

Local Development Plan Habitats Regulations Appraisal Report

Consultation Responses

November 2011

The HRA Report was open for statutory consultation and a wider consultation from 26 January 2011 to 9 March 2011. The statutory consultee is the Countryside Council for Wales, and the document was available for a wider consultation.

A total of 3 respondents commented. For a summary of consultation comments and the council's position see Table 1 below. Responses are presented in the format that they were received and have not been edited.

The consultation responses set out in Table 1 below have been structured according to the questions set out in the response forms which asked the following;

1. Assessment of the Strategic Policies
2. Assessment of the General Policies
3. Assessment of the allocated sites
4. Other comments.

Table 1: Consultation responses to the HRA Report - Deposit

Representation Number (1476/rep no)	Representor Surname / Organisation	Representation Full Text	Advisory Response Type (in reference to HRA report)	Council Position
1757/DP/HRA/01	Mr Wynne Jones	<p><u>Q1 Strategic Policies</u> Chapter 4 HRA of LDP Clause 4.6 Not clear how the effect of climate change was taken into consideration during the plan period 2011 – 2022.</p>	No change proposed.	The HRA Report is sufficiently clear without this amendment. The effects of climate change were considered on a policy and site by site basis. There are strategic objectives included in the plan which include the aim of mitigating and responding to climate change. The Plan will address climate change and deliver sustainable development by locating development in appropriate locations and with appropriate design (Code for Sustainable Homes).
1757/DP/HRA/02	Mr Wynne Jones	<p><u>Q2 General Policies</u> Abstract below from Appendix 1 Criteria and Policy Screening Policy GN3 Infrastructure and New Development Where development generates a directly related need for new or improved infrastructure, services or community facilities, then this must be funded by the development, and</p> <ul style="list-style-type: none"> • Related in scale and kind to the development, and • Provided on site wherever appropriate <p>In exceptional circumstances contributions may be made to the provision of facilities elsewhere, provided their location can adequately service the development. The timely provision of directly related infrastructure, services and community facilities shall be secured by planning condition(s), the seeking of planning obligation(s) by negotiation, and / or by any other agreement or undertaking. Also, in exceptional circumstances, the relocation of critical infrastructure will be permitted, where required as a consequence of fluvial or coastal flooding and / or erosion.</p> <p>Comment New or improved infrastructure, services or community facilities may often be located off-site on land not in the ownership or control of the developer. Various Authorities may need to use their statutory powers to provide improved off-site infrastructure, albeit funded by developers. Projects, to provide off-site infrastructure, would need to be identified in an authority's programme of</p>	No change proposed.	The HRA Report is sufficiently clear without this amendment. Dwr Cymru Welsh Water have provided information for developers in the Development Sites SPG which outlines information relating to sewerage and infrastructure.

1757/DP/HRA/03	Mr Wynne Jones	<p>work, within the LDP plan period (2011 to 2022). For example, developers do not have statutory powers to undertake off-site flood alleviation schemes that would benefit the wider community although they could be expected to fund the work if the authorities decided not to use their permissive powers and provide the infrastructure from public funds.</p> <p>end of comment</p> <p>Abstract from GN 36 Protection and Enhancement of Biodiversity Development that would disturb or otherwise harm protected species or their habitats, or the integrity of other habitats, sites or features of importance to wildlife and individual species, will only be permitted in exceptional circumstances where the effects are minimised or mitigated through careful design, work scheduling or other appropriate measure.</p> <p>Comment Reference is made to LDP policies being strengthened in relation to the Protection and Enhancement of Biodiversity (GN 36). Currently the habitats of protected species can be destroyed through the removal of hedgerows. See comment below.</p> <p>end of comment</p>	No change proposed.	The HRA Report is sufficiently clear without this amendment. GN 1 provides for retention of hedgerows.
1757/DP/HRA/04	Mr Wynne Jones	<p>Abstract from Appendix 2 Summary of screening of land allocations Retention of natural features / hedgerows / trees where possible – GN 1</p> <p>Comment Your policy needs to be strengthened if this is to be achieved. The “importance” of a hedge according to the criteria within the Hedgerow Regulations 1997 alters once the land beside it becomes residential, whereupon it is exempted from the Regulations’ requirement to consult with the Local Planning Authority for its removal. Any development proposal must demonstrate that it respects the natural environment, the landscape character, coherence and integrity, native species, soils and ground and surface waters, and that there are means to protect “important” hedgerows as defined in Hedgerow Regulations 1997. There is therefore a need to assess all housing allocation sites to establish whether hedgerows enclosing the allocation site are considered “important” as defined in Hedgerow Regulation 1997, before their</p>	No change proposed.	<p>GN 1 provides for protection of hedgerows. The policy includes criteria which will protect these features and hence habitats: Development will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> 3. It would not adversely affect landscape character, quality or diversity... 4. It respects and protects the natural environment including protected habitats and species. <p>The reasoned justification of the policy also states that proposals must demonstrate that they respect “...landscape character, coherence and integrity, native species, soils, and ground and surface waters.”</p>

1757/DP/HRA/05	Mr Wynne Jones	<p>“importance” alters once the land beside it becomes residential and it becomes too late to protect the hedge. end of comment</p> <p><u>Q3 Allocated Sites</u> I refer to your residential housing allocation site HSG / 020 / 00062 at Cilgerran (24 units). You have identified that potential development could impact the Teifi River SAC located 0.5km from the site and listed the following potential issues.</p> <ul style="list-style-type: none"> • Sewage treatment works capacity • Water quality issues – drainage, surface water. • Road development – increased traffic • Increased recreational pressure – fishing / boats / walking • Disturbance to otter feeding / resting / breeding areas <p>Comment In addition, badgers have been seen on site and on the disused railway embankment on the southern boundary of the site. This has previously been reported to Andrea McConnell CCW. Bats are also seen at dusk in the area although the species of bat is not known. end of comment</p>	No change proposed.	The HRA Report is sufficiently clear without this amendment. Habitats Regulations assessment is for European protected habitats and species. Badgers are not a species listed in the Habitats Directive. A protected species survey would be required at the planning application stage. Policy GN 36 will deal with protected species.
1757/DP/HRA/06	Mr Wynne Jones	<p><u>Q4 Other Comments</u> Notwithstanding the above comments the Habitats Regulations Appraisal Report it is considered to be an excellent report.</p>	No change proposed.	Support welcomed. No amendments necessary.
1454/DP/HRA/01	Llinos Quelch, Ceredigion County Council	<p><u>Q1 Strategic Policies</u> No comment received.</p>	No change proposed.	Noted. No amendments necessary.
1454/DP/HRA/02	Llinos Quelch, Ceredigion County Council	<p><u>Q2 General Policies</u> Although mentioned on Page 12, para 4.5, air pollution does not appear to be considered in the assessment.</p>	No change proposed.	The HRA Report is sufficiently clear without this amendment. Air quality and air pollution are considered throughout the assessment. Air quality and deposition is also not referenced in the management plans for the designated sites. This has also not been raised by the statutory consultee CCW.
1454/DP/HRA/03	Llinos Quelch, Ceredigion County Council	<p><u>Q3 Allocated Sites</u> The following are comments that relate to factors of the Pembrokeshire CC LDP Deposit that could potentially affect the results of the Habitats Regulations Assessment</p>	Minor wording change proposed.	Comment refers to Page 62 of HRA Report not 104. GN 22 has been amended to include reference to the marine sites (see LDP representation) which will allow for greater

		<p>(HRA) of the Ceredigion LDP final version. Currently the conclusions and how they were reached are not clear enough to make this assessment. More information and clarity is therefore requested in the Pembrokeshire CC HRA help Ceredigion CC determine whether this is the case upon doing this assessment:</p> <p>Page 104: Ceredigion CC is concerned with regard to the potential effects of allocation MAR/034/LDP/01 Fishguard - Goodwick Harbour. It is not clear from the mitigation how the issue of recreational disturbance on Cardigan Bay SAC has been addressed. We are aware that text is missing from the tables on page 62 that would explain how this was dealt with and this is to be included in the final version.</p>		<p>protection.</p> <p>Text inserted: All development will need to have regard to policies on biodiversity, design, infrastructure etc (GN 1, GN 2, GN 3, GN 36) (page 61 of HRA Report).</p>
1454/DP/HRA/04	Llinos Quelch, Ceredigion County Council	<p>Page 104: It has been suggested that mitigation will reduce the effects to enable there to be no likely significant effects which suggests there will still be some effects. Even if there are no likely significant effects on their own, cumulative or in-combination effects still need to be addressed. Where these tests have been done it needs to be shown and it should be clearer that there are no likely significant effects, alone or in-combination.</p>	No change proposed.	<p>The HRA Report is sufficiently clear without this amendment. It is not suggested within the report that mitigation will reduce the effects to enable no likely significant effects. HRA guidance describes measures to avoid, cancel or reduce the effects of a plan on a European site. The HRA report makes it clear that mitigation will ensure no impacts on European sites alone or in-combination.</p>
1454/DP/HRA/05	Llinos Quelch, Ceredigion County Council	<p>Particular concerns are raised as to the effects of allocation MAR/034/LDP/01 Fishguard - Goodwick Harbour, however other allocations that could affect Cardigan Bay SAC and Afon Teifi SAC are also of concern. In particular:</p> <ul style="list-style-type: none"> • HSG/020/00062 • HSG/122/00035 • HSG/001/LDP/01 <p>We are aware that text is missing on the in-combination assessments and that this should be included in the final report.</p>	Minor wording change proposed.	<p>The assessment concludes that the marina allocation at Fishguard – Goodwick will have no likely significant effect alone or in-combination. Discussions with CCW and the strength of policies such as GN 1 and GN 36 ensure that development which would affect European sites will not be permitted. Assessment of the three housing sites revealed that no likely significant effects would occur alone or in-combination.</p> <p>Text inserted (page 61, HRA Report): Missing text for MAR/034/LDP/01 Fishguard-Goodwick Harbour. Should include text below in final column: All development will need to have regard to policies on biodiversity, design, infrastructure etc (GN 1, GN 2, GN 3, GN 36).</p> <p>Amendments are proposed to Paragraph</p>

1454/DP/HRA/06	Llinos Quelch, Ceredigion County Council	<p><u>Q4 Other Comments</u> Although mentioned on Page 12, para 4.5, air pollution does not appear to be considered in the assessment. We are aware that it was concluded that air pollution is not an issue for Cardigan Bay SAC and Afon Teifi SAC. However, even though it may be likely that the Pembrokeshire CC Plan will not have a significant effect, air pollution in terms of atmospheric deposition is thought to be an issue on the Afon Teifi SAC and therefore should be identified in the report.</p>	No change proposed.	<p>6.90 in the LDP to read: Policy GN 36, Protection and Enhancement of Biodiversity, will be particularly relevant to any marina proposals with potential to impact on European, international or nationally important sites, in particular the Pembrokeshire Marine SAC, Cardigan Bay SAC and Carmarthen Bay and Estuaries European Marine Site.</p> <p>GN 22 in the LDP has also been amended to include reference to the marine sites.</p> <p>Air pollution and atmospheric deposition is not referenced in the management plan for the Afon Teifi SAC, and was not raised by CCW as an issue in the consultation of the HRA Report at Deposit.</p>
1454/DP/HRA/07	Llinos Quelch, Ceredigion County Council	<p><u>Comments from LDP response form</u> The following are comments that relate to factors of the Pembrokeshire CC LDP Deposit that could potentially affect the results of the Habitats Regulations Assessment (HRA) of the Ceredigion LDP final version. Amendments are therefore suggested to help ensure that the allocation does not have an adverse effect on the integrity of the Cardigan Bay and other sites.</p> <p>Suggested addition of wording:</p> <p>'Policy GN 36, Protection and Enhancement of Biodiversity, will be particularly relevant to any marina proposals with potential to impact on European, international or nationally important sites, in particular the Pembrokeshire Marine SAC Cardigan Bay SAC and Carmarthen Bay and Estuaries European Marine Site'</p>	Focussed change proposed to LDP.	<p>Amendments are proposed to Paragraph 6.90 of the LDP to read:</p> <p>Policy GN 36, Protection and Enhancement of Biodiversity, will be particularly relevant to any marina proposals with potential to impact on internationally or nationally important sites, in particular the Pembrokeshire Marine SAC, Cardigan Bay SAC and Carmarthen Bay and Estuaries European Marine Site.</p> <p>The proposed change would improve clarity in the LDP.</p>
1476/DP/HRA/01	Kerry Rogers, Countryside Council for Wales	<p>From deposit comments letter: Para 3.29 We note that there is reference to the Water Framework Directive here. The draft Water Resources Management Plan for Welsh Water identifies water resources as an issue for part of the County, and we suggest that this</p>	Minor wording change proposed.	<p>The utility company plans are referenced on page 13 in paragraph 4.7 of the HRA Report.</p> <p>Text inserted on page 21 of HRA Report: The HRA for the Draft water resources management plan states:</p>

1476/DP/HRA/02	Kerry Rogers, Countryside Council for Wales	<p>should be reflected in this section of the document, in the associated documentation (SA/SEA and HRA) as well as within the policies themselves as appropriate (to meet ToS CE2).</p> <p>Thank you for giving the Countryside Council for Wales the opportunity to comment on the Habitats Regulations Assessment (HRA) of the Pembrokeshire County Council Deposit Local Development Plan.</p> <p>Our comments are made in the context of our responsibilities under the Conservation of Habitats and Species Regulations 2010 and as advisers to the Welsh Assembly Government on the natural heritage of Wales and its coastal waters. Our detailed comments are included in Annex 1 and our general comments follow below.</p>	No change proposed.	<p>All potential impacts can be avoided through best-practice construction measures. This can be dealt with using a general statement of good practice within the Revised dWRMP, or in the specific notes for this option. Scheme specific avoidance or mitigation for the operational effects cannot be determined at this level.</p> <p>Noted. No amendments necessary.</p>
1476/DP/HRA/03	Kerry Rogers, Countryside Council for Wales	<p>CCW welcomes the iterative approach that Pembrokeshire CC has adopted in the production of this HRA for the Pembrokeshire LDP. The previous consultations demonstrated that the Authority has followed a generally precautionary approach to carrying out the screening process and shown a commitment to developing avoidance, cancellation and reduction measures to mitigate for any likely significant effects identified.</p>	No change proposed.	Support welcomed. No amendments necessary.
1476/DP/HRA/04	Kerry Rogers, Countryside Council for Wales	<p>However, where likely significant effects or high levels of uncertainty are identified in the assessment, the measures adopted to mitigate for them must be clear and explicit to enable a conclusion of 'no likely significant effect', alone or 'in combination' with other plans and projects, to be drawn. In our previous responses we identified concerns that the measures, policy wording or caveats proposed did not adequately address some of these issues. Whilst we note that changes have been made so that some of the measures to address these concerns are now 'implicit' within the Plan, we still feel that there is a general lack of clarity and precision in the wording of the specific policies identified as mitigating the likely significant effects identified in this HRA. Mitigation measures should be appropriate to the risk identified and there must be a</p>	Minor and focussed changes proposed.	<p>Additional wording has been added to the Plan and the HRA - see detailed representations below:</p> <p>1476/DP/HRA/11 1476/DP/HRA/19 1476/DP/HRA/23</p>

1476/DP/HRA/05	Kerry Rogers, Countryside Council for Wales	<p>reasonable expectation of them being implemented and that they will be effective. This is not simply a case of repeating national legislation or guidance, but making it clear and explicit within the Plan that, where a particular likely significant effect or area of uncertainty has to be addressed, a specific requirement must be met before development can progress. As it currently stands, we are unconvinced that the measures proposed in the LDP achieve this aim and additional justification or clarification to the wording of several policies should be considered.</p> <p>We look forward to continuing to work with the Authority in the next stages of the LDP process and if you have any queries about this response then please do not hesitate to contact Kerry Rogers or Andrea Winterton at the above address.</p>	No change proposed.	Support welcomed. No amendments necessary.
1476/DP/HRA/06	Kerry Rogers, Countryside Council for Wales	<p>Annex 1. Pembrokeshire County Council. Habitats Regulations Assessment for the Deposit Local Development Plan. Chapter 1. Introduction.</p> <p>CCW welcomes the iterative approach that Pembrokeshire CC has adopted in the production of this HRA for the Pembrokeshire LDP. The previous consultations demonstrated that the Authority has followed a generally precautionary approach to carrying out the screening process and shown a commitment to developing avoidance, cancellation and reduction measures to mitigate for any likely significant effects identified. However, where likely significant effects or high levels of uncertainty are identified in the assessment, the measures adopted to mitigate for them must be clear and explicit to enable a conclusion of no likely significant effects, alone or 'in combination' with other plans and projects, to be drawn. In previous responses we expressed some concern that the measures, policy wording or caveats proposed did not adequately address some of these issues. Whilst we note that changes have been made so that some of the measures to address these concerns are now 'implicit' within the wording in the Plan, we must also stress that to fully meet the requirement of the regulations, such measures should be appropriate to the risk identified and there must be a reasonable expectation that they are capable of being implemented and will be effective. This is not simply a case of repeating national legislation or guidance, but making it clear and explicit within the Plan</p>	Minor and focussed changes proposed.	<p>Additional wording has been added to the Plan and the HRA - see detailed representations below:</p> <p>1476/DP/HRA/11 1476/DP/HRA/19 1476/DP/HRA/23</p>

1476/DP/HRA/07	Kerry Rogers, Countryside Council for Wales	<p>where a specific requirement must be met, or a particular likely significant effect or area of uncertainty has to be addressed, before development can progress. As it currently stands, we are unconvinced that the measures proposed in the LDP achieve this aim and, therefore, additional justification or clarification to the wording of several policies should be considered.</p> <p>Chapter 2 Method. We commend Pembrokeshire CC on the close consultation that has been maintained throughout the assessment process and the efforts made to accommodate our previous observations and comments. The screening process and general methodology have been both precautionary and appropriate to the Plan being assessed.</p>	No change proposed.	Support noted. No amendments necessary.
1476/DP/HRA/08	Kerry Rogers, Countryside Council for Wales	<p>Chapter 3 Pembrokeshire CC LDP. 3.2 We welcome the cross-reference to the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) process, but would expect more detailed cross-reference between the likely significant effects identified in this appraisal and the significant environmental effects identified in the SA/SEA particularly in relation to water resources availability and potential impacts on designated sites.</p>	No change proposed.	The HRA Report is sufficiently clear without this amendment. The SA (incorporating SEA) Report has fed into the HRA Report as detailed in 3.2, 4.2, 4.8 and 6.3, and the HRA Report also fed into the SA Report.
1476/DP/HRA/09	Kerry Rogers, Countryside Council for Wales	<p>3.3 We note that Supplementary Planning Guidance (SPG) has been produced in support of this Plan. We accept that the information in these has already been largely assessed as part of the LDP HRA, and does not, therefore, require further separate assessment. However, we also feel that these could have included additional information relating to the mitigation measures identified in the main assessment, particularly in the SPG relating to development sites. While this has been done, to some extent, in relation to the phasing of development, water resources availability and water treatment infrastructure, it is not clear how this information either relates to or addresses the issues raised in this HRA. Some additional clarification in these documents would go a considerable way to addressing many of the remaining concerns we have over how the Plan incorporates adequate mitigation measures.</p>	Focussed changes proposed.	<p>CCW were invited to make detailed site specific comments pre-publication on the draft SPG on Development Sites, but declined. The Development Sites SPG will be amended to ensure that these documents provide greater protection for European sites.</p> <p>The proposed change would improve clarity in the HRA Report, LDP and SPG.</p> <p>Revised draft SPG on Development Sites will be made available with submission documents.</p>
1476/DP/HRA/10	Kerry Rogers, Countryside	<p>Chapter 4 HRA of LDP 4.4 & 4.5 We note the comprehensive list of potential</p>	No change proposed.	Support noted. No amendments necessary.

1476/DP/HRA/11	<p>Council for Wales</p> <p>Kerry Rogers, Countryside Council for Wales</p>	<p>effects and impact pathways identified and assessed within the HRA.</p> <p>4.7 We note the list of other plans that may give rise to potential 'in combination' effects. However, while we note that the 'in combination' test has been incorporated into the screening tables in appendices 1 and 2, it is not clear what this has entailed and what, if any, mitigation measures have been identified to address these effects. We would expect the potential 'in combination' effects of the listed Plans to be identified and some explanation given for the conclusions drawn in the assessment tables, either within the main report or as a separate appendix. Whilst there may be a case for the proposed avoidance and cancellation measures to completely mitigate any likely significant effects of some policies or allocations (and, therefore, there could be no potential 'in combination' effects), this is clearly not the case for all, particularly where reduction measures are proposed (such as the case for policies such as SP5, GN16 and GN22 where the potential impacts of increased recreational activity and disturbance to marine and aquatic SAC, SPA and Ramsar features need to be addressed). In these situations, the HRA should identify what additional measures would be required to ensure that any residual impacts are not likely to be significant 'in combination' with other plans and programmes, particularly neighbouring authority plans and projects. Such measures could include clear commitments to implementing existing management schemes or strategies and monitoring the activity levels to ensure that the Plan (and any other mitigation measures) is performing as expected. Measures to address potential air quality impacts of policies should also be approached in the same way.</p>	Minor wording change proposed.	<p>The proposed change would improve clarity in the HRA Report.</p> <p>Text inserted: (Page 14, para 4.10; additional information in Appendices 1, 2 and 3)</p> <p>An additional Appendix has been added which comprises a summary of the potential in-combination effects of other plans and programmes (page 19). The potential in-combination effects of other plans and programmes have been assessed throughout the process. A further criterion has also been added to the criteria screening for further clarification of in-combination and cumulative effects in the Tables in Appendices 2 and 3.</p>
1476/DP/HRA/12	<p>Kerry Rogers, Countryside Council for Wales</p>	<p>4.9 We note the 'cut-off' date for inclusion of further plans or projects within the assessment of August 2010. While we appreciate that the HRA process is not 'open-ended' and that at some point the assessment of the Plan must be completed, we are unsure whether an arbitrary 'cut-off' point is necessarily appropriate without clear justification. By default, the normal point is assumed to be when the deposit Plan (and, therefore, the assessment) is finalised. This is not necessarily the same date as when the Plan goes out to consultation and we accept that the assessment may need to be finalised in sufficient time to go through the internal Plan approval process, but we</p>	Minor wording change proposed.	<p>The proposed change would improve clarity in the HRA Report.</p> <p>Text inserted: This position is therefore taken at October 2011 August 2010. (Page 14, para 4.9 of the HRA Report).</p>

1476/DP/HRA/13	Kerry Rogers, Countryside Council for Wales	<p>would expect any additional plans or projects that come to the authorities attention (as outlined in the guidance) up to this point to be included. After this point any potential 'in combination' effects associated with the Pembrokeshire LDP will need to be considered by the subsequent Plans and projects or, potentially, at the five year review point.</p> <p>4.10. See comments for 4.9</p>	No change proposed.	No amendments necessary.
1476/DP/HRA/14	Kerry Rogers, Countryside Council for Wales	<p>4.12 If the results of any of the Review of Consents (RoC) processes being carried out are known, including the Authority's own if available, then their results should be included in the LDP and this appraisal. This is particularly relevant for any policies or allocations with water resource or water quality implications as we highlighted in our previous responses. CCW is aware that the Environment Agency's RoC has identified potential impacts on a number of sites in and around Pembrokeshire, which may lead to significant modification or constraints on future consenting regimes, particularly in relation to potential availability of water from these sites. The authority must satisfy itself that it has adequately taken this information into account when assessing the potential impacts of relevant development policies or allocations on European or international sites. Please refer to our previous response (7th September 2010) for further detailed advice on how we recommend you address this element of the assessment. The potential significant environmental effects arising from this should also be considered in the SA/SEA report.</p>	Minor wording change proposed.	<p>Pembrokeshire County Council Review of Consents final report not yet drafted. As of November 2011 approximately 80 consents needed further assessment to determine whether they may have a likely significant effect on European sites. GN 4 ensures that development will minimise resource demand.</p> <p>Text inserted in HRA para 4.13 4.13 There are concerns regarding the adequacy of water supply capacity in Pembrokeshire. Three abstraction licences in Pembrokeshire are being amended under the Environment Agency's Review of Consents. Dwr Cymru Welsh Water's revised Draft Water Resources Management Plan (October 2011) identifies a preferred solution (and fall back option taking into consideration possible HRA impacts) to address water resource capacity issues resulting from revised abstraction licences in the Pembrokeshire Water Resources Zone and notes their assumption that the proposed abstraction licence reductions are not implemented before 2020, because of the considerable lead time required to implement solutions.</p> <p>Revisions in LDP to follow paragraph 2.25 and to 3.29.</p> <p>Text inserted in HRA Report, para 4.14: 4.14 The Pembrokeshire County Council Review of Consents as of November 2011 has approximately 80 consents which will require further investigation or a site visit to determine</p>

1476/DP/HRA/15	Kerry Rogers, Countryside Council for Wales	4.15 We note the four strategic policies (SP2, SP3, SP5 and SP7) identified as having the potential for likely significant effect by this HRA.	No change proposed.	whether there may be any likely significant effects on European sites. This will feed into the LDP process including the LDP review where necessary. No amendments necessary.
1476/DP/HRA/16	Kerry Rogers, Countryside Council for Wales	4.16 We note the eight general policies (GN5, GN7, GN14, GN16, GN22, GN28, GN38 and GN39) identified as having the potential for likely significant effect by this HRA.	No change proposed.	No amendments necessary.
1476/DP/HRA/17	Kerry Rogers, Countryside Council for Wales	4.17 We note the 31 allocated sites identified as having the potential for likely significant effect by this HRA.	No change proposed.	No amendments necessary.
1476/DP/HRA/18	Kerry Rogers, Countryside Council for Wales	4.19 We note, and largely agree with, the policies and allocated sites which were screened out at this stage of the assessment.	No change proposed.	No amendments necessary.
1476/DP/HRA/19	Kerry Rogers, Countryside Council for Wales	<p>Chapter 5 Mitigation</p> <p>CCW welcomes the efforts to identify appropriate avoidance, cancellation and reduction measures into the Plan to mitigate any likely significant effects identified. We acknowledge that the main issues needing to be addressed related to water quality and quantity, surface water drainage and infrastructure issues (primarily physical impacts and disturbance). We also note that increased recreational activity was identified as an issue (see comments on 'in combination' section 4.7) as were potential air quality impacts. The mitigation measures are largely comprised of changes to policies and policy caveats, particularly GN36 (Protection and Enhancement of Biodiversity) GN1 (General Development), GN2 (Sustainable Design), GN3 (Infrastructure and New Development) and GN4 (Resource Efficiency and Renewable and Low-Carbon Energy Proposals), but we also note that Supplementary Planning Guidance (SPG) for Development Land has also been produced as part of the LDP process and this contains additional information which is pertinent to the HRA conclusions. Whilst CCW welcomes these measures, we also have particular</p>	Focussed changes proposed.	<p>The Development Sites SPG will be amended to ensure that these documents provide greater protection for European sites and will include detail on mitigation. The SPG will detail waste water, sewerage, water resources, surface water, transport, phasing, open space, and reference the Dwr Cymru Welsh Water Asset Management Programme. Specific detail for developers will be provided within the SPG. Policies have also been amended and strengthened within the plan (e.g. GN 22, GN 36).</p> <p>The Plan should be read as a whole – see Paragraph 1.19 of the LDP.</p> <p>The proposed change would improve clarity in the HRA Report, LDP and SPG.</p> <p>Revised draft SPG on Development Sites will be made available with submission documents.</p>

<p>1476/DP/HRA/20</p>	<p>Kerry Rogers, Countryside Council for Wales</p>	<p>concerns over the clarity of wording in these policies and SPG, which we do not feel sufficiently identifies where a specific requirement must be met, or a particular likely significant effect or area of uncertainty has to be addressed, before development can progress. As it currently stands, the conclusion of 'no likely significant effect' for the 12 policies and 31 allocations identified in Chapter 4 may need further justification.</p> <p>For example, SP2 (Port and Energy Development) clearly has the potential to lead to likely significant effects, depending on the exact location, nature and scale of development that takes place. It is equally clear that this will depend on the individual proposal details that come forward at project level and, therefore, the implementation of this policy will be influenced by GN1-4 and GN36. GN1 states that development will be permitted where (criteria 4) "It respects and protects the natural environment including protected habitats and species" but there is no specific mention of the requirement to ensure that there would be no adverse effects on a European or international sites. This is particularly important given that in the supporting text (6.4) states that "In exceptional circumstances, where the need for a development exceeds the wildlife and/or amenity value, a good standard of replacement must be agreed prior to their removal.", which is not consistent with the procedure set out in Regulations 61, 62 and 66 of the Conservation of Habitats and Species Regulations 2010. GN36 contains a clear protective statement and makes reference via a footnote, to TAN 5, however, there is again no specific mention of the requirements of European and international sites in the policy itself, though we do accept and welcome the additional clarification given in the supporting text (6.148). This text makes it clear that additional assessment will be required for proposals with the potential to have an adverse effect on "European, internationally or nationally important sites" but it would greatly improve clarity if this section was amended to state that the test is specific to and different for "European and international" and 'national' protected sites, and that if it could not be shown that the proposals would not have any adverse effects on European and international sites, then they would not be in keeping with the Pembrokeshire LDP.</p>	<p>Focussed changes proposed.</p>	<p>The policy has been subject to SA and is considered acceptable. The Plan is sufficiently clear - the supporting text highlights the General Policies providing more guidance on the delivery of this strategic policy. In particular paragraph 1.19 of the plan explains that the policy should be read as a whole, with policies GN 1, GN 2 and GN 36 providing the mechanism to address this concern. GN 36 has also been amended which will strengthen the protection of European sites (see LDP response). If developments do not conform to GN 36, then they would not be in keeping with the Plan.</p> <p>The Development Sites SPG will also address site specific issues.</p> <p>Revised draft SPG on Development Sites will be made available with submission documents.</p>
<p>1476/DP/HRA/21</p>	<p>Kerry Rogers, Countryside Council for</p>	<p>Similarly, the mitigation measures built into GN2-GN4 to address concerns over water resource demands and water treatment infrastructure capacity identified for policies SP3,</p>	<p>Focussed changes proposed.</p>	<p>The Development Sites SPG will be amended to ensure that these documents provide greater protection for European sites. This will</p>

1476/DP/HRA/22	<p>Wales</p> <p>Kerry Rogers, Countryside Council for Wales</p>	<p>SP7, GN6, GN7, GN14 and GN28, while positive and proactive in terms of promoting sustainable resource use, do not clearly identify what the implications on proposed development might be in the event that water resources cannot be supplied, or sufficient treatment capacity provided, without impacting on European or international sites. The SPG goes some way towards this in terms of identifying phasing, existing infrastructure and water status but again fails to connect this information with the potential impacts on European and international sites and what may be required to address these impacts should they occur.</p> <p>This is of particular concern on the following allocations: Pembrokeshire LDP maps (Proposal; Allocation; Issue) Haverfordwest central HSG/040/00274; Housing; Questions over capacity of STW to support development. Impact on Afonydd Cleddau SAC Haverfordwest surrounding HSG/040/00273; Housing; As above HSG/040/00275; Housing; As above HSG/040/00106; Housing; As above EMP/040/00003; Employment; Potential impacts on otter (SAC feature of Pembs Marine SAC and Afonydd Cleddau SAC) and EPS between Merlins Bridge STW and 1st Milk Cheese along Merlin's Brook Narberth HSG/088/00078; Housing; Sufficient STW capacity? Link to Afonydd Cleddau SAC Water resources issues HSG/088/00077; Housing; AS above Begelly HSG/003/00024; Housing; STW capacity/water resources issues? Merlins bridge creamery – Employment; Questions over capacity of STW to support development. Impact on Afonydd Cleddau SAC</p>	<p>Focussed changes proposed.</p>	<p>highlight the constraints and issues specific to sites. Phasing, infrastructure including sewerage and water resource issues will be clarified in the SPG for sites and links to European and international sites.</p> <p>The proposed change would improve clarity in the HRA Report, LDP and SPG.</p> <p>Revised draft SPG on Development Sites will be made available with submission documents.</p> <p>The Development Sites SPG will be amended to ensure that these documents provide greater protection for European sites. The Development Sites SPG will take these comments into account.</p> <p>The proposed change would improve clarity in the HRA Report, LDP and SPG.</p> <p>Revised draft SPG on Development Sites will be made available with submission documents.</p>
1476/DP/HRA/23	<p>Kerry Rogers, Countryside Council for Wales</p>	<p>In relation to Policy GN16, we are unsure how the proposed changes adequately address the potential 'in combination' effects identified (see comments on 4.7). We would expect a clear commitment to implementing existing management schemes and developing appropriate recreational management proposals combined with suitable monitoring criteria, ideally in conjunction with neighbouring authorities.</p>	<p>Minor wording changes proposed.</p>	<p>Revisions to the monitoring detail of the LDP will be complemented by supplementary information, cross referencing Plan monitoring and SA monitoring indicators to include references to management agreements in place.</p> <p>Text inserted in HRA: (Page 14, para 4.10; additional information in</p>

1476/DP/HRA/24	Kerry Rogers, Countryside Council for Wales	We welcome the measures included to address the likely significant effects identified for the bat features of Pembrokeshire Bat sites and Bosherton Lakes SAC and North Pembrokeshire Woodlands SAC and the marsh fritillary features of Yerboston Tops SAC, Preseli SAC and Gweunydd Blaencleddau SAC from the development policies and allocations. The inclusion of references to protected species and habitat connectivity largely addresses these concerns. Once again, however, to improve clarity these policy caveats should be clearly identified as addressing this element of the Plan assessment as well as general protected species/habitat concerns.	Minor wording change proposed.	<p>Appendices 1, 2 and 3)</p> <p>An additional Appendix has been added which comprises a summary of the potential in-combination effects of other plans and programmes (page 19 of HRA Report). The potential in-combination effects of other plans and programmes have been assessed throughout the process. A further criterion has also been added to the criteria screening for further clarification of in-combination and cumulative effects in the Tables in Appendices 2 and 3.</p> <p>The proposed change would improve clarity in the HRA Report, LDP and SPG.</p> <p>Text inserted in HRA: 5.7 The measures proposed in the Plan and Development Sites SPG address the potential issues and likely significant effects identified in this HRA Report. The assessment references protected species and habitat connectivity which addresses concerns over likely significant effects. The mitigation measures identified and applied to the policies and allocations in Appendix 3 will ensure that there are no likely significant effects from the Plan on European sites. The mitigation measures identified also address general protected species and habitat concerns, thereby allowing for greater protection of biodiversity in the Plan area.</p>
1476/DP/HRA/25	Kerry Rogers, Countryside Council for Wales	Most of these issues should be straightforward to resolve with minor clarifications or changes to the next, such as adding specific reference to European and international sites requirements, separating the European and international reference from national and local sites or removing/clarifying conflicting references.	No change proposed.	The HRA Report, SA Report and LDP have been amended to clarify these issues.
1476/DP/HRA/26	Kerry Rogers, Countryside Council for Wales	Chapter 6 Conclusions and next steps. 6.1 see comments on chapter 1 introduction.	No change proposed.	Noted. No amendments necessary.
1476/DP/HRA/27	Kerry Rogers,	6.2 We welcome the commitment to the HRA process and	No change proposed.	Noted. The HRA, SA and LDP have been

	Countryside Council for Wales	the efforts made to ensure that the Plan contains adequate avoidance, cancellation and reduction measures to address the likely significant effects identified. However, while we agree with the conclusion of the initial screening process, we also feel that these mitigation measures require further clarification before we can be confident that they fully address the likely significant effects identified.		amended to clarify these issues.
1476/DP/HRA/28	Kerry Rogers, Countryside Council for Wales	6.3 We welcome the improvement to the species protection elements of the Plan (see comments above) but again emphasise that were these are intended to address likely significant effects identified for European and international sites this should be clearly and explicitly stated.	No change proposed.	Noted. The HRA, SA and LDP have been amended to clarify these issues.
1476/DP/HRA/29	Kerry Rogers, Countryside Council for Wales	6.5 We welcome the intention to include specific monitoring for European habitats and species but would remind the Authority that the intention of the HRA process is to ensure that any adverse effects of the Plan are identified and removed, therefore, it is not acceptable to monitor the plan to see whether development 'compromises' any European or international sites. It would be more appropriate to monitor certain aspects of the plan to ensure they are performing as expected, thereby ensuring any negative trends are detected before they lead to adverse impacts. For example, the implementation of the Pembrokeshire Marine SAC management scheme, the marine code, Pembrokeshire Coast National Park Authority Coastal Recreation Strategy or recreational management policies are controlling the level of recreational activity/disturbance or that sustainability/transport policies are reducing atmospheric pollution levels. Monitoring along these lines will ensure that action can be taken before any likely significant effects manifest themselves.	Focussed change proposed.	The HRA has identified that the LDP will have no likely significant effect on European sites. The HRA and LDP will include monitoring to ensure no future likely significant effects in terms of recreational impacts and other impacts. However, to address the potential future issue of water resources, the review process may need to look at adjusting allocations or other measures to ensure no future likely significant effect. Text inserted in HRA (para 6.7) and LDP monitoring chapter (TBC)