
**Anglesey County Council and Gwynedd
Council Joint Local Development Plan**

**HABITATS REGULATIONS ASSESSMENT
ADDENDUM REPORT**

December 2016

enfusion



HABITATS REGULATIONS ASSESSMENT ADDENDUM REPORT

Anglesey County Council and Gwynedd Council Joint Local Development Plan (Matters Arising Changes)

<i>date:</i>	14 December 2016	
<i>prepared for:</i>	Anglesey County Council and Gwynedd Council	
<i>prepared by:</i>	Cheryl Beattie Owen Jefferies	Enfusion
<i>quality assurance:</i>	Cheryl Beattie	Enfusion

enfusion

environmental planning and management for sustainability



Treenwood House
Rowden Lane
Bradford on Avon
BA15 2AU
T: 01225 867112

www.enfusion.co.uk

CONTENTS	PAGE
1.0 INTRODUCTION	4
Background	4
Purpose and Structure of the Report	4
2.0 HRA SCREENING OF MATTERS ARISING CHANGES	5-7
Introduction	5
HRA Screening of Matters Arising Changes	5
3.0 CONCLUSIONS	7
APPENDICES	
I HRA Screening of Matters Arising Changes	

1.0 INTRODUCTION

Background

- 1.1 Anglesey Council Council and Gwynedd Council are preparing a Joint Local Development Plan (JLDP) for the Anglesey and Gwynedd local authority plan areas. The JLDP will set out the strategy for development and land use in Anglesey and Gwynedd for the 15 year period 2011 to 2026. It will set out policies to implement the strategy and provide guidance and allocations for the location of new housing, employment opportunities and leisure and community facilities.
- 1.2 In line with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] the Councils, in their roles as the competent authorities, have been undertaking Habitats Regulations Assessment (HRA) of the JLDP. The HRA process for the JLDP has produced the following reports to date:
- **HRA Screening Report May 2013** accompanied the Preferred Strategy Document on public consultation for 7 weeks ending 27 June 2013.
 - **HRA Report February 2015** accompanied the Deposit Plan on public consultation for 7 weeks ending 31 March 2015.
 - **HRA Report February 2016** accompanied the Deposit JLDP & Focused Changes on submission to the Welsh Government
 - **HRA Addendum Report July 2016** considered proposed amendments to the JLDP following consideration of responses to the Focused Changes as well as further work undertaken in relation to Gypsy and Traveller site options
 - **HRA Addendum Report December 2016 (this report)** considers Matters Arising Changes during examination of the JLDP

Purpose and Structure of the Report

- 1.3 The purpose of this Addendum Report is to clearly set out the findings of further HRA work carried out in relation to amendments to the plan as a result of Matters Arising Changes identified during the examination of the JLDP. Following this introductory section, the report is organised into two further sections:
- **Section 2** – sets out the findings of the screening assessment of the Matters Arising Changes
 - **Section 3** – summarises the conclusions of the further HRA work.

2.0 HRA SCREENING OF MATTERS ARISING CHANGES

Introduction

- 2.1 During the process of examination, the matters and issues arising have resulted in a number of amendments being proposed to the JLDP. These Matters Arising Changes (NMC) have been considered (screened) through the HRA process to determine if they significantly affect the findings of the previous HRA work presented in the HRA Report (February 2016) and HRA Addendum Report (July 2016) and if further appraisal work is required.
- 2.2 Following review of the Schedule of NMC produced by the Councils¹, a screening table was produced to consider the proposed amendments of significance to the HRA, and the findings of this work is provided in Appendix I of this Report. The main changes are also summarised in this section.

Screening of Matters Arising Changes (NMC)

- 2.3 The review and screening of the Schedule of NMC has found that the majority of the changes seek to provide further clarification, ensure consistency and accuracy, and ensure conformity with higher level (national) planning policy guidance. These changes are considered to be minor and do not significantly affect the findings of the previous HRA work.
- 2.4 A number of new policies have been introduced through the changes and are considered in the HRA Screening Table (Appendix I). These are summarised below.
- **Development Boundaries:** the new policy proposes a focus for development in existing urban areas, maximising accessibility and reducing the likelihood of isolated development in open countryside. By maximising accessibility to existing services, facilities and employment opportunities, development can contribute to reducing reliance on the private vehicle and improving air quality in the Plan areas. This will indirectly support air quality in and around European designated sites.
 - **Potential Search Areas for Solar PV Farms:** The new policy seeks to direct Solar PV Farm development towards the potential search areas identified on the Proposals Map. These locations have been considered through relevant supporting evidence as the most suitable locations. The policy includes mitigation to ensure that 'the proposal will not result in the demonstrable harm to biodiversity including statutorily protected sites and species', and that 'a Construction Environmental Management Plan (CEMP) is provided to demonstrate that any potential negative effects arising during construction and decommissioning phases are avoided'. Together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and

¹ Schedule of NMC available at: <https://www.gwynedd.llyw.cymru/> or <http://www.anglesey.gov.uk/>

wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).

- **Policy PS 9A on Large Scale Temporary Accommodation for Construction Workers:** the new policy sets the criteria for development of temporary accommodation for construction workers associated with the Wylfa Newydd development. The criteria seek to direct this type of development towards existing centres with good transport connections and high levels of accessibility, and requires mitigation to avoid negative effects arising as a result of low accessibility. Together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).
- **Policy PS 9B on Wylfa Newydd Logistics Centres:** the new policy sets the criteria for development of logistics centres associated with the Wylfa Newydd development. The criteria seek to direct this type of development towards safeguarded or allocated employment sites (which have already been considered through the HRA) or within development boundaries of existing centres and ensure good sustainable transport connections. Together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).
- **Policy PS 9C on Park and Ride Facilities Associated with Wylfa Newydd:** the new policy sets the criteria for the development of park and ride facilities associated with the Wylfa Newydd development. The policy will contribute to increasing sustainable access to this development during construction and operation, and minimise independent travel to the site by private car, thus indirectly supporting improved air quality. The policy further seeks to make park and ride facilities accessible by sustainable modes of transport such as walking and cycling. The policy enhances mitigation for the negative effects associated with the Wylfa Newydd development, and together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).
- **Policy CYF 1A on development in Adwy'r Hafan Pwllheli:** the new policy seeks to restrict and where necessary mitigate potential negative impacts of development on flood risk, thus strengthening policy mitigation. The changes are unlikely to significantly affect the findings of the previous HRA.

- 2.5 Overall, the minor amendments, policy strengthening and additional policies proposed through the NMC are not considered to significantly affect the findings of the previous HRA.

3.0 CONCLUSIONS

- 3.1 The Matters Arising Changes (NMC) proposed during the examination of the JLDP have been screened through the HRA process to determine if they significantly affect the findings of the previous HRA work presented in the HRA Report (February 2016) and HRA Addendum Report (July 2016). It is concluded that the changes do not significantly affect the findings of the previous HRA work as they seek to provide further clarification, or ensure consistency and accuracy, as well as conformity with higher level (national) planning policy guidance. Policy strengthening and additional policies proposed through the NMC are also not considered to significantly affect the findings of the previous HRA.

Appendix I: Screening Table of Matters Arising Changes

The table below summarises the Matters Arising Changes (NMC) that are considered relevant to the HRA process. The table below does not detail all of the NMC, as most of these are minor text amendments to improve clarity, consistency and accuracy, as well as ensuring conformity with higher level (national) planning policy guidance. The full schedule of NMC is available from the Council website at <https://www.gwynedd.llyw.cymru/> or <http://www.anglesey.gov.uk/>

Policy No:	Summary of Changes, Deletions and Additions	Screening - do the changes, deletions and additions significantly affect the findings of the HRA Report (February 2016) or HRA Addendum Report (July 2016).
ISA 3	New education and training facilities that are not connected to existing facilities are directed towards safeguarded or allocated employment sites, within or adjoining development boundaries, or in exceptional circumstances close to existing or consented business sites with good transport connections.	The delivery of new education and training facilities in safeguarded or allocated employment sites will not significantly affect the findings of the previous HRA as these sites have already been assessed in the HRA process. By ensuring that even in exceptional circumstances development is located in areas with good transport connections will seek to reduce reliance on the private vehicle and the subsequent negative air quality effects.
New policy	New policy identifying Development Boundaries in the centres and villages as the preferred locations for new development.	The new policy seeks to direct development within existing centres and villages which will decrease the likelihood of isolated development in the open countryside. This is likely to support a reduced reliance on the private vehicle and thus indirectly support a reduction in emissions and negative effects on air quality. The changes enhance policy mitigation and are considered unlikely to significantly affect the findings of the previous HRA.
New Policy	New policy identifying potential search areas for PV Solar Farms	The new policy seeks to direct Solar PV Farm development towards the potential search areas identified on the Proposals Map. These locations have been considered through relevant supporting evidence as the most suitable locations. The policy includes mitigation to ensure that 'the proposal will not result in the demonstrable harm to biodiversity including statutorily protected sites and species', and that 'a

		<p>Construction Environmental Management Plan (CEMP) is provided to demonstrate that any potential negative effects arising during construction and decommissioning phases are avoided'. Together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).</p> <p>Therefore, the new policy will not have a significant effect on the findings of the HRA screening which remain relevant and valid.</p>
PS8	Removal of the need for project level HRA in NSIPs	Nationally Significant Infrastructure Projects (NSIPs) are submitted to the Planning Inspectorate and are still subject to a process of examination and the relevant overarching law, including the Conservation of Habitats and Species Regulations 2010 (as amended). As such the removal of this criteria for project level HRA in local policy is considered unlikely to significantly affect the findings of the previous HRA.
PS 9	<p>Amendments to policy PS9 on Wylfa Newydd and Related Development</p> <p>Addition of criterion 4; that preparatory works are necessary and provide the appropriate mitigation, early works must be accompanied by a strategy to enable the sites to be restored to an acceptable standard.</p> <p>Addition of criterion 7; referring to new policies PS 9A to PS 9C</p> <p>Removal of criterion 9; the requirement for project level HRA</p>	<p>The addition of criterion 4 strengthens the mitigation provided by the policy to reduce the likelihood of negative effects occurring. The addition of criterion 4 is not considered likely to significantly affect the findings of the previous HRA.</p> <p>New policies PS 9A to PS 9C are assessed individually below</p> <p>The requirement for HRA is determined within the Conservation of Habitats and Species Regulations 2010 (as amended) and as such the removal of this criterion for project level HRA in local policy is considered unlikely to significantly affect the findings of the</p>

	<p>Amendments of criterion 10; requiring early engagement with the council</p> <p>Addition of criterion 13; requiring appropriate transport infrastructure and requiring a transport assessment</p> <p>Addition of criterion 16; setting the criteria for temporary development</p>	<p>previous HRA.</p> <p>Early engagement with the Councils in respect of development strategies is likely to reduce the potential for negative effects and maximise the potential for positive effects. The changes are not considered likely to affect the findings of the previous HRA.</p> <p>The addition of criterion 13 enhances policy mitigation for potential negative effects on traffic and transport arising from new development. The changes are unlikely to significantly affect the findings of the previous HRA.</p> <p>The addition of criterion 16 increases clarity in relation to expectations for temporary development. The changes will not significantly affect the findings of the previous HRA.</p>
New policy PS 9A	New policy on Large Scale Campus Style Temporary Accommodation for Construction Workers	<p>The new policy sets the criteria for development of temporary accommodation for construction workers associated with the Wylfa Newydd development. The criteria seek to direct this type of development towards existing centres with good transport connections and high levels of accessibility, and requires mitigation to avoid negative effects arising as a result of low accessibility. Together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).</p> <p>Therefore, the new policy will not have a significant effect on the findings of the HRA screening which remain relevant and valid.</p>
New policy PS 9B	New policy on Wylfa Newydd Logistics Centres	The new policy sets the criteria for development of logistics centres associated with the Wylfa Newydd development. The criteria seek to direct this type of development towards safeguarded or allocated employment sites (which have already been considered through the HRA) or within development boundaries of existing centres and ensure good sustainable transport connections. Together with the mitigation

		<p>provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).</p> <p>Therefore, the new policy will not have a significant effect on the findings of the HRA screening which remain relevant and valid.</p>
New policy PS 9C	New policy on Wylfa Newydd Associated Development – Park and Ride Facility	<p>The new policy sets the criteria for the development of park and ride facilities associated with the Wylfa Newydd development. The policy will contribute to increasing sustainable access to this development during construction and operation, and minimise independent travel to the site by private car, thus indirectly supporting improved air quality. The policy further seeks to make park and ride facilities accessible by sustainable modes of transport such as walking and cycling. The policy enhances mitigation for the negative effects associated with the Wylfa Newydd development, and together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination). Therefore, the new policy will not have a significant effect on the findings of the HRA screening which remain relevant and valid.</p>
PS 10	<p>Increase in amount of existing employment land safeguarded from 638.7ha to 643.8ha – which includes the addition of Gaerwen Industrial Estate, Gaerwen</p> <p>Reduction in the total new employment land allocated in the plan from 60ha to 55.1ha</p>	<p>The Gaerwen Industrial Estate is an existing employment area, and the safeguarding of this site is not considered likely to significantly affect the findings of the previous HRA. The reduction in the employment land allocation total has the potential to reduce the extent of the identified negative effects.</p>
New policy	New policy restricting development in Adwy'r Hafan	<p>The new policy seeks to restrict and where necessary mitigate potential negative impacts of development on flood risk, thus strengthening policy mitigation. The</p>

CYF1A	Pwllheli that will increase flood risk vulnerability, and requiring flood risk mitigation.	changes are unlikely to significantly affect the findings of the previous HRA.
Policy TAI X	Policy on the phasing of development has been deleted.	Mitigation for the phasing of development (where required) still exists at the project level (for example through planning conditions). The overall level and distribution of development has not changed, and the removal of this policy is unlikely to significantly affect the findings of the previous HRA.
Policy TAI 5	Inclusion of housing allocation at Beaumaris (Casita) for 35 new dwellings	This site has already been assessed in the HRA process – please see HRA Report February 2016, Appendix III page 34.
Policy PS 14	Target for affordable housing has increased from 1400 to 1572 new dwellings. This includes 100% of new housing created by the conversion of traditional buildings in open countryside.	Affordable housing is an element of the overall housing delivery target which has not changed, and has been assessed as part of the HRA process. The increase in the affordable housing target is therefore unlikely to significantly affect the findings of the previous HRA.
GWA3	<p>“<i>Low and very low level</i>” deleted; use of word “management” rather than “<i>treatment</i>” for radioactive waste; addition of national “<i>policies</i>” for managing radioactive waste;</p> <p>change from “...<i>on site or appropriate locations outside the main nuclear site...</i>” to “...<i>at the proposed location</i>”;</p> <p>addition of Policy criterion requiring that any proposal is supported by a Waste Planning Assessment (as defined by TAN21: Waste).</p>	<p>The changes, deletions & additions to Policy GWA3 provide clarity, consistency and better ensure that the Policy aligns with national strategies and policies for managing radioactive waste.</p> <p>GWA3 Policy Criterion No 3 continues to require the minimisation of adverse environmental impacts and the new Criterion No 5 requires any proposal to be supported by as WPA. These requirements, together with the mitigation provided by other LDP policies, including Strategic Policy PS16 (Conserving and Enhancing the Natural Environment) - which seeks to manage development to conserve and where possible enhance the natural environment by safeguarding European sites and wider biodiversity - will continue to help to ensure that there are no likely significant effects on European sites (either alone or in-combination).</p> <p>Therefore, the changes proposed to Policy GWA3 will not have a significant effect on the findings of the HRA screening which remain relevant and valid.</p>

