



**Pembrokeshire County Council Local Development
Plan:
Habitats Regulations Appraisal**

Matters Arising Changes October 2012

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HRA of Matters Arising Changes

Pembrokeshire County Council has prepared Matters Arising Changes to the Deposit LDP. These changes have been reviewed as part of the Habitats Regulations Appraisal process. This is to determine whether there are likely to be any likely significant effects on European sites arising from the changes to the plan. Each of the proposed changes has been screened to determine whether the change is significant and also whether the change would result in likely significant effects.

It was noted that most of the changes were minor in nature, for example relating to matters of clarification, text corrections, or addition of detail to the text of the plan policy or supporting justification text. It was, therefore, considered that the majority of the Matters Arising Changes were unlikely to have a significant effect beyond those already identified and assessed (HRA Post-Deposit) and that no further HRA work would be required.

However, 6 changes were considered to be sufficiently different that they should be re-considered to determine the potential for likely significant effects. These are assessed below.

- Paragraph 5.2 Change of housing delivery to 60% urban and 40% rural.
- SP 5 Change to Strategic Visitor Economy policy wording from requiring proposals to enhance the environment to requiring them to respect and protect.
- GN.4 Revisions to policy text – no longer requiring additional criteria for major developments.
- GN.35A – New policy on Green Wedges.
- SP 2 Map boundary changes
- PM 31 Blackbridge – alteration to Transport Route.

The Matters Arising Changes were appraised using the key:

Criteria Number	Rationale
Reasons why a policy will not have a significant effect on a European Site	
1	The policy itself will not lead to development e.g. because it relates to design or other qualitative criteria for development, or they are not land use planning policy, or they relate to a type of development that could not have any conceivable effect on a European site.
2	The specific location of the development is unknown, and will be selected following consideration of options (it may be defined by a regional plan such as the Regional Waste Plan, Regional Transport Plan, Minerals Technical Statement or the location will be determined when proposals are submitted). Sites will therefore be subject to a project level assessment.
3	The policy will steer development away from European sites and associated sensitive areas.
4	The policy is intended to protect the natural environment, including biodiversity.
5	The policy is intended to conserve or enhance the natural, built or historic environment, and such enhancements are unlikely to affect a European site, however conserving the historic and built environment may still affect species and habitats so a precautionary approach should be applied.
6	The policy is a general policy statement which expresses general intentions or political aspirations
Reasons why a policy could have an effect on a European site	
7	The plan steers a type of development towards or encourages development in an area that includes a European site or an area where development may indirectly affect a European site, further screening and potential mitigation identified. Appropriate Assessment may be required.
Reasons why a policy would be likely to have a significant effect	
8	The policy makes provision for a type of development that in the location(s) proposed would be likely to have a significant effect on a European site. Appropriate Assessment required.
In-combination / cumulative assessment	
I/C	The policy when combined with the effects of other plans and projects and possibly the effects of other developments within the plan may have a likely significant effect on a European site. Further screening and potential mitigation identified.

Assessments also take account, where appropriate, of the impact of any sustainability effects in relation to:

- Negative (adverse), neutral or positive (beneficial) effects
- Direct or indirect
- Short, medium or long term
- Isolated or cumulative
- Reversible or irreversible
- Whether mitigation measures are realistically possible
- Level of uncertainty

Assessment of Policies

<p>Paragraph 5.2 <i>Amend paragraph 5.2 to read:</i> "The strategy focuses on enabling development in accordance with the objectives and sub-objectives established in Figure 2 Chapter 4: It includes a settlement strategy that aims to achieve a balanced distribution of new development between urban and rural Pembrokeshire. Within the rural area, growth is focused on those settlements with a good level of service provision. It is anticipated that 60% of housing will be built in the urban areas and 40% in the rural areas⁴² "</p> <p><i>New footnote 42 to read:</i> ⁴²Appendix 3 provides further information."</p>	<p>7 Pembrokeshire Marine SAC</p>	<p>?</p>	<p>I/C</p>	<p>The strategy of a 60% urban and 40% rural split will have the potential to impact European sites. This does not mean that development would take place in all locations. The specific effects will depend on the specific location and scale of development. Due to the nature of development that will be driven by this policy, further assessments will be made at a project level. Policies in the LDP will ensure that development achieves positive environmental, economic and social impacts.</p> <p>These policies together with their reasoned justification of policies seek to protect and enhance the natural environment (see GN 1) and specifically European sites (GN 36).</p>
<p>SP 5 Visitor Economy Proposals for developments relating to the visitor economy will be supported provided that they are in sustainable locations, contribute to the diversity and quality of accommodation and attractions, enhance the environment and benefit local communities.</p> <p><i>Amend policy to read:</i> "Proposals for development relating to the visitor economy will be supported provided that they are in</p>	<p>2 / 7</p>	<p>?</p>	<p>? I/C</p>	<p>The policy will ensure that development is in sustainable locations and enhance the environment, however depending on where the location of the development, impacts on European sites cannot be ruled out. The potential impacts from increased visitor numbers may include disturbance of European species (e.g. otter). Specific policies are in place to address impacts on the environment, biodiversity and European sites.</p>

sustainable locations, contribute to the diversity and quality of accommodation and attractions, enhance respect and protect the environment, and benefit local communities.”				
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<p>GN 4 Resource Efficiency and Renewable and Low-carbon</p> <p><i>Amend policy to read:</i></p> <p>“Development proposals should seek to minimise resource demand, improve resource efficiency and utilise seek power generated from renewable resources, where appropriate. They will be expected to be well designed in terms of energy use. ^{79 80}</p> <p>For all major developments:</p> <ol style="list-style-type: none"> 1. Developers must show that they have addressed sustainable resource issues, by reference to accredited assessment schemes, and in the case of commercial developments must undertake an energy use assessment and consider the feasibility of incorporating Combined Heat and Power (CHP) schemes; 2. Energy efficient measures must be incorporated to provide a proportion of their energy requirements from on-site renewable power generation, in line with UK commitments; and 3. Proposals will be required to demonstrate the effective re-use of waste heat and power through co-location with energy users and / or carbon capture where feasible. 	7	N	N	<p>The policy does not specify location or scale of any development for renewable and low-carbon energy proposals, however there is potential for this policy to have an effect on European sites. Assessment will be carried out at a project level and other policies exist to ensure that biodiversity and European sites are protected and enhanced (GN 36).</p>
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<p>Developments which enable the supply of renewable energy through environmentally acceptable solutions will be supported.”</p> <p><i>New footnotes 79 & 80 to read:</i></p> <p>“⁷⁹ See Planning Policy Wales (PPW), section 4.11 and Technical Advice Note (Wales) 22 (TAN22) – Planning for Sustainable Buildings</p> <p>⁸⁰ Proposed revisions to Part L of the Building Regulations have been subject to consultation. If agreed, the changes would result in many matters relating to achievement of zero carbon / low carbon / improved energy standards becoming a matter for consideration under the Building Regulations. To avoid duplication, a consequential partial phasing out of the sustainable buildings policy currently in TAN22 and associated revisions to PPW are under consideration by Welsh Government.”</p>				
<p><i>New policy to read:</i></p> <p>GN 35A Green Wedges</p> <p>In order to prevent the coalescence of settlements Green Wedges have been identified at the following locations:</p> <ul style="list-style-type: none"> • Haverfordwest / Merlins Bridge (east) 	4	?	I/C	<p>The green wedge policy in Pembrokeshire will have the potential to impact positively on European sites. The policy and map defines the spatial area where the policy would apply in Pembrokeshire.</p> <p>The policy is intended to protect the natural environment, including biodiversity.</p>

<ul style="list-style-type: none"> • Haverfordwest / Merlins Bridge (west) • Haverfordwest / Portfield Gate • Neyland / Llanstadwell • Fishguard / Goodwick • Fishguard / Lower Town • Tenby / Penally <p>These areas have particular importance in maintaining the distinct identities of separate communities. Within the Green Wedges there will be a general presumption against inappropriate development.</p> <p>6.47a Green Wedges play an important role in maintaining Pembrokeshire’s landscape setting and preserving openness. Land on the edge of the Hub Towns and tourism centres is vulnerable to the pressure of development, this in turn can result in the urbanisation of rural areas, coalescence of settlements and loss of important green space. This policy aims to identify and protect such vulnerable areas from inappropriate development, as defined in national policy¹⁹, with development proposals determined in accordance with PPW paragraphs 4.7.14- 4.7.18.</p> <p>6.47b Specific details of each of the</p>				
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<p>designations are contained in LDP Background paper 'Green Wedges' September 2010. The spatial extent of the Green Wedge allocations is shown on the LDP Proposals Map."</p> <p><i>New Footnote 119 to read:</i></p> <p>"¹¹⁹ Planning Policy Wales (Edition 4, February 2011), section 4.7."</p>				
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<p>SP 2 Port and Energy Related Development</p> <p>Development at the Ports of Milford Haven and Fishguard will be permitted for port related facilities and infrastructure, including energy related development.</p> <p>Linked key issues: A strong rural and urban economy Infrastructure, Transport and Accessibility</p> <p><i>This strategic policy will contribute towards achieving Objective(s): A, C and E</i></p> <p><i>The following General Policies provide more detailed guidance on this strategic policy: GN4, GN6, GN9, GN 22, GN35 - 38 and GN40.</i></p> <p>5.9 Milford Haven Port (which incorporates the dock areas at both Milford Haven and Pembroke Dock) provide internationally important and scarce deep-water port facilities in sheltered locations. At Fishguard Harbour (Goodwick) and Milford Haven Port improvements to facilities and infrastructure will benefit the local and national economy and will confer benefits on other countries, particularly the Republic of Ireland. These areas have been spatially defined on the Proposals Maps.</p> <p>5.10 Milford Haven Port already hosts major energy-related installations and infrastructure and there is potential to further develop this role. It also provides a</p>	<p>7</p> <p>Pembrokeshire Marine SAC</p>	<p>?</p>	<p>I/C</p>	<p>Port and energy development in Milford Haven and Fishguard have the potential to impact European sites. The policy and map defines the spatial area where the policy would apply in Fishguard and the Milford Haven, this does not mean that development would take place in all locations. The specific effects will depend on the specific location and scale of development. Due to the nature of development that will be driven by this policy, further assessments will be made at a project level. Policies in the LDP will ensure that development achieves positive environmental, economic and social impacts.</p> <p>These policies together with their reasoned justification of policies seek to protect and enhance the natural environment (see GN 1) and specifically European sites (GN 36).</p>
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<p>ferry terminal, at Pembroke Dock, providing freight and passenger connections to the Republic of Ireland.</p> <p>5.11 Fishguard Harbour is primarily a ferry terminal and like Pembroke Dock provides onward connections to the Republic of Ireland.</p>				
<p>GN 38 Transport Routes and Improvements (<i>General assessment – specific route assessment below</i>)</p> <p>Improvements to the Transport network (new and improved major and minor roads, rail network improvements, cycleways, multi-use routes, sites for park and ride schemes and roadside service areas) will be permitted where the following criteria are satisfied:</p> <p>a) the choice of route and / or site minimises the impact on the built and natural environment, landscapes and property; and</p> <p>b) Permanent land-take is kept to the minimum that is consistent with good design and high quality landscaping; and</p> <p>c) In the case of roads, cycleways, multi-use routes and park and ride, the scheme will help to improve road safety; and</p> <p>d) In the case of roads a full range of practicable solutions to the transport problem has been considered and road enhancement provides the optimum solution;</p>	<p>Policy: 2</p> <p>Schemes have been assessed separately (see below, and Appendix 3 of the HRA Report)</p>	<p>?</p>	<p>?</p>	<p>This policy will lead to development but locations for sites other than those safeguarded are unknown. Therefore there is a risk that development may impact on a European site and so assessment will need to be undertaken at project level. The development would also be subject to GN 1, GN 2, GN 4 and GN 36, plus all other policies of the LDP.</p> <p>The specific scheme assessments are shown below (also see Appendix 3 of HRA Report).</p>

<p>and</p> <p>e) In the case of roadside service areas, the scheme must adjoin the strategic road network, focus primarily on serving motorists' needs, not impede the movement of strategic traffic and not undermine retail provision in town centres, local centres or villages'.</p> <p>The following transport routes and improvements will be safeguarded from development that would be likely to prejudice their implementation.</p> <p><u>Welsh Government Road Improvement Schemes:</u></p> <ol style="list-style-type: none"> 1. A40 Llanddewi Velfrey to Penblewin – WAG Phase 3 scheme Regional Improvement Scheme 2. Improvement to the A40 west of St. Clears¹ <p><u>Local road improvement schemes:</u></p> <ol style="list-style-type: none"> 3. Northern Distributor Network – Bulford Road link (Johnston to Tiers Cross) 4. Pembroke Community Regeneration Project Phase 1 (Bridgend Terrace diversion) and Phase 2 (Bush Hill to Monkton bypass route) 5. Blackbridge Access Improvement and Waterston bypass 				
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¹ including dualling, subject to proving the business case

<p>6. Southern Strategic Route – A 477 Nash Fingerpost to Energy Site corridor enhancement</p> <p><u>Bus and rail interchanges:</u></p> <p>7. Fishguard (bus focal point)</p> <p>8. Goodwick Railway Station (bus / rail interchange)²</p> <p>9. Milford Haven (bus / rail interchange)</p> <p>10. Pembroke Dock (bus / rail interchange)</p> <p><u>Rail network improvements:</u></p> <p>11. Clunderwen railway station improvement</p> <p><u>Park and ride schemes:</u></p> <p>12. Tenby³</p> <p><u>County Council programmed highway schemes⁴</u></p> <p>13. B4318 Gumfreston to Tenby diversion and improvement phase 3</p> <p>14. B4320 Monkton re-alignment</p>				
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² there is also a possibility that an inter-modal freight transfer station could be constructed at this site during the plan period, but there is no reference to this in the Regional Transport Plan for South West Wales

³ possibly with implications for non National Park locations

⁴ not included in the Regional Transport Plan for South West Wales

15. A40 High Street to A487 West Street ('Chimneys' link), Fishguard ⁵				
16. Haverfordwest to Narberth Shared Use Path				
17. Haverfordwest Sustainable Town Centre Project				

Assessment of land allocations

The mitigation measures which apply to sites where specific issues have been highlighted include:

Incorporation of sustainable drainage systems (SUDS) – GN 1, GN 3, GN 20

Water conservation measures – GN 1, GN 4

Efficient resource use, including water supplies for residential development – GN 4, GN 27

No unacceptable impacts in terms of lighting – GN 36

Sewerage / infrastructure improvements – Development Sites SPG, GN 1, GN 2, GN 4

Retention of natural features/ hedgerows/ trees where possible – GN 1

Protection and maintenance of ecological connectivity corridors and stepping stone habitats – GN 36

Protection of species and habitats (not designated as European sites) – GN 36, GN 22

Phasing of development – GN 1, GN 28, Development Sites SPG

Landscape impacts – SP 16, GN 1, GN 3, GN 4, GN 11, GN 18, GN 19, GN 20, GN 22, GN 24, GN 27, GN 32, GN 37

Recreational impacts – GN 1, GN 36

Bat flight lines are cited as a potential issue at many sites as there are European bat species present across the county. Bats can use linear features such as hedgerows and watercourses for foraging and navigational purposes. In terms of development affecting these features, this would depend on the location of the development site, the nature of the proposed development and the specifics of the site. Bat flight lines have been acknowledged within this HRA and included as a precautionary approach for many allocated sites.

⁵ Funding has not yet been identified for the Fishguard scheme, but there is an expectation it could be implemented during the Plan period

Where effects are due to the cumulative effect of more than one allocation, these are also subject to the mitigation measures above.

Site ref and name (area in hectares)	Potential effects on SAC/SPA	Likely significant effect? Y, N, ?	In combination effect/cumulative effect? Y, N, ?	Summary
TRANSPORT				

<p>Proposals Map 31 – Blackbridge access.</p> <p>The Council is currently developing the road proposal through the WELTAG process. A report on the outcome of WELTAG stage 2 was presented to the PCC Cabinet on 2nd July 2012, with a decision to adopt Option 1b of the proposals for the Waterston Bypass and Option 2b for the Blackbridge Access route. The lines for these routes vary from those currently proposed under GN.38 (as modified through 160/FC). A matters arising change is therefore proposed, presenting the agreed routes for each.</p> <p>See Annex 4f.</p>	<p>Development could impact the Pembrokeshire Marine SAC and features of the Pembrokeshire Bat Sites at Bosherton Lakes SAC</p>	<p>Y</p>	<p>I/C</p>	<p>The map defines the spatial area where the route would apply. The specific effects will depend on the specific location and scale of development. Due to the nature of development, further assessments will be made at a project level. Policies in the LDP will ensure that development achieves positive environmental, economic and social impacts.</p> <p>These policies together with their reasoned justification of policies seek to protect and enhance the natural environment (see GN 1) and specifically European sites (GN 36). The WelTAG Stage 2 environment report for this scheme states the following:</p> <p>A full assessment of potential mitigation measures and the assessment of eligibility for insulation under the Noise Insulation Regulations will be undertaken once the preferred option has been decided. In regards to air pollution no further mitigation measures are proposed for any of the options, as the proposed road is expected to improve local air quality. Local air quality is expected to improve in the opening year of 2015 with all the options, due to reduction of vehicles travelling on the entire network. All of the options are estimated to reduce traffic and emissions on the entire network and to improve air quality. The landscape and visual impact assessments shows that all effects are moderate or less and that cumulatively the schemes are finely balanced with only very small differences between them.</p>
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