

# **HABITATS REGULATIONS ASSESSMENT SCREENING REPORT**

**Powys County Council**

**Local Development Plan - Deposit**

**June 2014**

# **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, 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 20th July 2014 tbc**. 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 amended<sup>1</sup> [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.<sup>2</sup> 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

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<sup>1</sup> 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.

<sup>2</sup> Determining whether an effect is 'significant' is undertaken in relation to the designated interest features and conservation objectives of the Natura 2000 sites. If an impact on any conservation objective is assessed as being adverse then it should be treated as significant. Where information is limited the precautionary principle applies and significant effects should be assumed until evidence exists to the contrary. 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 integrity<sup>3</sup> of that site. Where significant negative effects are identified, alternative options or mitigation measures should be examined to avoid any potential damaging effects. The scope of the HRA/AA is dependent on the location, size and significance of the proposed plan or project and the sensitivities and nature of the interest features of the European sites under consideration.

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

- 1.7 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.

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

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

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

### **Consultation**

- 1.9 The Habitats Regulations require the plan making/competent authority to consult the appropriate nature conservation statutory body 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 WAG guidance notes that it is good practice to make information on HRA available to the public at each formal development plan consultation stage. Therefore, in addition to the statutory consultation undertaken with 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"> <li>• Afforestation</li> <li>• Burning</li> <li>• Competition (Non Native/Native)</li> <li>• Overgrazing</li> <li>• Parasites and Diseases</li> <li>• Persecution</li> <li>• Scrub Encroachment</li> <li>• Grazing (Seasonality/stocking density/type/undergrazing)</li> <li>• Weather conditions</li> <li>• Dredging</li> </ul>	<ul style="list-style-type: none"> <li>• Climate Change*</li> <li>• Deforestation</li> <li>• Disturbance</li> <li>• Drainage</li> <li>• Entrainment</li> <li>• Migration Barriers</li> <li>• Impingement</li> <li>• Pollution (acidification/air/atmospheric deposition/contamination/dust/erosion/flooding/nutrients/sedimentation/water quality.</li> <li>• Unseasonal Interaction</li> </ul>

\*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**

<b>Table 3</b>	
<b>HRA Screening Stage 1: Key Tasks</b>	
<p><b>Task 1</b></p> <p><b>Identification of Natura 2000 sites &amp; characterisation</b></p>	<ul style="list-style-type: none"> <li>■ 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</li> <li>■ Information was obtained for each European site, based on publicly available information and consultation with Natural Resources Wales and Natural England where appropriate.<sup>4</sup></li> <li>■ This included information relating to the sites' qualifying features; conservation objectives; vulnerabilities/ sensitivities, current conditions, trends &amp; geographical boundaries.</li> </ul>
<p><b>Task 2</b></p> <p><b>Plan review and identification of likely impacts</b></p>	<ul style="list-style-type: none"> <li>■ 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).</li> </ul>
<p><b>Task 3</b></p> <p><b>Consideration of other plans and programmes</b></p>	<ul style="list-style-type: none"> <li>■ Consideration, where appropriate of other plans and programmes that may have in-combination effects with the plan/proposal.</li> </ul>
<p><b>Task 4</b></p> <p><b>Screening Assessment</b></p>	<ul style="list-style-type: none"> <li>■ Assessment of the potential of identified impacts to affect the designated interest features of European sites</li> <li>■ Summary of screening outcomes and recommendations.</li> </ul>

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

<sup>4</sup> Key Information Sources: Joint Nature Conservation Committee (JNCC) web resource [www.jncc.gov.uk](http://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/>

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**

	<b>Designation</b>
<b>Within Powys UA:</b>	
Brecon Beacons	SAC
Coedydd Llawr-y-Glyn	SAC
Coetiroedd Cwm Elan	SAC
Drostre Bank	SAC
Granllyn*	SAC
Llangorse Lake	SAC
Montgomery Canal*	SAC
Mynydd Epynt	SAC
Rhos-Goch	SAC
<b>Within Powys and a neighbouring LA:</b>	
Dyfi Estuary	SPA SAC
Llyn Peninsulat and Sarnau	SPA, SAC
Berwyn and South Clwyd Mountains	SAC
Coedydd Nedd a Mellte	SPA, SAC
Elenydd	SAC
River Tywi	SAC
River Usk	SAC
River Wye*	SAC
Tanat and Vyrnwy Bat Sites*	SAC
Usk Bat Sites	
<b>Within 15km of Powys UA site:</b>	
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	Ramsar, SAC
Cors Caron	Ramsar
Cors Fochno	SAC
Meirionnydd Oakwood and bat sites	SAC
Sugarloaf woodlands	SAC
Cwm Cadlan	SPA, SAC
Cwm Doethie Mynydd Mallaen	SAC
Grogwynion	SAC
River Teifi	SAC
Downton Gorge	SAC
Afon Eden – Cors Goch Trawsfynydd	SAC
Johnston Newt site	SPA, SAC

<b>Table 4</b>	
<b>European Sites within the influence of Powys</b>	
	<b>Designation</b>
Migneint-Arenig-Dduallt	SAC
River Dee and Bala Lake	SAC
Cernydd Carmel	Ramsar, SAC
Crymlyn Bog	SPA
Craig yr Aderyn	SAC
River Clun	SAC
The Stiperstones and the Hollies	Ramsar
Llyntegid	Ramsar
Midland Meres	

\*Indicates close proximity to settlements.

For further details on European Site Locations refer to Appendix 2 – European Site Maps.

## Task 2: Plan/Strategy 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. 5,000 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
<b>Category A: No negative effect</b>	
A1	Will <b>not itself lead to development</b> 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	<b>Intended to protect</b> the natural environment, including biodiversity.
A3	<b>Intended to conserve or enhance</b> the natural, built or historic environment, where the enhancement measures are not likely to have a negative effect on a European Site.
A4	<b>Positively steer development away</b> from European Sites and associated sensitive areas.

Table 5	
Screening Categories	
Criteria category	Rationale
A5	<b>General policy statements or policies</b> which only express general intentions or political aspirations
<b>Category B: No significant Effect</b>	
B1	Could have an effect but would <b>not be likely to have a significant (negative) effect</b> 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 <b>effects are trivial or 'de-minimis'</b> , even combined with other effects.
<b>Category C: Likely significant effect alone</b>	
C1	Could <b>directly effect</b> 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 <b>indirectly affect</b> 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 <b>magnitude of development</b> 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 <b>block options or alternatives</b> 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 <b>vulnerable to failure</b> 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 <b>imperative reasons</b> of overriding public interest to justify its consent despite negative assessment.
<b>Category D: Likely significant effects in-combination</b>	
D1	Alone would not be likely to have significant effects but if its effects are <b>combined with the effects of other policies or proposals</b> 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 <b>combined with the effects of other plans and projects</b> 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 <b>programme or sequence of development</b> 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.
<b>Category E: Lower Tier Assessment</b>	
E1	Would not have an effect as no development could occur through policy itself because it is <b>implemented through other/later policies</b> 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, <b>lower tier plan or project</b> , subject to Habitats Regulations Appraisal.

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 5 – Assessment of policies**

LDP Vision, Objectives, Proposals and Policies screened in to the assessment process	Assessment Category	Rationale for category
LDP Vision		
LDP Objectives		

<p><b>Planning for Growth in Sustainable Places</b></p> <p>Objective 1 – Meeting Future Needs</p> <ul style="list-style-type: none"> <li>• i</li> <li>• ii</li> <li>• iii</li> </ul>	<p>E1 E1 E1</p>	<p>Allocated in plan Allocated in plan Supporting policies in plan</p>
<p>Objective 2 – Sustainable Settlements and Communities</p>	<p>C1 / C2 / E1</p>	<p>Could directly or indirectly affect EU site / implemented through other/later policies</p>
<p>Objective 3 – Efficient use of land</p>	<p>C4 / A2 / E1</p>	<p>High density development on previously developed land may lead to adverse effects / By restricting to previously developed protect natural environment / implemented through other/later policies</p>
<p>Objective 5 – Energy and Water</p> <ul style="list-style-type: none"> <li>• ii</li> </ul>	<p>E1</p>	<p>Will be implemented through other policies</p>
<p><b>Supporting the Powys Economy</b></p> <p>Objective 6 Vibrant economy</p>	<p>C1 / C2 / E1</p>	<p>Could directly or indirectly affect EU site / implemented through other/later policies</p>
<p>Objective 7 – key economic sectors</p>	<p>C1 /C2 / E1</p>	<p>Could directly or indirectly affect EU site / implemented through other/later policies.</p>
<p>Objective 8 – regeneration</p>	<p>C1 / C2 / E2</p>	<p>Could directly or indirectly affect EU site. Regeneration will be considered as a lower tier plan / project.</p>
<p><b>Infrastructure and Services</b></p> <p>Objective 9 – infrastructure and services</p>	<p>C1 / C2 / E1</p>	<p>Could directly or indirectly affect EU site / implemented through other/later policies</p>

Objective 10 – important assets	E1 / E2	Implemented through lower tier plans / policies
Objective 12 – Resources	C1 / C2 / E1	Contributing crushed rock aggregate could directly or indirectly affect EU Site / implemented through other/later policies
Objective 13 – Built Heritage	E2	Built heritage will be considered in a more specific lower tier plan / project
<b>Supporting healthy communities</b> Objective 14 – Healthy Lifestyles	E2	Will be assessed by lower tier plan / project
Objective 16 – Community Well being	E2	Will be considered in a more specific plan / project
<b><u>Spatial Strategy – where is development planned?</u></b> Employment land	C1 / C2 / E1	Supporting business investment could directly / indirectly affect EU site/ implemented through other/later policies
<b>LDP Policies</b>		
<b><u>Powys Sustainable Settlement Hierarchy</u></b>	E2	The settlement hierarchy will be considered against more detailed policy with more precise scale / detailed locations
<b><u>Policies for Making Planning Decisions</u></b> Re-use / adaptation of rural buildings	E2	No specific policy for re-use / adaptation of rural buildings as dealt with by PPW, TAN6 and TAN 23.

<p><b><u>Development Management Policies:</u></b></p> <p>Policy DM1 Strategic Planning Matters</p> <p>1 – sustainable settlement hierarchy</p> <p>2 – site allocations</p> <p>3 – employment uses</p> <p>5 – community / indoor recreation</p> <p>12 – Flood risk</p> <p>13 – Minerals (i), (ii), (iii)</p>	<p>C1 / C2 / E2</p> <p>C4 / E2</p> <p>C1 / C2 / E2</p> <p>E2</p> <p>E2</p> <p>E1, C1/ C2, E2</p>	<p>Could directly / indirectly effect EU site / lower tier plan or project.</p> <p>Site allocations could block options or alternatives that may lead to adverse effects on EU sites / lower tier plan or project.</p> <p>Could directly / indirectly affect EU Site/ lower tier plan or project.</p> <p>Will be dealt with by lower tier polices</p> <p>Will be dealt with by lower tier policy / projects</p> <p>(i)No development will occur through policy itself (ii) may cause direct / indirect effect on EU site. (iii) will be dealt with by lower tier policy</p>
<p>Policy DM2 – Detailed and Site Specific Planning Matters</p> <p>1. Efficient use of land</p> <p>5. Floodplain (i), (ii), (iii), (iv), (v)</p> <p>6. Land drainage (i) – (iv)</p> <p>8. Highway requirements</p> <p>15 Welsh speaking (i), (ii), (iii)</p>	<p>C4 / E2</p> <p>A1, A1, A1,E2, A2</p> <p>E2</p> <p>E2</p> <p>B1</p>	<p>Could block options or alternatives / lower tier plan or project.</p> <p>(i)will not itself lead to development (ii)will not itself lead to development (iii) will not itself lead to development (iv) will be dealt with by lower tier plan (v) to protect natural environment</p> <p>Land drainage will be dealt with by more specific lower tier plans or projects</p> <p>Will be dealt with by lower tier policy / plan</p>

		No significant effects on EU site
Policy L1 – Works to a listed building	C1 / C2 / E2	May result in a direct / indirect effect on EU site / lower tier plan or project.
<b><u>Economic Development</u></b>		
Policy E1 – Employment proposals on allocated employment sites	C1 / C2 / E2	May result in a direct / indirect effect on EU site / lower tier plan or project.
Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)	C1/ C2, E2	(i)(ii)May result in a direct /indirect effect on EU site.(iii)will be considered by lower tier policies
Policy E3 – Mixed Use Allocations	C1 / C2 / E2	May result in a direct / indirect effect on EU site / lower tier plan or project.
Policy E4 – Bronllys Health Park	C1 / C2 / E2	May result in a direct / indirect effect on EU site / lower tier plan or project.
<b><u>Transport</u></b>		
Policy T1 – transport infrastructure	E2	Will be dealt with by lower tier policy / plan
<b><u>Housing</u></b>		
Policy H1		
1. Housing Provision – Towns and Large Villages (i) & (ii)	C1/ C2 / E2	May result in a direct / indirect effect on EU site. Sites allocated but details through lower tier plan or project.
2. Villages (i) & (ii)	C1/ C2 / E2	May result in a direct / indirect effect on EU site. Sites allocated / lower tier plan or project.
3. Rural settlements and open countryside (i), (ii) & (iii)	C1/C2 / E2	May result in a direct / indirect effect on EU site. Sites allocated / lower

		tier plan or project.
Policy H2 – Housing Delivery  2. Develop part of sites	A1 / C4	Will not itself lead to development / could block options for alternatives
Policy H3 – Housing Density	D1 / E2	A likely significant effect in combination / lower tier plan or project.
Policy H5 – Affordable housing exception sites  1. Towns and large villages	C1 / C2 / E1	May result in a direct / indirect effect on EU site. Sites allocated. No development can occur through this policy itself.
2. Villages	C1 / C2 / E2	May result in a direct / indirect effect on EU site. Sites allocated but details through lower tier plan or project.
Policy H6 – Affordable housing on enabled exception sites	C1 / C2 / E2	May result in a direct / indirect effect on EU site / lower tier plan or project.
Policy H7 – Rural Affordable Homes	C1 / C2 / E2	May result in a direct / indirect effect on EU site / lower tier plan or project.
Policy H9 – Annexe / Ancillary Accommodation	B1, E2	Ancillary accommodation unlikely to have significant negative effect on EU site. Will be considered by lower tier plan
Policy H11 – renovation and re-use of former / abandoned dwellings	C1 / C2, E2	May result in a direct / indirect effect on EU site. Will be considered by lower tier policies
Policy H12 – Replacement of habitable dwellings	B1, E2	Is unlikely to have a significant negative effect on EU site. Will be

		considered by lower tier policies.
Policy H13 - Gypsy and Traveller Sites and Caravans	C1/C2, E1	May result in a direct / indirect effect on EU site. Will be considered by lower tier policies.
<b><u>Planning for retailing and town centres</u></b>		
Policy R1 - new retail development	C1 / E2	Could directly affect an EU site. Scale and Design will be considered by lower tier policies
Policy R2 – development within town centre areas	C1/ C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.
Policy R3 – large out of centre retail developments	C1 / C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.
Policy R4 – Neighbourhood and village shops and services	C1 / C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.
<b><u>Tourism</u></b>		
Policy TD1 – Tourism Development	C1 / C2, E2	Could directly / indirectly affect EU sites. Will also be considered by lower tier plans / projects also.
Policy TD3 – Montgomery Canal and associated development	A3, C1 / E2	Intended to conserve and enhance natural and built environment. Could also directly / indirectly affect EU site / lower tier plan or project.
<b><u>Waste</u></b>		
Policy W1 – Waste	C1 / C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.
Policy W2 – Anaerobic Digestion on Farms	C1/ C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.

<b><u>Sustainable Energy</u></b>		
Policy E1 – Renewable Energy	C1 / C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.
<b><u>Minerals</u></b>		
Policy M1 Existing Minerals Sites  1.(i), (ii), (iii)	C1 / C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.
Policy M3 – Temporary Minerals Working	C1/ C2 / E2	Could directly / indirectly affect EU sites / lower tier plan or project.
<b><u>Community Facilities and Indoor Recreation</u></b>		
Policy C1 – community facilities and indoor recreation facilities	C1 / C2 / E2	Could directly / indirectly affect EU sites / Will also be considered by lower tier plans / projects.
1. Adjoining settlement in settlement hierarchy	C1 / C2 / E2	
2. No suitable facility exists	C1 / C2 / E2	
3. Feasibility of multi-use has been considered	C1 / C2 / E2	
<b><u>Military</u></b>		
Policy MD1 – Development proposals by the MOD	C1, E2	Could directly effect a EU site. Will be considered in more detailed and specific lower tier policies

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 and programmes**

- 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.<sup>5</sup>
- 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
  - National Transport Plan
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- Common Agricultural Policy
  - Rural Development Plan
  - Wales Infrastructure Investment Plan for Growth and Jobs
  - Code for Sustainable Homes (BREEAM)
  - 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

#### **Regional Plans:**

- Severn Trent Business Plan Water Investment Plan (2010 – 2015)
- Severn Trent – Water Resources Management Plan (2010 – 2035)
- Severn Trent Drought Plan
- Dwr Cymru Welsh Water Drought Plan
- River Wye Nutrient Management Plan (including River Clun Restoration Strategy)
- River Severn Catchment Flood Management Plan (CFMP)

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<sup>5</sup> 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.

- Regional 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)
- TraCC (2009)
- TraCC Mid Wales Regional Highways Strategy (2012)
- TraCC Walking and Cycling Strategy (2012)
- TraCC Regional Rail Strategy and Actions (2013)
- Mid Wales Regional Tourism Strategy
- 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 Local Development Plan (2011-2028)
- Denbighshire Local Development Plan (2006-2021)
- Eryri Local Development Plan (2007-2022)
- Gwynedd & Anglesey Joint Local Development Plan (2011-2028)
- 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:**

- Powys Local Growth Zones
- One Powys Plan (2011-2014)
- Powys Change Plan (2012-2015)
- Powys Regeneration Strategy (2011-2031)

- Powys Modernisation Plans
- European Regional Development Fund
- Powys County Council Rights of Way Improvement Plan (2007-2017)
- Montgomery Canal Conservation Management Strategy
- Powys Rural Development Plan
- Brecon Beacons National Park Management Plan
- Newtown Bypass

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 / TAN8) could result in:

- Direct loss of habitat and/or severance of migratory routes
- Fragmentation
- Air and Noise Pollution

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
- e retail developmentstion and severance of habitats and species.

Road and infrastructure development (National 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

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**.

<b>Table 7 HRA Screening Summary</b>		
<b>European Sites</b>	<b>Designation</b>	<b>Further Screening Assessment Required</b>
<b>Within Powys:</b>		
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
<b>Within Powys and a neighbouring LA:</b>		
Dyfi Estuary	SPA	Yes
Llyn Peninsulat and Sarnau	SAC	Yes
Berwyn and South Clwyd Mountains	SPA,SAC	Yes

**Table 7****HRA Screening Summary**

Coedydd Nedd a Mellte	SAC	No
Elenydd	SPA, SAC	Yes
River Tywi	SAC	No
River Usk	SAC	Yes
River Wye*	SAC	Yes
Tanat and Vyrnwy Bat Sites*	SAC	Yes
Usk Bat Sites	SAC	Yes
<b>Within 15km of Powys UA site:</b>		
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	Ramsar	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
Downton Gorge	SAC	No
Afon Eden – Cors Goch	SAC	No
Trawsfynydd		
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 (Table 7).

**Granllyn**

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' which act as breeding sites for great crested newts. This is noted as one of the most important areas in Europe for great crested newts.

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.

The County Council proposes two housing allocations in Guilsfield  
Land at Sarn Meadows (P20 HC1) 3.3 Ha. for 46 homes.  
Land adjacent Celyn Lane (P20 HA1) 1.6 Ha. for 30 homes.

This represents an over allocation when considered against the in pro rata allocation that could be expected in the settlement, however no significantly. Furthermore this would enable a slightly lower density of development on the allocation.

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. Detailed comments have been made by the County Ecologist on this site based on information provided by the Biodiversity Information Service. The comments highlight the link with the SAC, explain that the site is generally of low ecological value and that there are trees and hedgerows on the site.

The 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.

The comments also suggest 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 that surveys will need to be undertaken which may lead to density being affected and other measures to avoid disturbance implemented.

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 HC1, 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\* (Include map of plantain?)**

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.

### **Newtown**

Heol Pengwern (P48 HC1) 2Ha. for 50 homes

Bryn Lane (P48 HC2) 3.3 Ha. for 65 homes

Ffordd Croesawdy (P48 HC3) 0.5Ha. for 29 homes

Land at Severn Heights, (Brimmon Close) (P48 HC4) 5.4Ha. for 23 homes

Rock Farm (P48 HC5) 8.5 Ha. for 96 homes

Rear of Pentecostal Church (P48 HC6) 1Ha. for 27 homes

South of Heol Treowen / Great Brimmon (P48 HC7) 6.8 Ha. for 135 homes

Sevenside Yard, Commercial Street, Newtown (P48 HA1) 0.5Ha. for 48 homes

Hendidley (P48 HA2) 3.8 Ha. for 14 homes

South of Heol Treowen Extension (P48 HA3) 2.6 Ha. for 65 homes

St. Giles Golf Course (P48 MUA1) 4Ha. incl. 88 homes

Llanidloes Road (P48 EA1) 2Ha. employment land.

## **Welshpool**

Burgess Land (P57 HC1) for 73 homes

Land r/o High Street, Park Lane (P57 HC2) for 6 homes

Land off Gallowstree Bank (P57 HA1) 1.5Ha. for 30 homes

Land at Greenfields, Caeglas (P57 HA2) 0.4Ha. for 10 homes

Land at Red Bank (P57 HA3) 5.5Ha. for 138 homes.

Land at Buttington Cross Enterprise Park (P57 EC1) 1.2Ha. of employment land.

Land at Offas Dyke Business Park (P57 EC2) 7.3 Ha. of employment land.

The Canal also runs through or near to the large villages of Four Crosses, Abermule, Arddleen, Llansanffraidd ym Mechain, Llandrinio, Llanymynech, Forden, Berriew, Trewern and Guilsfied. 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 hydrological connection with the Canal.

Allocations proposed in these large villages are as follows:

### **Four Crosses**

Land at Oldfield (P18 HA1) 3.4 Ha. for 30 homes

Land at Four Crosses Business Park (P18 EA1) 0.8Ha. employment land

### **Abermule**

Land adjoining Abermule House (P02 HA1) 0.2Ha. for 10 homes

Land adj. the meadows & adj. parkside(P02 HA2) 1.1Ha. for 30 homes

Land south of Maesderwen (P02 EC1) 2.6Ha. employment land

### **Arddleen**

Land west of Trederwen House (P03 HA1) 1.7Ha. for 16 homes

### **Llansanffraidd ym Mechain**

Land off Fford Spooney (P37 HC1) 0.4Ha. for 12 homes

Land at Spoonley Farm (P37 HA1) 0.8Ha. for 20 homes

Land adj. Maes y cain (P37 HA2) 0.6Ha. for 13 homes.

### **Llandrinio**

Gwernybatto Land off Orchard Croft (P29 HA1) 1Ha. for 20 homes

### **Llanymynech**

Parc Llwyfen (P40 HC1) 0.4Ha. for 10

Land adj Parc Llwyfen (P40 HA1) 0.4Ha. for 10

Land off Carreghofa Lane (P40 HA2) 1.6Ha. for 15

### **Forden / Kingswood**

Land off Heritage Green (P17 HA1) 0.8Ha. for 15

**Berriew** – 17 needed none allocated

### **Trewern**

Land east of Trewern School (P56 HA1) 4.1 Ha. for 21  
Buttington Brickworks (P56 EA1) 6Ha. employment land

### **Guilsfied**

Land at Sarn Meadows (P20 HC1) 3.3Ha. for 46 homes.  
Land adjacent Celyn Lane (P20 HA1) 1.6Ha. for 30 homes.

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:

#### **Welshpool**

Burgess Land (P57 HC1) for 73 homes

Land r/o High Street, Park Lane (P57 HC2) for 6 homes

Land off Gallowstree Bank (P57 HA1) 1.5Ha. for 30 homes

Land at Greenfields, Caeglas (P57 HA2) 0.4Ha. for 10 homes  
Land at Red Bank (P57 HA3) 5.5Ha. for 138 homes.  
Land at Buttington Cross Enterprise Park (P57 EC1) 1.2Ha. of employment land.  
Land at Offas Dyke Business Park (P57 EC2) 7.3 Ha. of employment land.

### **Llanfyllin**

Adjacent 38 Maes Y Dderwen (P32 HC1) 0.4 Ha. for 14 homes  
Land opposite Maesydre (P32 HA1) 0.5 Ha. for 12 homes  
Maesydre Field (P32 HA2) 2.3Ha. for 55 homes  
Field 7674, South of Maesydre (P32 HA2) 3.8 Ha. for 90 homes

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:

### **Llangynog**

Land off Maes Drew, Llanfechain (P34 HA1) 0.6 Ha. for 8 homes.

### **Pontrobert**

Land at Y Fferm (P50 HA1) 1.5 Ha. for 6 homes.

### **Arddleen**

Land west of Trederwen House (P03 HA1) 1.7Ha. for 16 homes

### **Llanfechain**

Land north of Church (P31 HA1) 1 Ha. for 25 homes

### **Llanrhaeadr ym Mochnant**

Land at Maes yr Esgob (P36 HA1) 0.7 Ha. for 19 homes

### **Llansanfraidd ym Mechain**

Land off Fford Spooney (P37 HC1) 0.4Ha. for 12 homes  
Land at Spoonley Farm (P37 HA1) 0.8Ha. for 20 homes  
Land adj. Maes y cain (P37 HA2) 0.6Ha. for 13 homes.

### **Meifod**

Pentre works and adjacent land (P43 HA1) 1.9 Ha. for 13 homes

### **Castle Careinion**

Land at Swallows Meadow (P11 HC1) committed for 25

### **Llandrinio**



Gwernybatto Land off Orchard Croft (P29 HA1) 1Ha. for 20 homes

### **Four Crosses**

Land at Oldfield (P18 HA1) 3.4 Ha. for 30 homes

Land at Four Crosses Business Park (P18 EA1) 0.8Ha. employment land

### **Llansilin**

Land Opposite the Wynnstay Inn (P38 HC1) 0.7 Ha. for 23 homes

### **Penybont Fawr**

Land east of Ysgol Pennant (P49 HA1) 0.4Ha. for 10 homes

### **Llanymynech**

Parc Llwyfen (P40 HC1) 0.4Ha. for 10

Land adj Parc Llwyfen (P40 HA1) 0.4Ha. for 10

Land off Carreghofa Lane (P40 HA2) 1.6Ha. for 15

### **Guilsfied**

Land at Sarn Meadows (P20 HC1) 3.3Ha. for 46 homes.

Land adjacent Celyn Lane (P20 HA1) 1.6Ha. for 30 homes.

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.

Project 98 in the National Transport Plan 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.

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 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. This issue is being considered in depth in the River Wye Nutrient Management Plan.

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 1000+ additional homes in settlements along the River Wye and its tributaries until 2026. Approx. 10 Ha. employment land is allocated. The plan also provides further opportunities for development in these areas.

A key document is the River Wye Nutrient Management Plan 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 is 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:

### **Builth Wells & Llanellwedd**

The Old Skin Warehouse Site (P08 HC1) 0.3 Ha. for 7 homes  
Hay Road Garage (P08 HC2) 0.2 Ha. for 11 homes  
Builth Wells Cottage Hospital (P08 HA1) 0.5 Ha. for 17 homes  
Land west of Primary school (P08 HA2) 2.2 Ha. for 56 homes  
Land adj. To Tai Ar Y Bryn (P08 HA3) 1.6 Ha. for 40 homes  
Land at Wyese Enterprise Park (P08 EA1) 1.2 Ha. for employment  
Royal Welsh Agricultural showground – Policy DM1 Criterion 7

### **Hay-on-Wye**

Land at Gypsy Castle Lane (P21 MUA1) 4.2 Ha. (for 45 homes and 2.4 Ha. employment)

### **Llandrindod Wells**

Land at Gate Farm (P28 HC1) 0.2 Ha. for 10 homes  
Highland Moors (P28 HC2) 1.3 Ha. for 16 homes  
Site adj, Autopalace (P28 HC3) 0.2 Ha. for 22 homes  
Land adj. Crabtree Green (P28 HA1) 2.2 Ha. for 50 homes  
Tremont Park extension (P28 HA2) 4.5 Ha. for 100 homes  
Ithon Road (P28 HA3) 4.5 Ha. for 100 homes  
Heart of Wales Business Park (P28 EA1) 4.3 Ha. for employment

### **Llanwrtyd Wells**

The Vicarage Field (P39 HC1) 0.5 Ha. for 7 homes  
OS 2664 Caemawr (P39 HC2) 1.9 Ha. for 47 homes  
OS 1451 Meadow View (P39 HC3) 0.75 Ha. for 19 homes

### **Presteigne**

Knighton Road Site (P51 HA1) 0.6 Ha, for 12 homes  
John Deakins Road Site (P51 HA2) 1.3 Ha. for 30 homes  
Former Kaye Foundary Site (P51 MUA1) 2.4 Ha. for 50 homes and 0.4 Ha. retail  
Broadaxe Ind. Estate (P51 EA1) 2.4 Ha. for employment.

### **Rhayader**

Nant Rhyd-Hir (P52 HC1) 1 Ha. for 23 homes  
Old Builders Supply Depot (P52 HC2) 0.2 Ha. for 10 homes  
Tir Gia (P52 HA1) 3.5 Ha. for 70 homes  
Land off East Street (P52 HA2) 0.6 Ha. for 15 homes  
Brynberth Ind. Estate (P52 EA1) 3.7 Ha. for employment

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.

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:

### **Boughrood & Llyswen**

The Depot Boughrood (P06 HC1) 0.3 Ha. for 12 homes  
Beeches Park, Boughrood (P06 HC2) 0.3 Ha. for 5 homes

### **Bronllys**

Land adjacent to Bronllys Court (P07 HC1) 1.5 Ha. for 32 homes  
Land to rear of Greenfields (P07 HC2) 0.3 Ha. for 6 homes

### **Clyro**

Land South east of Clyro (A) (P13 HC1) 0.6 Ha. for 15 homes  
Land South east of Clyro (B) (P13 HA1) 0.5 Ha. for 13 homes

### **Crossgates**

Oaktree Meadows (P16 HC1) 1.4 Ha. for 15 homes  
Land South of Studio Cottage (P16 HA1) 0.7 Ha for 15 homes

### **Glasbury**

Treble Hill Stables, Glasbury (P19 HA1) 0.3 Ha. for 9 homes

### **Howey**

Land adjacent Goylands Estate (P22 HC1) 0.8 Ha. for 11 homes

Land at Crossways Court (P22 HA1) 1.4 Ha. for 30 homes

### **Llangurig**

Adj Penybont Farm & Maescurig (P33 HC1) 0.4 Ha. for 9 homes

Land adj. Maesllan (P33 HA1) 0.7 Ha. for 18 homes

### **Llanyre**

Land at Llanyre Farm (P41 HA1) 0.7 Ha. for 12 homes

### **Newbridge on Wye**

The Orchard (P47 HC1) 0.34 Ha. for 5 homes

### **Three Cocks**

Land between/adj Gwernyfed Avenue (P53 MUA/C1) 3.97 Ha (15 homes & 3.4 Ha. employment)

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 is 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**

<b>European Site</b>	<b>Policy (Reasonable likelihood) subject to lower tier plan or project.</b>
<p><b>Mynydd Epynt</b></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 Disgwylfa 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><b>Policy TD1 – Tourism Development.</b></p> <p>Tourism development to support a tourism asset (Epynt Way).</p> <p><b>Policy MD1 – Development proposals by the MOD.</b></p> <p>Development to support operational use of the Sennybridge Training Area.</p>
<p><b>Rhos-Goch</b></p> <p>The central core of the site comprises Rhos Goch National Nature Reserve (NNR), a peat bog 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</p>	<p>The site is situated near to the rural settlement of Rhos-Goch.</p> <p>Little development is expected in Rural Settlements, <b>Policy H1 – Housing</b> part 3. Rural settlements and open countryside (i), (ii) &amp; (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</p>

<p>flows south-west towards the River Wye).</p>	<p>be proposed then impacts on the SAC should be identified and considered in accordance with the precautionary principle.</p>
<p><b>Dyfi Estuary</b></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 wintering range within the UK.</p>	<p>This site adjoins the LDP Planning area where only a modest amount of development is proposed in the nearby town of <b>Machynlleth</b>. The detailed impact of the following allocations on the SAC should be considered at planning application stage.</p> <p><b>P42 HA1</b> OS1546, Aberystwyth Road 1.4 Ha. for 30 homes  <b>P42 HA2</b> Land Adjacent HA1, Aberystwyth Rd 0.5 Ha. for 13 homes  <b>P42 HA3</b> Mid Wales Storage Depot 0.4 Ha. for 15 homes  <b>P42 EA1</b> Land at Treowain 1.7Ha. employment land.</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><b>Policy H1 1. Housing Provision – Towns and Large Villages (i) &amp; (ii)</b></p> <p><b>Policy H5 – Affordable housing exception sites</b></p> <p><b>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</b></p> <p><b>Policy R1 - new retail development</b></p> <p><b>Policy R2 – development within town centre areas</b></p>

	<p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – community facilities and indoor recreation facilities</b></p> <p><b>Policy W1 – Waste</b></p> <p>The nearest settlement in the Powys Planning Area is the village of Derwenlas. Policies which direct development to villages include:</p> <p><b>Policy H1 - Housing, criterion 2. Villages (i) &amp; (ii)</b></p> <p><b>Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)</b></p> <p><b>Policy R4 – Neighborhood and village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – Community facilities and indoor recreation facilities</b></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><b>Llyn Peninsulat and Sarnau</b></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</p>	<p>This site adjoins the LDP Planning area where only a modest amount of development is proposed in the nearby town of <b>Machynlleth</b>. The detailed impact of the following allocations on the SAC should be considered at planning application stage.</p> <p><b>P42 HA1</b> OS1546, Aberystwyth Road 1.4 Ha. for 30 homes</p> <p><b>P42 HA2</b> Land Adjacent HA1, Aberystwyth Rd 0.5 Ha. for 13 homes</p>

as Sites of Special Scientific Interest (SSSI) (see Appendix 2).

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.

**P42 HA3** Mid Wales Storage Depot 0.4 Ha. for 15 homes  
**P42 EA1** Land at Treowain 1.7Ha. employment land.

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.

**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**

	<p><b>village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – Community facilities and indoor recreation facilities</b></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><b>Berwyn and South Clwyd Mountains</b></p> <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.</p> <p>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 <i>Circus cyaneus</i>, merlin <i>Falco columbarius</i>, peregrine <i>Falco peregrinus</i> and red kite <i>Milvus milvus</i>, as well as significant proportions of the Welsh populations of other species including short eared owl <i>Asio flammeus</i>, golden plover <i>Pluvialis apricaria</i>, red grouse <i>Lagopus lagopus</i> and black grouse <i>Tetrao tetrix</i>.</p>	<p>There are two Large Villages close to the SAC. Each has a modest housing land allocation.</p> <p><b>Llangynog P34 HA1</b> Land off Maes Drew, Llanfechain 0.6Ha. for 8.</p> <p><b>Penybont Fawr LV P49 HA1</b> Land east of Ysgol Pennant 0.4 Ha. for 10.</p> <p>Other development is supported in Large Villages as follows:</p> <p><b>Policy H1 1. Housing Provision – Towns and Large Villages (i) &amp; (ii)</b></p> <p><b>Policy H5 – Affordable housing exception sites</b></p> <p><b>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</b></p> <p><b>Policy R4 – Neighborhood and village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – community facilities and indoor recreation facilities</b></p> <p>The Village of <b>Abertridwr</b> is also <b>close</b></p>

	<p>Policies which direct development to villages include:</p> <p><b>Policy H1 - Housing, criterion 2. Villages (i) &amp; (ii)</b></p> <p><b>Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)</b></p> <p><b>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</b></p> <p><b>Policy R4 – Neighborhood and village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – Community facilities and indoor recreation facilities</b></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><b>Elenydd</b></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</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, <b>Policy H1 – Housing</b> part 3. Rural settlements and open countryside (i), (ii) &amp; (iii) allows affordable housing for local needs.</p> <p>The Elan Valley reservoirs are major</p>

<p>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 Elan SAC and Cwm Doethie Mynydd Mallaen are closely linked.</p>	<p>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 <b>Policy TD1 – Tourism Development</b> 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><b>Llangorse Lake</b></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</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><b>Policy H1 - Housing, criterion 2. Villages (i) &amp; (ii)</b></p> <p><b>Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)</b></p> <p><b>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</b></p> <p><b>Policy R4 – Neighborhood and village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p>

<p>wide variety of invertebrates, including rare and scarce species.</p>	<p><b>Policy C1 – Community facilities and indoor recreation facilities</b></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><b>River Usk</b></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>The nearest settlement in the Powys Planning Area is the village of <b>Llanddew</b>. Policies which direct development to villages include:</p> <p><b>Policy H1 - Housing, criterion 2. Villages (i) &amp; (ii)</b></p> <p><b>Policy H5 – Affordable housing exception sites criterion 2. Villages (i), (ii), (iii)</b></p> <p><b>Policy E2 – Employment proposals on non-allocated employment sites (i), (ii), (iii)</b></p> <p><b>Policy R4 – Neighborhood and village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – Community facilities and indoor recreation facilities</b></p> <p>Other rural settlements lie within the Usk Catchment. Little development is expected in Rural Settlements, <b>Policy H1 – Housing</b> part 3. Rural settlements and open countryside (i), (ii) &amp; (iii) allows affordable housing for local needs.</p> <p><b>Policy TD1 – Tourism Development.</b></p>



	<p>Tourism development to support a tourism asset (Epynt Way).</p> <p><b>Policy MD1 – Development proposals by the MOD.</b></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 accordance with the precautionary principle.</p>
<p><b>Usk Bat Sites</b></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><b>Blaen Cynon</b></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</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>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>This includes one land allocation:</p> <p><b>P14 HA1</b> Land adjacent to Festry Fach, Dol Henrhyd, 0.9 Ha. for 22 homes</p> <p>Other policies directing development to large villages include:</p> <p><b>Policy E2 – Employment proposals on non-allocated employment sites</b> which supports employment proposals up to 0.5Ha.</p> <p><b>Policy H5 – Affordable housing exception sites</b> 1.Towns and large villages</p> <p><b>Policy R4 – Neighbourhood and village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – community facilities and indoor recreation facilities</b></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><b>Policy M1 Existing Minerals Sites 1.(i), (ii), (iii)</b></p>
<p><b>Cors Fochno</b></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</p>	<p>This site adjoins the LDP Planning area where only a modest amount of development is proposed in the nearby town of <b>Machynlleth</b>. The detailed impact of the following allocations on the SAC should be considered at planning application stage.</p> <p><b>P42 HA1</b> OS1546, Aberystwyth Road 1.4 Ha. for 30 homes</p> <p><b>P42 HA2</b> Land Adjacent HA1,</p>

*Coenonympha tullia*, bog bush-cricket *Metrioptera bracyptera* and small red damselfly *Ceriagrion tenellum*. The rosy marsh moth *Eugraphe subrosea* has its major British stronghold here. Also present at its only locality in England and Wales is *Heliophanus dampfi*, a spider found only on a small number of highest quality raised bogs.

The site also supports regionally important breeding and wintering bird assemblages. Amongst the former are teal, curlew, grasshopper warbler, skylark and reed bunting, whilst wintering species include hen harrier and merlin. Mammal populations include resident otter. The reptile assemblage includes a strong population of adder.

Aberystwyth Rd 0.5 Ha. for 13 homes  
**P42 HA3** Mid Wales Storage Depot  
0.4 Ha. for 15 homes  
**P42 EA1** Land at Treowain 1.7Ha.  
employment land.

Furthermore, 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.

**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)**

	<p><b>Policy R4 – Neighborhood and village shops and services</b></p> <p><b>Policy TD1 – Tourism Development</b></p> <p><b>Policy C1 – Community facilities and indoor recreation facilities</b></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><b>Meirionnydd Oakwood and bat sites</b></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><b>Coetiroedd Cwm Elan</b></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</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>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>Little development is expected in Rural Settlements, <b>Policy H1 – Housing</b> part 3. Rural settlements and open countryside (i), (ii) &amp; (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 <b>Policy TD1 – Tourism Development</b> 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><b>Drostre Bank</b></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 accordance with <b>Policy W1 – Waste</b>, would require consideration at the planning application stage for impacts on the SAC.</p>

#### **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.