

ADVICE TO SNOWDONIA NATIONAL PARK AUTHORITY

Shadow Habitats Regulations Assessment
of the Snowdonia National Park Authority
Revised Local Development Plan
2016-2031

ADDENDUM – HRA UPDATE FOLLOWING MAC REVIEW

STATUS: FINAL CONSULTATION VERSION

BY

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Contents

Contents.....	2
1 Introduction	3
1.1 Background	3
1.2 Context.....	3
2 Screening of MACs identified as potentially relevant.....	4
2.1 Findings of the main HRA.....	4
2.2 Approach to screening of the MACs identified as relevant to the HRA.....	5
2.3 Overall Conclusion	6

1 Introduction

1.1 Background

- 1.1.1 The Snowdonia National Park Authority is preparing a revised Local Development Plan. This report is an addendum to the *shadow* Habitats Regulations Assessment¹ (hereafter referred to as ‘the main HRA’) which has already been carried out in respect of the revised LDP, as required under Regulation 105 of the Habitats Regulations².
- 1.1.2 The addendum is necessary to take account of the Matters Arising Changes (MACs). As an addendum to the main HRA, this report should be read and interpreted alongside that document.

1.2 Context

- 1.2.1 This report is a further addendum to the main HRA which was required under regulation 105 of the Habitats Regulations. It is the responsibility of the Park Authority as the competent authority to undertake the assessment and to make the decisions which are required to be taken. The Authority must decide whether to adopt the findings of this report for the purpose of their own assessment, or not.
- 1.2.2 The MACs to the Revised LDP are detailed but the majority of the changes are irrelevant to the HRA work which has already been completed. By way of example, many changes relate to minor wording amendments or deletions which are of no consequence to any European site. In their role as competent authority the Park Authority have identified the MACs which they consider to be potentially relevant to their obligations under the Habitats Regulations. **This list is assumed to be correct and this addendum only reviews those MACs as identified by the Authority.**
- 1.2.3 The list of MACs identified as potentially relevant are set out in table 1.1 below.

MAC	Policy Title	Notes
5	Strategic policy G and proposed Development policy 30	The housing provision has been increased by 75 such that the overall provision has gone from 810 to 885 over the plan period
8	Development Policy 13	To conform with new government guidance it has been necessary to remove the requirement to produce an evidence of need
12&13	Development policy 27: Snowdonia Enterprise Zone	Various amendments to the text of the policy. Proposals map now shows Llanbedr in its totality.
23	Proposals map	Amend the proposals map to show the Welsh Government’s Enterprise Zone designation at Trawsfynydd in its totality.

¹ Shadow Habitats Regulations Assessment of Snowdonia National Park Revised Local Development Plan 2016-2031 (HRA Addendum May 2017), DTA Ecology, Final consultation version.

² The Conservation of Habitats and Species Regulations 2017 SI No 1012

2 Screening of MACs identified as potentially relevant

2.1 Findings of the main HRA

2.1.1 The main HRA of the original revised LDP identified a potential for likely significant effects in respect of the Snowdonia Enterprise Zone. An appropriate assessment was undertaken which considered potentially adverse effects *'to the extent possible on the basis of the precision of the plan'*.

2.1.2 The appropriate assessment identified the potential for effects arising from:

- Degradation to flight lines which support the population of lesser horseshoe bats for which the **Meirionnydd Oakwoods and Bat sites SAC** has been designated.
- Hydrological regime changes or trampling to habitats for which the **Morfa Harlech a Morfa Dyffryn SAC** has been designated.
- Visual and noise disturbance to the bird populations for which the **Aberdaron Coast and Bardsey Island SPA** has been classified.
- Visual and noise disturbance to the grey seal populations for which the **Cardigan Bay SAC** has been designated.

2.1.3 Having identified these *potential* effects, in the absence of an outline masterplan for the Enterprise Zone or any specific information concerning the type of development proposals which might come forward, it was recognised that assessment at this time *'cannot reasonably predict any effect on a European site in a meaningful way'*.

2.1.4 With reference to the approach set out in section F.10.1.5 of the HRA Handbook, this assessment concluded that it is possible to ascertain that **there will be no adverse effect on the integrity of any European site as a result of the revision to the LDP to provide for the Snowdonia Enterprise Zone through reliance on HRA assessment obligations which will arise in respect of the outline masterplan for the Enterprise Zone and subsequent project level HRA³**. Amendments to the policy wording were suggested at para 6.2.21 and have since been incorporated as point A(iii) in policy 27.

2.1.5 With reference to the findings of the main HRA, MACs are only likely to be relevant if they:

- Introduce new policies not previously subject to any screening;
- Fundamentally change a policy in a manner which may result in new potential effects not considered in the main HRA;
- Increase the overall quantum of development provided for;
- Fundamentally alter the policy in respect of the Snowdonia Enterprise Zone such that reliance on HRA assessment obligations which will arise in respect of the outline masterplan for the Enterprise Zone and subsequent project level applications is no longer appropriate.

2.1.6 The Authority, in their role as the relevant competent authority under the Habitats Regulations have identified any such MACs (refer table 1.1 above).

³ Refer para 6.3.6 of the main HRA

2.2 Approach to screening of the MACs identified as relevant to the HRA

2.2.1 As set out in section 1.3 of the main HRA, the HRA approach follows the guidance on the assessment of plans available through the Habitats Regulations Assessment Handbook⁴. Current subscribers to the Handbook include Natural Resources Wales and the Planning Inspectorate and the 'Practical Guidance for the Assessment of Plans under the Regulations' contained in Part F is considered to represent best practice as it is accepted by both these bodies as appropriate for their own staff to follow.

2.2.2 In screening the MACs identified in table 1.1 the screening categories from section F.6.3 of the HRA Handbook have been applied. These are listed in section 5 of the main HRA report and are copied below for ease of reference:

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

2.2.3 The findings of the screening are captured below:

MAC	Policy Title	Notes	Category	Justification
5	Strategic policy G and proposed Development policy 30	Increase housing provision by 75	G	The overall scale of development across the plan area is very modest and the inclusion of an additional 75 properties through windfall sites (location yet to be determined) will have no conceivable effect on any European sites.
8	Development Policy 13	deletion	G	This deletion will have no conceivable effect on any European sites.
12 & 13	Development policy 27: Snowdonia Enterprise Zone	changes	G	The changes will have no conceivable effect on the conclusions reached in the main HRA and it remains appropriate to rely on HRA assessment obligations which will arise in respect of the outline masterplan for the

⁴ Tyldesley, D. and Chapman, C. (2013) *The Habitats Regulations Assessment Handbook*, May 2016 edition UK: DTA Publications Ltd (see www.dtapublications.co.uk)

MAC	Policy Title	Notes	Category	Justification
				Enterprise Zone and subsequent project level applications.
23	Proposals map	replace	G	This replacement will have no conceivable effect on any European sites.

2.2.4 All relevant MACs identified for review have been screened out as having no likely significant effect on any European site. The changes are all minor and will have no conceivable effect on the conclusions as recorded in the main HRA work already undertaken.

2.3 Overall Conclusion

2.3.1 The Authority have identified a list of MACs which are regarded as relevant to the HRA of the revised LDP. These have been subject to screening under the Habitats Regulations and all have been screened out of further assessment according to the categories referred to in the HRA Handbook.

2.3.2 All policies are assigned to a screening category which allows them to be screened out as unlikely to have a significant effects either alone or in-combination. With reference to the list of categories at 2.2.2 only category J would require further assessment of the potential for effects 'in combination'.

2.3.3 As such, no further assessment 'in combination' is required and there is no requirement to progress to an appropriate assessment.