

**Deposit Replacement Caerphilly County
Borough Local Development Plan**

**Amnewid Adnau Cynllun Datblygu Lleol
Bwrdeistref Sirol Caerffili**

**STRATEGIC ENVIRONMENTAL ASSESSMENT/
SUSTAINABILITY APPRAISAL**

**Document 5
Habitats Regulations Assessment**

For Deposit Consultation

November 2015

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ARFARNIAD CYNALADWYEDD**

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Local Development Plan

**Strategic Environmental Assessment /
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Prepared for Caerphilly County Borough Council

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environmental planning and management for sustainability





**Caerphilly County Borough Council
Replacement Local Development Plan**

Habitats Regulations Assessment Report

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Caerphilly County Borough Council Replacement Local Development Plan

Habitats Regulations Assessment Report

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1.0 INTRODUCTION

Background

- 1.1 Caerphilly County Borough Council (CCBC) adopted its Local Development Plan (LDP) on the 23 November 2010. The LDP provides the legal framework for the development and use of land within the County Borough up until 2021. The adopted Plan includes: a vision and strategic objectives; the development strategy which is based on three broad areas [The Heads of the Valleys Regeneration Area, the Northern Connections Corridor and the Southern Connections Corridor]; countywide policies and area specific policies as relevant to the three identified development areas.
- 1.2 The Habitats Regulations Assessment process for the LDP began in 2008. In May 2008, consultation was carried out with the Countryside Council for Wales (CCW) (now Natural Resources Wales (NRW)) on the scope of the HRA and which European sites should be considered within the assessment. A HRA Screening Report was then produced and sent to CCW for comment in June 2008. The Screening Report concluded that there was the potential for the LDP to have significant effects on one European site (Aberbargoed Grasslands SAC) within the Plan area and that further detailed assessment would be required.
- 1.3 Further detailed HRA work was carried out with the findings presented in a Report produced in July 2008. The Report concluded that the LDP would not significantly affect the integrity of the Aberbargoed Grasslands SAC either alone or in-combination with other plans, programmes or projects. The report was sent to CCW for comment and accompanied the LDP on public consultation from 15 October to 26 November 2008. The HRA Report (July 2008) accompanied the LDP on submission to the Welsh Assembly Government on 07 October 2009.
- 1.4 Following adoption of the LDP, the Council has a duty to ensure that the LDP remains fit for purpose. To monitor the LDP's performance, the Council prepares an Annual Monitoring Report (AMR) which is submitted to the Welsh Government. Following the findings of the second AMR, the Council decided on 08 October 2013 to begin working on the first review of the LDP. The Council is now in the process of updating the LDP to cover the plan period up to 2031.
- 1.5 To ensure that the requirements of the Habitats Directive and Regulations are met, it is necessary to consider any proposed changes to the LDP through the HRA process. This Report documents the process and the findings of the HRA for the First Revision of the LDP.

Structure of Report

- 1.6 Following this introductory section the document is organised into a further four sections:

- **Section 2** - summarises the requirement for HRA and relevant guidance as well as provides a summary of the LDP.
- **Section 3** - outlines the process and summary findings of the HRA for the adopted LDP.
- **Section 4** - outlines the process and summary findings the further HRA work carried out for the First Revision of the LDP.
- **Section 5** - outlines the conclusions and recommendations, including how the LDP should now proceed with reference to the Habitats Regulations.

2.0 HABITATS REGULATIONS ASSESSMENT (HRA) AND THE PLAN

Requirement for Habitats Regulations Assessment

- 2.1 The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] require that HRA is applied to all statutory land use plans in England and Wales. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance.
- 2.2 The Habitats Regulations transpose the requirements of the European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna [the Habitats Directive] which aims to protect habitats and species of European nature conservation importance. The Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) which are designated under European Directive (2009/147/EC) on the conservation of wild birds [the Birds Directive]. In addition, Welsh Government (WG) guidance also requires that Ramsar sites (which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within the HRA process as required by the Regulations.
- 2.3 The process of HRA is based on the precautionary principle and evidence should be presented to allow a determination of whether the impacts of a land-use plan, when considered in combination with the effects of other plans and projects against the conservation objectives of a European Site; would adversely affect the integrity of that site. Where effects are considered uncertain, the potential for adverse impacts should be assumed. The scope of the HRA 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

- 2.4 Guidance for HRA 'The Appraisal of Development Plans in Wales under the Provisions of the Habitats Regulations', is provided in Technical Advice Note 5: Nature Conservation and Planning (WAG, September 2009). CCW (now NRW) has also produced draft guidance 'The Appraisal of Plans under the Habitats Directive' (D Tyldesley and Associates, November 2009 (Revised April 2010 and September 2012)) which takes account of developments in HRA practice.
- 2.5 The methods and approach used for this HRA 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 2.1.

Table 2.1: HRA Key Stages and Tasks

Stages	Habitats Regulations Assessment
Stage 1: Screening for Likely significant Effects	1. Identify European sites in and around the plan area.
	2. Examine the conservation objectives of each interest feature of the European site(s) potentially affected.
	3. Analyse the policy/ plan and the changes to environmental conditions that may occur as a result of the plan. Consider the extent of the effects on European sites (magnitude, duration, and location) based on best available information.
	4. Examine other plans and programmes that could contribute (cumulatively) to identified impacts/ effects.
	5. Produce screening assessment based on evidence gathered and consult statutory nature conservation body on findings.
	6. If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to Stage 2 .
Stage 2: Appropriate Assessment	1. Agree scope and method of Appropriate Assessment with statutory nature conservation body.
	2. Collate all relevant information and evaluate potential impacts on site(s) in light of conservation objectives.
Stage 3: Mitigation Measures and Alternatives Assessment	1. Consider how effect on integrity of site(s) could be avoided by changes to plan and the consideration of alternatives (e.g. an alternative policy/ spatial location). Develop mitigation measures (including timescale and mechanisms for delivery).
	2. Prepare HRA/ AA report and consult statutory body.
	3. Finalise HRA/AA report in line with statutory advice to accompany plan for wider consultation.

3.0 HRA of the Adopted LDP (2008 - 2010)

Introduction

- 3.1 This Section summarises the key proposals in the adopted LDP¹ as well as the findings of the previous HRA work presented in the HRA Report (July 2008) for the adopted Deposit LDP².

The Adopted LDP

- 3.2 The adopted LDP is comprised of three parts, the first of which is the Development Strategy which sets the strategic framework and policies necessary to deliver land use planning in the County Borough. The Development Strategy splits the County Borough into three parts; The Heads of the Valleys Regeneration Area, the Northern Connections Corridor and the Southern Connections Corridors. Part two of the Deposit LDP comprises the criteria based policies (Countywide Policies) against which development proposals will be determine and part three contains the allocations where development is expected to be located and where areas of land use protection are to be found (Area Specific Policies).

CCBC: Local Development Plan Vision Statement

“The Development Strategy for the Local Development Plan will capitalise on the strategic location of Caerphilly County Borough at the centre of the Capital Network Region. It will ensure that the needs of all the County Borough’s residents and visitors are met and that the regeneration of our towns, villages and employment centres and the surrounding countryside is delivered in a well-balanced and sustainable manner that reflects the specific role and function of individual settlements.”

- 3.3 The Deposit LDP is underpinned by eight components which set a framework for the approach to - and the nature of - land use development. They are:
1. Target development to reflect the roles and functions of individual settlements
 2. Allow for development opportunities in the Heads of the Valleys Regeneration Area
 3. Promote a balanced approach to managing future growth
 4. Exploit brownfield opportunities where appropriate
 5. Promote resource efficient settlement patterns
 6. Ensure development contributes towards necessary infrastructure improvements
 7. Ensure development provides necessary community facilities
 8. Reduce the impact of development upon the countryside

¹ <http://www.caerphilly.gov.uk/Business/Planning-and-building-control-for-business/Local-Development-Plan/Local-Development-Plan-2010-%28Adopted%29/The-Adopted-LDP>

² <http://apps.caerphilly.gov.uk/LDP/Examination/PDF/SB21.pdf>

- 3.4 The adopted Plan makes provision for the development of up to 10,269 dwellings up to 2021 in the County Borough in order to deliver the 8,625 new dwellings required to meet the moderate growth strategy. It also makes provision for the development of 101.9 hectares of employment land up to 2021 as well as identifies allocations for open space and improvements to recreational and wider community facilities and transport infrastructure.

Screening (2008)

- 3.5 The HRA process identified one European site within CCBC's administrative boundary and eleven European sites outside of the boundary potentially within the influence of the LDP. These sites are outlined in Table 3.1 below and detailed information for each designated site including its conservation objectives were provided in Appendix 1 of the HRA Report (July 2008).

Table 3.1: European Sites within HRA Scope

European Site	Designation
European Sites within Plan Area	
Aberbargoed Grasslands	SAC
European Sites outside Plan Area	
Blaen Cynon	SAC
Brecon Beacons	SAC
Cardiff Beech Woods	SAC
Cwm Cadlan	SAC
Cwm Clydach Woodlands	SAC
Llangorse Lake	SAC
River Usk	SAC
Severn Estuary	SAC/ SPA/ Ramsar
Usk Valley Bat Sites	SAC

- 3.6 A screening of the Deposit Draft Policies was carried out in 2008. The method used and detailed findings was presented in the HRA Screening Report (June 2008). Of the 119 policies screened, 9 policies were considered to be proposing development that may have significant effects on the European sites identified above. These included the following:

Strategy Policies

- **SP1** Development Strategy – Development in the Heads of the Valleys Regeneration Area
- **SP2** Development Strategy – Development in the Northern Connections Corridor
- **SP4** Settlement Strategy
- **SP16** Total Housing Requirement

Area Specific Policies: Heads of the Valleys Regeneration Area (HOVRA)

- **HG1** Allocated Housing Sites (HG 1.16-1.22)

- **EM2** Employment Site Protection (EM2.5-2.6)
- **CF1** Community Facilities (CF1.6-1.8)
- **TR7** New Roads to Facilitate Development (TR7.1)
- **TR8** Regeneration Led Highways Improvements (TR8.1)

3.7 The screening identified that the following impacts could potentially arise as a result of the policies identified above:

- **Urbanisation Impacts & Recreational** - resulting from an expanding population within and around Bargoed/Aberbargoed, issues include fly tipping, dog fouling, cat predation, potential vandalism, trampling, introduction of invasive/ non-native species, pollution (water, air, noise, light)
- **Land take** - from proximal and adjacent development to European sites, including impacts on surrounding 'buffer' habitats/ green space areas not designated for European interest but part of wider habitats connectivity supporting site integrity (important for the designated species at Aberbargoed Grasslands SAC)
- **Water Resources and Water Quality** - resulting from increased demand for water consumption and discharge requirements arising from new/ expanded housing and commercial developments and the potential for increased point source pollution, changes to surface water/ run-off which may have implications for water dependant sites
- **Atmospheric Pollution** - arising from a growth in traffic and transport and general development (emissions from construction/ building stock) which has the potential to affect sites sensitive to changes in air quality

3.8 The potential impacts identified above were then considered against the European sites scoped into the assessment to determine if there was the potential for significant effects. Taking into account the identified sensitivities of the 11 sites outside the plan area, and the likely impacts arising from the LDP Deposit Draft the screening found that the European sites which lie entirely outside the County Borough Area including the adjacent Cardiff Beech Woods, are unlikely to be significantly affected by the proposals outlined in the LDP. The assessment also noted that in the absence of direct effects, in-combination effects with other plans are also unlikely and as a result the European Sites outside of the Plan area do not need to be considered further in the screening assessment. Therefore, only 1 European Site (Aberbargoed Grasslands SAC) was considered in more detail through the screening.

3.9 The screening of Deposit Draft policies highlighted a number of potential impacts arising from the nature and extent of the development proposed near the Aberbargoed Grasslands SAC, which may be significant when considered against the conservation objectives for the site. Key issues include: urbanisation & recreational

impacts; land take; water resource and water quality; and atmospheric pollution.

- 3.10 The potential for other plans and programmes to generate impacts that could affect the Aberbargoed Grasslands SAC was reviewed and the assessment considered how these impacts may interact with the impact arising from CCBC's LDP. The most significant potential 'in-combination' impact identified was air pollution arising from the cumulative effects of development (housing, infrastructure, major transport routes) in the region. Significantly, however, the review of plans and the assessment noted that measures to develop sustainable transport solutions and reduce the impacts of road based traffic in the region may provide strong mitigation for some of the impacts identified.
- 3.11 Based on the information gathered for the screening process and considering the Habitats Regulations requirements for a precautionary approach, further Appropriate Assessment was undertaken for the Aberbargoed Grasslands SAC in relation to identified impact areas.

Appropriate Assessment (2008)

- 3.12 The policy screening work and the review of plans and programmes 'in-combination' undertaken at the Screening Stage identified four main areas of impact arising that may have a significant effect on the Aberbargoed Grasslands SAC: habitat loss/ fragmentation; urbanisation/ recreational impacts; water resources & quality; and air pollution. These issues were investigated in further detail through the Appropriate Assessment.

Habitat Loss/ Fragmentation

- 3.13 The SAC is designated for the marsh fritillary butterfly and for its Molina meadows habitats (on which the marsh fritillary is dependent). A crucial element of maintaining favourable condition for the marsh fritillary is ensuring that there is sufficient habitat both within the designated area and within a suitable range of the largest (metapopulation), approx 1-2 km.
- 3.14 The assessment found that there would be no direct loss of habitat in areas adjacent to the SAC which have been identified as playing a role in maintaining the overall integrity of the site and its designations. There are currently no regional or local level plans or projects that may act in-combination at this site. The AA concluded that there will not be habitat loss or fragmentation arising as a result of the plan leading to adverse effects on the integrity of the Aberbargoed Grasslands SAC. The AA recommended that the Council:
- Protect marsh fritillary functional landscape from development and inappropriate management practices

Urbanisation/ Recreational Impacts

- 3.15 The assessment found that 'urban effects' in the past were a key issue at the site, however the introduction of management regimes has halted these detrimental impacts and this ongoing work was considered sufficient to address the potential issues at this site in the context of a changing population. Recreational pressures were not considered a significant issue at the site and the AA concluded that the presence of easily accessible alternative recreational greenspace close to the proposed new housing areas and plans for additional recreational facilities in the region, provides strong mitigation for an increasing population. The AA recommended that the Council:
- Ensure planning obligations deliver green space and recreational facilities
 - Enforce site level rights of way management and support education resource and community outreach

Water Resources & Water Quality

- 3.16 The assessment found that water resources and pollution issues are regulated by the EAW (now NRW) and subject to strict conditions which include HRA processes where the potential for impacts on the SAC are identified. The EAW at the time had not identified the potential for water shortages or negative impacts on the hydrological regime as a result of new development in this area, therefore the AA concluded that there was unlikely to be adverse effects on the integrity of the SAC. The AA recommended that the Council:
- Require Code for Sustainable Homes where appropriate
 - Sustainable Drainage Systems actively encouraged where appropriate
 - Seek 'water neutral' development

Air Pollution

- 3.17 Air pollution, in particular from NO_x gases, is a key concern where traffic increases are likely in association with housing allocations and the development of commercial and leisure facilities. The evidence indicated that the integrity of the Aberbargoed Grasslands SAC will not be significantly affected by the localised growth proposed. This is largely due to the fact that current environmental trends have not identified air pollution as a concern at the SAC and the grazing management regime is observed (at the time of assessment) to be the critical determinant in maintaining habitat viability [this includes the ability of the grazing regime to counter some of the effects of increased nitrogen deposition]. The AA therefore concluded that the Plan was unlikely to have an adverse effect on the integrity of the SAC either alone or in-combination with other plans and projects as a result of air pollution. The AA recommended that the Council:
- Enforce sustainable building standards and sustainable transport commitments

Consultation

- 3.18 The Habitats Regulations require the plan making/competent authority to consult the appropriate nature conservation statutory body [Countryside Council for Wales (CCW)]. CCW raised the issue of HRA at the Statutory Consultee Involvement consultation on the LDP's Sustainability Appraisal/ Strategic Environmental Assessment Report in June 2006. A meeting was subsequently held between the Council and CCW, at which this issue was discussed.
- 3.19 At that time the Council acknowledged that HRA was a statutory requirement and that it should be referenced in the SA/SEA Scoping Report, although guidance on the process and content for HRA had yet to be published by WAG. In addition, the tight deadlines imposed by the Council's LDP Delivery Agreement, and the need to move forward to meet the deadlines for the LDP Pre-Deposit Consultation, meant that the HRA work was unlikely to be concluded in time to be published alongside the SA/SEA. As a result, the Council agreed with CCW that the SA/SEA Scoping Report should contain references to undertaking the HRA (paragraphs 1.1, and 4.21 - 4.22) and that the HRA work be undertaken subsequently and reported alongside the Part 2 detailed SA/SEA of the Deposit LDP."
- 3.20 Consultation for the HRA screening, including advice on which European sites should be considered within the area of search, was undertaken with CCW during May/June 2008. Further consultation advice was received from CCW on the findings of the interim Screening Report and the approach to undertaking the Appropriate Assessment stage of the HRA [June 2008].
- 3.21 The comments received from CCW informed the AA and the production of the HRA Report (July 2008). The report was sent to CCW for comment and accompanied the LDP on public consultation from 15 October to 26 November 2008. The HRA Report (July 2008) then accompanied the LDP on submission to the Welsh Assembly Government on 07 October 2009.

4.0 HRA of the Replacement LDP (2015)

Introduction

- 4.1 The Council decided in 2013 to begin working on the first review of the LDP following its adoption back in 2010. The Council is now in the process of preparing a Replacement LDP to cover the plan period up to 2031. To ensure that the requirements of the Habitats Directive and Regulations are met, it is necessary to consider the Replacement LDP through the HRA process. This section sets out the findings of the HRA of the Replacement LDP.

Replacement LDP

- 4.2 Similar to the adopted LDP the replacement Plan is comprised of three parts. The first part, Section A, comprises a written statement that presents the Council's new Development Strategy as well as the strategy policies that will help to deliver it over the plan period. As for the adopted LDP, the Development Strategy separates the County Borough into three Strategy Areas, The Heads of the Valleys Regeneration Area (HOVRA), the Mid Valleys Corridor (MVC) (previously the Northern Connections Corridor) and the Southern Connections Corridor (SCC). There are twelve key components from the Development Strategy that underpin the Strategy Policies, these are:
- A. *Target development to reflect the role and function of individual settlements within the settlement and retail hierarchies;*
 - B. *Allow for the planned expansion of settlements within the Mid Valleys Corridor, in particular the strategic expansion of Maesycwmmer*
 - C. *Allow for the planned expansion of Caerphilly Town to the South East within the Southern Connections Corridor;*
 - D. *Improve the strategic highway infrastructure within the HOVRA to increase the areas attractiveness and improve its resilience through the development of a new link road between New Tredegar and Pontlottyn;*
 - E. *Improve the strategic highway network in the Mid Valleys Corridor through the development of a new link road to allieviate congestion through Maesycwmmer;*
 - F. *Improve the strategic highway infrastructure within the Southern Connections Corridor through the development of the first phase of a south east bypass for Caerphilly Town;*
 - G. *Make provision for new and enhanced railway stations and associated park and ride at Ystrad Mynach, Nelson; Llanbradach, Crumlin and Newbridge;*
 - H. *Explore opportunities to improve the strategic rail network, including: safeguarding land to facilitate the reopening of the Caerphilly-Machen-Newport disused rail line; introducing a new passenger service on the Cwmbargoed line to Dowlais; and the Ebbw Vale Line to Newport;*

- I. *Reallocate suitable surplus employment sites for housing use across the Mid Valleys Corridor;*
 - J. *Reduce the scale and number of new housing allocations in the Heads of the Valleys Regeneration Area to more closely align with market activities and market demand;*
 - K. *Exploit opportunities afforded by the Valleys Regional Park and identify sites that are suitable for tourism;*
 - L. *Minimise the impact of development on the countryside whilst allowing for appropriate planned levels of growth.*
- 4.3 The Strategy Policies deliver the wider aims and objectives of the strategy and are supplemented by more detailed policies in Parts 2 and 3 of the Replacement LDP. Two key Strategy Policies include Policy H1, which sets out the total housing requirement (up to 13,640 new dwellings), and Policy SP23, which sets out the total employment land (74.3ha) to be provided during the life of the Plan (now up to 2031).
- 4.4 The second part of the Replacement Plan, Section B, sets out the criteria based policies against which development proposals submitted as planning applications across the whole County Borough will be determined. The third part of the Replacement Plan, Section C, contains the site-specific allocations where development is likely to be located, which includes housing, employment, community facilities and transport infrastructure.

HRA Scope

- 4.5 The HRA for the adopted LDP identified that the following sites are within the influence of the Plan, which was agreed with CCW (now NRW):

Sites wholly or partly within the Plan boundary

- Aberbargoed Grasslands SAC

Sites outside the Plan boundary

- Blaen Cynon SAC
- Brecon Beacons SAC
- Cardiff Beech Woods SAC
- Cwm Cadlan SAC
- Cwm Clydach Woodlands SAC
- Llangorse Lake SAC
- River Usk SAC
- Severn Estuary SAC, SPA & Ramsar
- Usk Valley Bat Sites SAC

- 4.6 Based on existing evidence and the proposed development set out in the Replacement LDP, the scope set out in the previous HRA Report (2008) is still considered appropriate for the HRA of the Replacement LDP.

Screening Assessment

- 4.7 Housing, employment and infrastructure development has the potential to generate a range of environmental impacts which can, (depending on their nature, magnitude, location and duration), have effects on European sites. A summary of the types of impacts and effects that can arise from these types of development is provided in the table below.

Table 4.1: Housing, Employment and Infrastructure Development: Summary of Impacts and Effects on European Sites

Effects on European Sites	Impact Types
Habitat (& species) fragmentation and loss	<ul style="list-style-type: none"> ■ Direct land take, removal of green/ connecting corridors/ supporting habitat, changes to sediment patterns (rivers and coastal locations) ■ Introduction of invasive species (predation)
Disturbance	<ul style="list-style-type: none"> ■ Increased recreational activity (population increase) ■ Noise and light pollution (from development and increased traffic)
Changes to hydrological regime/ water levels	<ul style="list-style-type: none"> ■ Increased abstraction levels (new housing) ■ Increased hard standing non-permeable surfaces/ accelerated run-off ■ Laying pipes/ cables (surface & ground) ■ Topography alteration
Changes to water quality	<ul style="list-style-type: none"> ■ Increase in run-off/ pollutants from non-permeable surfaces (roads, built areas) ■ Increased air pollution (eutrophication) (traffic, housing) ■ Increased volume of discharges (consented)
Changes in air quality	<ul style="list-style-type: none"> ■ Increased traffic movements ■ Increased emissions from buildings

- 4.8 Some of the Replacement LDP Policies have only had minor changes made to them since the adoption of the LDP in 2010. The majority of the policies were previously considered the HRA process for the LDP back in 2008. The findings of this work are summarized in the previous Section of this Report with the detail provided in the HRA Report (July 2008) for the adopted Deposit LDP³.
- 4.9 Given the time elapsed since the previous HRA and in light of new and updated evidence, it was considered prudent to screen all the Replacement LDP Policies. The first step in the screening process considered the potential impacts (Table 4.1 above) arising as a result of the policies and whether there are any environmental pathways for those impacts to reach European sites. The second step considered

³ <http://apps.caerphilly.gov.uk/LDP/Examination/PDF/SB21.pdf>

those impacts and the sensitivities of potentially affected European sites in more detail, taking into consideration the mitigation provided through Replacement LDP policies as well as existing regulatory regimes and the lower level planning process (development management). A summary of the findings is provided below with the detail presented in Appendix III.

Effects of Individual Policies

- 4.9 The screening found that the majority of the policies are will not result in development themselves as they set out criteria for development proposals or development. Some policies support a particular type of development but do not propose any specific allocations. In this case, development is likely to come forward through lower level planning applications and there are legal mechanisms in place to ensure that development will not have significant effects on any European sites.
- 4.10 The screening also found that the majority of proposed allocations are either in a location (distance from European sites or within an existing settlement) and/or at a scale of proposed development that is not likely to result in any impacts of significance on European sites or that there are no pathways for any impacts alone. It was determined that these policies are not likely to have significant effects on any European sites alone.
- 4.11 The screening identified six Replacement LDP Policies for which the impacts could potentially lead to significant effects on European sites alone. The screening assessment then considered these issues in further detail and the findings of this work are presented below, with the detailed screening matrix provided in Appendix III.

SP22: Total Housing Requirement

- 4.12 The policy proposes the delivery of up to 13,640 new dwellings in the County Borough in order to deliver the 12,400 new dwellings required to meet the moderate growth strategy up to 2031. The potential delivery of up to 13,640 new dwellings during the life of the Plan has the potential for a number of impacts on European sites, which include:
- atmospheric pollution through increased traffic, which could reduce air quality;
 - increased levels of disturbance - recreational activity;
 - increased levels of abstraction; surface water run-off and sewerage discharge, which could reduce water quality and levels; and
 - land take, which could lead to the loss and fragmentation of habitats.
- 4.13 It was considered that it would be more appropriate to assess the issues with regard to habitat loss and fragmentation, recreational disturbance and atmospheric pollution against Policy H1, as the precise location of development will help to more accurately predict

the potential impacts of development as well as environmental pathways. Potential changes to hydrology and surface water run-off are also more appropriately considered once the precise location of development is known. However, this is not considered the case with regard to increased levels of abstraction and sewerage discharge, which could reduce water quality and levels for a number of the European sites.

Water Resources

- 4.14 Welsh Water (WW) has produced a Water Resource Management Plan (WRMP)⁴, which identifies twenty-four water resource zones⁵ (WRZs) within the supply area for which it is responsible. The Plan area falls within the South East Wales Conjunctive Use System (SEWCUS) WRZ. The level of development proposed in the Replacement LDP is likely to increase abstraction levels within the SEWCUS WRZ. Reduced water levels could have significant effects on a number of the European sites scoped into this HRA.
- 4.15 Welsh Water's Final Water Resource Management Plan (WRMP) identifies that the SEWCUS WRZ supply demand balance is forecast to be in surplus during the life of the Replacement LDP up to 2031. This is also the case for the majority of WRZs surrounding the SEWCUS WRZ, apart from the Brecon Portis WRZ. Any applications for a new abstraction licence will be assessed by NRW to make sure that they do not have adverse impacts on internationally important nature conservation sites. If the assessment of a new application shows that it could have an impact on a European site then NRW will have to follow strict rules in setting a time limit for that license. This ensures that water levels at European sites do not fall below critical levels.
- 4.16 Improved waste and water efficiency is one of the key objectives of the Replacement LDP. In terms of policy mitigation the Replacement LDP (Policy CW7) only permits development proposals where they do not have unacceptable adverse impact on the water environment and where they would not pose an unacceptable risk to the quality of controlled waters.
- 4.17 Taking the findings of the WRMP into account, as well as regulatory processes in place, including the Review of Consents, the screening concluded that the overall level of housing development proposed in Policy SP22 is not likely to have significant effects on any European sites alone as a result of reduced water levels.
- 4.18 While it was concluded that this policy will not have LSEs on any European sites, there is potential to strengthen the Replacement LDP, in particular Policy CW7 with regard to water resources. In line with TAN 12, Policy CW5 could be strengthened by requiring all new

⁴ Welsh Water (2014) Final Water Resource Management Plan.

⁵ Welsh Water defines Water Resource Zones as, "the largest area in which all resources can be shared".

development to take a sustainable approach to water supply (by requiring rainwater harvesting where possible) and demand management (by requiring the incorporation of water efficiency measures).

Water Quality

- 4.19 The foul flows from development within the Plan area would be served by the Cardiff Bay Waste Water Treatment Works (WwTW). Taking into account environmental pathways the screening found that only the Severn Estuary SAC, SPA and Ramsar is likely to be impacted as a result of consented discharges from development within the Plan area.
- 4.20 In response to the emerging Replacement LDP and candidate sites, Welsh Water have not indicated that there are any capacity issues with regard to the Cardiff Bay Waste Water Treatment Works⁶. It is therefore considered that there will not be any issues with regard to the overall level of growth during the life of the Plan in relation to wastewater treatment capacity. Taking this into account, along with existing regulatory regimes, it is considered that there will be no significant effects on any European sites alone as a result of reduced water quality resulting from increased (consented) discharges.
- 4.21 As previously stated, consideration of the actual connection to the sewerage network for development is more appropriately addressed against Policy H1, which sets out the precise location for residential development.

SP24: Managing Employment Growth

- 4.22 The policy proposes the delivery of 74.3ha of employment land to meet the identified need for 29ha up to 2031. It should be noted that this is a reduction of 27.6ha from the adopted LDP (2010) which proposed the delivery of 101.9ha of employment land up to 2021. The potential delivery of up to 74.3ha of employment land during the life of the Plan (up to 2031) has the potential for a number of impacts on European sites, which include:
- atmospheric pollution through increased traffic, which could reduce air quality;
 - increased levels of disturbance - recreational activity;
 - increased levels of abstraction; surface water run-off and sewerage discharge, which could reduce water quality and levels; and
 - land take, which could lead to the loss and fragmentation of habitats.
- 4.23 As for the Policy SP22 above, it is considered that it would be more appropriate to consider the issues with regard to habitat loss and fragmentation, recreational disturbance and atmospheric pollution

⁶ Welsh Water Representation (126) on the Preferred Strategy (24 March 2015).

against the employment allocations set out in Policy E1, as the precise location of development will help to more accurately predict the potential impacts of development as well as environmental pathways. Potential changes to hydrology and surface water run-off are also more appropriately considered once the precise location of development is known.

- 4.24 However, as for Policy SP22, this is not considered the case with regard to increased levels of abstraction and sewerage discharge, which could reduce water quality and levels. These issues have already been considered with regard to housing development above and the assessment and conclusions are also valid for this policy. The screening concluded that the policy would not have any likely significant effects on any European sites alone.

MVC1: Parc Gwernau, Maesycwmmmer

- 4.25 In accordance with Policy SP7 the policy allocates land at Meassycwmmmer for the development of approximately 2,400 new homes, a primary school, a GP surgery and neighbourhood centre and a network of new green links and leisure areas accessed by a dedicated new road linking the A472 Crown Roundabout at Maesycwmmmer to the A469 Dyffryn Roundabout at Ystrad Mynach. The Policy has the potential to result in:
- atmospheric pollution through increased traffic, which could reduce air quality;
 - increased levels of disturbance - recreational activity;
 - increased levels of abstraction which could reduce water quality and levels; and
 - land take, which could lead to the loss and fragmentation of habitats.
- 4.26 The site is approximately 4km to the south of the Aberbargoed Grasslands SAC. It should also be noted that there is a substantial amount of existing development between this site and the SAC. Given the location of development, it is considered unlikely that development at this site would result in any significant effects on the Aberbargoed Grasslands SAC as a result of the loss or fragmentation of supporting habitat (for the Marsh Fritillary). It is also considered unlikely that there would be any significant effects on European sites as a result of increased abstraction or sewerage discharge given the findings of the screening assessment for Policy SP22. It is important to note that Welsh Water have stated that a water supply can be made to service development at this site and that there are no problems envisaged at the receiving Cardiff Bay Waste Water Treatment Works to accommodate the domestic foul flows from development at this site⁷.
- 4.27 It is also unlikely that development would result in a significant increase in recreational activity at the site. Especially when considering all the

⁷ Welsh Water Representation (126) on the Preferred Strategy (24 March 2015).

alternatives areas of open and green space available for recreation in the surrounding areas.

- 4.28 The greatest potential for impacts on the SAC is considered to be as a result of increased traffic, in particular along the A4049, and therefore increased nitrogen deposition. However, when considered in further detail the impacts are unlikely to be of significance.
- 4.29 Based on the findings of the high-level traffic impact study for the Mid Valleys Corridor⁸, it is considered unlikely that there will be a significant increase in traffic along the A4049 as a result of proposed development. The provision of a by-pass to the south of the development joining the A472 and A469 will also help to reduce potential traffic impacts along the A4049 even further. It is also important to note that only a very small proportion of the SAC, the south western corner) is within 200m of the A4049, where short range atmospheric pollution is likely to occur.
- 4.30 Taking the above into account, alongside the mitigation provided through Plan Policies and available at the project level, it is considered that this policy is not likely to have a significant effect on any European sites alone. It is also important to note that NRW did not raise any particular issues for development at this site in relation to European sites⁹ during consultation on the Preferred Options or candidate sites.

SCC1: South East Caerphilly (Former Ness Tar Plant and Adjoining Land)

- 4.31 In accordance with Policy SP7 the policy allocates land to the south east of Caerphilly Town for 685 new homes, 3 hectares of employment land and a new leisure area accessed by a new south east bypass linking the Caerphilly Business Park Roundabout to the A469 Caerphilly Mountain Road. The Policy has the potential to result in:
- increased atmospheric pollution through increased traffic, which could reduce air quality;
 - increased levels of disturbance - recreational activity;
 - increased levels of abstraction; surface water run-off and sewerage discharge, which could reduce water quality and levels
- 4.32 The proposed site is approximately 2km away from the Cardiff Beechwoods SAC. Given the scale of proposed development and location of the site it is unlikely that there will be any significant effects on European sites alone as a result of the impacts identified above.
- 4.33 Development will not significantly increase traffic on any major roads within 200m of a European site. There is also unlikely to be any significant increase in recreational activity or noise/light pollution at any of the identified European sites.

⁸ CCBC (July 2015) Caerphilly LDP Review: Mid Valleys Corridor High-Level Traffic Impact Study.

⁹ NRW Representation 4586 on the Preferred Strategy Consultation (31 March 2015).

- 4.34 It should be noted that Welsh Water have stated that a water supply can be made to service development and that there are no problems envisaged at the receiving Cardiff Bay Waste Water Treatment Works to accommodate the domestic foul flows from development at this site¹⁰. It is also important to note that NRW did not raise any particular issues for development at this site in relation to European sites during consultation on the Preferred Options or candidate sites.¹¹.
- 4.35 Taking the above into account, the screening concluded that development at this site alone will not have significant effects on any European sites. Mitigation provided through Plan Policies and available at the project level will ensure that any impacts as a result of development are minimised and not of significance.

H1: Allocated Housing Sites

- 4.36 The policy allocates 75 sites for residential development during the life of the Plan. Of these sites, 42 were previously considered through the HRA for the adopted LDP in 2008, which concluded that there would not be any significant effects on European sites as a result of proposed development. However, given the time that has elapsed since the previous assessment and in light of new and updated evidence, it is considered appropriate to consider all of the proposed allocations again through the screening assessment.
- 4.37 The majority of the allocations are either in a location (distance from European sites or within an existing settlement) and/or at a scale of proposed development that is not likely to result in any impacts of significance on European sites. It is considered that impacts are most likely to occur at the Aberbargoed Grasslands SAC, as there are a number of allocations proposed within close proximity. A map of the SAC and proposed housing and employment allocations is provided in Appendix IV. These impacts could include the following:
- increased atmospheric pollution through increased traffic, which could reduce air quality;
 - increased levels of disturbance - recreational activity;
 - changes to the hydrological regime; and
 - land take, which could lead to the loss and fragmentation of habitats.
- 4.38 None of the allocations would result in direct impacts (i.e. land take or habitat loss) within the boundary of the Aberbargoed Grasslands SAC although several are located in close proximity and could potentially provide supplementary habitat or form part of dispersal corridors for the Marsh Fritillary Butterfly, which forms the basis of the SAC designation.

¹⁰ Welsh Water Representation (126) on the Preferred Strategy (24 March 2015).

¹¹ NRW Representation 4586 on the Preferred Strategy Consultation (31 March 2015).

- 4.39 The HRA for the adopted LDP identified in 2008 that a crucial element of maintaining favourable condition for the Marsh Fritillary is ensuring that there is sufficient habitat both within the designated area and within a suitable range of the largest (metapopulation), approx 1-2 km. Given their location in relation to the SAC, the site allocations that are most likely to result in the loss and fragmentation of supporting habitats for the Marsh Fritillary are as follows:
- H1.1 (Aberbargoed & District Hospital)
 - H1.2 (Bedwellty Road)
 - H1.3 (Land to the rear of Ty Fry Road)
 - H1.4 (Aberbargoed Plateau)
 - H1.5 (Bedwellty Comprehensive School)
 - H1.6 (Former Aberbargoed Primary School)
 - H1.14 (Cwmgelli Farm, Blackwood)
 - H1.15 (Land at Penycoed Fawr Farm)

Habitat Loss and Fragmentation

- 4.40 In considering the potential for habitat loss and fragmentation at the identified site allocations a variety of resources have been used, including the CCW Phase I of Wales mapping¹², the report on Marsh Fritillary habitat within the County Borough (Smith 2004)¹³ and any site specific survey information held by Soltys Brewster Ecology.
- 4.41 **Site H1.5: Bedwellty Comprehensive School** - This site is immediately adjacent to the south eastern boundary of the SAC and is the closest allocation to the designated site. This site was previously contained in the adopted LDP. Despite the sites proximity the SAC, the habitats at the site would not be suitable to support adults or larvae of the Marsh Fritillary comprising of amenity grass (former school playing fields) with existing built form to the north. A small area of semi-natural broad-leaved woodland is present to the south of the allocated site. The site was not identified as supporting any potentially suitable habitat as part of the Smith (2004) study. In ecological terms, development of site H1.5 would not pose a significant risk to the adjacent SAC although a project level HRA would be advisable to ensure that the boundary of the SAC was protected during construction works.
- 4.42 **Site H1.15: Land at Penycoed Fawr Farm** - The entirety of the candidate site is mapped as improved grassland in the Phase I of Wales – this habitat type would be considered as unsuitable for Marsh Fritillary. The study by Smith (2004) did not identify any potentially suitable habitat at this location although did list a desk study record (from 2003) of a Marsh Fritillary which was mapped within the candidate site boundary. However, the grid reference given for this record is only at 1km grid square accuracy (ST 16 98) and the entry specifies 'Aberbargoed

¹² Countryside Council for Wales. 2005. Habitats of Wales. Phase I Data 1979-1997. Lowlands and Uplands. CD ROM available from CCW, Bangor.

¹³ Smith, R. 2004. Assessment of Rhos Pasture in Caerphilly CBC in respect of its suitability and condition for the priority butterfly species, Marsh Fritillary *Euphydryas aurinia*.

Grasslands SSSI'. Given that the habitat within the candidate site is unsuitable for the butterfly, it is considered that the location of the desk study record is incorrect and related to the accuracy of the 4-figure grid reference (i.e. 1km grid square resolution). However, given the proximity of the site to the SAC it is recommended that a project level HRA is required as a precaution.

- 4.43 **Site H1.3: Land to the rear of Ty Fry Road** - The site is located alongside the north western boundary of the designated site and comprises a mixture of scattered scrub, semi-improved neutral grassland and Bracken (Phase I of Wales dataset). Amenity grass areas are present to the south and north with a mosaic of scrub, acid & neutral grassland and bracken to the east. Existing housing is present to the west. The Smith report (2004) identified the above habitat mosaic within the candidate site as largely unsuitable for Marsh Fritillary although small areas were identified as habitat in 'good condition', 'suitable (under-grazed)' and 'suitable overspill' respectively.
- 4.44 There is an existing planning consent on the site (Ref: 14/0472/OUT), with permission granted in early 2015 for the delivery of 15 new homes. An ecology and protected species survey and report was submitted alongside the application¹⁴. The survey found that there was no habitat on the site suitable to support the Marsh Fritillary. The report found that there was some bracken habitat, which can sometimes be important for rare species of fritillary butterfly, but that it was species poor and predominantly lies outside the proposed development area. Overall, the report found that there would not be any significant impacts on the SAC.
- 4.45 **Site H1.2: Bedwellty Road** - This site comprises of two parcels of Improved grassland (Phase I of Wales dataset) either side of Bedwellty Road, with recent aerial imaging suggesting that the southern parcel is either under construction or is built out. No potentially suitable habitat was identified this site as part of the Smith 2004 survey. Based on its current condition, the site would be very unlikely to support Marsh Fritillary and its development for housing would not pose a risk to the SAC. Based on the known habitat conditions, project specific HRA is unlikely to be required.
- 4.46 **Site H1.4: Aberbargoed Plateau** - The Phase I habitat data set shown this site as largely comprising of colliery spoil and scree with some coniferous plantation to the south east. More recent aerial imaging suggests that part of the site has been subject to landscape reclamation works with earth bunds supporting small trees and shrubs present to the eastern and southern boundaries. The Smith study of 2004 did not identify any potentially suitable habitat associated with this site and given that it is separated from the SAC by existing housing

¹⁴

http://publicaccess.caerphilly.gov.uk/PublicAccess/files/23E3982C667E97E3DE3DF6F32F30EC5A/pdf/14_0472_OUT-ECOLOGY_AND_PROTECTED_SPECIES_REPORT-3986889.pdf

and the A4049, its development is very unlikely to pose a risk to the designated site.

- 4.47 **Site H1.1: Aberbargoed & District Hospital** - Part or all of this site has already been developed for housing (by United Welsh Housing) – Soltys Brewster Ecology undertook surveys of the hospital buildings in 2009 and provided mitigation and licensing input (for bats) in 2011. Planning Reference 11/0035. The site comprised of buildings with some associated amenity grass and trees – no habitat suitable for Marsh Fritillary was present.
- 4.48 **Site H1.6: Former Aberbargoed Primary School** - Part or all of this site has already been developed for housing (by United Welsh Housing) – Soltys Brewster Ecology undertook surveys of the hospital buildings in 2013 and provided input for discharge of planning conditions in 2014. Planning Reference 13/0784. The site comprised entirely of buildings and hard standing.
- 4.49 **Site H1.14: Cwmgelli Farm, Blackwood** - This site is located approximately 1.2km south east of the SAC and has been surveyed by Soltys Brewster Ecology (2014, with an update in 2015) to inform an Outline planning application (for housing). The site comprised of species-poor sheep grazed pasture with some localised areas of marshy grassland with hard and soft rush dominant – no Devil's Bit Scabious was identified during the course of the survey and the site was not considered suitable to support Marsh Fritillary. No potentially suitable habitat was identified at or in close proximity to this site as part of the Smith (2004) study.
- 4.50 Given the physical separation of this site from the SAC and the absence of any potentially suitable habitat, it is considered that there would not be any significant effects as a result of habitat loss and fragmentation.

Hydrology

- 4.51 In response to the Preferred Strategy as well as candidate sites, NRW raised a number of concerns. These included that development at Sites H1.4, H1.5 and H1.15 could affect the hydrological regime of the area and therefore have impacts on the internationally important habitats¹⁵ of the Aberbargoed Grasslands SAC.
- 4.52 *Molinia* meadows are usually groundwater fed, with water levels at ground level during winter and below ground level during summer. It is considered unlikely that development at any of the surrounding sites will significantly affect the water levels at the SAC. Development proposed at sites H1.3 and H1.5 is small scale and unlikely to significantly alter the hydrological regime. Site H1.4 is at a lower elevation than the SAC and situated close to the Rhydney River; it is

¹⁵ NRW Representation 4586 on the Preferred Strategy Consultation (31 March 2015).

therefore considered unlikely that development at the site would significantly affect the hydrological regime or water levels at the SAC. The Council's candidate site submission form for Site H1.15 states that it is unlikely that development would affect the hydrological integrity of the site as it lies at a higher elevation than the SAC which gradually falls towards land to the south west of the SAC.

- 4.53 The screening therefore concluded that none of the proposed allocations are likely to have significant effects on the Aberbargoed Grasslands SAC alone as a result of changes to the hydrological regime.

Foul Water Disposal

- 4.54 In response to the Preferred Strategy as well as candidate sites, NRW suggested that some of the candidate sites in close proximity to the SAC lie outside of Welsh Water's sewage catchments, which includes Site H1.2 (Bedwellty Road) and H1.3 (Land at Ty Fry Road). However, it should be noted that this was not referred to by NRW in relation to potential impacts on European sites, in particular the Aberbargoed Grasslands SAC.
- 4.55 Welsh Water have indicated that the public sewers may not be adequate to accommodate proposed development at some of the sites and that a hydraulic modelling assessment will be required¹⁶. It should be noted that Welsh Water have not indicated that there are any capacity issues with regard to the Cardiff Bay Waste Water Treatment Works.
- 4.56 The screening considered that it is unlikely that there would be any impacts of significance on the Aberbargoed Grasslands SAC given that any proposal for development would be subject to the development management process where there are suitable legal mechanisms in place to ensure that a suitable connection to the public sewerage network can be made or that a suitable alternative is provided.

Recreation

- 4.57 There is the potential that housing development at some of the surround allocations could increase recreational activity at the Aberbargoed Grasslands SAC. There are a number of public footpaths that across the site and information boards at entrances to the site encouraging visitors. Evidence suggests that the northern section of the site is more heavily used compared to the central and southern sections; however, there is evidence that people use bikes within the southern woods¹⁷. The southern area is also used by low numbers of

¹⁶ Welsh Water Representation (126) on the Preferred Strategy (24 March 2015).

¹⁷

http://publicaccess.caerphilly.gov.uk/PublicAccess/files/23E3982C667E97E3DE3DF6F32F30EC5A/pdf/14_0472_OUT-ECOLOGY_AND_PROTECTED_SPECIES_REPORT-3986889.pdf

dog walkers and youths. There are no footpaths through the wetter marshy fields that the Marsh Fritillary are most likely to be present with the level of recreational use in these areas apparently low, which is not surprising given the wetter ground conditions.

- 4.58 While development within the surrounding area could increase recreation at the site, in particular the southern woods and northern area given existing footpaths this is unlikely to be of significance. Given the scale of development any increase is unlikely to be significant, especially when considered alongside the alternative areas for recreation in close proximity to the proposed developments. Replacement LDP Policy CW9 seeks to protect existing areas of open space that provide significant recreational value. A map showing the proposed housing & employment allocations as well as protected areas of open space/recreation is provided in Appendix IV.
- 4.59 Furthermore, the most important areas of the site for the Marsh Fritillary are the marshy/wetter central areas of the site where there is poor access and ground conditions make it unlikely that there would be any significant increase in recreational activity within these areas. Taking the above into account, the screening concluded that the policy is not likely to have significant effects on the Aberbargoed Grasslands SAC alone as a result of increased recreational activity.

Air Quality

- 4.60 It is considered unlikely that there would be any significant effects on the Aberbargoed Grasslands SAC as a result of reduced air quality. Only a very small proportion of the SAC at the south western corner falls within 200m of a major road, the A4049. The strategic site proposed further south is likely to have the greatest impact on traffic within the area and the screening assessment found that there was not likely to be significant effects against Policy MVC1. The high-level traffic impact study for the Mid Valleys Corridor¹⁸ suggests that there is unlikely to be a significant increase in traffic along the A4049 as a result of proposed development at site MVC1. The provision of a by-pass to the south of the development joining the A472 and A469 will help to reduce potential traffic impacts along the A4049. Taking the above into account the screening concluded that this policy is not likely to have a significantly effect on the Aberbargoed Grasslands SAC alone as a result increased atmospheric pollution.
- 4.61 Despite the findings of no likely significant effect for any of the proposed allocations, the screening recommends that the Replacement LDP requires project level HRAs to accompany any proposal for sites H1.5 and H1.15. In particular, the project level HRAs should consider if development would lead to the loss of any important supporting habitats for the Marsh Fritillary as well as have any effect on the hydrological regime or water levels at the SAC.

¹⁸ CCBC (July 2015) Caerphilly LDP Review: Mid Valleys Corridor High-Level Traffic Impact Study.

L4: Formal Leisure Facilities

- 4.62 The policy identifies 13 sites for formal leisure facilities. Development at the majority of these sites is unlikely to have any impacts on European sites given their location. One of the potential sites, Former Bedwelty Comprehensive School, lies adjacent to the Aberbargoed Grasslands SAC. This site is also allocated for housing development under Policy H1 (Site H1.5) for approximately 74 dwellings. Given the findings of the screening assessment against Policy H1, it was concluded that this policy would not have significant effects on the Aberbargoed Grasslands SAC.

Effects of the Plan alone

- 4.63 While the screening assessment concluded that the individual Replacement LDP Policies alone are not likely to have significant effects on any European sites, it is still necessary to consider all the policies, essentially the Plan itself as a whole. The key impacts arising from proposed development and the effects they may have on European sites are identified in Table 4.1 and include the following:
- atmospheric pollution through increased traffic, which could reduce air quality;
 - increased levels of disturbance - recreational activity;
 - increased levels of abstraction; surface water run-off and sewerage discharge, which could reduce water quality and levels; and
 - land take, which could lead to the loss and fragmentation of habitats.
- 4.64 Given the findings of the screening assessment for the individual policies it is considered unlikely that there will be any significant effects as a result of development proposed in the Plan as a whole. The Replacement LDP will not significantly increase traffic on any major roads within 200m of a European site and is therefore unlikely to have any significant effects as a result of short range atmospheric pollution. Evidence suggests that there will not be any significant issues in relation to water resources or waste water treatment capacity. Given the location of development and alternative areas available for recreation it is unlikely that there will be a significant increase in recreational activity at any of the European sites.
- 4.65 None of the allocations will result in the direct loss of designated land and Replacement LDP Policy SP13 seeks to protect, conserve and enhance and manage the natural heritage of the County Borough, which includes biodiversity. NRW noted in response to the Preferred Strategy Consultation that LDP does not make any reference to the provision of information from site proponents with regard to European Protected Species (EPS). While it is considered that the Replacement LDP alone is unlikely to have significant effects as the result of the loss and fragmentation of important supporting habitats, there is the potential to strengthen the Plan and address NRW concerns. It is

recommended that the Replacement LDP should require any proposals for development to provide evidence on the presence of EPS as well as the presence of any suitable habitats to support them. If the presence of EPS or suitable supporting habitats are identified then the Council should require the consideration appropriate mitigation measures, to minimise the loss or fragmentation of any important supporting habitats as well as disturbance to any mobile EPS.

- 4.66 None of the individual policies were considered likely to have significant effects on any of the identified European sites following a detailed screening assessment. The location and scale of development in relation to European sites, lack of environmental pathways as well as mitigation provided through Replacement LDP Policies and existing regulatory regimes will ensure that there are no significant effects.

Effects of the Plan in-combination

- 4.67 Article 6(3) of the Habitats Directive requires that the potential effects of the plan are considered 'in-combination' with other plans and projects. This requirement is in essence, about addressing the potential cumulative impacts that may occur (either intentionally or unintentionally) when plans, programmes and projects interact.
- 4.68 A targeted review of plans and programmes was carried out, focusing on those most likely to act in-combination with development being proposed in the Replacement LDP. The plans, programmes and projects considered are listed below with the detailed review provided in Appendix II:

National

- People, Places, Futures: The Wales Spatial Plan (update) 2008
- National Transport Plan 2015 - Draft
- Water Strategy for Wales 2015
- Minerals Planning Policy Wales 2001
- Welsh Coastal Tourism Strategy 2008
- The Welsh Government Strategy for Tourism 2013-2020

Regional

- The South East Wales Consultation Draft Regional Waste Plan 1st Revision Oct 2007
- South East Wales Transport Alliance: Regional Transport Plan Nov 2009
- SEWTA Rail Strategy 2013
- Turning Heads... A Strategy for the Heads of the Valleys 2020
- Mid Wales Joint Local Transport Plan 2015
- Welsh Water Water Resources Management Plan 2015 - 2040

Local

- Blaenau Gwent County Borough Council Local Development Plan
- Cardiff Local Development Plan Preferred Strategy 2006-2021

- Merthyr Tydfil County Borough Council Local Development Plan 2006 – 2021
- Newport City Council Local Development Plan
- Torfaen County Borough Council Local Development Plan (to 2021)
- Rhondda Cynon Taff County Borough Council Local Development Plan
- Blaenau Gwent County Borough Council Waste Strategy 2004
- Caerphilly County Borough Council Municipal Waste Management Strategy & Litter Plan 2004
- Cardiff Council Local Development Municipal Waste Management Strategy 2005
- Rhondda Cynon Taff County Borough Council Municipal Waste Strategy 2007

4.69 The screening assessment found that the individual policies proposed within the Replacement LDP as well as the Plan as a whole are not likely to have significant effects on any European sites alone. Given the findings of the screening assessment for the Plan it is considered unlikely that there will be any significant effects on European sites as a result of the Replacement LDP acting in-combination with other plans, programmes and projects.

4.70 The key impacts and effects on European sites likely to arise as a result of plans, programmes and projects acting in-combination are identified in Table 4.1. Each of them will be addressed in turn below.

Atmospheric Pollution

4.71 The screening assessment found that development proposed in the Replacement LDP alone will not have any significant effects on European sites as a result of short range atmospheric pollution. There is the potential for the Replacement LDP to act in-combination with other plans, programmes and projects, in particular surrounding LDPs, to increase levels of diffuse atmospheric pollution. There are a number of European sites sensitive to atmospheric pollution, in particular nitrogen deposition; however, this is an issue that needs to be addressed at a regional or national scale rather than through individual LDPs. The LIFE Natura 2000 Programme for Wales highlighted this as an issue and work has been ongoing to try and address it. This includes a recent project that aims to assist the development of an approach to address the impact of nitrogen deposition on European sites in Wales¹⁹.

4.72 It is important that the LDP does what it can to minimise the contribution of proposed development to diffuse atmospheric pollution within the region. The Replacement LDP contains the following:

- Policy SP11 ensures that if necessary the Council can seek planning obligations for the provision of or improvements to walking, cycling

¹⁹ LIFE Natura 2000 Programme for Wales: Assessing and Addressing Atmospheric Nitrogen Impacts on Natura 2000 Sites in Wales (AAANIS)

and public transport as well as highways improvements to address potential impacts on traffic.

- Policy SP26 seeks to implement improvements to existing transport infrastructure to reduce the level of traffic movements and congestion within any identified air quality management areas.
- Policy CW3 relates to sustainable transport and access and will only permit development proposals that are likely to generate a significant number of trips provided:
 - Walking and cycling are modes of travel which have been actively encouraged for short trips to and within the development and to nearby services and facilities, including public transport nodes, through the provision of appropriate infrastructure
 - Provision has been made for ease of cycling, including secure bike storage and cyclist facilities
 - It has been demonstrated that where a significant number of freight trips will be generated, the least environmentally damaging route will be utilised
 - The use of Green Travel Plans has been encouraged, where appropriate
- Policies TR7, TR8 and TR9 propose highways improvement schemes that will help to reduce traffic within the County Borough.

4.73 Taking into account the mitigation provided through Replacement LDP Policies as well as the ongoing strategic actions being carried out through the LIFE Natura 2000 Programme, **it is considered that the Replacement LDP will not have significant in-combination effects on any European sites as a result of increased diffuse atmospheric pollution.**

Disturbance

4.74 Given the scale and distribution of development across the Plan area, it is considered unlikely that the Replacement LDP would act in-combination with any other plan, programme or project to significantly increase recreational activity at any of the identified European sites. The Replacement LDP contains the following policy mitigation that will help to reduce any potential increases in recreational activity arising from proposed development:

- Policy SP11 ensures that if necessary the Council can seek planning obligations for the provision of onsite formal and informal open and leisure space.
- Policy SP20 seeks to protect and enhance important networks of natural green space, green corridors, public open space and recreational facilities (both formal and informal).
- Policy CW9 only permits development on areas of open space within settlements where the amount of green space remaining would still be adequate to serve local need and the site has no value as a recreational resource.

- Policy CW12 requires all new housing sites capable of accommodating 10 or more dwellings or exceeding 0.3ha in gross site area to make provision for well designed useable open space as an integral part of the development and on-site formal children's play facilities. On sites of 5000 dwellings or more the policy requires adequate on-site formal outdoor sport provision.
- Policy L1 protects areas of open space and parkland within the County Borough.
- Policy L2 allocates land for new Country Parks in two locations.
- Policy L3 seeks to protect Country Parks that contribute to the Valleys Regional Park.
- Policy L4 identifies land for the provision of formal leisure facilities.
- Policy L6 seeks to protect land for informal recreation within the County Borough.

4.75 Taking the above into account, including the findings of the HRAs for surrounding LDPs, **it is considered that the Replacement LDP is not likely to have significant in-combination effects as a result of increased recreation at any of the identified European sites.**

Water Levels and Quality

- 4.76 Welsh Water's Final Water Resource Management Plan (WRMP) identifies that the SEWCUS WRZ supply demand balance is forecast to be in surplus during the life of the Replacement LDP up to 2031. This is also the case for the majority of WRZs surrounding the SEWCUS WRZ, apart from the Brecon Portis WRZ. The WRMP proposes measures to address any potential issues with regard to the supply demand balance. Any applications for a new abstraction licence will be assessed by NRW to make sure that they do not have adverse impacts on internationally important nature conservation sites. If the assessment of a new application shows that it could have an impact on a European site then NRW will have to follow strict rules in setting a time limit for that license. This ensures that water levels at European sites do not fall below critical levels.
- 4.77 The foul flows from development within the Plan area would be served by the Cardiff Bay Waste Water Treatment Works (WwTW). In response to the emerging Replacement LDP and candidate sites, Welsh Water have not indicated that there are any capacity issues with regard to the Cardiff Bay Waste Water Treatment Works²⁰.
- 4.78 The Replacement LDP seeks to protect the water environment with Policy CW7 only permitting development if they do not have unacceptable adverse impacts on the water environment and where they would not pose an unacceptable risk to the quality of controlled waters. The screening assessment of Replacement LDP Policies proposed a recommendation that could help to strengthen Policy CW 7. In line with TAN 12, Policy CW7 could be strengthened by requiring

²⁰ Welsh Water Representation (126) on the Preferred Strategy (24 March 2015).

all new development to take a sustainable approach to water supply (by requiring rainwater harvesting where possible) and demand management (by requiring the incorporation of water efficiency measures).

- 4.79 Based on existing evidence, including the WRMP and capacity of WwTW, mitigation provided through Replacement LDP Policies and existing regulatory regimes, **it is considered that there is not likely to be any significant in-combination effects on European sites as a result of reduced water levels and quality.**

Habitat Loss and Fragmentation

- 4.80 The screening assessment found that the Replacement LDP alone would not result in the direct loss of any designated land; however, there is the potential for the Replacement LDP to act in-combination with other plans and programmes to result in the loss of important supporting habitats, in particular for mobile European Protected Species (EPS).
- 4.81 Replacement LDP Policy SP13 seeks to protect, conserve and enhance and manage the natural heritage of the County Borough, which includes biodiversity. Policy SP20 seeks to protect and enhance important networks of natural green space and green corridors. NRW noted in response to the Preferred Strategy Consultation that LDP does not make any reference to the provision of information from site proponents with regard to European Protected Species (EPS). It is considered that the Replacement LDP could be strengthened if it required any proposals for development to provide evidence on the presence of EPS as well as the presence of any suitable habitats to support them. If the presence of EPS or suitable supporting habitats are identified then the Council should require the consideration appropriate mitigation measures, to minimise the loss or fragmentation of any important supporting habitats as well as disturbance to any mobile EPS.
- 4.82 **The inclusion of the recommendation above would ensure that proposed development would not have any likely significant in-combination effects on any of the identified European site as a result of the loss and fragmentation of important supporting habitats and mobile EPS.**

5.0 Conclusions & Further Work

Summary Findings

- 5.1 This report outlines the methods used and the findings for the screening of the HRA for Caerphilly County Borough Council's Replacement LDP.
- 5.2 The screening assessment found that individually, the majority of policies proposed within the Deposit JLDP are unlikely to have significant effects on European sites. They will either not result in development themselves as they set out criteria for development proposals or development or support a particular type of development but do not propose any specific allocations. With regard to the latter, development is likely to come forward through lower level planning applications and there are legal mechanisms in place to ensure that development will not have significant effects on any European sites.
- 5.3 The screening also found that the majority of proposed allocations are either in a location (distance from European sites or within an existing settlement) and/or at a scale of proposed development that is not likely to result in any impacts of significance on European sites, or that there are no pathways for any impacts alone. It was determined that these policies are not likely to have significant effects on any European sites alone.
- 5.4 The screening identified six Replacement LDP Policies for which the impacts could potentially lead to significant effects on European sites, in particular the Aberbargoed Grasslands SAC. The screening assessment then considered these issues in further detail and concluded that there would be no likely significant effects on any European sites as a result of development proposed in the Plan alone.
- 5.5 The potential for development proposed in the Replacement LDP to act in-combination with other plans, programmes and projects were also considered. Given the findings of the screening for the individual policies, existing evidence and mitigation available (through Plan policies, existing regulatory regimes and lower level planning) assessment concluded that the Replacement LDP is not likely to have any significant in-combination effects on the identified European sites.
- 5.6 The screening proposed a number of recommendations that would help to strengthen the Replacement LDP and ensure that there would be no likely significant effects. These include:
- In line with TAN 12, Policy CW7 could be strengthened by requiring all new development to take a sustainable approach to water supply (by requiring rainwater harvesting where possible) and demand management (by requiring the incorporation of water efficiency measures).
 - The Replacement LDP could be strengthened if it required any proposals for development to provide evidence on the presence of

European Protected Species as well as the presence of any suitable habitats to support them. If the presence of European Protected Species or suitable supporting habitats are identified then the Council should require the consideration appropriate mitigation measures, to minimise the loss or fragmentation of any important supporting habitats as well as disturbance to any mobile EPS.

- The Replacement LDP should require project level HRAs to accompany any proposal for sites H1.5 and H1.15. In particular, the project level HRAs should consider if development would lead to the loss of any important supporting habitats for the Marsh Fritillary as well as have any effect on the hydrological regime at the Aberbargoed Grasslands SAC.

Consultation and Further Work

- 5.7 This HRA is subject to consultation with NRW, and Caerphilly County Borough Council will take advice from the Statutory Body and other relevant stakeholders, in taking forward the HRA and recommended inputs to the development plan process. Accordingly, this HRA may be revised should further relevant comments be received or if there are significant changes to the Plan.
- 5.8 The findings of this plan level HRA do not obviate the need to undertake HRA for lower level, project scale/ implementation plans where there is potential for significant effect on one or more European sites. The findings of this HRA should be used to inform any future assessment work.

Prepared for Caerphilly County Borough Council by

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