

HABITATS REGULATIONS ASSESSMENT SCREENING REPORT

Powys County Council

Local Development Plan - Deposit

April 2015

Powys County Council Local Development Plan

Habitats Regulations Assessment Screening Report

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EXECUTIVE SUMMARY

- 0.1 Habitats Regulations Assessment (HRA) of spatial, development plans is a requirement of the Habitats Directive (92/43/EEC) as set out in the Conservation of Habitats and Species Regulations 2010. This report details the HRA Screening for Powys County Council Local Development Plan. It sets out the methods and findings and the conclusions of the Screening Assessment.
- 0.2 The HRA considered 52 Natura 2000 / European Sites, which lie either within the County or within 15km of the County boundary. This is considered an appropriate 'net' to ensure all potential impacts of the LDP are screened.
- 0.3 Based on the information considered as part of the screening process, the assessment indicates that implementation of the deposit Powys LDP will not have a likely significant effect on the Natura 2000 sites considered as part of the HRA screening and therefore does not require Appropriate Assessment under the Habitats Regulations. However, project level HRA will be required at the planning application stage before consent is given for the development of some allocations and for non-allocated development, supported by general policies in the plan, in certain locations. The deposit LDP is clear in this respect and identifies where the following statement, which is included in the plan at paragraph 1.4, applies:

'In line with the Habitats Regulations and in consultation with NRW, it will be necessary for project level assessments to be undertaken where there is a potential for significant effects on Natura 2000 sites. Any development project that could have an adverse effect on integrity of a European site will not be in accordance with the development plan, within the meaning of S.38(6) of the Planning and Compulsory Purchase Act 2004'.
- 0.4 All representations and comments on the LDP Deposit Draft and accompanying documents are welcomed but must be received by the Council by the end of the consultation period. Comments received after the deadline will be treated as late and not accepted. Comments received during the consultation period will be considered by the Council.

1.0 INTRODUCTION

- 1.1 Powys County Council is currently developing the Powys Local Development Plan and is undertaking Habitats Regulations Assessment in line with the requirements set by the Conservation of Habitats and Species Regulations 2010 as amended¹ [The Habitats Regulations].
- 1.2 This HRA screening report addresses the likely significant effect[s] on designated European Site[s] of implementing the policies and proposals of the Powys Local Development Plan.
- 1.3 Habitats Regulations Assessment is also commonly referred to as Appropriate Assessment (AA) although the requirement for AA is first determined by an initial 'screening' stage undertaken as part of the full HRA. This report addresses the Screening Phase of the HRA; it outlines the screening tasks and the key findings emerging from the assessment.

Requirement for Habitats Regulations Assessment

- 1.4 The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) protects habitats and species of European nature conservation importance. The Habitats Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 (N2K) sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) [which are classified under the Council Directive 79/409/EEC on the conservation of wild birds, the 'Birds Directive'].
- 1.5 Articles 6 (3) and 6 (4) of the Habitats Directive require AA to be undertaken on proposed plans or projects which are not necessary for the management of the site but which are likely to have a significant effect on one or more European sites either individually, or in combination with other plans and projects.² This requirement is set out in the Conservation of Habitats and Species Regulations 2010 which require the application of HRA to all land use plans. Welsh Assembly Government (WAG) guidance also requires that Ramsar sites (which support internationally important wetland habitats) and are listed under the Convention on Wetlands of International Importance (Ramsar

¹ The Conservation of Habitats and Species Regulations 2010 as amended consolidate all the various amendments made to the 1994 Regulations in respect of England and Wales.

² Determining whether an effect is 'significant' is undertaken in relation to the designated interest features and conservation objectives of the Natura 2000 sites. If an impact on any conservation objective is assessed as being adverse then it should be treated as significant. Where information is limited the precautionary principle applies and significant effects should be assumed until evidence exists to the contrary. In many cases this leads to the requirement for project level HRA at the development management stage because it is not reasonable to expect this level of detail to be known at the Plan making stage. In this respect there is certainty that significant likely effects will not occur because they would not be in accordance with the plan if they do.

Convention 1971) are included within HRA/AA and that candidate SACs and proposed SPAs are treated as 'designated' sites in the context of HRA. In this report the term 'European sites' will be used when referring to SACs, cSACs, SPAs, pSPAs and Ramsar sites.

- 1.6 The purpose of HRA/AA is to assess the impacts of a land-use plan, in combination with the effects of other plans and projects, against the conservation objectives of a European Site and to ascertain whether it would adversely affect the integrity³ of that site. Where significant negative effects are identified, alternative options or mitigation measures should be examined to avoid any potential damaging effects. The scope of the HRA/AA is dependent on the location, size and significance of the proposed plan or project and the sensitivities and nature of the interest features of the European sites under consideration.

Guidance for Habitats Regulations Assessment/Appropriate Assessment

- 1.7 Guidance for HRA is contained in WAG's Technical Advice Note 5: Nature Conservation and Planning, Annex 6 'The Appraisal of Development Plans in Wales under the Provisions of the Habitats Regulations' (Sept 2009).
- 1.8 The methods and approach used for this screening are based on the formal Welsh guidance currently available and emergent practice, which recommends that HRA is approached in three main stages - outlined in **Table 1**. This report outlines the method and findings for stage 1 of the HRA process.

³ Integrity is described as the sites' coherence, ecological structure and function across the whole area that enables it to sustain the habitat, complex of habitats and/or levels of populations of species for which it was classified, (ODPM, 2005).

Table 1 Habitats Regulations Assessment: Key Stages	
Stage 1	
Screening for likely significant effect	<ul style="list-style-type: none"> ▪ Identify international sites in and around the plan/strategy area in a search area agreed with the Statutory Body the Natural Resources Wales (See Appendix 1). ▪ Examine conservation objectives of the interest feature(s)(where available)(See Appendix 1). ▪ Review plan policies and proposals and consider potential effects on European sites (magnitude, duration, location, extent) (See Table 5). ▪ Examine other plans and programmes that could contribute to 'in combination' effects (See Appendix 5).
	<ul style="list-style-type: none"> ▪ <i>If no effects likely - report no significant effect (taking advice from NRW as necessary).</i> ▪ <i>If effects are judged likely or uncertainty exists - the precautionary principle applies proceed to stage 2</i>
Stage 2	
Further Assessment	<ul style="list-style-type: none"> ▪ Complete additional scoping work including the collation of further information on sites as necessary to evaluate impact in light of conservation objectives ▪ Agree scope and method of AA with NRW ▪ Consider how plan 'in combination' with other plans and programmes will interact when implemented (the Appropriate Assessment) ▪ Consider how effect on integrity of site could be avoided by changes to plan and the consideration of alternatives ▪ Develop mitigation measures (including timescale and mechanisms) ▪ Report outcomes of AA including mitigation measures, consult with NRW and wider [public] stakeholders as necessary ▪ If plan will not significantly effect European site proceed without further reference to Habitats Regs
	<ul style="list-style-type: none"> ▪ <i>If effects or uncertainty remain following the consideration of alternatives and development of mitigations proceed to stage 3</i>
Stage 3	
Procedures where significant effect on integrity of international	<ul style="list-style-type: none"> ▪ Consider alternative solutions, delete from plan or modify ▪ Consider if priority species/ habitats affected ▪ Identify 'imperative reasons of overriding public interest' (IROPI) economic, social, environmental, human health, public safety

Table 1 Habitats Regulations Assessment: Key Stages	
site remains	<ul style="list-style-type: none"> ■ Notify Assembly Government ■ Develop and secure compensatory measures

Consultation

- 1.9 The Habitats Regulations require the plan making/competent authority to consult the appropriate nature conservation statutory body Natural Resources Wales. Consultation on the approach to this HRA screening, including advice on which European sites should be considered within the area of search, has been undertaken with NRW as required. The Habitats Regulations leave consultation with other bodies and the public to the discretion of the plan making authority. The WG guidance notes that it is good practice to make information on HRA available to the public at each formal development plan consultation stage. Therefore, in addition to the statutory consultation undertaken with NRW this report is being made available for wider public consultation.

Purpose & Structure of Report

- 1.10 This report documents the process and the findings from the Screening stages of the HRA for Powys Local Development Plan. Following this introductory section the document is organised into a further three sections:
- **Section 2** - outlines the method used for the Screening process and includes reference to the key information sources used.
 - **Section 3** - outlines the process and summary findings of the Screening Process and the assessment.
 - **Section 4** - outlines the conclusions and how the plan should proceed with reference to the Habitats Regulations.

2.0 METHOD

Screening

2.1 In accordance with the official Welsh guidance and current practice, conducting the screening stage of the HRA for Powys County Council Local Development Plan employed the method outlined below. This approach combines both a **plan** focus and a **site** focus.

- The **plan** focus first screens out those elements of the plan unlikely to affect European site integrity and then considers the impacts of the remaining elements on European sites, including the potential for ‘in-combination’ impacts.

A screening exercise was undertaken to screen out European site vulnerabilities outside the plans control. These vulnerabilities relate to the conservation objectives of each European Site. Where the European site’s vulnerabilities were outside the control of the Plan it was then screened out. Also a decision was taken on the relationship of the Plan with the European Site where the site was outside the County by within 15km of the County. Further detail is available at Appendix 3 – Site Vulnerabilities. The following table summaries this approach:

Table 2 Vulnerabilities Screening	
Vulnerabilities outside the Control of Plan	Vulnerabilities under LDP Control
<ul style="list-style-type: none"> • Afforestation • Burning • Competition (Non Native/Native) • Overgrazing • Parasites and Diseases • Persecution • Scrub Encroachment • Grazing (Seasonality/stocking density/type/undergrazing) • Weather conditions • Dredging 	<ul style="list-style-type: none"> • Climate Change* • Deforestation • Disturbance • Drainage • Entrainment • Migration Barriers • Impingement • Pollution (acidification/air/atmospheric deposition/contamination/dust/erosion/flooding/nutrients/sedimentation/water quality). • Unseasonal Interaction

*Whilst climate change is not under the control of the LDP development supported can be as contributory factors.

- The **site** focus considers the environmental conditions of the site and the factors required to maintain site integrity, and looks at the potential

impacts the plan may have. All site allocations were considered in relation to Natura 2000 sites (European sites).

- 2.2 HRA experience to date has indicated that maintaining a site based approach as core to the HRA/AA method more closely reflects the intent of the Habitats Directive. This means that subsequent mitigation measures [developed if/as required during the AA stage 2] seek to focus on the conditions necessary to maintain site integrity (e.g. avoiding specific types of development/ activity at or near sensitive areas). This is considered to be a more robust and defensible approach than adding policy caveats at a strategic level and devolving decisions about impacts on site integrity to lower level planning documents. Although, this approach does recognise that some decisions on avoidance and mitigation can only be made when site level detail becomes available.
- 2.3 The key tasks employed for the HRA Screening are set out in **Table 3**.

Table 3	
HRA Screening Stage 1: Key Tasks	
<p>Task 1</p> <p>Identification of Natura 2000 sites & characterisation</p>	<ul style="list-style-type: none"> ■ Identification of European sites both within the plan/proposal boundaries and in an area of search extending to 15km [as recommended by extant guidance] around the plan/proposal area. This includes considering hydrological connectivities and the catchment of watercourses relating to identified designations ■ Information was obtained for each European site, based on publicly available information and consultation with Natural Resources Wales and Natural England where appropriate.⁴ ■ This included information relating to the sites' qualifying features; conservation objectives; vulnerabilities/ sensitivities, current conditions, trends & geographical boundaries.
<p>Task 2</p> <p>Plan review and identification of likely impacts</p>	<ul style="list-style-type: none"> ■ Screening of the plan/proposal and the identification of likely impacts (including a review of the plan/proposal's aims, objectives, strategic policies, including spatial implications where identified to determine likely impacts).
<p>Task 3</p> <p>Consideration of other plans and programmes</p>	<ul style="list-style-type: none"> ■ Consideration, where appropriate of other plans and programmes that may have in-combination effects with the plan/proposal.
<p>Task 4</p> <p>Screening Assessment</p>	<ul style="list-style-type: none"> ■ Assessment of the potential of identified impacts to affect the designated interest features of European sites ■ Summary of screening outcomes and recommendations.

⁴ Key Information Sources: Joint Nature Conservation Committee (JNCC) web resource www.jncc.gov.uk including site details/ character contained on Natura 2000 Standard Data Form. Conservation Objectives, management plan information, Natural Resources Wales web resource <http://www.NRW.gov.uk/>

2.4 The appendices of this report provide all relevant information and literature considered as part of this screening assessment as follows:

Appendix 1 – Site Characteristics

Appendix 2 – European Site Maps

Appendix 3 – Site Vulnerabilities

Appendix 4 – Qualifying species migration

Appendix 5 – Plans, Programmes and Projects

Appendix 6 – Assessment of Policies

3.0 SCREENING

Task 1: Identification of European Sites & Characterisation

- 3.1 Powys is extensive in nature being a largely upland and very rural county. In the south of the county is the Brecon Beacons National Park which covers approximately 16% of Powys area and Snowdonia National Park adjoins the county's northern boundary.
- 3.2 Powys upland areas such as the Berwyns and Cambrian Mountains are intersected by the valleys of many rivers including the Severn, Vyrnwy, Tanat, Wye, Usk, Irfon, Ithon, Dyfi, Teme, Tawe and the Lugg.
- 3.3 Powys has a wealth of biodiversity, geodiversity and conservation resources. A number of these are internationally and nationally recognised.
- 3.4 Powys includes 9 internationally designated European sites and an additional 12 straddling Powys and a neighbouring local authority and a further 31 within 15 kilometres of the Powys boundary.
- 3.5 Nationally recognised sites in Powys include 216 Sites of Special Scientific Interest and 8 National Nature Reserves. Some of these sites have dual recognition as internationally designated and nationally designated. On a more local level Powys has 78 regionally important Geodiversity Sites and a large number of wildlife sites.
- 3.6 Plans, programmes and projects can have spatial implications that extend beyond the intended plan boundaries. In particular, it is recognised that distance in itself is not a definitive guide to the likelihood or severity of an impact [inaccessibility/remoteness is typically more relevant] as factors such as the prevailing wind direction, river flow direction, and ground water flow direction will all have a bearing on the relative distance at which an impact can occur. This means that a plan directing development some distance away from a European Site could still have effects on the site and therefore, needs to be considered as part of the screening process.
- 3.7 Taking into account the potential for transboundary impacts the screening has identified 52 European Sites that lie within the influence of the Powys LDP. Some of these sites have dual designation so are only listed once. These sites are outlined in **Table 4** below and detailed information for the European sites is provided in **Appendix 1**.

Table 4	
European Sites within the influence of Powys	Designation
Within Powys UA and a neighbouring LA:	
Brecon Beacons	SAC
Coedydd Llwr-y-Glyn	SAC
Coetiroedd Cwm Elan	SAC
Drostre Bank	SAC
Granllyn*	SAC
Llangorse Lake	SAC
Montgomery Canal*	SAC
Mynydd Epynt	SAC
Rhos-Goch	SAC
Dyfi Estuary	SPA
Llyn Peninsulat and Sarnau	SAC
Berwyn and South Clwyd Mountains	SPA, SAC
Coedydd Nedd a Mellte	SAC
Cors Fochno and Dyfi	RAMSAR / SAC
Elenydd	SPA, SAC
River Usk	SAC
River Wye*	SAC
Tanat and Vyrnwy Bat Sites*	SAC
Usk Bat Sites	SAC
Within 15km of Powys UA site:	
Aberbargoed Grasslands	SAC
Blaen Cynon	SAC
Cadair Idris	SAC
Coedydd a Cheunant Rheidol	SAC
Coedydd Cwm Clydach	SAC
Coed Cwm Einion	SAC
Coed y cerrig	SAC
Cors Caron	RAMSAR, SAC
Cors Fochno	SAC
Meirionnydd Oakwood and bat sites	SAC
Sugarloaf woodlands	SAC
Cwm Cadlan	SAC
Cwm Doethie Mynydd Mallaen	SPA, SAC
Grogwynion	SAC
River Teifi	SAC
River Tywi	SAC
Downton Gorge	SAC
Afon Eden – Cors Goch Trawsfynydd	SAC
Johnston Newt site	SAC
Migneint-Arenig-Dduallt	SPA, SAC

River Dee and Bala Lake	SAC
Cernydd Carmel	SAC
Crymlyn Bog	Ramsar, SAC
Craig yr Aderyn	SPA
River Clun	SAC
The Stiperstones and the Hollies	SAC
Llyntegid	RAMSAR
Midland Meres	RAMSAR

*Indicates close proximity to settlements in the Powys LDP.

For further details on European Site Locations refer to Appendix 2 – European Site Maps. There are also buffer maps according to the site interest.

Task 2: Plan Review, Policy Screening and Identification of likely impacts

Powys Local Development Plan Summary Review

- 3.8 The key objectives of the Powys LDP address planning for growth in sustainable places, supporting the economy, infrastructure and services, natural and built assets, and supporting healthy communities. The LDP allocates approx. 49ha for employment use and identifies the housing requirement as approx. 5,500 dwellings. Further, the LDP Spatial Strategy is based on a sustainable settlement hierarchy with levels of development allocated to settlements commensurate with their size (number of existing households) and position within the hierarchy. For further detail refer to the LDP Deposit Draft.

Powys Local Development Plan Screening Plan/Proposal

- 3.9 The Powys Local Development Plan was- for the purposes of the HRA - subject to an initial screening process. The aim of this screening is to identify at a broad level those policies that will not have an effect on European Sites and those that have the potential to have a likely significant effect both alone and in combination at the sites identified at Task 1.
- 3.10 The approach is consistent with NRW guidance for the appraisal of plans under the Habitats Directive. In order to complete the policy screening each policy was categorised as to its likely effects on each European site identified in table 4 / Appendix 1. There are 5 broad categories which include subclasses of potential effects detailed in the following table:

Table 5	
Screening Categories	
Criteria category	Rationale
Category A: No negative effect	
A1	Will not itself lead to development e.g. because they relate to design or other qualitative criteria for development, or they are not a land use planning policy, or they relate to a type of development that could not have any conceivable effect on a European site.
A2	Intended to protect the natural environment, including biodiversity.
A3	Intended to conserve or enhance the natural, built or historic environment, where the enhancement measures are not likely to have a negative effect on a European Site.
A4	Positively steer development away from European Sites and associated sensitive areas.

Table 5	
Screening Categories	
Criteria category	Rationale
A5	General policy statements or policies which only express general intentions or political aspirations
Category B: No significant Effect	
B1	Could have an effect but would not be likely to have a significant (negative) effect on a European site (alone or in combination with other plans or projects) or the effects are trivial or 'de-minimis', even combined with other effects.
B2	Could have an effect but the effects are trivial or 'de-minimis' , even combined with other effects.
Category C: Likely significant effect alone	
C1	Could directly effect a European Site because it provides for or steers a quantity or type of development onto a European site or adjacent to it.
C2	Could indirectly affect a European site e.g. because it provides for or steers a quantity or type of development that may be very close to it or ecologically, hydrologically or physically connected to it or it may increase disturbance as a result of increased recreational pressures.
C3	Proposals for a magnitude of development that, no matter where it is located, the development would be likely to have a significant effect on a European Site.
C4	Proposals for developments or infrastructure projects that could block options or alternatives for the provision of other development or projects in the future, which will be required in the public interest, that may lead to adverse effects on European sites, which would be otherwise avoided.
C5	Would be vulnerable to failure under the Habitats Regulations at the project assessment stage; to include them in the plan would be regarded by the EC as 'faulty planning'.
C6	May have an adverse effect on a European site, which might try to pass the tests of Habitats Regulations at the project stage by arguing that the plan provides imperative reasons of overriding public interest to justify its consent despite negative assessment.
Category D: Likely significant effects in-combination	
D1	Alone would not be likely to have significant effects but if its effects are combined with the effects of other policies or proposals provided for or coordinated by the Local Development Plan (internally) the cumulative effects would be likely to be significant.
D2	Alone would not likely to have significant effects but if their effects are combined with the effects of other plans and projects and possibly the effects of other developments provided for in the Local Development Plan as well, the combined effects are likely to be significant.

Table 5 Screening Categories	
Criteria category	Rationale
D3	Are, or could be, part of a programme or sequence of development delivered over a period, where the implementation of the early stages would not have a significant effect on European sites, but which would dictate the nature, scale, duration, location, timing of the whole project, the later stages of which could have adverse effects on such sites.
Category E: Lower Tier Assessment	
E1	Would not have an effect as no development could occur through policy itself because it is implemented through other/later policies in the Local Development Plan Deposit Document itself, which are more detailed and therefore more appropriate to assess for their effects on European sites and sensitive areas. These kinds of policies may be found in Preferred Strategies where a broad quantum of development may be specified as being delivered through a more specific policy in a later chapter.
E2	Makes provision for a type of development, generally, (and may indicate a broad scale and / or one or more broad locations e.g. a particular part of the plan area), so a likelihood of a significant effect cannot be ruled out, but the more precise scale and / or detailed location of the development is to be selected following consideration of options in a later, more specific, lower tier plan* or project , subject to Habitats Regulations Appraisal.

Note* - **Lower Tier Plan** = plans which are more detailed and therefore more appropriate to assess for their effects on European sites and associated sensitive areas such as SPG's for example.

3.11 Categories above are subdivided so that the specific reason why a policy has been allocated to a particular category is clear. The detail of the screening assessment which considers each of the policies against the categories is provided in **Appendix 6** and policies which were considered to potentially lead to likely significant effects are listed in **Table 5**.

Table 6 – Assessment of policies

LDP Vision, Objectives, Proposals and Policies screened in to the assessment process	Assessment Category	Rationale for category
LDP Vision	A5	The Vision is a general policy statement which expresses general intentions or political aspirations of the Council and LDP.
LDP Objectives		
<p>Planning for Growth in Sustainable Places</p> <p>Objective 1 – Meeting Future Needs</p>	E1	Would not in itself have an effect as no policy could occur through policy itself because it is implemented through other/later policies.
Objective 2 – Sustainable Settlements and Communities	E1 / E2	<p>Would not have an effect as no policy could occur through policy itself because it is implemented through other/later policies.</p> <p>Objective makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – more precise scale / detailed location to be dealt with in lower tier plan/ project.</p>
Objective 3 – Efficient use of land	A2 / E1	<p>This objective is intended to protect the natural environment, including biodiversity /</p> <p>Would not have an effect as no policy could occur through policy itself because it is implemented through other/later policies.</p>
Objective 4 – Climate Change	A1	Will not itself lead to

and Flooding		development
Objective 5 – Energy and Water	A2 / A5	Intended to protect the natural environment, including biodiversity / General policy statements or policies which express general intentions or political aspirations
Supporting the Powys Economy Objective 6 Vibrant economy	E1 / A5	Would not have an effect as no policy could occur through policy itself because it is implemented through other/later policies. General policy statements or policies which express general intentions or political aspirations
Objective 7 – key economic sectors	A5 / E1	General policy statements or policies which express general intentions or political aspirations Would not have an effect as no policy could occur through policy itself because it is implemented through other/later policies.
Objective 8 – regeneration	A5 / E1	General policy statements or policies which express general intentions or political aspirations Would not have an effect as no policy could occur through policy itself because it is implemented through other/later policies.
Infrastructure and Services Objective 9 – infrastructure and services	A5	General policy statements or policies which express general intentions or political aspirations
Objective 10 – important assets	A5, E1	General policy statements or

		<p>policies which express general intentions or political aspirations</p> <p>Would not have an effect as no policy could occur through policy itself because it is implemented through other/later policies.</p>
Objective 11 – Natural Heritage	A3	Intended to conserve or enhance the natural, built or historic environment where the enhancement measures are not likely to have a negative effect on a European site.
Objective 12 – Resources	A2, E2	<p>Intended to protect the natural environment, including biodiversity /</p> <p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – more precise scale / detailed location to be dealt with in lower tier plan/ project.</p>
Objective 13 – Built Heritage	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – more precise scale / detailed location to be dealt with in lower tier plan/ project.
<p>Supporting healthy communities</p> <p>Objective 14 – Healthy Lifestyles</p>	A5	General policy statements or policies which express general intentions or political aspirations
Objective 16 – Community Well being	A5	General policy statements or policies which express general intentions or political aspirations

<p><u>Spatial Strategy – where is development planned?</u></p> <p>Employment land</p> <p>Retail</p> <p>Housing</p>	<p>E2</p> <p>E2</p> <p>E2</p>	<p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – more precise scale / detailed location to be dealt with in lower tier plan/ project.</p> <p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – more precise scale / detailed location to be dealt with in lower tier plan/ project.</p> <p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – more precise scale / detailed location to be dealt with in lower tier plan/ project.</p>
<p>LDP Policies</p>		
<p><u>Powys Sustainable Settlement Hierarchy</u></p>	<p>E2</p>	<p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.</p>
<p><u>Policies for Making Planning Decisions</u></p> <p>Re-use / adaptation of rural buildings</p>	<p>E2</p>	<p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.</p> <p>No specific policy for re-use / adaptation of rural buildings as</p>

		dealt with by PPW, TAN6 and TAN 23.
<p><u>Development Management Policies:</u></p> <p>Policy DM1 Strategic Planning Matters</p>	A1, A2, A3, A4	<p>Will not itself lead to development</p> <p>Intended to protect the natural environment, including biodiversity /</p> <p>Intended to conserve or enhance the natural, built or historic environment where the enhancement measures are not likely to have a negative effect on a European site.</p> <p>Positively steer development away from European sites and associated sensitive areas.</p>
<p>Policy DM2 – Detailed and Site Specific Planning Matters</p>	A1, A2, A3, A4	<p>Will not itself lead to development</p> <p>Intended to protect the natural environment, including biodiversity /</p> <p>Intended to conserve or enhance the natural, built or historic environment where the enhancement measures are not likely to have a negative effect on a European site.</p> <p>Positively steer development away from European sites and associated sensitive areas.</p>
<p>Policy DM3 – Planning Obligations</p>	A1	<p>Will not itself lead to development</p>

Policy L1 – Works to a listed building	A3	Intended to conserve or enhance the natural, built or historic environment where the enhancement measures are not likely to have a negative effect on a European site.
<u>Economic Development</u>		
Policy E1 – Employment proposals on allocated employment sites	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy E3 – Mixed Use Allocations	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy E4 – Bronllys Health Park	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
<u>Transport</u>		
Policy T1 – transport infrastructure	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.

<p><u>Housing</u></p> <p>Policy H1</p> <p>1. Housing Provision – Towns and Large Villages (i) & (ii)</p> <p>2. Villages (i) & (ii)</p> <p>3. Rural settlements and open countryside (i), (ii) & (iii)</p>	<p>E2</p> <p>E2</p> <p>E2</p>	<p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.</p> <p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.</p> <p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.</p>
<p>Policy H2 – Housing Delivery</p>	<p>A1</p>	<p>Will not itself lead to development</p>
<p>Policy H3 – Housing Density</p>	<p>A1</p>	<p>Will not itself lead to development</p>
<p>Policy H4 – Affordable Housing</p>	<p>A1</p>	<p>Will not itself lead to development</p>
<p>Policy H5 – Affordable Housing exception sites</p>	<p>E2</p>	<p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.</p>
<p>Policy H6 – Affordable housing on enabled exception sites</p>	<p>E2</p>	<p>Makes provision for a type of development generally so a likelihood of a significant effect</p>

		cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy H7 – Rural Affordable Homes	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy H8 – Affordable Housing Eligibility	A1	Will not itself lead to development
Policy H9 – Householder Development	A1	Will not itself lead to development
Policy H10 – Removal of conditions	A1	Will not itself lead to development
Policy H11 – renovation of abandoned dwellings	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy H12 – Replacement dwellings	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy H13 - Gypsy and Traveller Sites and Caravans	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
H14 – Open Space provision	A1	Will not itself lead to development

<p><u>Planning for retailing and town centres</u></p> <p>Policy R1 - new retail development</p>	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project
<p>Policy R2 – development within town centre areas</p>	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project
<p>Policy R3 – large out of centre retail developments</p>	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project
<p>Policy R4 – Neighbourhood and village shops and services</p>	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project
<p><u>Tourism</u></p> <p>Policy TD1 – Tourism Development</p>	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project
<p>Policy TD2 – Alternative Uses</p>	A1	Will not itself lead to development
<p>Policy TD3 – Montgomery Canal and associated development</p>	A3	Intended to conserve or enhance the natural, built or historic environment where the

		enhancement measures are not likely to have a negative effect on a European site.
<u>Waste</u> Policy W1 – Waste	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
<u>Sustainable Energy</u> Policy RE1 – Renewable Energy	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
<u>Minerals</u> Policy M1 Existing Minerals Sites	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
Policy M3 – Temporary Minerals Working	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.
<u>Community Facilities and Indoor Recreation</u> Policy C1 – community facilities and indoor recreation facilities	E2	Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.

<p><u>Military</u></p> <p>Policy MD1 – Development proposals by the MOD</p>	<p>E2</p>	<p>Makes provision for a type of development generally so a likelihood of a significant effect cannot be ruled out – Settlement hierarchy to be dealt with in lower tier plan/ project.</p>
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3.12 As part of the HRA requirement it was noted in relation to regulation 102(1) that the Powys Local Development Plan and its individual components are not directly connected to or necessary to the management of any European Site and therefore the Powys Local Development Plan could not be screened out of HRA on this basis.

Task 3: Consideration of other plans, programmes and projects

3.13 It is a requirement of Article 6(3) of the Habitats Directive that HRA examines the potential for plans and projects to have a significant effect either individually or 'in combination' with other plans, programmes & projects (PPPs). Undertaking an assessment of other PPPs for the Powys LDP has required a pragmatic approach given the extensive range of PPPs underway in the surrounding region. The approach taken was cognisant of the emphasis in the forthcoming WAG guidance that considering the potential for in-combination effects is core to delivering robust/ precautionary HRA.⁵

3.14 When considering other PPPs attention was focused on those aimed at delivering planned spatial growth with the most significant being those that seek to provide, housing, employment and infrastructure. The review considered the most relevant plans including those listed below and detailed in **Appendix 5**:

National Plans:

- Planning Policy Wales
- National Policy Statements
- A Walking and Cycling Action Plan for Wales
- Wales Spatial Plan
- Technical Advice Note 8 Renewable Energy
- Technical Advice Note 1 Joint Housing Land Availability Studies (2006)
- Technical Advice Note 12 Design (2002)
- Technical Advice Note 20 The Welsh Language (2000)
- Technical Advice Note 21 Waste (2014)

⁵ The review also draws on work being undertaken on behalf of the South East Wales Strategic Planning Group (SEWSPG) to build a resource kit of information and analysis to support HRA in the region.

- Technical Advice Note 23 Economic Development (2014)
- Wales National Transport Plan (2010)
- National Transport Plan
- Common Agricultural Policy
- Rural Development Plan
- Wales Infrastructure Investment Plan
- Code for Sustainable Homes
- West of Wales Shoreline Management Plan 2
- Dwr Cymru Welsh Water – Water Resources Management Plan (2012-2035)
- Dwr Cymru Welsh Water Business Plan (Water Investment Plan) 2010-2015
- Welsh Water Drought Plan
- Partnership for Growth Strategy for Tourism (2013 – 2020)

Regional Plans:

- Severn Trent Business Plan (Water Investment Plan) 2010-2015
- Severn Trent – Water Resources Management Plan (2010-2035)
- River Wye Nutrient Management Plan
- River Severn Catchment Flood Management Plan
- Usk Catchment Abstraction Management Strategy (2007)
- Wye Catchment Abstraction Management Strategy (2008)
- Tywi, Taf & Gwendraeth Catchment Abstraction Management Strategy (2006)
- Teme Catchment Abstraction Management Strategy (2005)
- Severn Corridor Catchment Abstraction Management Strategy (2003)
- Severn Uplands Catchment Abstraction Management Strategy (2005)
- Shropshire Middle Severn Catchment Abstraction Management Strategy (2007)
- Wye and Usk Catchment Flood Management Plan (2010)
- River Dee Catchment Flood Management Plan (2010)
- River Basin Management Plan: Severn River Basin District (2009)
- River Basin Management Plan: Western Wales River Basin District (2009)90
- TraCC (2009)
- TraCC Mid Wales Regional Highways Strategy (2012)
- TraCC Walking and Cycling Strategy (2012)
- TraCC Regional Rail Strategy and Actions (2013)
- Severn Trent Drought Plan
- Aggregates – Regional Technical Statement
- Wales Regional Waste Plan

Regional Development Plans:

- Brecon Beacons National Park Local Development Plan (2007-2022)
- Herefordshire Local Development Framework (2011-2031)
- Shropshire Local Development Framework (2006-2026)
- Wrexham Unitary Development Plan
- Denbighshire Local Development Plan
- Eryri Local Development Plan (2007-2022)
- Joint LDP for Anglessey and Gwynedd ~ (2011-2026)
- Ceredigion Local Development Plan (2007-2022)
- Carmarthenshire Local Development Plan (2006-2021)
- Neath Port Talbot Local Development Plan (2011-2026)
- Rhondda Cynon Taf Local Development Plan (2006-2021)
- Monmouthshire Local Development Plan (2006-2021)

Local Plans, Projects and Programmes:

- Mid Wales Joint Local Transport Plan (2015)
- Powys Local Growth Zones
- One Powys Plan (2011-2014)
- Powys Regeneration Strategy (2011-2031)
- Powys Modernisation Plans
- European Regional Development Fund
- Powys County Council Rights of Way Improvement Plan (2007-2017)
- Powys Local Development Strategy (2015)
- Montgomery Canal Conservation Management Strategy
- Brecon Beacons National Park Management Plan
- Newtown By Pass
- Windfarms Montgomeryshire, National Grid Connection and Sub Station
- Powys Waste Strategy

3.15 The potential effects of these plans are reviewed in detail at **Appendix 5** and the potential for these effects to act 'in-combination' with effects identified from Powys LDP are considered in the screening assessment **Appendix 6**. The range of in combination impacts considered was focused on the key issues outlined below:

Summary of the key issues identified through in-combination assessment.

Windfarm development (NPS / PPW / TAN8) could result in:

- Direct loss of habitat and/or severance of migratory routes
- Fragmentation
- Air and Noise Pollution
- Migration barrier for species
- Higher collision risk if not provided in correct locations

- Disturbance (acoustic, physical – vibration, shadow flicker, light reflection)

Promoting sustainable travel (A Walking and Cycling Action Plan for Wales) may result in infrastructure such as cycleways, paths, lighting which could result in:

- Increased noise pollution
- Disturbance
- Physical erosion

Housing and Employment growth, improved infrastructure and tourism (Wales Spatial Plan (2008)) could result in:

- Direct loss of habitat and/or severance of migratory routes
- pollution increase
- further climate change impact
- Disturbance/fragmentation and severance of habitats and species.

Road and infrastructure development (National Transport Plan / Mid Wales Joint Local Transport Plan) could result in:

- Restrict the migration of the features by introducing a clear migration barrier.
- Air pollution through traffic increases
- Added run-off, sedimentation and resulting loss of habitat from construction works
- Direct impacts on species (i.e. Otters) through increased mortality events.

Encouraging bioenergy (Common Agricultural Policy) could result in:

- Increase in agricultural production of energy crops creating unnatural habitats/invasive species that threaten European sites.
- Burning of biomass/synthesizing oils for energy may result in air pollution and disturbance through physical pressure, noise, smell and/or vibration.

Farm diversification (Rural Development Plan) could result in:

- Improving linkages resulting in air pollution, disturbance and habitat fragmentation
- Supporting diversification including tourism which could influence vulnerability of European sites by more tourists and associated disturbance, fragmentation and erosion and air pollution.

Shoreline Management (West of Wales Shoreline Management Plan 2) could result in:

- Air Pollution through increase use of cars and maintaining/improving current transport routes.
- Removal of flood defences which could potentially change channel geometry which could cause fragmentation or loss of habitat.
- Disturbance.

Increased resilience of the water infrastructure network could result in:

- Air pollution
- Disturbance (physical, acoustic and/or chemical)
- Impact on Migration barriers
- Contamination
- Pollution.

Supplemented flow from the Usk reservoir (Dwr Cymru water resources management plan) may result in:

- Disturbance
- Sedimentation and associated habitat losses and/or fragmentation.
- Changes in channel geometry whereby, flow changes from high to low discharge and vis-a-vis over short time periods could lead to fragmentation and habitat losses.

Construction of flood defenses (River Severn Catchment Flood Management Plan (CFMP)) could result in:

- Disturbance
- Impact on Migration barriers
- Pollution

Minerals workings (Regional technical statement) could result in:

- Disturbance
- Impact on Migration barriers
- Pollution

Mid Wales Electricity Connection (National Grid) Project

- The Council is aware of this project which is currently in pre-application stage. The full application is expected to be submitted to the Planning Inspectorate for consideration in 2015. The project concerns the construction of a new 400 kV electricity connection between Shropshire and Powys. As it is at pre-application stage no in-combination effects can be assessed.

Project 98 - National Transport Plan

- Project 98 explains the need for interventions for the A458 from Buttington Cross to Wollaston Cross. At the development management stage, should work be carried out at the same time a consideration of the in combination impacts will need to be considered.

Neighboring development plans could impact on the water quality of the River Wye SAC and on the Montgomery Canal.

Task 4: Screening Assessment

3.16 In line with the screening requirement of the Habitats Regulations, an assessment was undertaken to determine the potential significant effects of the Powys LDP on the integrity of the 52 European sites that lie within the influence of the plan/proposal. The screening decision was informed by:

- The information gathered on the European sites - **Appendix 1**;
- The review of the Powys LDP policies and their likely impacts (**Appendix 6**) ; which included an analysis of the potential environmental impacts generated by the development activities directed by the LDP and;
- The review of other relevant plans and programmes - **Appendix 5**
- WAG and NRW guidance which indicates that HRA for plans is typically broader and more strategic than project level HRA and that it is proportionate to the available detail of the plan.

Screening Assessment Summary

3.17 The detail of the main screening exercise is set out at **Appendix 3** and the result of the assessment is summarised in the paragraphs below and at **Table 7**.

Table 7		
HRA Screening Summary		
European sites	Designation	Further Screening Assessment Required
Within Powys UA and a neighbouring LA:		
Brecon Beacons	SAC	no
Coedydd Llawr-y-Glyn	SAC	no
Coetiroedd Cwm Elan	SAC	yes
Drostre Bank	SAC	yes
Granllyn*	SAC	yes
Llangorse Lake	SAC	yes
Montgomery Canal*	SAC	yes
Mynydd Epynt	SAC	yes
Rhos-Goch	SAC	yes
Dyfi Estuary	SPA	yes
Llyn Peninsulat and Sarnau	SAC	yes
Berwyn and South Clwyd Mountains	SPA, SAC	yes
Coedydd Nedd a Mellte	SAC	no
Cors Fochno and Dyfi	RAMSAR	yes
Elenydd	SPA, SAC	yes
River Usk	SAC	yes
River Wye*	SAC	yes

Tanat and Vyrnwy Bat Sites*	SAC	yes
Usk Bat Sites	SAC	yes
Within 15km of Powys UA site:		
Aberbargoed Grasslands	SAC	no
Blaen Cynon	SAC	yes
Cadair Idris	SAC	no
Coedydd a Cheunant Rheidol	SAC	no
Coedydd Cwm Clydach	SAC	no
Coed Cwm Einion	SAC	no
Coed y cerrig	SAC	no
Cors Caron	RAMSAR, SAC	no
Cors Fochno	SAC	yes
Meirionnydd Oakwood and bat sites	SAC	yes
Sugarloaf woodlands	SAC	no
Cwm Cadlan	SAC	no
Cwm Doethie Mynydd Mallaen	SPA, SAC	no
Grogwynion	SAC	no
River Teifi	SAC	no
River Tywi	SAC	no
Downton Gorge	SAC	no
Afon Eden – Cors Goch Trawsfynydd	SAC	no
Johnston Newt site	SAC	no
Migneint-Arenig-Dduallt	SPA, SAC	no
River Dee and Bala Lake	SAC	no
Cernydd Carmel	SAC	no
Crymlyn Bog	Ramsar, SAC	no
Craig yr Aderyn	SPA	no
River Clun	SAC	no
The Stiperstones and the Hollies	SAC	no
Llyntegid	RAMSAR	no
Midland Meres	RAMSAR	no

Further Screening Assessment Required

3.18 The following paragraphs explain the four key Natura 2000 / European Sites that interact with the key areas of development proposed by the Powys LDP. These are Granllyn, the Montgomery Canal, Tanat and Vyrnwy bat sites and the River Wye. Table 8 contains the further detailed screening work for the other European Sites not screened out at the initial stage.

GRANLLYN SAC

The site is in the village of Guilsfield just outside of Welshpool and is made up of two water bodies known as 'Granllyn Pool' and the 'Moat'. Granllyn Special Area of Conservation (SAC) is designated for its breeding population of great crested newts *Triturus cristatus* and the two water bodies act as breeding sites for the newts. This is noted as one of the most important areas in Europe for great crested newts.

Small blocks of woodland, hedgerows, minor roads, a cemetery and orchard are also included within the site boundary. The surrounding farmland is mostly pasture and rough grassland with good hedges and an area of planted broad-leaved woodland and natural willow scrub to provide suitable foraging habitat. The site is located in eastern Montgomeryshire at the centre of the Welsh distribution of great crested newt. At the time of notification, the great crested newt population at this site was the largest in mid-Wales and one of the most important areas in Europe for this species.

The site lies next to a residential area. As yet there is insufficient information on the potential impact on newts to set limits on development. Public footpaths run close to the site and as such increased recreation pressure could have an effect on the habitat and the qualifying feature.

Key terrestrial and hibernation locations are presently unknown and so they may be inadvertently destroyed.

Site vulnerabilities related to planning include the potential for disturbance, the introduction of obstacles which would then act as migration barriers, pollution affecting water quality and erosion.

Water enters 'Granllyn Pool' from a number of sources, including storm-drains from the adjacent road and from local gardens. The 'Moat' also receives some water from adjacent pasture.

Manmade obstacles to migration include new roads, paths, walls and high kerbs although these can be designed to allow for crossing points.

Roadside gully pots are particularly difficult for the animals, once trapped; it is unlikely they will escape.

Consideration of the impact of the Powys LDP.

Granllyn SAC adjoins the settlement of Guilsfield, a large village, in the LDP. Large villages are considered sustainable settlements to grow, subject to environmental constraints.

A development boundary provides opportunities for development in Guilsfield and the LDP also supports employment proposals up to 0.5Ha, affordable housing, local shops, tourism development, community facilities and civic amenity sites.

There are three housing sites proposed in Guilsfield:

P20 HC1 - (land at Sarn Meadows) reflects an extant permission for 46 homes.

P20 HA1 – (land adj Celyn Lane) for 20 homes

P20 HA2 – (land to east of Groes-llwyd) for 19 homes

The first allocation (P20 HC1) is a housing commitment, planning reference M/2005/0010 which was implemented in 2012. However there are issues around flood risk and so it is not certain that this site will be completed.

The second allocation (P20 HA1) is a fresh housing allocation. The site comprises a mixture of habitats – the north western side of the site is improved sheep grazed grassland accessed from the B4392. The south eastern side of the site is a mixture of habitats including scrub, rough grassland, disused orchard etc. The site is surrounded and intersected by mature hedgerows and there is a woodland block adjacent to the site on the eastern boundary.

Sections of the site contain suitable terrestrial habitat for great crested newts and adjacent sites outside of the allocated site provide potential connecting habitat to the allocation.

Great crested newts have been found to move over considerable distances (up to 1.3km from breeding sites). The vast majority of newts from the breeding population will remain in an area much closer to the pond, the exact distribution and migration patterns of newts on land depends on a variety of factors. The quality of terrestrial habitat near to breeding ponds is important, as are the lack of barriers to dispersal (such as fast-flowing rivers, or very busy roads). The distribution of ponds and hibernation opportunities may also influence movements. Studies have been conducted which reveal a great deal of variation, but great crested newts commonly move between ponds that are within around 250m of each other.

Site P20 HA1 is approximately 180m from the closest breeding pond at Granllyn SAC. This places the site within the recognised core ranging area of great crested newts. The SAC is separated from site P20 HA1 by residential land and Celyn Lane. Minimal traffic activity has been observed along Celyn Lane, as such it is considered that this road is not a significant barrier to migration of great crested newts. The north western side of the site provides limited terrestrial habitat opportunities for great crested newts, this species will cross improved sheep grazed grassland but it provides negligible refugia opportunities and limited foraging opportunities. The south eastern side of the site and the adjacent pockets of land outside of the candidate site P20 HA1 boundary provide suitable terrestrial habitat for great crested newts with the presence of scrub, rough grassland, adjacent woodland blocks etc. The site is surrounded by mature hedgerows which could be used by great crested newts for commuting purposes as well as foraging or hibernation.

It is considered likely that great crested newts from the Granllyn SAC could migrate to site P20 HA1 to utilise areas of suitable terrestrial habitat for foraging and hibernation purposes and that the development of the southern end of the site could result in a likely significant impact to the significant importance to the SAC population.

Given the likely use of part of the site and the potential for a likely significant effect to the Granllyn SAC population from any development of the south eastern section it is considered that the allocation of the site needs to be reviewed to ensure No Likely Significant Impact to the Granllyn SAC.

The site boundary of site P20 HA1 has been drawn to exclude great crested newt terrestrial habitats and potential commuting corridors to the wider landscape and a suitable buffer zone included to protect these habitats.

Any development proposals for the site P20 HA1 will need to be accompanied by appropriate surveys undertaken in line with National Guidelines and the identification of suitable mitigation measures to support any application made for the site. Suggested mitigation is to focus on providing terrestrial and breeding habitats and 'green' corridors through the site and links to surrounding habitats for Great Crested Newts in addition to retaining existing trees & hedgerows and creating areas of rough grassland & scrub & ponds. This mitigation is included in the site text included within the LDP.

In addition development of the site should consider potential opportunities to provide enhancements for great crested newts, this would enhance the wider environment for great crested newts and help to improve the resilience of the Granllyn great crested population. It should be noted that any development of the site and the associated mitigation measures would be likely to require a European protected species licence from Natural Resources Wales.

The third allocation (P20 HA2) is a very level site, sitting outside of the current UDP development boundaries of Groeslwyd and Guilsfield and comprising agricultural land lodged between the two identified settlements. Land to the rear touches on the floodplain. It is adjacent to the main road.

The site is approximately 650m away from the Granllyn SAC and 750m from the nearest breeding pond within the SAC. The site comprises an area of semi-improved sheep grazed land partially surrounded by semi mature hedgerow. The site is considered to be of low suitability for great crested newts due to lack of suitable terrestrial habitat, the hedgerows partially surrounding the site could be used by great crested newts for commuting purposes as well as foraging or hibernation however given the distance from the breeding ponds and the presence of the B4392 between the Granllyn SAC and the site it is considered that site P20 HA2 would not be of significant importance to the Granllyn SAC great crested newt population.

Whilst the site is considered unlikely to be of significant importance to the Granllyn SAC population of great crested newts it is acknowledged that great crested newts may be present on site therefore any development proposals concerning the site would require appropriate surveys to be undertaken in line with National Guidelines and mitigation measures to be identified and submitted in support of any application made for the site.

In addition development of the site should consider potential opportunities to provide enhancements for great crested newts, this would enhance the wider environment for great crested newts and help to improve the resilience of the Granllyn great crested population.

It is also suggested that project level HRA is required. Given the scope for mitigation it is considered appropriate that this is completed at the detailed planning application stage in accordance with the following statement included in the Plan.

'In line with the Habitats Regulations and in consultation with NRW, it will be necessary for project level assessments to be undertaken on allocation (P20 HA1).

If the project could have an adverse effect on integrity of the Granllyn SAC it will not be in accordance with the development plan, within the meaning of S.38(6) of the Planning and Compulsory Purchase Act 2004'.

The LDP also provides opportunities for development in the surrounding countryside for a wide range of development including the replacement of habitable dwellings, the renovation of abandoned dwellings, annex / ancillary development, limited expansion, extension or environmental improvement of existing employment sites and buildings, Gypsy & Traveler sites, local shops, energy development, waste development and tourism development as farm diversification to support an existing tourism asset.

Other general policy statements in the LDP which could have impacts are works to a listed building, the requirement for the efficient use of land so as not to prejudice density, protection of existing employment land / buildings.

Mitigation

Development increases the risks (such as erosion, disturbance, pollution and migration barriers) to this site.

It is recommended that:

- The LDP includes text highlighting the presence of Granllyn SAC in Guilsfield and that any development proposals within 2.5 km, even where supported by general policies, of the proposal must demonstrate there to be no adverse effect on integrity of the Granllyn SAC.
- The relevant allocation text includes reference to the Granllyn SAC. Surveys will need to be undertaken which may lead to housing density being affected and other measures required to avoid fragmentation disturbance.

Policy DM1 explains that all proposals for development must not compromise, or unacceptably adversely affect, **either on their own or in combination with existing or approved development**, the following:

9. The natural environment, integrity or conservation objectives of:
 - i) European Protected Sites / Habitats (Natura 2000 sites).

In addition, Policy DM2, criterion 3, states that “*Proposals shall protect, positively manage and wherever possible enhance biodiversity and geodiversity interests to produce a net gain for the County including the enhanced connectivity of habitats*”.

Furthermore, regarding allocation P20 HA1 any new scheme submitted for planning approval will need to comply with the above policies.

Consideration of in combination impacts.

The following plans, projects and programs were considered during scoping to have the potential for in combination impacts. Where relevant, the results of a further examination of the issue are explained below.

Severn Trent is the relevant water company for Guilsfield. There is the potential for in combination impacts associated with disturbance when undertaking works such as pipe connections. This should be considered as an issue at the planning application stage and mitigation agreed e.g. timings of work to avoid disturbance as much as possible.

There is a primary school in Guilsfield. The Powys Schools Modernisation Program is yet to review this area. Any resulting impacts from works on the site would need to be considered in combination with other consented or allocated development proposals in Guilsfield although these are likely to be controlled through the planning system.

It is considered that the Powys Rights of Way improvement Plan is unlikely to bring any significant in combination impacts with the Powys Local Development Plan. Whilst improvements would be likely to attract more use of the public right of way in the short term, even if coupled with approximately 80 more households in the Village, this would not have an adverse effect on integrity of the

Granllyn SAC primarily because the Newts are nocturnal and the improvements will keep people on the paths rather than wandering in the landscape.

Conclusion

Whilst policies and proposals in the LDP provide for development in close proximity to the SAC, it is considered that sufficient protection and mitigation is included within the LDP to ensure that any development that could result in an adverse effect on integrity of the Granllyn SAC will not be supported.

MONTGOMERY CANAL

The Montgomery Canal is a partially restored but largely unused waterway. Currently it runs for approximately 36 kilometres from near Aberbechan (three kilometres north-east of Newtown) to the English border at Llanymynech.

A small number of linked off-line reserves were created to protect examples of the habitats and species found in the canal when restoration of the canal was started in the 1970s.

The Canal supports the largest and most extensive population of floating water-plantain (*Luronium natans*) in lowland Britain.

This is a semi-natural population, having colonised from drift material or seed but needing periodic human disturbance for continued growth; in this respect the canal is a substitute for the species' former slow-moving, mesotrophic river niche, which has been largely destroyed in lowland Britain.

The floating water-plantain is just one of a number of species of submerged, floating and marginal plant species that make up the canal habitat SSSI feature. This habitat is distributed along the entire length of the canal within the SSSI; the interest and quality varies from species-poor to species rich, depending on a number of factors, including water depth and management frequency.

The water plantain is vulnerable to pollution impacting water quality (nutrient enrichment) and to colonisation by aggressive species.

The effects of boat traffic (disturbance) on populations of floating water-plantain are uncertain and are being investigated by British Waterways. It is certain that the species will be detrimentally affected above a certain point as the actions of propeller/wash will detach floating leaves and create turbidity which will reduce light transfer to submerged leaves.

Consideration of the impact of the Powys LDP.

Local Development Plan policy *TD3 – Montgomery Canal and Associated Development* supports proposals which help the restoration of the canal and preserve and enhance its role as a multifunctional resource one of which is as a site for nature conservation.

The policy specifically supports the provision of off-line nature reserves, which will preserve and enhance the canal's aquatic ecology.

Development of facilities that adversely affect the role of the canal as a site for nature conservation will be opposed.

Reference is also made in the supporting text to proposals according with the objectives of the Montgomery Canal Partnership's Conservation Management Strategy, which has been produced to inform and guide the restoration and future management of the canal and provides an understanding of the canal's nature conservation significance.

The site is vulnerable to disturbance and the issues of water quality and nutrient enrichment. These issues of water quality may be impacted on by development proposed that connect with the water courses feeding the Canal, both in terms of flow and capacity.

Restoration will lead to increased visitor numbers and so any associated tourist facilities will need to be carefully planned, in particular those which encourage navigation of the waterway.

The Montgomery Canal runs close to the towns of Newtown and Welshpool. Towns are considered, by the LDP, the most sustainable settlements to grow subject to environmental constraints. Allocations in Newtown are greater than the 'in proportion' allocation, in Welshpool they are less.

A development boundary provides opportunities for development in both Towns. The LDP also supports employment proposals up to 0.5Ha, affordable housing on logical extensions, retail and other town centre uses, tourism development, community facilities and civic amenity sites.

The allocations proposed in these towns are listed below. The allocation text for each should refer to the need to consider project level HRA if there is likely to be any hydrological connection with the Canal.

The sites considered are those within the zone of influence. The tables below show the zone of influence of 2.5km and 5.0km from the Montgomery Canal

Residential Allocations:

Buffer zone of influence	Site Address	Site Ref No	Settlement	Settlement Hierarchy
2.5km	UDP allocation M170 HA1 (Parc Llwyfen)	P40 HC1	Llanymynech	Large Village
2.5km	Rock Farm	P48 HC5	Newtown	Town
2.5km	Burgess Lands, Red Bank	P57 HC1	Welshpool	Town
2.5km	Land r/o High Street, Park Lane	P57 HC2	Welshpool	Town
2.5km	Land adj Parc Llwyfen	P40 HA1	Llanymynech	Large Village
2.5km	Land South of Ty Gwyn, Carreghofa, Llanymynech	P40 HA2	Llanymynech	Large Village
2.5km	Land east of Trewern School, Trewern	P56 HA1	Trewern	Large Village
2.5km	Land adj. The Celyn, Guilsfield	P20 HA1	Guilsfield	Large Village
2.5km	Land at Greenfields, Welshpool	P57 HA2	Welshpool	Town
2.5km	Land at Kerry Road (B4368), Abermule	P02 HA1	Abermule	Large Village
2.5km	Land adj The Meadows, Abermule	P02 HA2	Abermule	Large Village
2.5km	Oldfield, Four Crosses, Llanymynech, SY22 6XP	P18 HA1	Four Crosses	Large Village
2.5km	Land at Red Bank, Welshpool	P57 HA3	Welshpool	Town
2.5km	Land at Gallowtree Bank, Welshpool	P57 HA1	Welshpool	Town
2.5km	Land west of Trederwen House, Arddleen, Llanymynech	P03 HA1	Arddleen	Large Village
2.5km	Gwernybatto Land, Llandrinio, Llanymynech	P29 HA1	Llandrinio	Large Village
5.0km	Bryn Bechan	P05 HC1	Bettws Cedwain	Large Village
5.0km	Land at Swallows Meadow	P11 HC1	Castle Caereinion	Large Village
5.0km	Sarn Meadows	P20 HC1	Guilsfield	Large Village

5.0km	Land off Fford Spooney, Llansantffraid	P37 HC1	Llansantffraid-ym-Mechain	Large Village
5.0km	Land at New Road	P45 HC1	Montgomery	Large Village
5.0km	Bryn Lane	P48 HC2	Newtown	Town
5.0km	Ffordd Croesawdy	P48 HC3	Newtown	Town
5.0km	Land at Severn Hts, (Brimmon Close)	P48 HC4	Newtown	Town
5.0km	Rear of Pentecostal Church	P48 HC6	Newtown	Town
5.0km	South of Heol Treowen / Great Brimmon	P48 HC7	Newtown	Town
5.0km	Hendidley	P48 HA2	Newtown	Town
5.0km	Dolforgan View, Kerry	P23 HA1	Kerry	Large Village
5.0km	Land at Heol Treowen, Newtown	P48 HA3	Newtown	Town
5.0km	Severnside Yard, Commercial Street, Newtown	P48 HA1	Newtown	Town
5.0km	Land off Heritage Green, Kingswood	P17 HA1	Forden	Large Village
5.0km	Verlon, Montgomery, SY15 6EU	P45 HA1	Montgomery	Large Village
5.0km	Land between Heatherwood & Kingswood Lane	P17 HA2	Forden	Large Village
5.0km	Land adj. Maes y cain, Llansantffraid-ym-Mechain	P37 HA2	Llansantffraid-ym-Mechain	Large Village
5.0km	Land West of Golfa Close, Middletown	P44 HA1	Middletown	Large Village
5.0km	Land at Spoonley Farm, Llansantffraid	P37 HA1	Llansantffraid-ym-Mechain	Large Village

Mixed Use Allocations

Buffer zone of influence	Site Address	Site Ref No	Settlement	Settlement Hierarchy
2.5km	Land at St Giles Golf Club, Newtown	P48 MUA1	Newtown	Town

Employment Allocations

Buffer zone of influence	Site Address	Site Ref No	Settlement	Settlement Hierarchy
2.5km	Abermule Business Park	P02 EC1	Abermule	Large Village
2.5km	Four Crosses	P18 EC1	Four Crosses	Large Village
2.5km	Buttington Brickworks	P59 EA1	Outside of settlement	Outside of settlement
2.5km	Land at Buttington Cross Enterprise Park	P57 EC1	Welshpool	Town
2.5km	Land at Offas Dyke Business Park	P60 EC1	Outside of settlement	Outside of settlement

A development boundary provides opportunities for development in large villages above and the LDP also supports employment proposals up to 0.5Ha, affordable housing, local shops, tourism development, community facilities and civic amenity sites.

Development opportunities in Villages Groes-lwyd, Leyton, Llandyssil and Refail. Infill and affordable on minor logical extensions. Local shops and tourism developments. Community facilities.

The LDP also provides opportunities for development in the surrounding countryside for a wide range of development including the replacement of habitable dwellings, the renovation of abandoned dwellings, annex / ancillary development, limited expansion, extension or environmental improvement of existing employment sites and buildings, Gypsy & Traveler sites, local shops, energy development, minerals and waste development and tourism development as farm diversification to support an existing tourism asset.

Each proposed development within the buffer of the Canal should be required to consider project level HRA if there is likely to be any hydrological connection with the Canal.

Mitigation

Development could impact on the water quality of the Canal and increase the risk of disturbance. However this cannot be assessed in detail before the development management stage.

It is recommended that:

- The LDP includes text highlighting the presence of the Montgomeryshire Canal SAC in close proximity to the settlements highlighted above and that any development proposals within 2.5 km, even where supported by general policies, of the site must demonstrate no impact on the site.
- The relevant allocation text includes reference to the canal and the fact that care will need to be taken to avoid disturbance / impact on water quality both individually and cumulatively with other development in the area.

Policy DM1 explains that all proposals for development must not compromise, or unacceptably adversely affect, either on their own or in combination with existing or approved development, the following:

9. The natural environment, integrity or conservation objectives of:
 - i) European Protected Sites / Habitats.

In addition, Policy DM2, criterion 3, states that “Proposals shall protect, positively manage and wherever possible enhance biodiversity and geodiversity interests to produce a net gain for the County including the enhanced connectivity of habitats”.

Consideration of in combination impacts.

The Powys LDP has had regard to the Wales Spatial Plan. Newtown and Welshpool are identified as an area for significant development / growth in the WSP and this is reflected by the Powys LDP.

National Policy Statements provide the UK policy for Nationally Significant Infrastructure Projects; currently there is an Inquiry into nationally significant windfarms which would require power lines potentially in close proximity to the canal in the Llanymynech area. Any implications for the water quality and SAC should be considered in combination with the impacts from this development.

The Powys Rural Development Plan and Regeneration Strategy complement the LDP in that they support economic diversification. Any significant Impacts on the Montgomery Canal SAC are likely to be controlled through the planning system and so it is considered unlikely that there will be in combination impacts.

Any resulting impacts from works undertaken through the Powys Schools Modernisation Program on the site would need to be considered in combination with other consented or allocated development proposals when considering whether a project level HRA is needed.

Conclusion

Whilst policies and proposals in the LDP enable development that would have the potential to impact upon the canal's vulnerabilities, policies TD3, DM1 and DM2 provide sufficient mitigation to ensure that the canal's role as a site for nature conservation is preserved and enhanced. It is therefore considered that an appropriate assessment of the impact of the LDP on the Montgomery Canal SAC is not required at the plan making stage.

TANAT AND VYRNWY BAT SITES

The site consists of six separate SSSI situated within the northeastern part of Montgomeryshire.

Two of the SSSI contain buildings that house maternity roosts (Bryngwyn and Hendre), whilst the other four are disused mines containing hibernation roosts.

With the exception of the maternity roost at Bryngwyn, the sites also contain a small amount of associated habitat, in the form of broadleaved woodland or hedgerows.

Other roosts of both types are known both within this locality and further south within Montgomeryshire. It is not known how the different sites relate to one another in terms of the seasonal movements of the bats, and so no judgement can be made as to whether they support one meta-population or several smaller populations.

The SAC is thought to support at least 4% of the UK population of this species. Bryngwyn suffered a major reduction for unknown reasons in between 1999 and 2003, from which it appears to be slowly recovering. Garth-eryr suddenly lost virtually all its bats between 1997 and 2002 (reasons again unknown), and yet the nearest maternity roost (Hendre) has increased its numbers. It appears that either the Hendre bats are now hibernating elsewhere, or the Garth-eryr bats were from an unknown maternity roost that may since been lost.

The two known breeding roosts are vulnerable to accidental fire, and casual or deliberate human disturbance, for example blocking of entrances.

Other issues include the loss of foraging habitat, loss of connectivity of flight lines in particular woodland, watercourses, tree lines and hedgerows where a gap of just 10m can be significant, inappropriate lighting, noise and disturbance.

Relationship of vulnerability to Powys LDP

The towns of Welshpool and Llanfyllin are within the sphere of influence of the Tanat and Vyrnwy Bat Sites. Towns are considered, by the LDP, the most sustainable settlements to grow subject to environmental constraints.

A development boundary provides opportunities for development in both Welshpool and Llanfyllin. The LDP also supports employment proposals up to 0.5Ha, affordable housing on logical extensions, retail and other town centre uses, tourism development, community facilities and civic amenity sites.

Allocations in Llanfyllin are significantly greater than the ‘in proportion’ allocation, in Welshpool they are less. The large allocation in Llanfyllin relates to the need to develop an area of land comprehensively to achieve an appropriate highways network. The allocation text for each should refer to the need to consider project level HRA if there is likely to be any loss of habitat connectivity, foraging habitat or disturbance. Allocations proposed in these towns are as follows:

Residential Allocations

Buffer Zone of influence	Site Address	Site Ref No	Settlement	Settlement Hierarchy
10.0km	Land r/o High Street, Park Lane	P57 HC2	welshpool	Town
10.0km	UDP allocation M170 HA1 (Parc Llwyfen)	P40 HC1	Llanymynech	Large village
10.0km	Land off Fford Spooney, Llansantffraid	P37 HC1	Llansantffraid-ym-Mechain	Large village
10.0km	Adjacent 38 Maes Y Dderwen, Llanfyllin	P32 HC1	Llanfyllin	Town
10.0km	Land Opposite the Wynnstay Inn, Llansilin	P38 HC1	Llansillin	large village
10.0km	Land at Swallows Meadow	P11 HC1	Castle Caereinion	Large village
10.0km	Sarn Meadows	P20 HC1	Guilfield	Large village
10.0km	Burgess Lands, Red Bank	P57 HC1	Welshpool	Town
10.0km	Land west of Trederwen House, Arddleen, Llanymynech	P03 HA1	Arddleen	Large Village

10.0km	Oldfield, Four Crosses, Llanymynech, SY22 6XP	P18 HA1	Four Crosses	Large Village
10.0km	Land adj. The Celyn, Guilsfield	P20 HA1	Guilsfield	Large Village
10.0km	Land north of Church, Llanfechain	P31 HA1	Llanfechain	Large Village
10.0km	Llangynog Glebe, Llangynog	P34 HA1	Llangynog	Large Village
10.0km	Land at Maes yr Esgob, Llanrhaeder ym Mochnant	P36 HA1	Llanrhaeadr-ym-Mochnant	Large Village
10.0km	Land at Spoonley Farm, Llansantffraid	P37 HA1	Llansantffraid-ym-Mechain	Large Village
10.0km	Land adj. Maes y cain, Llansantffraid-ym-Mechain	P37 HA2	Llansantffraid-ym-Mechain	Large Village
10.0km	Land adj Parc Llwyfen	P40 HA1	Llanymynech	Large Village
10.0km	Land South of Ty Gwyn, Carreghofa, Llanymynech	P40 HA2	Llanymynech	Large Village
10.0km	Pentre works and adjacent land, Meifod	P43 HA1	Meifod	Large Village
10.0km	Land east of Ysgol Pennant, Penybontfawr	P49 HA1	Penybontfawr	Large Village
10.0km	Land at Y Fferm, Pontrobert, Meifod, Powys	P50 HA1	Pontrobert	Large Village
10.0km	Land opposite Maesydre, Llanfyllin	P32 HA1	Llanfyllin	Town
10.0km	Maesydre Field, Llanfyllin	P32 HA2	Llanfyllin	Town
10.0km	Field 7674, South of Maesydre, Llanfyllin	P32 HA2	Llanfyllin	Town
10.0km	Land at Gallowtree Bank, Welshpool	P57 HA1	Welshpool	Town
10.0km	Land at Greenfields, Welshpool	P57 HA2	Welshpool	Town
10.0km	Land at Red Bank, Welshpool	P57 HA3	Welshpool	Town
15.0km	Land Opposite The Firs (between Malt House Farm &	P15 HA1	Crew Green	Large Village
15.0km	Land off Heritage Green, Kingswood	P17 HA1	Forden	Large Village
15.0km	Land between Heatherwood & Kingswood Lane	P17 HA2	Forden	Large Village

15.0km	Gwernybatto Land, Llandrinio, Llanymynech	P29 HA1	Llandrinio	Large Village
15.0km	Land West of Golfa Close, Middletown	P44 HA1	Middletown	Large Village
15.0km	Land east of Trewern School, Trewern	P56 HA1	Trewern	Large Village
15.0km	Land at Tanyfron, Llanfair Caereinion	P30 HA1	Llanfair Caereinion	Town
15.0km	UDP Allocation M154 HA3	P30 HA2	Llanfair Caereinion	Town

The following large villages are also in the sphere of influence of the SAC: Llangynog, Pontrobert, Arddleen, Llanfechain, Llanrhaeadr ym Mochnant, Llansanfraidd ym Mechain, Meifod, Castle Careinion, Llandrinio, Four Crosses, Llansilin, Penybont Fawr, Llanymynech, Guilsfield.

Each large village has allocations approximately proportionate to their size (existing household numbers). Again allocation text for each should refer to the need to consider project level HRA if there is likely to be any loss of habitat connectivity, foraging habitat or disturbance. The allocations are as follows:

Mixed Use Allocations

No Mixed Use allocated

Employment Allocations

Buffer zone of influence	Site address	Site Ref No	Settlement	Settlement Hierarchy
10.0km	Four Crosses	P18 EC1	Four Crosses	Large Village
10.0km	Land at Buttington Cross Enterprise Park	P57 EC1	Welshpool	Town
15.0km	Buttington Brickworks	P59 EA1	Outside of settlement	Outside of settlement
15.0km	Land at Offas Dyke Business Park	P60 EC1	Outside of settlement	Outside of settlement

A development boundary provides opportunities for development in large villages above and the LDP also supports employment proposals up to 0.5Ha, affordable housing, local shops, tourism development, community facilities and civic amenity sites.

Furthermore there are development opportunities in Villages within the sphere of influence of the bat sites in Abertridwr, Groes-llwyd, Llangedwyn, Llanwddyn. These include infill and affordable on minor logical extensions, local shops and tourism developments and community facilities.

The site has a large sphere of influence (10km) within which there is uncertainty over the location of summer (breeding) roosts and there is a need to maintain foraging habitat & connectivity flight lines.

LDP policies and proposals also enable development on sites in the open countryside within this sphere of influence. There is, therefore, potential for development enabled through the implementation of LDP policies and proposals to pose a risk to this site's vulnerabilities (e.g. loss or conversion of rural buildings or linear features such as hedgerows).

To mitigate these risks the LDP includes text that identifies that for any development proposed within this site's sphere of influence there is the need to consider the need for project level HRA.

The LDP also provides general protection to European sites through Policy DM1, criterion 9, which states that "*proposals for development must not compromise, or unacceptably adversely affect, either on their own or in combination with existing or approved development ... the natural environment, integrity or conservation objectives of ... European Protected Sites / Habitats*".

In addition, Policy DM2, criterion 3, states that "*Proposals shall protect, positively manage and wherever possible enhance biodiversity and geodiversity interests to produce a net gain for the County including the enhanced connectivity of habitats*".

This will ensure that development proposals plan positively for biodiversity and geodiversity, with further information provided in Biodiversity Supplementary Planning Guidance.

With particular reference to the risk from inappropriate lighting to bats, LDP Policy DM1 requires that proposals involving external lighting be assessed to ensure that the intrusive lighting is kept to a minimum.

Consideration of in combination impacts.

Infrastructure associated with Nationally Significant Infrastructure Projects will have regard to the SAC, however the in combination impacts will need to be considered where development is proposed in the sphere of influence of the site. Impacts again relate not only to the loss of connectivity and foraging habitat but also to the construction phase and lighting.

National Grid 400kv Grid Line proposal:

The Mid Wales Electricity Connection (National Grid) Project is currently in Pre-application stage, the full application is expected to be submitted to the Planning Inspectorate for consideration in 2015. The project concerns the construction of a new 400 kV electricity connection between Shropshire and Powys. Currently the information available regarding the proposed application is limited; a Preliminary Environmental Information Report and EIA Scoping Report and a number of plans including the proposed route of the grid connection and trees and hedges affected by the proposals have been produced.

The Preliminary Environmental Information Report and EIA Scoping report available for the Mid Wales Electricity Connection project identify that a separate document will be prepared as part of the Habitat Regulations Assessment (HRA), in consultation with NRW and/or Natural England. The HRA would consider the scheme in the context of the relevant Natura 2000 sites. The need for an Appropriate Assessment will be assessed during the Environmental Impact Assessment of the scheme in consultation with the relevant statutory conservation agency (NRW and/or Natural England).

The Tanat and Vyrnwy Bat Sites SAC comprises six different locations. The nearest locations proposed route of the Mid Wales Electricity Connection are the Allt y Main Mine hibernation roost, which is 0.25km to the north-west of the route corridor and the Bryngwyn Hall maternity roost, which is approximately 2.2km to the north-west of the route corridor.

Whilst the Preliminary Environmental Information Report briefly considers the potential for likely significant effects to the Tanat and Vyrnwy Bat Sites SAC it states in Section 7.4.25 "Appraisal and data analysis are ongoing and we are unable to say at the present time whether there is likely to be an effect or not on the SAC".

Draft guidance For Plan Making Authorities in Wales for The Appraisal of Plans Under the Habitats Directive produced by David Tyldesley and Associates for the Countryside Council For Wales November 2009 (revised April 2010 and September 2012) identifies that:

5.35 In terms of the type of other plans and projects, the combination will need to include:

- a) the incomplete parts of projects that have been started but which are not yet completed;
- b) projects given consent but not yet started;
- c) projects that are subject to applications for consent not yet decided;
- d) projects that are subject to outstanding appeal procedures;
- e) any known projects that are not subject to any consent;
- f) policies and proposals that are not yet fully implemented in plans that are still in force; and
- g) policies and proposals in draft plans which have been published for final consultation purposes, but not including options or alternatives in earlier stages before sites are selected for allocation, or other proposals are firmed up

5.38 However, the in-combination test cannot reasonably be expected to include the possible effects of projects not yet applied for or plans (or draft plans) not yet published for consultation.

It is therefore considered that at the current time the Mid Wales Electricity Connection Project is not at a stage where it is reasonable for the possible effects to the Tanat and Vyrnwy Bat Sites SAC and associated features to be considered in combination with the Powys LDP, further assessment of in-combination effects will be considered during the LDP process as and when the Mid Wales Electricity Connection Project is submitted to the Planning Inspectorate.

Project 98 in the National Transport Plan

Project 98 explains the need for interventions for the A458 from Buttington Cross to Wollaston Cross. Again at the development management stage, should work be carried out at the same time a consideration of the in combination impacts, as above, will need to be considered.

Other Projects:

Works by infrastructure providers, such as Severn Trent, and through the schools modernization project will need to be considered at the detailed planning application stage for in combination impacts.

Conclusion

Whilst policies and proposals in the LDP enable development that would have the potential to impact upon the site's vulnerabilities, it is considered that sufficient mitigation is included within the Plan to ensure that a Habitats Regulations Assessment at the project stage is sufficient to show that the LDP does not have the potential to impact on the Tanat and Vyrnwy Bat Sites SAC.

RIVER WYE

The River Wye rises on Plynlimon in the Cambrian Mountains and flows in a generally southeasterly direction to enter the Severn Estuary at Chepstow. The upper catchment comprises several large sub-catchments, including the Irfon on the generally infertile upland landscape in the north-west, the Ithon in the north-east often on more low-lying, fertile terrain and the Lugg in the east in a predominantly low-lying fertile landscape much of which lies within England.

The River Wye is an areas of special importance for nature conservation and is also designated as a Site of Specific Scientific Interest (SSSIs) and the lower stretches of the River Lugg, along with the River Wye, are also a part of the River Wye Special Area of Conservation (SAC) designated under the European Community (EC) Habitats Directive.

The underlying geology consists predominantly of impermeable, acidic rocks of Silurian and Ordovician age in the north-west and more permeable Devonian Old Red Sandstone with a moderate base status in the middle and lower catchment. This geology produces a generally low to moderate nutrient status and a low to moderate base-flow index, making the river characteristically flashy.

The run-off characteristics and nutrient status are significantly modified by land use in the catchment, which is predominantly pastoral with some woodland and commercial forestry in the headwaters and arable in the lower catchment and the Lugg.

The ecological structure and functions of the site are dependent on hydrological and geomorphological processes (often referred to as hydromorphological processes), as well as the quality of riparian habitats and connectivity of habitats.

Connectivity should be maintained, or restored where necessary, as a means to ensure access of the features to sufficient habitat within and surrounding the SAC.

In the Wye catchment, the most significant sources of diffuse pollution and siltation are from agriculture with point source pollution also arising from sewage treatment works, urban drainage, engineering works such as road improvement schemes, contaminated land, and other domestic and industrial sources.

Natural England's current phosphate compliance assessments have determined that parts of the River Wye SAC are currently not meeting the required phosphate targets (set at 0.03 mg/l in the upper River Wye sub-catchment and 0.05 mg/l in both the River Lugg and lower River Wye sub-catchments).

This issue is being considered in depth in the River Wye Nutrient Management Plan (NMP). As part of the Environment Agency's Review of Consents (RoC) process in 2010, it was agreed that a plan was needed for the River Wye SAC in order to reduce current phosphate concentrations in the river to comply with conservation objectives. To this end, in 2013 the Environment Agency and Natural England issued a joint Statement of Intent to prepare a Nutrient Management Plan (NMP) for the River Wye SAC, which would also address predicted growth within the catchment. (*source: River Wye SAC – Nutrient Management Plan – Evidence Base and options appraisal – May 2014*)

An NMP is a plan that identifies the main sources of nutrients in a river catchment and sets out the potential measures that could be implemented in order to better manage these inputs to bring about the required reductions to meet the Conservation Objectives of the SAC. In the case of the River Wye SAC, the NMP is specifically focused on phosphates. It is important to note that the purpose of the NMP is not just to address any current exceedance of phosphates targets; it is a strategic plan that sets out the likely scale of the issue over the next 25 years and the types of measures required to bring the water quality back into line with the required standards for the River Wye SAC.

The NMP should therefore not be viewed as an end product to be implemented verbatim, but rather as a starting point setting out a framework for action over this time period. It is envisaged that the plan will be reviewed and updated as the evidence base improves, as measures are implemented, as new measures become available, and as changes occur within the catchment. As such it should be considered a "live" document.

The NMP, although produced and owned by NRW (Environment Agency) in partnership with Natural England, is relevant to a range of partners including Local Planning Authorities and Water Companies who will need to have regard to the plan and the commitment to deliver its actions, when considering the potential effects of future development upon the River Wye SAC under the provisions of the Habitats Regulations. (*source: River Wye SAC – Nutrient Management Plan – Evidence Base and options appraisal – May 2014*)

The specific aims of the NMP, as set out in the joint NRW (Environment Agency) and Natural England Statement of Intent (EA, 2013) are:

- Sections of the River Wye SAC where the phosphate levels currently exceed the favourable condition target (River Lugg) will be subject to measures to reduce phosphate levels to those which are defined as favourable for the site. The design and timing of these measures should ensure that, taking these measures into account, new development within existing water discharge permits can occur without any significant adverse effect on the integrity of these sections of the River Wye SAC and without compromising the achievement of the reductions in phosphate levels required as soon as possible and at the latest by 2027;
- Sections currently meeting the favourable condition phosphate target will be subject to measures to ensure that future inputs of phosphate will not at any time lead to any adverse effect on the integrity of the River Wye SAC as a consequence of currently available capacity at the permitted discharges being utilised by new development; and
- The plan will attempt to identify further actions which will facilitate further development within the catchment that is in line with the policies within the emerging core strategy and other strategic planning documents within the catchments of the River Wye SAC.

(source: River Wye SAC – Nutrient Management Plan – Evidence Base and options appraisal – May 2014)

Development activities can cause temporary physical, acoustic, chemical and sediment barrier effects that need to be addressed in the assessment of specific plans and projects.

Barriers resulting from vibration, chemicals, low dissolved oxygen and artificially high sediment levels must be prevented at key times (generally March to June).

Measures to ensure the safe movement of otters around the catchment will be promoted, in particular the provision of ledges, tunnels and fencing on new road / bridge schemes.

Engineering works such as bridge repairs in reaches where white-clawed crayfish are known to occur should include appropriate pollution prevention measures and a crayfish rescue by a suitably licensed person where there is a risk of physical damage to crayfish.

Anglers occasionally fish for shad, sometimes taken in quite large numbers. Exploitation of shad is currently unregulated and controls are being considered through the review of freshwater fisheries legislation.

Shad are susceptible to disturbance from vibration and noise from construction activities, they move in the daytime when works are ongoing and migration is in June.

Recreational activities (walking and gorge walking amongst others) and often associated tourist development could potentially have a variety of adverse impacts such as damage riparian habitats, developments increase run-off, excessive erosion and disturbance.

The potential impact of flow depletion resulting from a small number of major abstraction licences, if they were to be fully utilised, was highlighted in the Review of Consents process. As a result of this process, flow targets have been set which are considered likely to significantly reduce or remove the potential impacts on SAC features.

There are also requirements for screening of water abstraction intakes to reduce or remove the impact of impingement and entrainment on juvenile fish migrating downstream.

In all river types, artificial barriers should be made passable with impact of existing barriers assessed on a case-by-case basis. Physical modification of barriers is required where depth/velocity/duration of flows is unsuitable to allow passage. Complete or partial natural barriers to potentially suitable spawning areas should not be modified or circumvented to work towards meeting good ecological status in the Water Framework Directive.

Relationship of vulnerability to Powys LDP

The River Wye runs through many settlements in the County. Its waters are abstracted for use and it is also used to transport waste away from sewage treatment works. In total the LDP plans for 1100+ additional homes in settlements along the River Wye and its

tributaries until 2026. Approx.10 Ha. of employment land is allocated. The plan also provides further opportunities for development in these areas.

The River Wye NMP which considers the in combination impacts of the development proposals of planning authorities through which the river runs (Powys, Brecon Beacons National Park, Herefordshire and Monmouthshire), as well as other impacts from existing land uses.

A key area of concern is the condition of the River Lugg which is habitat to the Freshwater Pearl Mussel. The confluence of the Lugg and the Wye in Herefordshire has been highlighted as a particular area of concern.

Current abstraction licenses provide for the level of development proposed in the LDP. There may be pressure in the future to amend the permitted levels of abstraction downwards to meet Water Framework Directive Targets, however it is not envisaged that this would be to the extent that would hamper the levels of development proposed by the LDP.

Discharge consents allow discharge from point source, or sewage treatment works. The River Wye Nutrient Management Plan demonstrates that there sufficient headroom in the water quality, with other improvements planned to control the levels of diffuse pollution in the river, to accept the increased discharge from the planned development.

The towns of Builth Wells & Llanellwedd, Hay-on-Wye, Llandrindod Wells (Ithon), Llanwrtyd Wells (Irfon), Presteigne (Lugg) and Rhayader sit on the river and its tributaries. Towns are considered, by the LDP, the most sustainable settlements to grow subject to environmental constraints.

A development boundary provides opportunities for development in both Towns. The LDP also supports employment proposals up to 0.5Ha, affordable housing on logical extensions, retail and other town centre uses, tourism development, community facilities and civic amenity sites.

Allocations are generally approximate to the 'in proportion' allocation in the towns. The allocation text for each should refer to the need to consider project level HRA if there is likely to be any loss of habitat connectivity, disturbance, or impact on the water environment. Allocations proposed in these towns are as follows:

Residential Allocations:

Buffer zone of influence	Site Address	Site Ref No	Settlement	Settlement Hierarchy
2.5km	The Depot Boughrood	P06 HC1	Boughrood & Llyswen	Large Village
2.5km	Beeches Park , Boughrood	P06 HC2	Boughrood & Llyswen	Large Village
2.5km	Land adjacent to Bronllys Court	P07 HC1	Bronllys	Large Village
2.5km	Land at Greenfield, Bronllys	P07 HC2	Bronllys	Large Village
2.5km	The Old Skin Warehouse Site, Brecon Rd	P08 HC1	Builth Wells & Llanelwedd	Town
2.5km	Hay Road Garage	P08 HC2	Builth Wells & Llanelwedd	Town
2.5km	Land South east of Clyro (A)	P13 HC1	Clyro	Large Village
2.5km	Oaktree Meadows	P16 HC1	Crossgates / Fron	Large Village
2.5km	Land adjacent Goylands Estate	P22 HC1	Howey	Large Village
2.5km	Land at Gate Farm	P28 HC1	Llandrindod Wells	Town
2.5km	Highland Moors	P28 HC2	Llandrindod Wells	Town
2.5km	Site adj, Autopalace	P28 HC3	Llandrindod Wells	Town
2.5km	9180 Adj Penybont Farm & Maescurig (A/27/001)	P33 HC1	Llangurig	Large Village
2.5km	The Vicarage Field, Beulah Road, Llanwrtyd	P39 HC1	Llanwrtyd Wells	Town
2.5km	OS 2664 Caemawr, off Ffos Road	P39 HC2	Llanwrtyd Wells	Town
2.5km	OS 1451 Meadow View, Station Road	P39 HC3	Llanwrtyd Wells	Town
2.5km	The Orchard Merryhall Land	P47 HC1	Newbridge on Wye	Large Village
2.5km	Nant Rhyd-Hir	P52 HC1	Rhayader	Town
2.5km	Old Builders Supply Depot	P52 HC2	Rhayader	Town
2.5km	Treble Hill Stables, Glasbury	P19 HA1	Glasbury	Large Village
2.5km	Land South east of Clyro (B)	P13 HA1	Clyro	Large Village

2.5km	Land adj Bronllys CP School, Neuadd Terrace	P07 HA1	Bronllys	Large Village
2.5km	Land at Bronllys to the west of Hen Ysgubor	P07 HA2	Bronllys	Large Village
2.5km	Land at Llyswen adj B24 HA3	P06 HA1	Boughrood & Llyswen	Large Village
2.5km	Land adjoining Beeches Park , Boughrood	P06 HA2	Boughrood & Llyswen	Large Village
2.5km	Land adj. To Tai Ar Y Bryn, Hospital Rd.,Builth	P08 HA3	Builth Wells & Llanelwedd	Town
2.5km	Land to the rear of Studio Cottage	P16 HA1	Crossgates / Fron	Large Village
2.5km	Land to West of and accessed off Crossways Crt	P22 HA1	Howey	Large Village
2.5km	Land East of Ithon Road, Llandrindod Wells	P28 HA3	Llandrindod Wells	Town
2.5km	Crabtree Green, Llandrindod Wells	P28 HA1	Llandrindod Wells	Town
2.5km	Site 2-Land Nth of Tremont Park, Llandrindod Wells	P28 HA2	Llandrindod Wells	Town
2.5km	Site 1-Land to Sth Tremont Park, Llandrindod Wells	P28 HA2	Llandrindod Wells	Town
2.5km	Builth Wells Cottage Hospital	P08 HA1	Builth Wells & Llanelwedd	Town
2.5km	Land adj. Maesllan, Llangurig	P33 HA1	Llangurig	Large Village
2.5km	Land off East Street, Rhayader	P52 HA2	Rhayader	Town
2.5km	Tir Gia	P52 HA1	Rhayader	Town
2.5km	Land west of Primary school, Builth Wells	P08 HA2	Builth Wells & Llanelwedd	Town
2.5km	Land at Llanyre Farm, Llanyre	P41 HA1	Llanyre	Large Village
2.5km	Land at Ridgebourne Drive, Llandrindod Wells	P28 HA4	Llandrindod Wells	Town

The following large villages are also in close proximity to the SAC: Boughrood & Llyswen, Bronllys, Clyro, Crossgates, Glasbury, Howey, Llangurig, Llanyre, Newbridge-on-Wye and Three Cocks and are included in the table above.

Each large village has allocations approximately proportionate to their size (existing household numbers). Again allocation text for each should refer to the need to consider project level HRA if there is likely to be any loss of habitat connectivity, disturbance or impact on water quality from drainage. The allocations are as follows:

Mixed Use Allocations:

Buffer zone of influence	Site Address	Site Ref No	Settlement	Settlement Hierarchy
2.5km	Land adj Brecon Pharmaceuticals, Land at Gypsy Cas	P21 MUA1	Hay-on-Wye	Large village
2.5km	Land between/adj Gwernyfed Avenue, Three Cocks	P53 MUA1	Three Cocks	Large village

Employment Allocations:

Buffer zone of influence	Name	Site Ref_No	Settlement	Settlement Hierarchy
2.5km	Wyeside Enterprise Park	P08 EA1	Builth Wells & Llanelwedd	Town
2.5km	Heart of Wales Business Park	P28 EA1	Llandrindod Wells	Town
2.5km	Land at Brynberth Business Park	P52 EA1	Rhayader	Town

The plan allows for infill development, affordable housing on minor logical extensions, local shops and tourism developments and community facilities in the following villages: Abbeycwmhir, Aberedw, Beulah, Builth Road, Cilmery, Erwood, Felinfach, Gladestry, Llanbadarn Fynydd, Llandewi Ystradenni, Llanfihangel Tal-y-Llyn, Llangammarch Wells, Llanigon, Nantmel, Norton, Pant y dwr, St Harmon, Velindre, Llanwrthwl.

The LDP also provides opportunities for development in the surrounding countryside for a wide range of development including the replacement of habitable dwellings, the renovation of abandoned dwellings, annex / ancillary development, limited expansion, extension or environmental improvement of existing employment sites and buildings, Gypsy & Traveler sites, local shops, energy development, minerals and waste development and tourism development as farm diversification to support an existing tourism asset.

Each proposed development within the buffer of the River Wye should be required to consider project level where there is the potential for loss of habitat connectivity, disturbance or impact on water quality from drainage.

Consideration of in combination impacts

The River Wye Nutrient Management Plan addresses the in combination impacts of the LDP, surrounding development plans and existing discharge and abstraction along the river. The key remaining issues are impacts on habitat loss, loss of connectivity and on disturbance. The in combination impacts should be focused on this.

National Policy Statements provide the UK policy for Nationally Significant Infrastructure Projects. There is a Technical Advice Note 8 strategic Search area in the upper catchment.

The Powys LDP has had regard to the Wales Spatial Plan. Llandrindod Wells / Builth and Rhayader are identified as cluster which is reflected in the LDP.

Dwr Cymru is the relevant water company for the river Wye Catchment. There is the potential for in combination impacts associated with disturbance when undertaking works such as pipe connections. This should be considered as an issue at the planning application stage and mitigation agreed e.g. timings of work to avoid disturbance as much as possible.

There could be in combination impacts from flood prevention measures as agreed by Natural Resources Wales.

The following projects in the National Transport Plan could restrict the migration of the features by introducing migration barriers, may cause added run-off, sedimentation and resulting loss of habitat from construction works and may cause direct impacts on species through mortality events. At the development management stage, should work be carried out at the same time as the roadworks, a consideration of the in combination impacts will need to be considered.

Project 60 - A470 at Alltmawr

Project 66 – A470 at Rhayader

Project 68 – A470 & A483 through Builth Wells

Project 99 – A470 & A483 through Builth Wells and through Newtown.

The Powys Rural Development Plan and Regeneration Strategy complement the LDP in that they support economic diversification. Any significant Impacts are likely to be controlled through the planning system and so it is considered unlikely that there will be in combination impacts.

The Powys Schools Modernisation Program is yet to review the catchment. Any resulting impacts from works on the site would need to be considered in combination with other consented or allocated development proposals.

Conclusion

Whilst policies and proposals in the LDP enable development that would have the potential to impact upon the site's vulnerabilities, it is considered that sufficient mitigation is included within the Plan to ensure that a Habitats Regulations Assessment at the project stage is sufficient to show that the LDP does not have the potential to impact on the River Wye SAC. The key in combination impacts are considered in detail in the River Wye Nutrient Management Plan.

Further screening of other European Sites in Powys.

3.19 The following table considers the relationship between the Local Development Plan, in combination with other plans, programs and projects, and those European Sites that were not screened out at an earlier stage but which have less interaction with the Plan than the four key sites referred to above. Each will need to be considered at the more detailed development management stage. The LDP explains that:

‘In line with the Habitats Regulations and in consultation with NRW, it will be necessary for project level assessments to be undertaken where there is a potential for significant effects on the following European Sites.

Any development project that could have an adverse effect on integrity of a European site will not be in accordance with the development plan, within the meaning of S.38(6) of the Planning and Compulsory Purchase Act 2004’.

Table 8 Further Screening Table

European Site	Policy (Reasonable likelihood) subject to lower tier plan or project.
<p>Mynydd Epynt</p> <p>Mynydd Epynt SAC comprises 6 separate blocks of land situated within the Sennybridge MOD Ranges.</p> <p>All of the blocks include spring-fed flushes supporting the SAC Feature of Interest, with Disgwylyfa also supporting the additional SSSI Feature, namely the assemblage of grassland fungi in particular, waxcap species.</p>	<p>Little development is expected in this area however, the following policies would support development proposals that may, if unchecked, impact on the SAC.</p> <p>Policy TD1 – Tourism Development.</p> <p>Tourism development to support a tourism asset (Epynt Way).</p> <p>Policy MD1 – Development proposals by the MOD.</p> <p>Development to support operational use of the Sennybridge Training Area.</p>
<p>Rhos-Goch</p> <p>The central core of the site comprises Rhos Goch National Nature Reserve (NNR), a peat bog</p>	<p>The site is situated near to the rural settlement of Rhos-Goch.</p>

<p>that has developed in a small glacial lake basin to the north of Hay-on-Wye in Powys. The site also includes surrounding wet meadows and patches of woodland forming part of the “lagg zone” of the bog. The site is the source of two streams, the Cwm-illa Brook (which flows north-east towards the River Arrow) and the Bach Howey (which flows south-west towards the River Wye).</p>	<p>Little development is expected in Rural Settlements, Policy H1 – Housing Provision part 3. Rural settlements and open countryside (i), (ii) & (iii) allows affordable housing for local needs.</p> <p>Whilst the Powys Local Development Plan does not promote any development in this area, should any be proposed then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>Dyfi Estuary</p> <p>The Dyfi Estuary is located on the west coast of Wales on the boundary between Ceredigion, Gwynedd and Powys. The SPA comprises the estuary, with adjoining saltmarsh, marshy grassland and improved grassland. The estuarine complex is of outstanding physiographic interest. It includes sandbanks, mud-flats, saltmarsh, peatbogs, river channels and creeks, with an extensive sand dune complex across the mouth of the estuary. The estuary itself is a feature of the Penllyn a’r Sarnau marine SAC.</p> <p>The site is of importance as a traditional wintering area for Greenland White-fronted Goose <i>Anser albifrons flavirostris</i> – the most southerly regularly used area for this population in the UK.</p> <p>The Dyfi Estuary is the sole remaining wintering site in Wales and the most southerly in the UK. It is both a roosting and feeding area, and is particularly important in the context of maintaining the traditional</p>	<p>This site adjoins the LDP Planning area where only a modest amount of development is proposed in the nearby town of Machynlleth. The detailed impact of the following allocations on the SAC should be considered at planning application stage.</p> <p>P42 HA1 OS1546, Aberystwyth Road 1.4 Ha. for 29 homes</p> <p>P42 HA2 Land Adjacent HA1, Aberystwyth Rd 0.51 Ha. for 13 homes</p> <p>P42 HA3 Mid Wales Storage Depot 0.36 Ha. for 15 homes</p> <p>P42 EA1 Land at Treowain 1.7Ha. employment land.</p> <p>P42 HA4 – Newtown Road, Machynlleth – 0.3 Ha for a permanent Gypsy and Traveller Site.</p> <p>Development boundaries provide opportunities for development in towns. The LDP also supports employment proposals up to 0.5Ha,</p>

wintering range within the UK.

affordable housing on logical extensions, retail and other town centre uses, tourism development, community facilities and civic amenity sites.

Policy H1 1. Housing Provision – Towns and Large Villages (i) & (ii)

Policy H5 – Affordable housing exception sites

Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)

Policy R1 - New Retail Development

Policy R2 – Development within Town Centre Areas

Policy TD1 – Tourism Development

Policy C1 – Community Facilities and Indoor Recreation Facilities

Policy W1 – Waste

The nearest settlement in the Powys Planning Area is the village of Derwenlas. Policies which direct development to villages include:

Policy H1 – Housing Provision criterion 2. Villages (i) & (ii)

Policy H5 – Affordable Housing Exception Sites criterion 2. Villages (i), (ii), (iii)

Policy R4 – Neighbourhood and Village Shops and Services

Policy TD1 – Tourism Development

Policy C1 – Community Facilities and Indoor Recreation Facilities

Whilst the Powys Local Development

	<p>Plan does not focus development in the surrounding countryside, should any be proposed then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>Llyn Peninsulat and Sarnau</p> <p>The Pen Llŷn a'r Sarnau SAC encompasses areas of sea, coast and estuary that support a wide range of different marine habitats and wildlife, some of which are unique in Wales.</p> <p>In places the SAC landward boundary abuts the boundary of SACs encompassing terrestrial / coastal habitats and species and some intertidal areas that are part of the marine SAC have been notified as Sites of Special Scientific Interest (SSSI) (see Appendix 2).</p> <p>The Pen Llŷn a'r Sarnau SAC is situated in northwest Wales. The SAC boundary extends from Nefyn on the north coast of Llŷn and includes parts of the seashore and the waters and seabed around the Llŷn Peninsula, in north Cardigan Bay and along the Meirionnydd coast to Clarach in Ceredigion south of the Dyfi estuary, including the Glaslyn/Dwryrd, Atrô, Mawddach and Dyfi estuaries. Much of the area of the SAC is subtidal, but there are also extensive intertidal areas. The site covers an area of about 146,023 ha.</p>	<p>This site adjoins the LDP Planning area where only a modest amount of development is proposed in the nearby town of Machynlleth. The detailed impact of the following allocations on the SAC should be considered at planning application stage.</p> <p>P42 HA1 OS1546, Aberystwyth Road 1.4 Ha. for 29 homes</p> <p>P42 HA2 Land Adjacent HA1, Aberystwyth Rd 0.51 Ha. for 13 homes</p> <p>P42 HA3 Mid Wales Storage Depot 0.36 Ha. for 15 homes</p> <p>P42 EA1 Land at Treowain 1.7Ha. employment land.</p> <p>P42 HA4 – Newtown Road, Machynlleth – 0.3 Ha for a permanent Gypsy and Traveller Site.</p> <p>Development boundaries provide opportunities for development in towns. The LDP also supports employment proposals up to 0.5Ha, affordable housing on logical extensions, retail and other town centre uses, tourism development, community facilities and civic amenity sites.</p> <p>Policy H1 1. Housing Provision – Towns and Large Villages (i) & (ii)</p> <p>Policy H5 – Affordable housing</p>

	<p>exception sites</p> <p>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</p> <p>Policy R1 - New Retail Development</p> <p>Policy R2 – Development within Town Centre Areas</p> <p>Policy TD1 – Tourism Development</p> <p>Policy C1 – Community Facilities and Indoor Recreation Facilities</p> <p>Policy W1 – Waste</p> <p>The nearest settlement in the Powys Planning Area is the village of Derwenlas. Policies which direct development to villages include:</p> <p>Policy H1 – Housing Provision criterion 2. Villages (i) & (ii)</p> <p>Policy H5 – Affordable Housing Exception Sites criterion 2. Villages (i), (ii), (iii)</p> <p>Policy R4 – Neighbourhood and Village Shops and Services</p> <p>Policy TD1 – Tourism Development</p> <p>Policy C1 – Community Facilities and Indoor Recreation Facilities</p> <p>Whilst the Powys Local Development Plan does not focus development in the surrounding countryside, should any be proposed then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>Berwyn and South Clwyd Mountains</p>	<p>There are two Large Villages close to the SAC. Each has a modest housing land allocation.</p>

The Berwyn and South Clwyd Mountains SAC is a large upland site (27,132 ha), the largest area of blanket bog and European dry heath in Wales.

Berwyn is the most important upland in Wales for breeding birds. It supports a wide range of species including internationally significant numbers of hen harrier *Circus cyaneus*, merlin *Falco columbarius*, peregrine *Falco peregrinus* and red kite *Milvus milvus*, as well as significant proportions of the Welsh populations of other species including short eared owl *Asio flammeus*, golden plover *Pluvialis apricaria*, red grouse *Lagopus lagopus* and black grouse *Tetrao tetrix*.

Llangynog P34 HA1 Land off Maes Drew, Llanfechain 0.32Ha. for 8.

Penybont Fawr LV P49 HA1 Land east of Ysgol Pennant 0.43 Ha. for 10.

Other development is supported in Large Villages as follows:

Policy H1 1. Housing Provision – Towns and Large Villages (i) & (ii)

Policy H5 – Affordable housing exception sites

Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)

Policy R1 - New Retail Development

Policy R2 – Development within Town Centre Areas

Policy TD1 – Tourism Development

Policy C1 – Community Facilities and Indoor Recreation Facilities

Policy W1 – Waste

Policy R4 – Neighborhood and village shops and services

The Village of **Abertridwr** is also close

Policies which direct development to villages include:

Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)

Policy TD1 – Tourism Development

Policy C1 – Community Facilities

	<p>and Indoor Recreation Facilities</p> <p>Policy H1 - Housing, criterion 2. Villages (i) & (ii)</p> <p>Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)</p> <p>Policy R4 – Neighborhood and village shops and services</p> <p>Whilst the Powys Local Development Plan does not focus development in the surrounding countryside, should any be proposed either alone or in combination with other developments, then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>Elenydd</p> <p>The Elenydd – Mallaen area occupies the southern section of the Cambrian Mountains in central Wales, stretching from the upper Cothi and Tywi valleys north-west of Llandovery to the Ystwyth, Elan and Wye valleys in the north. These hills are built of rocks of Silurian and Ordovician age and the landforms are typical of the 'slate uplands' of south-central Wales, with plateaux separated by steep-sided valleys.</p> <p>Elenydd is located in the centre of this area. It is one of the most important areas of hill land in Wales for nature conservation and is of outstanding interest for its range of breeding birds. Much of the hill vegetation is also of special interest. Elenydd is important in Mid Wales for its nutrient-poor upland lakes. The area supports a wide variety of uncommon plants and animals.</p> <p>The Elenydd SAC, Coetiroedd Cwm</p>	<p>This site is located away from any settlements identified for development by the Powys LDP.</p> <p>However the rural settlement, Elan Village, adjoins the SAC.</p> <p>Little development is expected in Rural Settlements, Policy H1 – Housing Provision part 3. Rural settlements and open countryside (i), (ii) & (iii) allows affordable housing for local needs.</p> <p>The Elan Valley reservoirs are major material assets and any works to the infrastructure should be considered for their impact on the European Site.</p> <p>The reservoirs act as a tourist attraction. Proposals for tourist facilities / accommodation supported by Policy TD1 – Tourism Development must also demonstrate no significant adverse impact on the site.</p> <p>Whilst the Powys Local Development</p>

<p>Elan SAC and Cwm Doethie Mynydd Mallaen are closely linked.</p>	<p>Plan does not focus development in the surrounding countryside, should any be proposed either alone or in combination with other developments, then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>Llangorse Lake</p> <p>Llangorse Lake is a large shallow lake with a mean depth 2-3 metres lying in a natural depression of the Old Red Sandstone drift formed during the last glacial period. It is the largest natural lowland water in south Wales. It is one of the few natural eutrophic lakes in Britain and is of European importance in this context.</p> <p>The combination of the mineral-rich geology and size and shape of the lake encourages the growth of a wide range of aquatic and marginal plants, including several that are rare in this part of Wales. The site also demonstrates a gradation from open water, with submerged and floating plant beds, through marginal swamp and fen vegetation, marshy grassland to drier unimproved grassland, with patches of willow scrub and wet woodland. The lake also has a diverse plankton community and supports a wide variety of invertebrates, including rare and scarce species.</p>	<p>The lake is situated in the Brecon Beacons National Park Planning Area.</p> <p>The nearest settlement in the Powys Planning Area is the village of Llanfihangel Tal-y-Llyn. Policies which direct development to villages include:</p> <p>Policy H1 - Housing, criterion 2. Villages (i) & (ii)</p> <p>Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)</p> <p>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</p> <p>Policy R4 – Neighborhood and village shops and services</p> <p>Policy TD1 – Tourism Development</p> <p>Policy C1 – Community facilities and indoor recreation facilities</p> <p>Whilst the Powys Local Development Plan does not focus development in the surrounding countryside, should any be proposed either alone or in combination with other developments, then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>River Usk</p>	<p>The nearest settlement in the Powys Planning Area is the village of</p>

<p>The River Usk SAC rises in the Black Mountain range in the west of the Brecon Beacons National Park and flows east and then south, to enter the Severn Estuary at Newport.</p> <p>The overall form of the catchment is long and narrow, with short, generally steep tributaries flowing north from the Black Mountain, Fforest Fawr and Brecon Beacons, and south from Mynydd Epynt and the Black Mountains.</p> <p>The run-off characteristics and nutrient status are significantly modified by land use in the catchment, which is predominantly pastoral with some woodland and commercial forestry in the headwaters and arable in the lower catchment.</p> <p>The ecological structure and functions of the site are dependent on hydrological and geomorphological processes as well as the quality of riparian habitats and connectivity of habitats. Animals that move around and sometimes leave the site, such as migratory fish and otters, may also be affected by factors operating outside the site.</p>	<p>Llanddew. Policies which direct development to villages include:</p> <p>Policy H1 - Housing, criterion 2. Villages (i) & (ii)</p> <p>Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)</p> <p>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</p> <p>Policy R4 – Neighborhood and village shops and services</p> <p>Policy TD1 – Tourism Development</p> <p>Policy C1 – Community facilities and indoor recreation facilities</p> <p>Other rural settlements lie within the Usk Catchment. Little development is expected in Rural Settlements, Policy H1 – Housing Provision part 3. Rural settlements and open countryside (i), (ii) & (iii) allows affordable housing for local needs.</p> <p>Policy TD1 – Tourism Development.</p> <p>Tourism development to support a tourism asset (Epynt Way).</p> <p>Policy MD1 – Development proposals by the MOD.</p> <p>Development to support operational use of the Sennybridge Training Area.</p> <p>Whilst the Powys Local Development Plan does not focus development in the surrounding countryside, should any be proposed either alone or in combination with other developments, then impacts on the SAC should be identified and considered in</p>
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	accordance with the precautionary principle.
<p>Usk Bat Sites</p> <p>The site encompasses a series of lesser horseshoe bat roosts, upland habitats, woodlands and cave systems located around the valley of the River Usk near Abergavenny.</p>	<p>The site is situated in the Brecon Beacons National Park Planning Area.</p> <p>No settlements in the Powys LDP are within 10KM of this site, however a small area of countryside within the County is.</p> <p>Whilst the Powys Local Development Plan does not promote any development in this area, should any be proposed then impacts, either alone or in combination with other developments, on linear features, foraging habitat and hibernation roosts should be identified and considered in connection with the SAC.</p>
<p>Blaen Cynon</p> <p>Blaen Cynon contains an extensive complex of damp pastures and heaths supporting the largest metapopulation of marsh fritillary <i>Euphydryas aurinia</i> on the southern edge of the Brecon Beacons National Park.</p> <p>Marsh fritillaries are essentially grassland butterflies in the UK, and although populations may occur occasionally on wet heath, bog margins and woodland clearings, most colonies are found in damp acidic or dry calcareous grasslands.</p> <p>Adults tend to be sedentary and remain in a series of linked metapopulations, forming numerous temporary sub-populations, which frequently die out and re-colonise.</p>	<p>The nearest settlement is the large village of Coelbren some 10 km away from the SAC, however this is within a range where butterflies supporting the SAC could be present.</p> <p>This includes one land allocation:</p> <p>P14 HA1 Land adjacent to Festry Fach, Dol Henrhyd, 0.86 Ha. for 22 homes</p> <p>Other policies directing development to large villages include:</p> <p>Policy E2 – Employment proposals on non-allocated employment sites which supports employment proposals up to 0.5Ha.</p> <p>Policy H5 – Affordable housing exception sites 1.Towns and large</p>

	<p>villages</p> <p>Policy R4 – Neighbourhood and village shops and services</p> <p>Policy TD1 – Tourism Development</p> <p>Policy C1 – community facilities and indoor recreation facilities</p> <p>The Nant Helen opencast Coal site is near to Coelbren and so any applications associated with this site should also consider the relationship with Blaen Cynon.</p> <p>Policy M1 Existing Minerals Sites 1.(i), (ii), (iii)</p>
<p>Cors Fochno</p> <p>The peatland complex of Cors Fochno lies on the southern flank of the Afon Dyfi, within the estuarine floodplain. It is a rare and striking landscape feature, and considered to be the ‘locus typicus’ for estuarine raised mire in the UK.</p> <p>The invertebrate assemblages are of great interest and include a wide range of nationally scarce species, such as large heath butterfly <i>Coenonympha tullia</i>, bog bush-cricket <i>Metrioptera bracyptera</i> and small red damselfly <i>Ceriagrion tenellum</i>. The rosy marsh moth <i>Eugraphe subrosea</i> has its major British stronghold here. Also present at its only locality in England and Wales is <i>Heliophanus dampfi</i>, a spider found only on a small number of highest quality raised bogs.</p> <p>The site also supports regionally important breeding and wintering bird assemblages. Amongst the former are teal, curlew, grasshopper warbler, skylark and reed bunting,</p>	<p>This site adjoins the LDP Planning area where only a modest amount of development is proposed in the nearby town of Machynlleth. The detailed impact of the following allocations on the SAC should be considered at planning application stage.</p> <p>P42 HA1 OS1546, Aberystwyth Road 1.4 Ha. for 29 homes</p> <p>P42 HA2 Land Adjacent HA1, Aberystwyth Rd 0.51 Ha. for 13 homes</p> <p>P42 HA3 Mid Wales Storage Depot 0.36 Ha. for 15 homes</p> <p>P42 EA1 Land at Treowain 1.7Ha. employment land.</p> <p>P42 HA4 – Newtown Road, Machynlleth – 0.3 Ha for a permanent Gypsy and Traveller Site.</p> <p>Furthermore, development boundaries provide opportunities for</p>

whilst wintering species include hen harrier and merlin. Mammal populations include resident otter. The reptile assemblage includes a strong population of adder.

development in towns. The LDP also supports employment proposals up to 0.5Ha, affordable housing on logical extensions, retail and other town centre uses, tourism development, community facilities and civic amenity sites.

Policy H1 1. Housing Provision – Towns and Large Villages (i) & (ii)

Policy H5 – Affordable housing exception sites

Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)

Policy R1 - new retail development

Policy R2 – development within town centre areas

Policy TD1 – Tourism Development

Policy C1 – community facilities and indoor recreation facilities

Policy W1 – Waste

The nearest settlement in the Powys Planning Area is the village of Derwenlas. Policies which direct development to villages include:

Policy H1 - Housing, criterion 2. Villages (i) & (ii)

Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)

Policy R4 – Neighborhood and village shops and services

Policy TD1 – Tourism Development

Policy C1 – Community facilities and indoor recreation facilities

	<p>Whilst the Powys Local Development Plan does not focus development in the surrounding countryside, should any be proposed either alone or in combination with other developments, then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>Meirionnydd Oakwood and bat sites</p> <p>The Meirionnydd Oakwoods and Bat Sites SAC is made up of a series of woodlands, stretching from Dolgellau in the south to Eryri in the north.</p> <p>Lesser horseshoe bats have over 20 known roosts within the SAC and forage widely within the SAC's woodlands, associated habitats and the surrounding countryside. The SAC includes maternity roost sites in various types of buildings and structures, and winter hibernation sites, especially in mines. There are other types of roost such as night, transitional, leks and swarming sites, about which very little is known.</p>	<p>No settlements in the Powys LDP are within 10KM of this site, however a small area of countryside within the County is.</p> <p>Whilst the Powys Local Development Plan does not focus development in the surrounding countryside, should any be proposed either alone or in combination with other developments, then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p> <p>The following sites occur within 15km of the site:</p> <p>P42 HA1 OS1546, Aberystwyth Road 1.4 Ha. for 29 homes</p> <p>P42 HA2 Land Adjacent HA1, Aberystwyth Rd 0.51 Ha. for 13 homes</p> <p>P42 HA3 Mid Wales Storage Depot 0.36 Ha. for 15 homes</p> <p>P42 EA1 Land at Treowain 1.7Ha. employment land.</p> <p>P42 HA4 – Newtown Road, Machynlleth – 0.3 Ha for a permanent Gypsy and Traveller Site.</p>
<p>Coetiroedd Cwm Elan</p>	

<p>Elan Valley Woodlands is one of several sites representing old sessile oak wood in central Wales. The site is extensive, and comprises a series of woodland blocks with varying topography and underlying geology, and a wide range of structural types from dense closed canopy to open wood pasture with ancient trees, which support a rich invertebrate fauna.</p> <p>Sessile oak <i>Quercus petraea</i> predominates, with a typical upland acidic flora and rich lower plant assemblages including bryophytes such as <i>Bazzania trilobata</i>, <i>Plagiochila spinulosa</i> and <i>Saccogyna viticulosa</i>, and the lichens <i>Arthonia vinosa</i>, <i>Catillera sphaeroides</i> and <i>Thelotrema lepadinum</i>.</p> <p>The woods are also notable for their bird-life. They are all Special Protection Areas, and support breeding red kites <i>Milvus milvus</i>.</p>	<p>This site is located away from any settlements identified for development by the Powys LDP.</p> <p>However the rural settlement, Elan Village, adjoins the SAC.</p> <p>Little development is expected in Rural Settlements, Policy H1 – Housing Provision part 3. Rural settlements and open countryside (i), (ii) & (iii) allows affordable housing for local needs.</p> <p>The Elan Valley reservoirs are major material assets and any works to the infrastructure should be considered for their impact on the European Site.</p> <p>The reservoirs act as a tourist attraction. Proposals for tourist facilities / accommodation supported by Policy TD1 – Tourism Development must also demonstrate no significant adverse impact on the site.</p> <p>Whilst the Powys Local Development Plan does not focus development in the surrounding countryside, should any be proposed either alone or in combination with other developments, then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p>Drostre Bank</p> <p>The site includes a large area of species-rich fen meadow, in association with some rush pasture.</p> <p>There is also an important area of alluvial ash and alder woodland, with transitions to drier woodland dominated by ash and oak.</p>	<p>Whilst the Powys Local Development Plan does not promote any development in this area, should any be proposed then impacts arising from the development proposal in connection with the SAC must be identified and considered.</p> <p>The Council’s Waste Transfer Station, Cwrt-y-Plyffin is close to the SAC. Any expansion of the site, in</p>

	accordance with Policy W1 – Waste , would require consideration at the planning application stage for impacts on the SAC.
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4.0 CONCLUSIONS, FUTURE WORK

- 4.1 This report outlines the methods used and the findings arising from the screening stage of the Habitats Regulations Assessment undertaken for the Powys LDP.
- 4.2 The HRA considered 52 European Sites within the influence of the Powys LDP.
- 4.3 Based on the information considered as part of the screening process, the findings of the assessment indicate that implementation of the Powys LDP will not have a likely significant effect on the European sites considered as part of the HRA screening and will not require full AA under the Habitats Regulations. However project level HRA is required at the planning application stage for a large number of allocations and proposals supported by policies in the plan.
- 4.4 The assessment may be revised should further relevant comments be received or if there are significant changes to the plan/ proposal as screened.

Appendices

- Appendix 1 – European Site Characteristics
- Appendix 2 – European Site Maps (re-issued from Deposit 2014 as no change)
- Appendix 3 – Site vulnerabilities
- Appendix 4 – Qualifying species migration
- Appendix 5 – Plans, Programmes and Projects
- Appendix 6 – Assessment of Policies