to some form of assessment under the Habitats Regulations (refer para 1.5.10). Likewise, DCWW’s Water Resource Management Plan (WRMP) has already considered the water supply requirements associated with predicted growth across Wales, and this WRMP was itself subject to HRA (refer para 1.5.9).

- 3.5.3 In view of related earlier HRA assessment effort, and having regard to the guidance on competent authority co-ordination, water supply and wastewater disposal are considered at a plan level in 3.6 and 3.7 below.
- 3.5.4 General increases on baseline population can also be considered at a strategic level in terms of recreational pressure across the park. Localised recreational effects are considered for each potential allocation at Appendix 3 but the overall level of growth is considered strategically at 3.8 below.

3.6 Risks from water supply

- 3.6.1 The DCWW WRMP¹⁸ covers the period 2015-2040 and describes how DCWW intend to maintain water supplies to all their customers. The WRMP explicitly recognises the risks to European sites from water abstraction, as identified through the NRW review of consents process. Section 1.2 on page 15 states:

'In preparing this plan we have taken account of a range of issues; however there are two particularly significant issues which impact on water resource availability. These are:

- *Most significant of all, is the result of the NRW 'Review of Consents' (RoC) exercise, undertaken in light of the Habitats Directive...*

- 3.6.2 The WRMP then continues on page 16:

Under the Habitats Directive we must have measures agreed and within our abstraction licences to protect those rivers designated as 'Special Areas of Conservation' (SACs) by December 2015. To deal with the impact of this our Plan therefore:

- *Sets out the investments required to support the Plan, and specifically those required to allow any reductions in our abstraction licences, such that they can be included in our future business planning. These come to circa £9m of capital investment, with an associated annual running cost of up to £0.5m. Further investment in excess of £20m will also be required to improve our water infrastructure to maintain water quality under the differing abstraction regimes, and to meet the detailed requirements of the licences. These have all been included in our regulatory price review proposals for 2015-20, known as PR14.*
- *Confirms that we will work closely with our regulators and stakeholders to agree licence modifications by April 2014 for incorporation into our licences by December 2014, which will take effect in April 2018.*

- 3.6.3 The Pembrokeshire Coast National Park is largely located within the Pembrokeshire water resource zone, with the northern part of the National Park (Preseli Hills and the coastline between Fishguard and Cardigan) being located within the Mid and South Ceredigion water resource zone. There is a surplus supply for the Mid and South Ceredigion zone but a deficit is predicted for Pembrokeshire. The plan states:

¹⁸ <http://www.dwrcymru.com/en/Environment/Water-Resources/Water-Resource-Management-Plan.aspx>

*‘For **Pembrokeshire**, where the deficit has been driven by the significant impact of the ‘Review of Consents’ and the potential impacts of climate change, our environmental study work has confirmed the level of licence reductions that might be required on the Eastern Cleddau. These will take effect from April 2018, and will require a transfer of raw water from Llys y Fran reservoir to Preseli WTW of 3.6MI/d after 2018. We will also need to import water from the adjacent Tywi Conjunctive Use System (Tywi CUS), carry out further leakage reduction of circa 4MI/d by 2024; and reinstate Milton boreholes (c2.5MI/d) to maintain a supply demand balance through to 2040.’*

- 3.6.4 Based on predicted population growth (including that within the PCNPA) the WRMP predicts a deficit of 11.98MI/d within the Pembrokeshire resource zone under the annual average planning scenario by 2039/40. Section 13.5 of the WRMP sets out various options as to how the zonal deficit will be met. Paragraph 13.5.4 states that:

‘The preferred solution is the implementation of ‘Licence variation to transfer 18 MI/d from Llys-y-fran reservoir to Preseli’ in 2018/19, followed by the ‘Tywi Gower’ water resource scheme in 2022/23, a combined ‘Active Leakage Detection 1’ option in 2024/25, and the reinstatement of Milton source in 2029/30.’

- 3.6.5 The HRA for the WRMP has already considered the potential for the preferred solution to meet the predicted demand for water to have an effect upon European sites. Section 4.6 of the HRA describes the three preferred options as follows:

- *Option 8206.18 – Import from Tywi Gower to Pembrokeshire*
- *Option 8206.1 – Re-instate Milton Source with WTW*
- *Option 8206.20 – Llys-y-Fran to Preseli Transfer*

- 3.6.6 The conclusions of the HRA of the WRMP are contained within section 5.3 which states:

‘The HRA has determined that most of the Preferred (supply side) Options are unlikely to have significant effects (alone or in combination) on any European sites, either due to an absence of impact pathways; a sufficiently low risk of effects occurring where pathways are present; or because suitable environmental measures can be identified and relied on to avoid any significant or adverse effects. Demand-side options will not have any possible significant effects that can be assessed at the strategic level.

The WRMP has also concluded that Option 8108.4 (Brecon-Portis: Additional releases from Usk Reservoir), Option 8206.1 (Pembrokeshire: Re-instate Milton source for industrial use) and Option 8026.20 (Pembrokeshire: Llys-y-fran to Preseli WTW transfer) may have significant effects, but that these are unlikely to be adverse, based on the available data and information. Critically, however, the WRMP will retain flexibility - it is not a rigid set of proposals that cannot be deviated from - and this (together with the safeguards provided by the five-year review cycle and the normal project-level HRA requirements) can be relied on to ensure that adverse effects will not occur on any European site as a result of the implementation of the WRMP.

In summary, therefore, it is considered that the WRMP will have no significant or adverse effects on any European sites as a result of its implementation (alone or in

combination with other plans and programmes), and that sufficient safeguards are in place to ensure this.'

- 3.6.7 In undertaking this HRA, the Defra guidance on competent authority co-ordination (accepted by Welsh Government as best available information in the absence of equivalent Welsh guidance) is highly relevant. The guidance states that '*competent authorities should adopt the reasoning, conclusion or assessment of another competent authority... if they can*'. The guidance also recognises that each competent authority has specific technical expertise such that, when considering whether '*the analysis underpinning the reasoning, conclusion or assessment [they are looking to adopt] is sufficiently rigorous and robust*'... '*This condition can be assumed to be met if the reasoning, conclusion or assessment was undertaken or made by a competent authority with the necessary technical expertise*'.
- 3.6.8 In the case of the HRA for the WRMP, DCWW are a competent authority with significant technical expertise in assessing the potential impacts associated with water abstraction. The WRMP was developed in close consultation with NRW and the Welsh Government. **In the interests of avoiding unnecessary duplication of assessment effort, it is therefore considered to be appropriate for this HRA to adopt the conclusions of the HRA of the WRMP in respect of water supply to all potential development allocations.**
- 3.6.9 With reference to the conclusions of the WRMP HRA set out above, the potential for likely significant effects as a result of water supply from the Local Development Plan is screened out at a strategic level as having no likely significant effect, either alone or in combination with other plans and projects. The HRA of the WRMP contains the objective information upon which effects that might undermine the conservation objectives can be excluded. Risks from water supply are therefore screened out under category H.

3.7 Risks from wastewater disposal

- 3.7.1 With the exception of potential housing allocations which are not anticipated to connect to the mains sewerage network, all wastewater from planned development will be treated at a DCWW sewage treatment works. All such works are subject to a consent from NRW the consent will have already been subject to assessment under the Habitats Regulations either as a new plan or project (if it was consented after a site was designated/classified) or under the review of consents as required by regulation 67. It therefore follows that, unless the anticipated development cannot be accommodated within the consented capacity at the receiving water treatment works, this HRA can adopt the conclusions of the HRA assessment already undertaken by NRW in their role as the relevant competent authority for discharges to watercourses.
- 3.7.2 In considering the screening of the potential Plan allocations this HRA is therefore concerned with whether there is capacity at the works to accept the flows that are anticipated to arise from the planned development. **Where DCWW have indicated that they have capacity to accept wastewater flows, this HRA therefore adopts the findings and conclusions of the HRA assessment effort previously undertaken by NRW in respect of either their original permit determination process, or the finding of the review of consents work. The earlier HRA assessment effort contains the objective information upon which effects that might undermine the conservation objectives can be excluded.** Risks from wastewater disposal

which can be accommodated within the consented limits at a sewerage works are therefore screened out under category H.

- 3.7.3 This HRA will however need to consider potential effects from wastewater disposal where a potential allocation cannot connect to the mains sewerage network or where DCWW have indicated that consented capacity at the receiving works is limited or restricted. A flag by DCWW as to potential capacity issues would not equate to a likely significant effect upon a European site, simply that some regard should be given to the likelihood of suitable wastewater solution being identified in light of credible evidence of a real risk to any European sites.

3.8 Risks from general increase in recreational pressure from new development

- 3.8.1 New housing allocations will increase the number of residents in a local area with associated implications for recreational pressure on sites within the surrounding areas. These localised risks are better assessed at an individual allocation level. Having said that, any overall population growth across the park as a whole will also contribute to a general uplift in recreational pressure across European sites within the Park. This general uplift can be subject to assessment at a strategic level and is independent of localised effects in and around individual allocations.
- 3.8.2 'The Scale and Location of Growth Background Paper'¹⁹ sets out the population projections for the National Park. Table 10 clearly identifies that, over the Plan period, there is an expectation by the Welsh Government that the population within the National Park will decline. Para 93 states that '*2013 population figures published by the Welsh Government estimate that...for the Pembrokeshire Coast and Snowdonia, more people are expected to leave the area than move in*'. Having said this a demographic forecast undertaken on behalf of the National Park Authority has indicated some potential for growth.
- 3.8.3 The Plan has therefore provided for modest future growth through the provision of 1150 residential units with an expectation of 60 units being delivered each year. This represents an increase in the resident population within the park of 2.8%.
- 3.8.4 Beyond considering the potential for localised effects from potential housing allocations the potential increase in baseline visitor pressure (apart from tourism related recreation) needs to be recognised. This assessment therefore needs to consider, at a strategic level, whether there is any credible evidence that an overall increase in the resident population of 2.8 % represents a risk of undermining the conservation objectives of any European site.
- 3.8.5 Plan based HRA is primarily concerned with recreational activities which can reasonably be associated with a typical household, such as walking or visiting a local beach. Potential effects from specialist or niche activities are not correlated to housing *per se* and generally involve users being drawn from a wide catchment area. Unless a development plan makes specific provisions for promoting or encouraging higher risk specialist/niche recreational activities, these activities are best addressed through targeted management approaches aimed at specific user groups which would generally not be driven by the HRA of a Local Plan.

¹⁹ See link at <http://www.pembrokeshirecoast.wales/default.asp?PID=237>

3.8.6 The Recreation Supplementary Planning Guidance prepared for the first Local Development Plan specifically identifies the high risk activities within the Park as those which fall within the specialist/niche category such as personal water craft/jet-ski use, power kite flying, kite surfing, power boating and water-skiing.

3.8.7 In assessing the potential impacts associated with an increase in the baseline resident population, it is also important to recognise the status of the National Park itself. In carrying out its statutory planning responsibilities, PCNPA must have regard to their statutory responsibilities and management role as a National Park Authority. The Environment Act 1995 establishes two statutory purposes for National Parks in England and Wales which provide an over-arching umbrella under which all other responsibilities are delivered²⁰. These are to:

- a) Conserve and enhance the natural beauty, wildlife and cultural heritage
- b) Promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public

Any irreconcilable conflict in respect of these two purposes should be resolved in favour of the purpose to conserve and enhance the natural beauty, wildlife and cultural heritage²¹. As a National Park authority PCNPA should also seek to foster the economic and social well-being of local communities within the Park in pursuance of these two purposes²².

3.8.8 The National Park is a heavily managed resource. Authority staff are familiar with balancing the enjoyment of the Park by visitors with the overarching purpose to protect and conserve the special features of the Park. **The level of involvement by Park Authority staff with the way that the Park is utilised, together with their experience in managing visitor pressure provides the objective information upon which effects which might otherwise undermine the conservation objectives for a European site (and hence be ‘significant’) can be excluded. There is no credible evidence of a real risk from a modest increase in resident baseline population within the Park to general recreational pressure across European sites.** Risks from recreational pressure across the Park generally associated with an uplift in the baseline population of 2.8% are therefore screened out under category H.

3.9 Screening of the potential housing allocations

3.9.1 Having addressed the strategic issues associated with housing provision, the individual potential allocations are screened at Appendix 3. The results of the screening are summarised below.

Table 3.4: Summary of preliminary screening conclusions of the potential housing allocations	
Screening category	Site (ref number) screened
G: Policy which could not have any conceivable effect on a site (screened out)	013, 014, 034, 050, 054, 061, 96A, 106, 124, 136, 138, 308,
H: Policy for which the (actual or theoretical) effects cannot undermine the conservation objectives (either alone or in	015, 021A & 99A, 031, 036, 037, 039, 041, 086, 129, 151

²⁰ Refer Section 61 of the Environment Act 1995

²¹ Refer section 62 (11A(2)) of the Environment Act 1995

²² Refer section 62 (11A(1)) of the Environment Act 1995

combination with other aspects of this or other plans or projects) (screened out)	
I: Policy of proposal likely to have a significant effect on a site alone (screened in)	045, 056, 068, 112, 113, 131

3.9.2 Policy 48 also includes some overhang sites which have already been subject to assessment under the Regulations. These allocations are as follows

Table 3.5: Sites which have been subject to earlier HRA		
Allocation	Previous HRA	Adopt conclusions?
North of Field Eglwys (Newport)	Earlier LDP HRA (refer para 1.5.6 above)	Y
Parrog Yard and Pottery Site (Newport)	HRA considered at planning permission stage	Y
South of Driftwood Close (Broad Haven)	Earlier LDP HRA (refer para 1.5.6 above)	Y

3.9.3 To avoid unnecessary duplication of assessment effort these sites are not included in Appendix 3. PCNPA are satisfied that ‘no additional material information has emerged...that means the reasoning, conclusion or assessment they are adopting has become out of date’ and that ‘the analysis underpinning the reasoning, conclusion or assessment they are adopting is sufficiently rigorous and robust’.

3.10 Outputs of the screening of the Plan for likely significant effects

3.10.1 Following a preliminary screening of the Plan the following planning policies and potential housing allocations have been identified as having a likely significant effect upon European sites. All other policies and allocations have been screened out.

Table 3.6: Policies screened as having a likely significant effect	
Policy/potential housing allocation	Comment/justification
<i>Planning policies</i>	
18. Shore Based Facilities	Screened in: This policy implies that ‘shore based facilities’ will be permitted within developed areas of the coast. There are many European sites along the coast which straddle what might be referred to as ‘developed areas’. The lack of any reference to potential impacts on designated conservation sites might lead to an internal conflict with policy 10. Further assessment of this policy is required.
19. Porthgain, Saundersfoot, Solva and Tenby Harbours	Screened in: This policy implies that development ‘within harbour areas’ will be permitted under certain circumstances. There are many European sites along the coast which straddle what might be referred to as ‘harbour areas’. The lack of any reference to potential impacts on designated conservation sites might lead to an internal conflict with policy 10. Further assessment of this policy is required.
24. Borrow pits	Screened in: This policy sets out the circumstances when temporary planning permission might be provided for borrow pits. It is not spatially specific but, nevertheless, the lack of any reference to potential impacts on designated conservation sites might lead to an

Table 3.6: Policies screened as having a likely significant effect	
Policy/potential housing allocation	Comment/justification
	internal conflict with policy 10. Para 4.136 refers to Natura 2000 sites within consideration of 'environmental impacts' but with the wording for 24(f) having been deleted this paragraph no longer has sufficient relevance to the policy wording itself. Further assessment of this policy is required.
29. Composting	Screened in: Composting facilities can be a significant source of ammonia emissions. This policy makes no reference to European sites and the scale of risk is sufficient to create an internal conflict with policy 10.
39. Visitor Economy (Strategy Policy)	Screened in: Policy 39 (b) and (e) provides support for 'new hotels and guest houses' and 'visitor attractions, recreational and leisure activities in or adjacent to centres'. The policy is not spatially specific but the proximity of many of the centres to European sites and the inherent sensitivity of many sites to visitor pressure creates the potential for an internal conflict with policy 10. Further assessment is required.
46. Agricultural diversification	Screened in: Policy 46 provides support for 'farm diversification proposals'. The policy is not spatially specific but the proximity of many existing farms to European sites and the inherent sensitivity of many sites to farming activities (in particular in respect of ammonia emissions) creates the potential for an internal conflict with policy 10. Further assessment is required.
<i>Potential housing allocations</i>	
045 Part of Lawrenny Home Farm	This potential allocation is for 33 units. It is located 4.5km from the nearest terrestrial SAC (Yerbeston Tops) and is 260m from the coast which represents the boundary of the Pembrokeshire Marine SAC. The scale of the development is such that there is no conceivable risk to these sites from proximity related impacts. However there is no connection to the mains sewerage network. Further consideration is required in respect of disposal of wastewater due to the likelihood of discharge direct to the SAC.
056 West of Narberth Road Tenby	This potential allocation is for 33 units. The nearest terrestrial European site is 1.2km from the allocation. This is a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. Whilst there are no linear commuting features within the allocation site itself, the site is surrounded by a woodland buffer. The network of woodland and hedges between the roost and the allocation site provides credible evidence of a real risk that the land around the development site might support the SAC population. Further survey effort prior to development would be required
068 North of Newport Business Park	This potential allocation is for 15 units. The nearest terrestrial European site is 750m from the allocation. This is a roosting/breeding site for greater horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The allocation site is adjacent to a wooded area and it is possible that this provides supporting habitat for the bats, or is part of a strategic commuting route or flight line. The Core Management Plan for the site states that, within 1km, 'all woodland,

Table 3.6: Policies screened as having a likely significant effect	
Policy/potential housing allocation	Comment/justification
	<i>wooded watercourses, hedge lined lanes or even small roads are likely to be key features bats use'. Further work required.</i>
112 Bryn Hir, Tenby	This potential allocation is for 127 units. The nearest terrestrial European site is 780m from the allocation. This is a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. There is a tree-lined track running through the allocation between Old Narberth Road and the end of Upper Hill Park and the site is surrounded by a woodland buffer. The allocation is close to existing development but the network of woodland and hedges between the roost and the allocation site provides credible evidence of a real risk which would need further survey effort prior to development. The Core Management Plan for the site states that, within 1km, <i>'all woodland, wooded watercourses, hedge lined lanes or even small roads are likely to be key features bats use'.</i>
113 Butts field carpark, Tenby	This potential allocation is for 80 units. The nearest terrestrial European site is 850m from the allocation. This is a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. There are no linear commuting features within the allocation site itself but the site is surrounded by a woodland buffer with a potential commuting route along Waterwynch Lane. The allocation is close to existing development but the network of woodland and hedges between the roost and the allocation site provides credible evidence of a real risk which would need further survey effort prior to development. The Core Management Plan for the site states that, within 1km, <i>'all woodland, wooded watercourses, hedge lined lanes or even small roads are likely to be key features bats use'.</i>
131 North of Jason's Corner, Stackpole	<p>The potential allocation is for 10 units. The nearest terrestrial sites is 500m away (Pembrokeshire Bat Sites and Bosherton Lakes SAC. Otter is a key species for which the management units in closest proximity to the allocation are managed. Hence disturbance is a potential risk and relevant survey effort would be required prior to development.</p> <p>Whilst DCWW have flagged potential capacity issues, the allocation is for 10 units and there are no concerns if connection to the sewage works is possible but, if alternative drainage solutions are necessary, the proximity to sensitive wetland and open water features of the SAC will mean that wastewater drainage would need careful consideration.</p>

3.11 Screening chapter 5

3.11.1 Chapter 5 sets out the approach to monitoring of the Plan following its adoption. Chapter 5 is screened out under category G; it cannot have any conceivable effect on any European site.

3.12 The need for assessment in-combination with other plans and projects

- 3.12.1 All policies which have been screened out at this stage are assigned to a screening category which allows them to be recognised as unlikely to have a significant effects either alone or in-combination. With reference to the list of categories at 3.4.1 only category J would require further assessment of the potential for effects ‘in combination’.
- 3.12.2 As such, no further assessment ‘in combination’ is required in respect of the policies which have been screened out as having no likely significant effect. Policies identified as having a likely significant effect are considered further as part of the appropriate assessment in section 4 below.

4 Appropriate Assessment

4.1 Summary of screening conclusion

4.1.1 Following the screening for likely significant effects, it has been identified that there is a potential for effects which might undermine the conservation objectives (and hence be 'significant') in respect of 6 policies (18, 19, 24, 29, 39 & 46) and 6 potential housing allocations (045, 056, 068, 112, 113 & 131).

4.2 Incorporation of mitigation measures

4.2.1 Following the ruling of the Court of Justice in the case of People Over Wind (refer para 1.4.2 above), it is not appropriate to take account of mitigation measures which might be incorporated into the plan at the screening stage. However the court explicitly emphasised at para 36 that '*a full and precise analysis of the measures capable of avoiding or reducing any significant effects*' must be carried out at the stage of the appropriate assessment. The first step in this appropriate assessment is therefore to seek to incorporate mitigation measures which might be relied upon to avoid any adverse effects to the integrity of the European sites potentially affected.

4.2.2 This next section therefore considers each of the policies or potential allocations identified in table 3.6 above in light of potential mitigation measures which might be incorporated into the plan.

4.3 A correct approach to applying mitigation measures to a plan

4.3.1 Beyond the recent People Over Wind decision, case law has established some important principles in respect of the reliance on mitigation measures as part of the HRA of a plan (as opposed to a HRA of a project, which is different). In the case of a project it is necessary to have the details of proposed mitigation measures clearly established before being able to rely on them to conclude that a project will have no likely significant effect, or no adverse effect on integrity. Plans are different. By definition they are strategic in nature; setting the overall framework within which later projects will be determined. In most cases the specific details of development provided for within a plan will not be available until a later date within the plan period, after it has been adopted.

4.3.2 Case law has established that it is acceptable in principle to include policies within a Local Plan which are conditional upon certain conditions being met. In the case of Feeney v Oxford City Council²³, in respect of the assessment of land use plans under the Habitats Regulations, the use of a 'safeguard' relating specifically to a particular policy within the Core Strategy was subject to considerable scrutiny. The High Court ruled, that:

'There is nothing wrong in approving something in principle which may not happen in the future, if the condition is not satisfied (para 96)...

The conditional approval is a permissible and lawful course of action' (para 99)

²³ Feeney v Oxford City Council [2011] EWHC 2699 (Admin)

- 4.3.3 Furthermore, an approach which potentially relies upon matters being finalised after the adoption of the plan was specifically endorsed by the High Court in the case of *Abbotskerswell v Teignbridge (2014)*²⁴. In this case the Inspector ‘*did not consider that safeguards proposed in the plan – the strategic mitigation strategy, settlement and site mitigation plans – had to be in place in advance of adoption of the Local Plan*’. The Court ruled in para 84 that ‘*the Inspector was entitled to conclude that the Local Plan met the statutory requirements and was sound*’.
- 4.3.4 Finally, in the case of *NANT v Suffolk Coastal District Council (2015)*, the Court of Appeal ruled that ‘the important question in a case such as this is not whether mitigation measures were considered at the stage of CS in as much detail as the available information permitted, but whether there was sufficient information at that stage to enable the Council to be duly satisfied that the proposed mitigation measures could be achieved in practice’²⁵.
- 4.3.5 In practice therefore, when considering mitigation measures to inform a plan HRA the key question is whether the measures can be relied upon to protect European sites. When considering policy specific, or even allocation specific measures, the emphasis is placed on whether a decision maker can be duly satisfied that the measures can be delivered in practice. The measures might impose additional burdens on the implementation of certain aspects of a plan, or may even render the scale of delivery of certain elements conditional on later HRA effort.
- 4.3.6 This is emphasised in section F.10.1 of the HRA Handbook which states that:
- ‘Because the integrity test incorporates the application of the precautionary principle as a matter of law, and because plan assessments are, by their nature, less precise than project assessments, it is important for the assessment process to eliminate the prospect of adverse effects on site integrity in so far as that is possible at the level of specificity inherent in the nature and purpose of the particular plan.’*
- 4.3.7 F.10.1.2 of the Handbook refers to mitigation measures which might be relied upon to show that there would be no adverse effects on site integrity. Examples are provided as follows:
- ‘mitigation measures that may be introduced during or after the ‘appropriate assessment’ stage may be:*
- a) Case-specific policy restrictions;*
 - b) Case-specific policy caveats;*
 - c) Prescribing how adverse effects on site integrity will be avoided by mitigation measures in a lower level or more detailed plan, to be confirmed by a more detailed Habitats Regulations Assessment at that level;*
 - d) Deleting aspects of the plan that will probably fail the tests of the Directive at project application stage;*
 - e) Ensuring that there are no proposals that could adversely affect the integrity of a European site that if retained in the plan may lead to a case for the proposal to be permitted, using the incorporation in the plan as the*

²⁴ *Abbotskerswell Parish Council v Teignbridge District Council [2014] EWHC 4166 (Admin)*

²⁵ *No Adastral New Town v Suffolk Coastal District Council [2015] EWCA Civ 88*

imperative reason of overriding public interest in its favour, because the plan relies on it being, or assumes that it will be, implemented;
To be an appropriate restriction or caveat (in (a) or (b) above), enabling the plan-making body to ascertain no adverse effect on the integrity of a European site, the restriction must be –

- *case-specific;*
- *explicit; and*
- *added to the policy and not merely added to the explanatory text or commentary, or not merely inserted into the implementation or monitoring chapters.*

4.3.8 With this guidance in mind the policies and allocations which were identified as having a likely significant effects were considered further below.

4.4 Dealing with policies 18, 19, 24, 29, 46

4.4.1 With reference to the planning policies identified in table 3.5, it is noted that policies 18, 19, 24, 29 and 46 were all screened in on the basis of a lack of any reference to potential impacts on designated conservation sites which was considered to potentially lead, in practice, to an internal conflict with policy 10. These policies are therefore considered together as a group.

4.4.2 In practice it is considered unlikely that these policies will result in significant problems. However the credible evidence of real risks to European sites are such that, in the absence of an specific wording within the policy or supporting text there is the potential for an internal conflict to arise between development proposals which are in accordance with these policies but which, nevertheless, represent unacceptable risks to European sites. This internal conflict carries a risk that project level applications submitted in accordance with these policies might encounter difficulties at the project HRA level. Taking each policy in turn the following changes to policy wording are recommended:

Table 4.1: Potential mitigation measures in respect of the Plan policies	
Policy	Mitigation?
18. Shore Based Facilities	<p>Within policy wording add '<i>subject to their being no unacceptable adverse effects</i>' to end of 1st paragraph.</p> <p>Supplementary text to include the following wording (or equivalent) "<i>consideration of 'unacceptable adverse effects' will include designated sites, such as Natura 2000 sites (refer policy 10)</i>".</p>
19. Porthgain, Saundersfoot, Solva and Tenby Harbours	<p>Within policy wording add point (c) '<i>subject to there being no unacceptable adverse effects</i>'.</p> <p>Supplementary text to include the following wording (or equivalent) "<i>consideration of 'unacceptable adverse effects' will include designated sites, such as Natura 2000 sites (refer policy 10)</i>".</p>

24. Borrow pits	Reinstate deleted wording at point (f) or alternative wording along the lines of <i>'development will not have unacceptable adverse effects'</i> with supplementary text to include the following <i>"consideration of 'unacceptable adverse effects' will include designated sites, such as Natura 2000 sites (refer policy 10)"</i> .
29. Composting	Within policy wording insert new point (c) to read <i>'designated nature conservation sites (refer policies 10 and 11)'</i>
46. Agricultural diversification	Within policy wording add point (g) <i>'subject to their being no unacceptable adverse effects'</i> . Supplementary text to include the following wording (or equivalent) <i>"consideration of 'unacceptable adverse effects' will include designated sites, such as Natura 2000 sites (refer policy 10)"</i> .

4.5 Dealing with Policy 39: Visitor Economy

- 4.5.1 The risk to European sites from policies 39(b) and (e) are such that it is advised that the policy wording itself needs to be explicit that any conflict with policy 10 must be resolved in favour of protecting European sites. It is therefore proposed that the wording at the end of the policy which current reads *'Activities which would damage the special qualities of the park will not be permitted – see also policy 8'* should be supplemented **to explicitly make reference to policy 10** as follows:

'... see also policy 8. Proposals under this policy which might represent a threat to any sites and species of European importance will not be permitted – see policy 10.'

4.6 Dealing with the potential housing allocations

- 4.6.1 The preliminary screening work identified six potential housing allocations which had a likely significant effect (that is to say that it was not possible to exclude, on the basis of objective information, effects which might undermine the conservation objectives) upon a European site(s). As part of this appropriate assessment, in considering each site and potential mitigation which might be relied upon to avoid adverse effects to site integrity, it is important to recognise that the necessary detail as to *how* precisely the potential allocations might be delivered are not available at this time. Case law has established that it is not necessary at a strategic plan HRA level to consider potential mitigation measures in as much detail as possible. Instead the key question concerns whether the potential allocation, including any mitigation measures, can be delivered in practice. Each of the potential allocations is considered in turn below and overall findings are then summarised in table 4.2.

Policy 045: Part of Lawrenny Home Farm

- 4.6.2 The potential concern with this site relates to the lack of any connection to a main sewerage network within the village. In the absence of a mains sewer connection it is anticipated that alternative wastewater disposal options will need to be explored. The sustainability assessment work undertaken on behalf of PCNPA indicates that *'the applicant has advised*

that the existing private sewer requires upgrading to accommodate the development. The proposed site location plan indicates the location of the proposed area for a septic treatment plant'. Should a septic treatment plan be proposed, the proximity of the potential allocation to the Pembrokeshire Marine SAC means that it is likely that any treated effluent would be discharged directly into the SAC, or marginally upstream of the SAC boundary.

- 4.6.3 Given the scale of the development and the range of package treatment plants available it is reasonable to assume that options which avoid adverse effects to the SAC are realistically available. However such options might incur additional costs to a developer and **it is advised that some allocation specific wording should be included to emphasise the need for any development proposals to demonstrate compliance with policy 10**. Project level HRA might impose additional obligations upon a developer to satisfy the requirements of the Habitats Regulations and the Plan should recognise this.

Policy 068: North of Newport Business Park

- 4.6.4 This potential allocation is for 15 units. Concerns over potential allocation 068 relate to the proximity of the development site to a component SSSI of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The Core Management Plan²⁶ for the SAC refers to a greater horseshoe bat maternity and winter roost site within a Mill building. The conservation objective for the greater horseshoe bat are specified in the following terms:

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- *The greater horseshoe bat population will be capable of maintaining itself on a long-term basis as a viable component of its natural habitats.*
- *The natural range of greater horseshoe bats will neither be reduced nor will be likely to be reduced for the foreseeable future, and*
- *There will be sufficient habitat to maintain its populations on a long-term basis.*
- *At least three SSSI maternity roosts will be occupied annually by adult greater horseshoe bats and their babies:*
 - *Stackpole Courtyard Flats and Walled Garden SSSI*
 - *Slebech Stable Yard Loft, Cellars and Tunnels SSSI*
 - *Felin Llwyngwair SSSI*
- *Carew Castle SSSI will continue to be used as an intermediate greater horseshoe bat roost, during the spring and autumn, as a male summer roost and an autumn/spring mating roost.*
- *The greater horseshoe bat population at the component SSSI's will be stable or increasing.*
- *There will be a sufficiently large area of suitable habitat surrounding these roosts to support the bat population, including continuous networks of sheltered, broadleaved woodland, tree lines and hedgerows connecting the various types of roosts with areas of insect-rich grassland and open water.*
- *All factors affecting the achievement of these conditions are under control.*

²⁶ <https://naturalresources.wales/media/673193/pembs-bat-sites-and-bosh-lakes-english.pdf>

4.6.5 The performance indicator for the feature refers to the ‘availability of bat fly ways and feeding areas on surrounding land’. For land within 1km of the SSSI the Core Management Plan states:

‘Vital to retain wooded areas and vegetation cover (including scrub), and habitat links i.e. woodland, tree lines, hedgerows and even limited sections of walls and fences. All woodland and enclosed vegetation with a few hundred metres of each component SSSI roost is likely to be important to the bats. All woodland, wooded watercourses, hedge lined lanes or even small roads are likely to be key features bats use. To cross some open areas bats may use fences or walls but the use is liable to be limited – most likely where habitat features have been removed in the past. The maintenance of cattle grazed pasture around greater horseshoe roosts should be considered vital in this area’.

4.6.6 The potential allocation is located 800m from the roost at Felin Llwyngwair and is shown in figure 4.1 below:

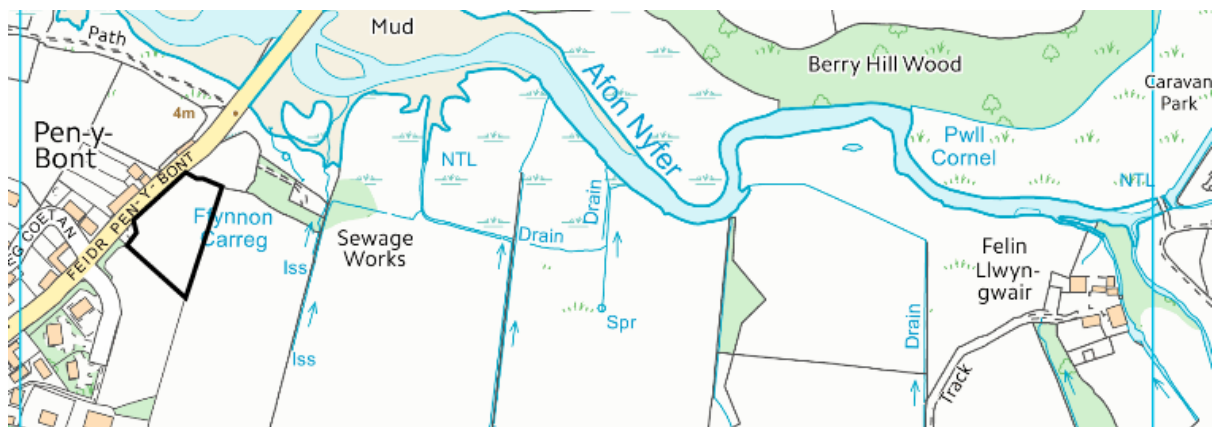


Figure 4.1: Map showing potential allocation 068 © Crown copyright and database rights Ordnance Survey 100022534(2018)

4.6.7 Satellite imagery of the intervening habitat is shown in figure 4.2 below and it is clear that there is a significant network of wooded areas and treelines/hedgerows located between the roost and the potential allocation site. In particular there is a small copse to the northeast of the potential allocation and a treeline running to the road.



Figure 4.2: Map showing potential allocation 068 relative to the Mill house which forms part of the SAC (imagery from MAGIC.gov.uk website).

- 4.6.8 Looking at the satellite image, the proximity of the potential allocation to the road means that the area is unlikely to be key foraging resource but it is possible that the woodland and the treeline to the north of the potential allocation might form part of a strategic flight line/foraging area.
- 4.6.9 It will only be possible to understand the relative significance of the woodland adjacent to the potential allocation site following survey effort to understand how the population for which the SAC has been designated utilise the surrounding habitat. Given the fairly modest scale of overall development (15 units) it is considered unlikely that the site will not be able to be developed but, depending on the results of the survey effort it is possible that:
- a) Any development of the site might be constrained in terms of design, especially with respect to lighting. Permission might therefore be subject to conditions or restrictions to ensure that the viability of the population is not undermined.
- 4.6.10 As set out in section 4.1 it is established in case law that it is acceptable, in principle, to include elements within a plan which are conditional upon certain conditions being met. Given the potential constraint placed upon the potential allocation by the proximity of the SAC **it is advised that some allocation specific wording should be included to emphasise that the scale of development will be conditional on proposals demonstrating compliance with policy 10.**

Potential Allocations 056, 112 & 113 West of Narberth Road, Bryn Hir and Butts field carpark, Tenby

- 4.6.11 These potential allocations are for 240 units in total. Concerns relate to the proximity of the potential development allocations to a component SSSI of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The Core Management Plan²⁷ for the SAC refers to a lesser horseshoe maternity roost site at Beech Cottage and Waterwynch SSSI. The conservation objective for the lesser horseshoe bat are specified in the following terms:

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- *The lesser horseshoe bat population will be capable of maintaining itself on a long-term basis as a viable component of its natural habitats.*
- *The natural range of lesser horseshoe bats will neither be reduced nor will be likely to be reduced for the foreseeable future, and*
- *There will be sufficient habitat to maintain its populations on a long-term basis.*
- *At least four SSSI maternity roosts will be occupied annually by adult greater horseshoe bats and their babies:*
 - *Beech Cottage Waterwynch SSSI*
 - *Orielton Stable Block and Cellars SSSI*
 - *Park House Outbuildings SSSI*
 - *Stackpole Courtyard Flats and Walled Garden SSSI*
- *The lesser horseshoe bat population at the component SSSI's will be stable or increasing.*
- *There will be a sufficiently large area of suitable habitat surrounding these roosts to support the bat population, including continuous networks of sheltered,*

²⁷ <https://naturalresources.wales/media/673193/pembs-bat-sites-and-bosh-lakes-english.pdf>

broadleaved woodland, tree lines and hedgerows connecting the various types of roosts with areas of insect-rich grassland and open water.

- *All factors affecting the achievement of these conditions are under control.*

4.6.12 The performance indicator for the feature refers to the ‘availability of bat fly ways and feeding areas on surrounding land’. For land within 1km of the SSSI the Core Management Plan states:

‘As for greater horseshoe bats [refer para 4.5.7 above]. Plus, the maintenance of damp/ wet ground around roosts should be considered vital in this area.’

4.6.13 The potential allocations are located 790, 800m and 1.2km from the roost at Beech Cottage and are shown in figure 4.3 below:



Figure 4.3: Map showing potential allocations 056, 112 and 113 relative to the roost at Beech Cottage (yellow dot to upper right corner) which forms part of the SAC (© Crown copyright and database rights Ordnance Survey 100022534(2018) satellite imagery from Natura 2000 viewer EC website).

4.6.14 Satellite imagery of the intervening habitat shows that there is a significant network of wooded areas and treelines/hedgerows located between the roost and the potential allocation sites. The woodland and the tree/hedge lines between Tenby and the SSSI might form part of strategic flight line(s) and the potential allocation sites themselves might play a role as functionally linked land through foraging opportunities/flight lines.

4.6.15 It will only be possible to understand the relative significance of the woodland and tree/hedge lines following survey effort to understand how the population for which the SAC has been designated utilises the surrounding habitat. Depending on the results of the survey effort it is possible that:

- a) The site(s) may not be able to be fully built out if, for example, a suitable buffer is required between the development and the woodland to avoid impact associated with lighting or proximity/disturbance.
- b) Any development of the site might be constrained in terms of design, especially with respect to lighting. Permission might therefore be subject to conditions or restrictions to ensure that the viability of the population is not undermined.

4.6.16 As set out in section 4.1 it is established in case law that it is acceptable, in principle, to include elements within a plan which are conditional upon certain conditions being met.

Given the potential constraint placed upon the potential allocation by the proximity of the SAC it is advised that these potential allocations should be referred to in terms of *up to x dwellings* to recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development coming forwards. It is also advised that allocation specific wording should be included to emphasise that the scale of development that might be permitted will be conditional on proposals demonstrating compliance with policy 10.

Table 4.2: Potential mitigation measures in respect of potential housing allocations		
Potential housing allocation	Summary of potential effect	Potential mitigation measures
045 Part of Lawrenny Home Farm	No connection to the mains sewerage network. Further consideration is required in respect of disposal of wastewater due to the likelihood of discharge direct to the SAC.	Include allocation specific wording to clearly emphasis that any development proposals coming forward in respect of this allocation must demonstrate compliance with policy 10.
056 West of Narberth Road Tenby	The proximity of a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC (1.2km). The potential allocation site is adjacent to a wooded area and it is possible that this provides supporting habitat for the bats, or is part of a strategic commuting route or flight line.	This potential allocation should be referred to in terms of <i>up to</i> 33 units to recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development coming forwards. It is also advised that allocation specific wording should be included to emphasise that the scale of development that will be permitted will be conditional on proposals demonstrating compliance with policy 10.
068 North of Newport Business Park	The proximity of a roosting/breeding site for greater horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC (750m). The potential allocation site is adjacent to a wooded area and it is possible that this provides supporting habitat for the bats, or is part of a strategic commuting route or flight line.	Include allocation specific wording to clearly emphasis that any development proposals coming forward in respect of this allocation must demonstrate compliance with policy 10.
112 Bryn Hir, Tenby	The proximity of a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC (780m). The potential allocation site is adjacent to a wooded area and it is possible that this provides	This potential allocation should be referred to in terms of <i>up to</i> 127 units to recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development coming forwards. It is also advised that allocation specific wording should be

	supporting habitat for the bats, or is part of a strategic commuting route or flight line.	included to emphasise that the scale of development that will be permitted will be <u>conditional</u> on proposals demonstrating compliance with policy 10.
113 Butts field carpark, Tenby	The proximity of a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC (850m). The potential allocation site is adjacent to a wooded area and it is possible that this provides supporting habitat for the bats, or is part of a strategic commuting route or flight line (especially along the Waterwynch Lane).	This potential allocation should be referred to in terms of <i>up to</i> 80 units to recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development coming forwards. It is also advised that allocation specific wording should be included to emphasise that the scale of development that will be permitted will be <u>conditional</u> on proposals demonstrating compliance with policy 10.
131 North of Jason's Corner, Stackpole	Proximity to Pembrokeshire Bat Sites and Bosherton Lakes SAC and supporting habitat for otter. Disturbance is a potential risk.	Include allocation specific wording to clearly emphasise that any development proposals coming forward in respect of this allocation must demonstrate compliance with policy 10.

4.7 Applying the integrity test if mitigation measures identified above are incorporated

- 4.7.1 Having identified potential case specific policy restrictions and caveats in respect of aspects of the Plan which were identified as having a likely significant effect, it is now necessary to apply the integrity test, taking account of these mitigation measures.
- 4.7.2 Following incorporation of the mitigation measures identified in 4.4-4.6 above the re-screening of the elements of the Plan which are affected by the mitigation measures is set out in table 4.3 below.

Table 4.3: Applying the integrity test following incorporation of mitigation measures		
Policy/potential housing allocation	Recommended mitigation measures	Integrity test conclusion
Plan policies		
18. Shore Based Facilities	Within policy wording add ' <i>subject to their being no unacceptable adverse effects</i> ' to end of 1st paragraph. Supplementary text to include the following wording (or	With the amended wording the policy cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the

	equivalent) <i>“consideration of ‘unacceptable adverse effects’ will include designated sites, such as Natura 2000 sites (refer policy 10)”</i> .	policy will have no adverse effect on the integrity of any European site.
19. Porthgain, Saundersfoot, Solva and Tenby Harbours	<p>Within policy wording add point (c) <i>‘subject to their being no unacceptable adverse effects’</i>.</p> <p>Supplementary text to include the following wording (or equivalent) <i>“consideration of ‘unacceptable adverse effects’ will include designated sites, such as Natura 2000 sites (refer policy 10)”</i>.</p>	With the amended wording the policy cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
24. Borrow pits	Reinstate deleted wording at point (f) or alternative wording along the lines of <i>‘development will not have unacceptable adverse effects’</i> with supplementary text to include the following <i>“consideration of ‘unacceptable adverse effects’ will include designated sites, such as Natura 2000 sites (refer policy 10)”</i> .	With the amended wording the policy cannot undermine the conservation objectives. The reference to avoiding unacceptable adverse effects within the policy itself, together with specific reference to policy 10 in the supporting text, will avoid internal conflict within the plan. Policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
29. Composting	Within policy wording insert new point (c) to read <i>‘designated nature conservation sites (refer policies 10 and 11)’</i>	With the amended wording the policy cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
46. Agricultural diversification	<p>Within policy wording add point (g) <i>‘subject to their being no unacceptable adverse effects’</i>.</p> <p>Supplementary text to include the following wording (or equivalent) <i>“consideration of ‘unacceptable adverse effects’ will include designated sites, such as Natura 2000 sites (refer policy 10)”</i>.</p>	With the amended wording the policy cannot undermine the conservation objectives. The reference to avoiding unacceptable adverse effects within the policy itself, together with specific reference to policy 10 in the supporting text, will avoid internal conflict within the plan. Policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.

39. Visitor economy	Amend policy wording to include new text at end as follows... <i>'Proposals under this policy which might represent a threat to any sites and species of European importance will not be permitted – see policy 10.'</i>	With the amended wording the policy cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
Potential housing allocations		
045 Part of Lawrenny Home Farm	Include allocation specific wording to clearly emphasis that any development proposals coming forward in respect of this allocation must demonstrate compliance with policy 10.	The inclusion of allocation specific wording means that the allocation cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
056 West of Narberth Road Tenby	This potential allocation should be referred to in terms of <u>up to</u> 33 units to recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development coming forwards. It is also advised that allocation specific wording should be included to emphasise that the scale of development that will be permitted will be conditional on proposals demonstrating compliance with policy 10.	The inclusion of allocation specific wording means that the allocation cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
068 North of Newport Business Park	Include allocation specific wording to clearly emphasis that any development proposals coming forward in respect of this allocation must demonstrate compliance with policy 10.	The inclusion of allocation specific wording means that the allocation cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
112 Bryn Hir, Tenby	This potential allocation should be referred to in terms of <u>up to</u> 127 units to recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development	The inclusion of allocation specific wording means that the allocation cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be

	coming forwards. It is also advised that allocation specific wording should be included to emphasise that the scale of development that will be permitted will be <u>conditional</u> on proposals demonstrating compliance with policy 10.	relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
113 Butts field carpark, Tenby	This potential allocation should be referred to in terms of <i>up to</i> 80 units to recognise that the requirements of the Habitats Regulations might limit or restrict the quantum of development coming forwards. It is also advised that allocation specific wording should be included to emphasise that the scale of development that will be permitted will be <u>conditional</u> on proposals demonstrating compliance with policy 10.	The inclusion of allocation specific wording means that the allocation cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.
131 North of Jason's Corner, Stackpole	Include allocation specific wording to clearly emphasis that any development proposals coming forward in respect of this allocation must demonstrate compliance with policy 10.	The inclusion of allocation specific wording means that the allocation cannot undermine the conservation objectives. The specific reference to policy 10 in the supporting text will avoid internal conflict within the plan and policy 10 can then be relied upon to ensure that the policy will have no adverse effect on the integrity of any European site.

4.8 The need for assessment in-combination with other plans and projects

4.8.1 The case-specific policy restrictions or caveats which have been relied upon to avoid adverse effects on site integrity all include specific reference to policy 10. Policy 10 is explicit that development proposals will need to be considered '*alone or in combination with other plans and projects*'. As such, reliance on the provisions of policy 10 ensures that any development provided for within the plan will need to demonstrate compliance with the in combination provisions of the Habitats Regulations.

4.8.2 Principle 4 of C.8.1 in section C.8 'The in combination assessment' of the HRA Handbook reads as follows:

'In deciding the required scope of an appropriate assessment one must always keep firmly in mind that the underlying purpose of Article 6(3) of the Habitats Directive is to ensure (subject to the operation of Article 6(4)) that a plan or project is authorised only to the extent that it will not, either alone or in combination with other plans or projects, adversely affect the integrity of the European site; the key purpose.

European Commission guidance and case law establishes that the underlying intention of the in-combination provision is to take account of cumulative effects. An appropriate assessment need not be extended further than is necessary to fulfil the key purpose.'

4.8.3 As such the case-specific conditions and caveats relied upon are regarded as sufficient to fulfil this 'key purpose'. Policy 10 is explicit that, any development proposals being considered in accordance with the plan will need to be subject to assessment alone or in combination with other plans and projects. At this stage in the plan making process the case specific conditions and caveats can therefore be relied upon to avoid any effects at all upon a European site from the plan itself. There is no risk of a residual effect, which might act in combination with other plans and projects at this stage which would not otherwise be addressed at later assessment stages.

4.8.4 Principle 6 of section C.8.1 of the HRA Handbook states that, following an appropriate assessment:

'...if on assessment alone it is ascertained that the subject plan or project will in fact have no effect at all on the European site, an adverse effect in combination is ruled out and no further assessment is required. The plan or project may be authorised.'

4.8.5 It is therefore concluded that, on the basis of the underlying reasoning supporting principle 6, reliance on policy 10 provides the basis upon which effects which might act in combination with other plans and projects can be ruled out. Furthermore, it is impossible at the plan making stage to predict the 'other plans and projects' which might be relevant at the time that any planning application is actually submitted in accordance with the plan, during the plan period. The most that can be anticipated of a plan making authority is to ensure that the potential for in combination effects is recognised, as far as is possible on the basis of the precision of the plan, and put in place measures to address these risks. Policy 10 does this and no further assessment in combination with other plans and projects is required.

5 Conclusions

5.1 Overall conclusion

- 5.1.1 The Local Development Plan has been subject to screening under the Habitats Regulations. All 61 policies have been considered in respect of the potential for likely significant effects upon any European site from the document, either alone or in combination with other plans and projects.
- 5.1.2 Following the initial screening exercise, 6 policies and 6 potential housing allocations were identified as having a likely significant effect. Mitigation measures, in the form of suggested case-specific policy restrictions or caveats, were identified in respect of all twelve of these Plan elements as part of an appropriate assessment.
- 5.1.3 Assuming **the recommended mitigation measures are all accepted and the Plan amended accordingly, it is possible to ascertain that the LDP will have no adverse effect on the integrity of any European sites. No further assessment is necessary.**
- 5.1.4 This outcome is not surprising given:
- The statutory purpose of the National Park and its Local Development Plan
 - The statutory obligations of the National Park Authority
 - The low level of development expected and provided for in the National Park; and
 - The exceptionally high development management standards applied by the National Park Authority

Caroline Chapman MCIEEM

(Director, DTA Ecology Ltd)

5th September 2018

Appendix 1: European sites and qualifying features

European Site	SAC habitat features	SAC species features	SPA features
Within plan area			
Bristol Channel Approaches SAC		Harbour porpoise	
Cardigan Bay SAC	Sandbanks which are slightly covered by seawater at all times Reefs Submerged or partially submerged sea caves	Bottlenose dolphin Sea lamprey River lamprey Grey seal	
Carmarthen Bay and Estuaries SAC/SPA/Ramsar	Sandbanks which are slightly covered by seawater at all times Estuaries Mudflats and sandflats not covered by seawater at low tide Large shallow inlets and bays Salicornia and other annuals colonizing mud and sand Atlantic salt meadows	Twaite shad Sea lamprey River lamprey Allis shad Otter	
Castlemartin Coast SPA			Pyrrhocorax pyrrhocorax (Chough)
Cleddau Rivers SAC	Watercourses of plain to montane levels with Ranunculus and Callitricho vegetation Active Raised bogs Alluvial forests with Alnus glutinosa and Fraxinus excelsior	Brook lamprey River lamprey Bullhead Otter	
Gweunydd Blaencleddau SAC	North Atlantic wet heaths with Erica tetralix Molinia meadows on calcareous, peaty or clay laden soils Blanket bogs Transition mires and quaking bogs Alkaline fens	Marsh fritillary butterfly Southern damselfly	
Grassholm SPA			Morus bassanus (Gannet)
Limestone Coast of South West Wales SAC	Vegetated sea cliffs of the atlantic and Baltic coasts Fixed coastal dunes with herbaceous vegetation ("grey dunes")* European dry heaths Semi-natural dry grassland and scrubland facies on calcareous substrate	Greater horseshoe bat Early gentian Petalwort	

European Site	SAC habitat features	SAC species features	SPA features
	Caves not open to the public Submerged or partially submerged sea caves		
North Pembrokeshire Woodlands SAC	Old sessile oak woods with Ilex and Blechnum in the British Isles Alluvial forests with Alnus glutinosa and Fraxinus excelsior*	Barbastelle	
North West Pembrokeshire Commons SAC	European dry heaths Transition mires and quaking bogs Northern Atlantic wet heaths with Erica tetralix Molinia meadows on calcareous, peaty or clay laden soils	Floating water plantain	
Pembrokeshire Bat Sites and Bosherton Lakes SAC	Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.	Greater horseshoe bat Lesser horseshoe bat Otter	
Pembrokeshire Marine SAC	Estuaries Large shallow inlets and bays Reefs Sandbanks which are slightly covered by seawater at all times Mudflats and sandflats not covered by seawater at low tide Coastal lagoons Atlantic salt meadows Submerged or partially submerged sea caves	Grey seal Shore dock Sea lamprey River lamprey Allis shad Twaite shad Otter	
Preseli SAC	Northern Atlantic wet heaths with Erica tetralix European dry heaths Depressions on peat substrates of the Rhynchosporion Alkaline fens	Marsh fritillary butterfly Southern damselfly Slender green feather-moss	
Ramsey and St David's Peninsula Coast SPA			Pyrrhocorax pyrrhocorax (Chough)
Skomer, Skokholm and the Seas off Pembrokeshire Coast SPA			Asio flammeus (Short-eared owl) Fratrercula arctica (Puffin) Hydrobates Pelagicus (Storm petrel) Larus Fuscus (Lesser black-backed gull)

European Site	SAC habitat features	SAC species features	SPA features
			Puffinus puffinus (Manx Shearwater) Pyrrhocorax pyrrhocorax (Chough)
St David's SAC	Vegetated sea cliffs of the Atlantic and Baltic coasts European dry heaths	Floating water-plantain	
West Wales Marine SAC		Harbour porpoise	
Outside Plan Area			
Carmarthen Bay Dunes SAC	Embryonic shifting dunes Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes") Fixed coastal dunes with herbaceous vegetation ("grey dunes") Dunes with <i>salix repens</i> spp. <i>argentea</i> Humid dune slacks	Narrow mouthed whorl snail Petalwork Fen orchid	
River Teifi SAC	Watercourses of plain to montane levels with <i>Ranunculus</i> and <i>Callitriche</i> vegetation Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or of the <i>Isoëto-Nanojuncetea</i>	Brook lamprey River lamprey Atlantic samlon Bullhead Otter Floating water plantain Sea lamprey	
Yerbeston Tops SAC	<i>Molinia</i> meadows on calcareous, peaty or clay laden soils	Marsh fritillary butterfly	

Appendix 2: Screening of the Plan Policies

The screening work has been undertaken in accordance with the guidance contained within Part F of the HRA Handbook. Policies have been screened against categories as set out in section F.6.3 as listed below:

- M. General statement of policy / general aspiration (screened out).
- N. Policy listing general criteria for testing the acceptability / sustainability of proposals (screened out).
- O. Proposal referred to but not proposed by the plan (screened out).
- P. Environmental protection / site safeguarding policy (screened out).
- Q. Policies or proposals which steer change in such a way as to protect European sites from adverse effects (screened out).
- R. Policy that cannot lead to development or other change (screened out).
- S. Policy or proposal that could not have any conceivable effect on a site (screened out).
- T. Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects) (screened out).
- U. Policy or proposal with a likely significant effect on a site alone (screened in)
- V. Policy or proposal with an effect on a site but not likely to be significant alone, so need to check for likely significant effects in combination
- W. Policy or proposal not likely to have a significant effect either alone or in combination (screened out after the in combination test).
- X. Policy or proposal likely to have a significant effect in combination (screened in after the in combination test).

No	Policy	Screening category	Comment/justification	Further work?
National Park Purpose and Duty				
1	National Park Purposes and Duty	A	Screened out: This is a general statement of policy which cannot have any effect on a European site	N
Spatial Strategy				
2	Tenby Local Service and Tourism Centre (Tier 2) (Strategy Policy)	F	Screened out: The policy is a strategic high level policy setting out land use priorities with reference to later policies within the plan. In and of itself (i.e. in the absence of these later policies) the policy cannot lead to any development or change. The later policies are screened individually below.	N

No	Policy	Screening category	Comment/justification	Further work?
3	Newport Local Centre (Tier 3) (Strategy Policy)	F	Screened out: The policy is a strategic high level policy setting out land use priorities with reference to later policies within the plan. In and of itself (i.e. in the absence of these later policies) the policy cannot lead to any development or change. The later policies are screened individually below.	N
4	Saundersfoot Local Centre (Tier 3) (Strategy Policy)	F	Screened out: The policy is a strategic high level policy setting out land use priorities with reference to later policies within the plan. In and of itself (i.e. in the absence of these later policies) the policy cannot lead to any development or change. The later policies are screened individually below.	N
5	St Davids Local Centre (Tier 3) (Strategy Policy)	F	Screened out: The policy is a strategic high level policy setting out land use priorities with reference to later policies within the plan. In and of itself (i.e. in the absence of these later policies) the policy cannot lead to any development or change. The later policies are screened individually below.	N
6	Rural Centres (Tier 4) (Strategy Policy)	F/G	Screened out: The policy is a strategic high level policy setting out land use priorities with reference to later policies within the plan. The later policies are screened individually below and policies 6a, c, d and e are screened out against category F. Policies 6b and f are not dependent on later policies and are screened out against category G; they will have no conceivable effect on any European sites.	N
7	Countryside (Tier 5) (Strategy Policy)	F/B	Screened out: The policy is a strategic high level policy setting out land use priorities with reference to later policies within the plan. The later policies are screened individually below and policies 7c, d, e, f, g and i are screened out against category F. Policies 7a, b and h are screened out against category B as they are merely general policy listing criteria against for testing the acceptability of proposals.	N

No	Policy	Screening category	Comment/justification	Further work?
Special Qualities				
8	Special Qualities (Strategy Policy)	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
9	Light Pollution	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
10	Sites and Species of European Importance (New)	E	Screened out: This policy actively steers development in a way to protect European sites.	N
11	Nationally Protected Sites and Species (New)	E	Screened out: This policy actively steers development in a way to protect European sites.	N
12	Local Sites of Nature Conservation or Geological Interest	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
13	Protection of Biodiversity	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
14	Welsh Language	A	Screened out: This is a general statement of policy which cannot have any impact upon European sites.	N
15	Protection of Buildings of Local Importance	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
16	Conservation of the Pembrokeshire Coast National Park	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
17	Open Space and Green Wedges	A	Screened out: This is a general statement of policy which cannot have any impact upon European sites.	N
18	Shore Based Facilities	I	Screened in: This policy implies that 'shore based facilities' will be permitted within developed areas of the coast. There are many European sites along the coast which straddle what might be referred to as 'developed areas'. The lack of any reference to potential impacts on designated conservation sites might lead to an internal conflict with policy 10. Further assessment of this policy is required.	Y
19	Porthgain, Saundersfoot, Solva and Tenby Harbours	I	Screened in: This policy implies that development 'within harbour areas' will be permitted under certain circumstances. There are many European sites along the coast which straddle what might be	Y

No	Policy	Screening category	Comment/justification	Further work?
			referred to as 'harbour areas'. The lack of any reference to potential impacts on designated conservation sites might lead to an internal conflict with policy 10. Further assessment of this policy is required.	
Major Development, the Potential for Growth				
20	Hazardous Installations	B	Screened out: This is a policy listing the general criteria for testing acceptability of proposals. It cannot affect any European sites.	N
21	Scale of Growth (Strategy Policy)	F/G	Screened out: The policy is a strategic high level policy setting out growth areas with reference to other policies within the plan. The later policies are screened individually (above and below) and policies 21a-f are screened out against category F. Policy 21g is not dependent on other plan policies but is screened out against category G as the generic nature of the policy is such that it cannot have any conceivable impact on European sites.	N
22	Minerals Safeguarding	B	Screened out: This is a policy listing the general criteria for testing acceptability of proposals. It cannot affect any European sites.	N
23	Buffer Zones	B	Screened out: This is a policy listing the general criteria for testing acceptability of proposals. It cannot lead to development in its own right.	N
24	Borrow Pits	I	Screened in: This policy sets out the circumstances when temporary planning permission might be provided for borrow pits. It is not spatially specific but, nevertheless, the lack of any reference to potential impacts on designated conservation sites might lead to an internal conflict with policy 10. Para 4.136 refers to Natura 2000 sites within consideration of 'environmental impacts' but with the wording for 24(f) having been deleted this paragraph no longer has sufficient relevance to the policy wording itself. Further assessment of this policy is required.	Y
25	Local Building Stone	B/H	Screened out: This is a policy listing the general criteria for testing acceptability of proposals. It implies support for quarrying of local stone under certain circumstances and 25f specifically refers to	N

No	Policy	Screening category	Comment/justification	Further work?
			development not having 'an adverse impact' on the local environment. Para 4.137 is explicit that consideration of local environmental impacts will include Natura 2000 sites, hence this policy provides sufficient protection. In view of policy 10, policy 25 cannot undermine the conservation objectives of any European sites.	
26	Recycled, Secondary and Waste Materials	B	Screened out: This is a policy listing the general criteria for testing acceptability of proposals. It cannot affect any European sites.	N
27	Inactive Mineral Sites	A	Screened out: This is a general statement of policy	N
28	Local Waste Management Facilities	B/H	Screened out: This is a policy listing the general criteria for testing acceptability of proposals. It implies support for waste management facilities where certain criteria are met. The policy makes no reference to European sites but, given the low levels of risk, policy 10 can be relied upon to afford sufficient protection to European sites. In view of policy 10, policy 28 cannot undermine the conservation objectives of any European sites.	N
29	Composting	I	Screened in: Composting facilities can be a significant source of ammonia emissions. This policy makes no reference to European sites and the scale of risk is sufficient to create an internal conflict with policy 10.	Y
Climate Change, Sustainable Design, Flooding, Sustainable Energy				
30	Sustainable Design (Strategy Policy)	A	Screened out: This is a general statement of policy.	N
31	Amenity	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
32	Minimising Waste	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
33	Surface Water Drainage	D	Screened out: This policy is a general environmental/safeguarding protection policy.	N
34	Renewable Energy (Strategy Policy)	B/H	Screened out: This is a policy listing the general criteria for testing acceptability of renewable energy proposals. It is not spatially specific but could theoretically be relevant to schemes which might	N

No	Policy	Screening category	Comment/justification	Further work?
			impact upon European sites. However the policy explicitly refers to the need to avoid 'unacceptable adverse effects' and para 4.177 explicitly refers to Natura 2000 sites. It is therefore considered that policy 10 will provide sufficient protection to avoid schemes coming forward which represent a risk to European sites. In view of policy 10, policy 34 cannot undermine the conservation objectives of any European sites.	
35	Flooding and Coastal Inundation (Strategy Policy)	C	Screened out: This policy makes provision for flood defence schemes which are consistent with the shoreline management plan (SMP). The SMPs are proposals referred to, but not proposed, by the Local Plan. The SMPs for West Wales and the South Wales Coast are relevant to the Local Plan and each SMP was subject to HRA as plans in their own right.	No
36	Development in the Coastal Change Management Area	B/H	Screened out: This is a policy listing the general criteria for testing acceptability of renewable energy proposals. It is not spatially specific but could theoretically be relevant to schemes which might impact upon European sites. However the policy explicitly refers to 'complying with all other relevant policies' and it is considered that policy 10 will provide sufficient protection to avoid schemes coming forward which represent a risk to European sites. In view of policy 10, policy 36 cannot undermine the conservation objectives of any European sites.	N
37	Relocation of existing permanent dwellings affected by coastal change	B/H	Screened out: This is a policy listing the general criteria for testing acceptability of renewable energy proposals. It is not spatially specific but could theoretically be relevant to schemes which might impact upon European sites. However the policy explicitly refers to the need to avoid 'unacceptable adverse effects' and 'meet all other criteria against which a residential proposal would be judged'. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites.	N

No	Policy	Screening category	Comment/justification	Further work?
			In view of policy 10, policy 37 cannot undermine the conservation objectives of any European sites.	
38	Relocation and replacement of development (other than residential) affected by coastal change	B/H	Screened out: This is a policy listing the general criteria for testing acceptability of renewable energy proposals. It is not spatially specific but could theoretically be relevant to schemes which might impact upon European sites. However the policy explicitly refers to the need to avoid 'unacceptable adverse effects' and it is considered that policy 10 will provide sufficient protection to avoid schemes coming forward which represent a risk to European sites. In view of policy 10, policy 38 cannot undermine the conservation objectives of any European sites.	N
Visitor Economy, Employment				
39	Visitor Economy (Strategy Policy)	I	Screened in: Policy 39 (b) and (e) provides support for 'new hotels and guest houses' and 'visitor attractions, recreational and leisure activities in or adjacent to centres'. The policy is not spatially specific but the proximity of many of the centres to European sites and the inherent sensitivity of many sites to visitor pressure creates the potential for an internal conflict with policy 10. Further assessment is required. Beyond policies b and f, the remainder of the policy is a strategic high level policy with reference to other policies within the plan. The later policies are screened individually (above and below) and policies 39a, c, d & f are screened out against category F.	Y
40	Loss of Hotels and Guest Houses	B	Screened out: this is simply a policy setting out general criteria for testing the acceptability of proposals.	N
41	Self-Catering Development	B/H	Screened out: This is a policy listing the general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to schemes which might impact upon European sites. However, given that the policy is restricted to brownfields sites 'in a	N

No	Policy	Screening category	Comment/justification	Further work?
			centre' the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid schemes coming forward which represent a risk to European sites. In view of policy 10, policy 41 cannot undermine the conservation objectives of any European sites.	
42	Caravan, Camping and Chalet Development	B/H	Screened out: This is a policy listing the general criteria for testing acceptability of caravan, camping and chalet proposals. It is not spatially specific but could theoretically be relevant to schemes which might impact upon European sites. However the policy explicitly refers to the need for proposals to be 'away from the coast and Preselis' and to avoid 'sensitive locations' and 'unacceptable adverse cumulative effects'. Para 4.21 explicitly refers to the development of supplementary planning guidance to fiver detailed advice on these terms. It is reasonable to assume that the SPG will be able to explicitly refer to the protection of European sites. It is therefore considered that policy 10, alongside this SPG, will provide sufficient protection to avoid schemes coming forward which represent a risk to European sites. In view of policy 10, and the forthcoming SPG policy 42 cannot undermine the conservation objectives of any European sites.	N
43	Site Facilities on Tent, Chalet and Caravan Sites	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which could impact upon European sites. However, given that the policy is restricted to 'retail and other facilities' rather than intensification of existing uses <i>per se</i> the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 43 cannot undermine the conservation objectives of any European sites.	N

No	Policy	Screening category	Comment/justification	Further work?
44	Employment Sites and Live/Work Units (Strategy Policy)	F/G	<p>Screened out: Policy 44 is a strategic high level policy with reference to other policies within the plan. The later policies are screened individually (above and below).</p> <p>Policies 44(b-d) are not spatially relevant but the credible evidence of a real risk to European sites are low and it is considered that policy 10 can be relied upon to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policies 44 (b-d) have no conceivable impact on any European sites.</p>	N
45	Protection of Employment Sites and Buildings	B/H	<p>Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the policy is restricted to the reuse of existing facilities rather than new development, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 45 cannot undermine the conservation objectives of any European sites.</p>	N
46	Agricultural Diversification	I	<p>Screened in: Policy 46 provides support for 'farm diversification proposals'. The policy is not spatially specific but the proximity of many existing farms to European sites and the inherent sensitivity of many sites to farming activities (in particular in respect of ammonia emissions) creates the potential for an internal conflict with policy 10. Further assessment is required.</p>	Y
47	Housing (Strategy Policy)	A	<p>Screened out: This is a general statement of policy. The policy promotes changes but is not spatially specific. Potential effects on European sites cannot be identified as the policy is too general. The housing allocations are screened separately under policy 48.</p>	N

No	Policy	Screening category	Comment/justification	Further work?
48	Housing Allocations	-	POTENTIAL HOUSING ALLOCATIONS ARE SCREENED SEPARATELY IN APPENDIX 3	-
49	Affordable Housing (Strategy Policy)	B/G	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the strategic nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 49 will have no conceivable effect on any European sites.	N
50	Housing Densities and Mix	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the strategic nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 50 cannot undermine the conservation objectives of any European sites.	N
51	Gypsy Sites	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 51 cannot undermine the conservation objectives of any European sites.	N
52	One Planet Development	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be	N

No	Policy	Screening category	Comment/justification	Further work?
			relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 52 cannot undermine the conservation objectives of any European sites.	
53	Community Facilities and Infrastructure Requirements (Strategy Policy)	B/G	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 53 cannot have any conceivable effect on any European sites.	N
54	Retail in the National Park (Strategy Policy)	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 54 cannot undermine the conservation objectives of any European sites.	N
55	Town and District Shopping Centres	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that	N

No	Policy	Screening category	Comment/justification	Further work?
			policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 55 cannot undermine the conservation objectives of any European sites.	
56	Garden Centres	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 56 cannot undermine the conservation objectives of any European sites.	N
57	Sustainable Transport (Strategy Policy)	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 57 cannot undermine the conservation objectives of any European sites.	N
58	Impacts of Traffic	B/H	Screened out: This is a policy listing general criteria for testing acceptability. Given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 58 cannot undermine the conservation objectives of any European sites.	
59	Cycleways	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be	N

No	Policy	Screening category	Comment/justification	Further work?
			relevant to proposals which might impact upon European sites. However, given that the broad nature of the policy, the credible evidence of a real risk to European sites is low. It is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 60 cannot undermine the conservation objectives of any European sites.	
60	Powerlines and Pipelines	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, the policy wording explicitly states that proposals will only be permitted where <i>'there are no unacceptable adverse effects on the special qualities of the National Park'</i> . As such, it is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 61 cannot undermine the conservation objectives of any European sites.	N
61	Telecommunications	B/H	Screened out: This is a policy listing general criteria for testing acceptability. It is not spatially specific but could theoretically be relevant to proposals which might impact upon European sites. However, given that the nature of telecommunication proposals (individual masts), the credible evidence of a real risk to European sites is low. Furthermore para 4.153 specifically refers to consideration of environmental impacts on Natura 2000 sites. As such, it is considered that policy 10 will provide sufficient protection to avoid proposals coming forward which represent a risk to European sites. In view of policy 10, policy 62 cannot undermine the conservation objectives of any European sites.	N

Appendix 3: Preliminary screening of potential housing allocations

The screening work has been undertaken in accordance with the guidance contained within Part F of the HRA Handbook. Policies have been screened against categories as set out in section F.6.3 as listed below:

- A. General statement of policy / general aspiration (screened out).
- B. Policy listing general criteria for testing the acceptability / sustainability of proposals (screened out).
- C. Proposal referred to but not proposed by the plan (screened out).
- D. Environmental protection / site safeguarding policy (screened out).
- E. Policies or proposals which steer change in such a way as to protect European sites from adverse effects (screened out).
- F. Policy that cannot lead to development or other change (screened out).
- G. Policy or proposal that could not have any conceivable effect on a site (screened out).
- H. Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects) (screened out).
- I. Policy or proposal with a likely significant effect on a site alone (screened in)
- J. Policy or proposal with an effect on a site but not likely to be significant alone, so need to check for likely significant effects in combination
- K. Policy or proposal not likely to have a significant effect either alone or in combination (screened out after the in combination test).
- L. Policy or proposal likely to have a significant effect in combination (screened in after the in combination test).

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
013	Dinas Cross, Land South of Rhoshelyg and West of Spring Hill (10 units)	G (Screened out)	This potential allocation is for 10 units The nearest terrestrial European site is 4km from the potential allocation. This is a site designated for bats and there are no liner commuting features within the potential allocation site. The potential allocation is 1.3km from the coast and the West Wales marine SAC. The scale and location of	No issues flagged	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			development is such that there is no conceivable risk to any European site.		
014	Glasfryn Field, Square and Compass	G (Screened out)	The potential allocation is for 7 units. The nearest terrestrial European site is 1.9km from the potential allocation. This is the Cleddau Rivers SAC and there are no impacts related to proximity and no hydraulic connectivity to the site. The potential allocation is 2km from the coast and the West Wales marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.	DCWW confirmed	No
015	Land at Sandy Hill, Saundersfoot	H(Screened out)	The potential allocation here is for 68 units. The nearest terrestrial site is located 2km from the potential allocation and is a single roost site which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The distance from the SAC and the proximity to existing development on the outskirts of Saundersfoot means that there is no conceivable risk to the SAC. The potential allocation is 900m from the coast and the Carmarthen Bay and Estuaries SAC/SPA. The potential allocation will, in combination with other potential allocations in Saundersfoot, contribute to recreational pressure along the beach frontage in Saundersfoot and surrounding areas. However the Carmarthen Bay and Estuaries non-interactive A3 map shows the qualifying features present along the frontage as being limited to sandflats which are not sensitive to recreational usage along the beach. Of the SAC species, the Regulation 35 advice does not refer to any specific presence or sensitivity in and around the Saundersfoot area. The scale and location of development is such that it will not undermine the conservation objectives of any European site.	No issues flagged	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
21A & 99A	Land West of Glasfryn Road, St. David's	H (Screened out)	The potential allocation is for 90 units. The nearest terrestrial SAC is the North West Pembrokeshire Commons which is 140m from the boundary. The proximity of the SAC brings associated risks from visitor pressure as it is reasonable to assume that resident will use the SAC for recreational purposes. A public footpath provides convenient access to the SAC off the A487. However the site has capacity to absorb the modest increase in local resident numbers. NRW have confirmed that there are no current concerns over recreational usage of the site and the proposed development will not therefore undermine the conservation objectives for the site.	No issues flagged	No
031	North of Whitlow, Saundersfoot	H(Screened out)	This potential allocation is for 168 units. The nearest terrestrial site is located 3km from the potential allocation and is a single roost site which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The distance from the SAC and the proximity to existing development on the outskirts of Saundersfoot means that there is no conceivable risk to the SAC. The potential allocation is 500m from the coast and the boundary of the Carmarthen Bay and Estuaries SAC/SPA. The potential allocation will, in combination with other potential allocations in Saundersfoot, contribute to recreational pressure along the beach frontage in Saundersfoot and surrounding areas. However the Carmarthen Bay and Estuaries non-interactive A3 map shows the qualifying features present along the frontage as being limited to sandflats which are not sensitive to recreational usage along the beach. Of the SAC species, the Regulation 35 advice does not refer to any specific presence or sensitivity in and around the Saundersfoot area. The scale and location of	DCWW confirmed	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			development is such that it will not undermine the conservation objectives of any European site.		
034	Land off Trewarren Road adjacent school, St Ishmaels	G	This potential allocation is for 14 units. It is located more than 10km from the nearest terrestrial SAC and is within 330m of the coast which represents the boundary of the Pembrokeshire Marine SAC and the West Wales SAC. The scale of the development is such that there is no conceivable risk to these marine sites.	Capacity available for 14 units	No
036	Penny Farm, Site A, Saundersfoot	H(Screened out)	This potential allocation is for 12 units. The nearest terrestrial site is located 3km from the potential allocation and is a single roost site which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The distance from the SAC and the proximity to existing development on the outskirts of Saundersfoot means that there is no conceivable risk to the SAC. The potential allocation is 1km from the coast and the boundary of the Carmarthen Bay and Estuaries SAC/SPA. The potential allocation will, in combination with other potential allocations in Saundersfoot, contribute to recreational pressure along the beach frontage in Saundersfoot and surrounding areas. However the Carmarthen Bay and Estuaries non-interactive A3 map shows the qualifying features present along the frontage as being limited to sandflats which are not sensitive to recreational usage along the beach. Of the SAC species, the Regulation 35 advice does not refer to any specific presence or sensitivity in and around the Saundersfoot area. The scale and location of development is such that it will not undermine the conservation objectives of any European site.	DCWW confirmed	No
037	Penny Farm, Site B, Saundersfoot	H(Screened out)	This potential allocation is for 24 units. The nearest terrestrial site is located 3km from the potential allocation	DCWW confirmed	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			and is a single roost site which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The distance from the SAC and the proximity to existing development on the outskirts of Saundersfoot means that there is no conceivable risk to the SAC. The potential allocation is 1km from the coast and the boundary of the Carmarthen Bay and Estuaries SAC/SPA. The potential allocation will, in combination with other potential allocations in Saundersfoot, contribute to recreational pressure along the beach frontage in Saundersfoot and surrounding areas. However the Carmarthen Bay and Estuaries non-interactive A3 map shows the qualifying features present along the frontage as being limited to sandflats which are not sensitive to recreational usage along the beach. Of the SAC species, the Regulation 35 advice does not refer to any specific presence or sensitivity in and around the Saundersfoot area. The scale and location of development is such that it will not undermine the conservation objectives of any European site.		
039	The Havens, South-east of Site 41 Broadhaven	H(Screened out)	<p>This potential allocation is for 28 units. It is located more than 10km from the nearest terrestrial SAC and is within 525m of the coast which represents the boundary of the Pembrokeshire Marine SAC. The scale of the development is such that whilst the potential allocation will contribute to recreational pressure along the Broad Haven frontage, the risk is not sufficient to undermine the conservation objectives.</p> <p>DCWW have flagged a potential capacity issue but the scale and location of the development, and the low risk to the marine SAC, is such that it is reasonable to assume that</p>	Possible capacity issue	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			options are realistically available which would avoid undermining the conservation objectives of any European sites.		
041	The Havens, North East of Marine Road, Broadhaven	H(Screened out)	<p>This potential allocation is for 66 units. It is located more than 10km from the nearest terrestrial SAC and is within 525m of the coast which represents the boundary of the Pembrokeshire Marine SAC. The scale of the development is such that there is no conceivable risk to these marine sites.</p> <p>DCWW have flagged a potential capacity issue but the scale and location of the development, and the low risk to the marine SAC, is such that it is reasonable to assume that options are realistically available which would avoid undermining the conservation objectives of any European sites.</p>	Possible capacity issue	No
045	Part of Lawrenny Home Farm	I(Screened in)	<p>This potential allocation is for 33 units. It is located 4.5km from the nearest terrestrial SAC (Yerbeston Tops) and is 260m from the coast which represents the boundary of the Pembrokeshire Marine SAC. The scale of the development is such that there is no conceivable risk to these sites from proximity related impacts.</p> <p>However there is no connection to the mains sewerage network. Further consideration is required in respect of disposal of wastewater due to the likelihood of discharge direct to the SAC.</p>	No WWTW available	Yes (WWTW only)
050	Land Adjoining Cefn Galod, Trefin	G (Screened out)	This potential allocation is for 10 units. It is located 3km from the Cleddau Rivers and 6km from North West Pembrokeshire Commons SAC. It is 650m from the coast which represents the boundary of the West Wales Marine SAC. The scale of the development is such that there is no	DCWW confirmed	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			conceivable risk to these sites from proximity related impacts.		
054	Land to rear of Angorfan Bungalow and Dinas Cross Service Station, Dinas Cross	G (Screened out)	This potential allocation is for 5 units. The nearest terrestrial European site is 4km from the potential allocation. This is a site designated for bats and there are no linear commuting features within the potential allocation site. The potential allocation is 1.3km from the coast and the West Wales Marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.	No issues flagged	No
056	West of Narberth Road Tenby	I (Screened in)	This potential allocation is for 33 units. The nearest terrestrial European site is 1.2km from the potential allocation. This is a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. Whilst there are no linear commuting features within the potential allocation site itself, the site is surrounded by a woodland buffer. The network of woodland and hedges between the roost and the potential allocation site provides credible evidence of a real risk that the land around the development site might support the SAC population. Further survey effort prior to development would be required. The potential allocation is 950m from the coast and the Carmarthen Bay and Estuaries SAC. The scale and location of development is such that there is no conceivable risk to any European site.	DCWW confirmed	Yes
061	Parc y Plant, Newport	G (Screened out)	This potential allocation is for 10 units. The nearest terrestrial European site is 980m from the potential allocation. This is a roosting/breeding site for greater horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. There are no linear	Potential capacity issue but connection available	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			<p>commuting features within the potential allocation site itself and the site is entirely surrounded by existing development. The potential allocation is 1.4km from the coast and the West Wales Marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.</p> <p>DCWW have flagged a potential capacity issue but the scale of the development is such that it is reasonable to assume that options are available which avoid unacceptable risks to European sites.</p>		
068	North of Newport Business Park	I (Screened in)	<p>This potential allocation is for 15 units. The nearest terrestrial European site is 750m from the potential allocation. This is a roosting/breeding site for greater horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. The potential allocation site is adjacent to a wooded area and it is possible that this provides supporting habitat for the bats, or is part of a strategic commuting route or flight line. The Core Management Plan for the site states that, within 1km, <i>'all woodland, wooded watercourses, hedge lined lanes or even small roads are likely to be key features bats use'</i>. Further work required.</p> <p>The potential allocation is 1.5km from the coast and the West Wales Marine SAC. The scale and location of development is such that there is no conceivable risk to this marine site.</p> <p>DCWW have flagged a potential capacity issue but the scale of the development is such that it is reasonable to assume</p>	DCWW confirmed	Yes (bats)

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			that options are available which avoid unacceptable risks to European sites.		
086	West of The Green, Lydstep	H(Screened out)	<p>This potential allocation is for 10 units. The potential allocation is located 500m from the Limestone Coast of SW Wales SAC which is designated for greater horseshoe bats meaning consideration is needed as to potential supporting habitat and commuting/foraging habitat. However the core management plan for the sites notes that the greater horseshoe bat is not the main focus of the management units concerned (5a and 5b). As such, it is not considered that the potential allocation will have any likely significant effect as the bats are distributed elsewhere across the SAC.</p> <p>There is a potential for increased visitor pressure but the scale of the development is such that the associated increase in visitor number is not considered to be significant.</p>	DCWW confirmed	No
96A	Cippin Stone, Newport	G(Screened out)	<p>This potential allocation is for 15 units. The nearest terrestrial European site is 1.2km from the potential allocation. This is a roosting/breeding site for greater horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. There are no obvious linear commuting features within the potential allocation site itself and the site is close to existing development. The potential allocation is 600m from the coast and the West Wales Marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.</p> <p>DCWW have flagged a potential capacity issue but the scale of the development is such that it is reasonable to assume that options are available which avoid unacceptable risks to European sites.</p>	Capacity for foul flows only	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
106	Land adjacent Bryngolau, Square and Compass	G (Screened out)	The potential allocation is for 10 units. The nearest terrestrial European site is 1.9km from the potential allocation. This is the Cleddau Rivers SAC and there are no impacts related to proximity and no hydraulic connectivity to the site. The potential allocation is 2km from the coast and the West Wales Marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.	DCWW confirmed	No
112	Bryn Hir, Tenby	I(Screened in)	<p>This potential allocation is for 127 units. The nearest terrestrial European site is 780m from the potential allocation. This is a roosting/breeding site for lesser horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. There is a tree-lined track running through the potential allocation between Old Narberth Road and the end of Upper Hill Park and the site is surrounded by a woodland buffer. The potential allocation is close to existing development but the network of woodland and hedges between the roost and the potential allocation site provides credible evidence of a real risk which would need further survey effort prior to development. The Core Management Plan for the site states that, within 1km, <i>'all woodland, wooded watercourses, hedge lined lanes or even small roads are likely to be key features bats use'</i>.</p> <p>The potential allocation is 500m from the coast and the Carmarthen Bay and Estuaries SAC. The scale and location of development is such that there is no conceivable risk to the Marine European site.</p>	DCWW confirmed	Yes (bats)
113	Butts Field Carpark, Tenby	I(Screened in)	This potential allocation is for 80 units. The nearest terrestrial European site is 850m from the potential allocation. This is a roosting/breeding site for lesser	DCWW confirmed	Yes (bats)

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			<p>horseshoe bats which forms part of the Pembrokeshire Bat Sites and Bosherton Lakes SAC. There are no linear commuting features within the potential allocation site itself but the site is surrounded by a woodland buffer with a potential commuting route along Waterwynch Lane. The potential allocation is close to existing development but the network of woodland and hedges between the roost and the potential allocation site provides credible evidence of a real risk which would need further survey effort prior to development. The Core Management Plan for the site states that, within 1km, <i>'all woodland, wooded watercourses, hedge lined lanes or even small roads are likely to be key features bats use'</i>.</p> <p>The potential allocation is 500m from the coast and the Carmarthen Bay and Estuaries SAC. The scale and location of development is such that there is no conceivable risk to the Marine European site.</p>		
124	East of Tower Hill, Dinas Cross	G (Screened out)	This potential allocation is for 20 units The nearest terrestrial European site is 4km from the potential allocation. This is a site designated for bats and there are no liner commuting features within the potential allocation site. The potential allocation is 650m from the coast and the West Wales Marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.	No issues flagged	No
129	West of Rosebush	H(Screened out)	The potential allocation is for 10 units. The nearest terrestrial sites are Cleddau Rivers SAC (500m from Rosebush Reservoir) and 2.2km from Preseli SAC. The scale	No capacity	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			<p>and location of development is such that there is no conceivable risk to any European site.</p> <p>Whilst DCWW have flagged potential capacity issues, the potential allocation is for 10 units and it is reasonable to assume that a drainage solution is available which will not represent an unacceptable risk to any European site.</p>		
131	North of Jason's Corner, Stackpole	I(screened in)	<p>The potential allocation is for 10 units. The nearest terrestrial sites is 500m away (Pembrokeshire Bat Sites and Bosherton Lakes SAC. Otter is a key species for which the management units in closest proximity to the potential allocation are managed. Hence disturbance is a potential risk and relevant survey effort would be required prior to development.</p> <p>Whilst DCWW have flagged potential capacity issues, the potential allocation is for 10 units and there are no concerns if connection to the sewage works is possible but, if alternative drainage solutions are necessary, the proximity to sensitive wetland and open water features of the SAC will mean that wastewater drainage would need careful consideration.</p>	Limited capacity	Yes
136a	Land South of A487, South West of Castle Terrace, Dinas Cross	G (Screened out)	This potential allocation is for 5 units The nearest terrestrial European site is >3km from the potential allocation. This is a site designated for bats and there are no liner commuting features within the potential allocation site. The potential allocation is 1.3km from the coast and the West Wales marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.	Possible capacity issue	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			Whilst DCWW have flagged potential capacity issues, the potential allocation is for only five units and it is reasonable to assume that a drainage solution is available which will not represent an unacceptable risk to any European site.		
138	Land at Buttylands Manorbier Station	G(Screened out)	<p>This potential allocation is for 18 units. The nearest sites are all coastal or marine and are at least 2km from the potential allocation. The scale and location of development is such that there is no conceivable risk to any European site.</p> <p>Whilst DCWW have flagged potential capacity issues, the potential allocation is for only 18 units and it is reasonable to assume that a drainage solution is available which will not represent an unacceptable risk to any European site.</p>	Possible capacity issue	No
151	Land North West of Maes Ewan	H(Screened out)	<p>This potential allocation is for 45 units. The nearest terrestrial site is the North West Pembrokeshire Commons at 1.5km. The potential allocation is located 500m from the Pembrokeshire Marine SAC. The nature and scale of the development is such that it will not undermine the conservation objectives of any European site.</p> <p>Whilst DCWW have flagged potential capacity issues, the potential allocation is for only 45 units and it is reasonable to assume that a drainage solution is available which will not represent an unacceptable risk to any European site.</p>	Possible capacity issue	No
308	Land adjacent to Temple House, Square and Compass	G (Screened out)	The potential allocation is for 8 units. The nearest terrestrial European site is 1.9km from the potential allocation. This is the Cleddau Rivers SAC and there are no impacts related to proximity and no hydraulic connectivity to the site. The potential allocation is 2km from the coast and the West	Possible capacity issue	No

Ref	Potential housing allocation	Screening category	Comment/justification	WWTW capacity?	Further work?
			<p>Wales Marine SAC. The scale and location of development is such that there is no conceivable risk to any European site.</p> <p>Whilst DCWW have flagged potential capacity issues, the potential allocation is for only 8 units and it is reasonable to assume that a drainage solution is available which will not represent an unacceptable risk to any European site.</p>		