

# WALES NATIONAL DEVELOPMENT FRAMEWORK

## Habitats Regulations Assessment

JULY 2019



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# 1 Introduction

## 1.1 Purpose

This Report provides the Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment (AA) of the Welsh Government's Draft National Development Framework (NDF), dated 15 May 2019. The Report summarises how the draft NDF has evolved from the Issues and Options stage through to the draft NDF, along with the HRA work undertaken at each stage of the process.

The Report thus comprises the Screening of the policies set out in the draft NDF followed by the Appropriate Assessment of those policies where likely significant effects on Natura 2000/ Ramsar sites could not be screened out.

## 1.2 The National Development Framework Process

The NDF has been developed over a 2-year period incorporating multiple consultation exercises with a range of stakeholders from across the whole of Wales. The NDF is a spatial plan which sets a direction for where investments in infrastructure and development should be focussed, such that they contribute to the broader ambitions of the Welsh Government and to the well-being of communities. The aim of the NDF is to provide a spatial context for the delivery of development and national planning policy in Wales over the next 20 years. The NDF is therefore a fundamental part of the planning system in Wales. More information on the NDF and the planning system is available on the [Welsh Government website](#).

The first stage of the NDF was to set out draft objectives for future development in Wales, along with a series of spatial options. This culminated in the preparation of a detailed consultation document. Five spatial options were identified, each with a different focus as to the future direction of development plans, programmes and strategies within Wales. A Rules of Thumb document (Appendix A of this Report) was produced by Arcadis (in August 2017) to provide advice to the Welsh Government with regards to the requirements of the HRA and how this should influence initial drafting of the NDF (refer to Section 1.4).

The five spatial options were:

- Community Focus
- Market Driven Focus
- Decarbonisation Focus
- Natural Resource Resilience Focus
- Do Not Prepare the NDF

The NDF Preferred Option then set out how the land-use planning system would support the long-term aims of the Well-being of Future Generations Act, 2015 (WFGA 2015) as well as other government policies. The NDF Preferred Option had two key roles: to provide spatial direction for growth and new infrastructure and identify areas of change, protection, enhancement and mitigation; and to establish the direction for strategic spatial policy. It was developed around five themes:

- Placemaking;
- Distinctive and Natural Places;
- Productive and Enterprising Places;
- Active and Social Places; and
- Wales's Regions.

Following a formal consultation period, the first draft of the NDF was produced, and this draft (dated 15 May 2019) is the subject of this HRA Report.

## 1.3 The Habitats Regulations Assessment Process

The Conservation of Habitats and Species Regulations 2017 (hereafter referred to as the 'Habitats Regulations') stipulate that a HRA must be carried out on all Plans and Projects that have the potential to impact upon sites designated for supporting habitats or species of international importance, otherwise known as Natura 2000 or European designated sites. In the United Kingdom (UK), the requirements of the Habitats Regulations are also extended to consider the effects on Ramsar sites (listed under the Ramsar Convention on Wetlands of International Importance). The presence of Natura 2000/Ramsar sites within Wales, and the potential impacts that could arise as a result of implementation of the NDF, requires that assessment under the Habitats Regulations is carried out.

### What is Habitats Regulations Assessment?

Under Article 6 of the Habitats Directive (and Regulation 102 of the Habitats Regulations), an assessment is required where a plan may give rise to likely significant effects upon a Natura 2000 site. Natura 2000 sites include Special Areas of Conservation (SAC) (including 'candidate' SACs) and Special Protection Areas (SPA) (including 'potential' SPAs). In the UK, it is a requirement for Ramsar sites to be included within the assessment:

- SACs are designated under the Habitats Directive for their habitats and/or species of European importance (includes Primary Reasons/Qualifying Features - Annex I Habitats/Annex II Species).
- SPAs are designated under the Conservation of Wild Birds Directive for rare, vulnerable and regularly occurring migratory bird species and internationally important wetlands (includes Article 4.1/4.2 birds).
- Ramsar sites are designated under the Ramsar Convention for their internationally important wetlands (includes Criteria).

HRA can be defined as:

*'The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives'*

Where:

- Integrity is *'the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified'* – therefore this goes beyond minor effects;
- Assessment of the implications for the site is made in view of its conservation objectives (extent/condition of habitats, size/status of populations - set out in Core Management Plans, Prioritised Improvement Plans, etc.);
- An effect is significant if it would 'undermine the conservation objectives' of the site (Waddenzee Judgement<sup>1</sup>) - this represents a proxy for an effect on the integrity of a site.

It is possible to consent a plan that would have significant effects, but under Article 6(4) (of the EC Habitats Directive), if you are likely to have an adverse effect on the integrity of a Natura 2000/ Ramsar site there must be:

- No alternative solution available;
- Imperative reasons of over-riding public interest (IROPI) for the plan or project to proceed; and
- Adequate compensatory measures in place (and by the time of the effect) in order to maintain the coherence of the Natura 2000 network.

### Legislation and Guidance

The HRA is being made in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017, as amended. In doing so, this HRA Report has drawn upon the following guidance:

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<sup>1</sup> EC Case C-127/02 *Reference for a Preliminary Ruling 'Waddenzee'* September 2004

- European Commission, Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC.
- European Commission, Guidance document on Article 6(4) of the Habitats Directive 92/43/EEC.
- Department for Communities and Local Government (2006) Planning for the Protection of European Sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents.
- David Tyldesley and Associates (DTA) Publications Limited, The Habitats Regulations Assessment Handbook.
- People Over Wind and Sweetman v Coillte Teoranta – European Court of Justice, Case C323/17.

## 1.4 Approach to HRA of the draft NDF

Table 1 summarises the stages of the NDF and corresponding HRA inputs that have been provided (note, final NDF still to be consulted upon).

Table 1: NDF and HRA Input

NDF Stage	HRA Input
Evidence Gathering	A <b>Rules of Thumb</b> document (Appendix A of this Report) - provided advice to Welsh Government with regards to the requirements of the HRA and how this should influence initial drafting of the NDF. Details of the designated sites within Wales and the types of potential impact pathways. A Geographical Information System (GIS) file was created to enable planners to check potential development locations for the presence of designated sites and the types of development that could affect such sites. Designed as a guide to assist in development of objectives, policy and strategic locations.
Issues and Options	Review of objectives and the Issues and Options document providing verbal feedback to Welsh Government (no formal reporting).
Draft Preferred Option	<b>Preliminary HRA Screening Report</b> (April 2018) – provided a high-level review of the draft NDF Preferred Option and recommendations to inform the on-going NDF policy development.
Draft NDF	<b>HRA Report for the Draft NDF</b> (this HRA Report) - incorporating the in-combination assessment, together with the Screening assessment and an Appropriate Assessment of the draft policies.
Final NDF	<b>Final HRA Report</b> following consultation period to take account of any updates made to the NDF for final publication and adoption.

The first stage of the HRA for the NDF project included a period of evidence-gathering and background research to compile details of the Natura 2000/ Ramsar sites that would need to be referred to throughout the process. During this stage, a GIS tool and ‘Rules of Thumb’ document to supplement the information provided in the GIS were created and disseminated to the Welsh Government planning team to assist them during the development of the draft NDF. The aim here was to ensure that potential implications of the plan for Natura 2000 and Ramsar sites were considered throughout the development of the Plan.

The principles of HRA as set out in this Rules of Thumb document (including the nature of impact pathways, the extent of buffers around different types of designated sites, the types of development that can affect qualifying habitats and species, etc.) were also used in subsequent stages of the assessment in order to determine whether or not a policy was likely to have a significant effect on any Natura 2000 and/or Ramsar sites. The Rules of Thumb document is thus presented again, in Appendix A to this report [Note that this document was produced at an early stage of the development of the NDF (in August 2017), and therefore some of the information provided will have been superseded as the Plan evolved]. A summary of the process whereby potential impacts on European designated sites are assessed is provided in Section 1.5, below.

Following the evidence-gathering period, a set of draft NDF objectives and spatial options was developed in October 2017; this included four draft alternative spatial options and a benchmark option, as well as the first draft of the objectives. Following a review of the draft objectives and options, verbal feedback regarding the potential implications for Natura 2000/ Ramsar sites was provided to the Welsh Government planning team. Given the limited level of detail provided at this early stage, it was decided that a formal HRA report was not required.

A draft Preferred Option for the NDF (including the preferred Spatial Strategy) was then produced, and a preliminary HRA Screening Report was prepared assessing the implications for Natura 2000/ Ramsar sites. The Preferred Option did not include any specific spatial policies identifying potential development opportunities or locations. Without specific details, it was not possible to confirm whether or not the objectives or spatial strategy directions would have a likely significant effect upon Natura 2000 and Ramsar sites. The objectives and spatial direction of the NDF policies were therefore reviewed to identify whether there could be any *potential* implications for Natura 2000 and Ramsar sites. Identifying such potential implications enabled the planning team to take account of them as the policies within the draft NDF were developed.

The draft NDF (which is the subject of this HRA Report) identifies 33 policies covering a range of topics which set the direction for development in Wales from 2020 to 2040. The NDF is the highest tier of development plan in Wales and is focussed on issues and challenges at a national scale. It does not, therefore, identify specific projects nor allocate development to all parts of Wales, nor does it include policies on all land uses. It is, instead, a framework that will be supplemented and supported by Strategic Development Plans (SDPs) at a regional level and Local Development Plans (LDPs) at local authority level. It is these 'lower-tier' plans which will provide more detail on specific locations and types of infrastructure and development.

In accordance with the DTA guidance, in order to ascertain that there would be no adverse effect on the integrity of a Natura 2000/ Ramsar site, a plan-making body may only rely on mitigation measures in a lower-tier plan or project level if the following three criteria are all met:

- *The higher-level plan assessment cannot reasonably predict any effect on a European site in a meaningful way; whereas*
- *The lower-tier plan or project level, which will identify more precisely the nature, timing, duration, scale or location of development, and thus its potential effects, will have the necessary flexibility over the exact nature, timing, duration, scale and location of the proposal to enable an adverse effect on site integrity to be avoided; and*
- *The HRA of the lower-tier plan or project is required as a matter of law or Government policy.*

Given the nature of the NDF, it is therefore the lower-tier plans which will include sufficient detail to allow for a meaningful assessment of the potential impacts that such development could have on Natura 2000/Ramsar sites. The HRA at this level of the planning hierarchy is therefore necessarily high-level and precautionary.

The Screening stage identifies those policies that it is considered could lead to development that could have the *potential* for likely significant effects upon Natura 2000/Ramsar sites. The Rules of Thumb document (Appendix A) helped to focus the screening assessment onto those types of developments which could affect qualifying habitats and species of Natura 2000/ Ramsar sites (see also 1.5, below, for a summary of this assessment process). The 'screened in' policies were then taken through to Appropriate Assessment (AA), which identified policy-specific impacts and associated mitigation measures; this was aimed at flagging up the particular issues that would need addressing in HRAs of lower-tier plans and projects.

As stated in the third bullet point above, all lower-tier plans and projects within or near to Natura 2000/ Ramsar sites are required to comply with the Conservation of Habitats and Species Regulations (2017) as a matter of law. Therefore, irrespective of the policy wording included within the NDF, statutory HRA of lower tier plans/projects would be required. It is nevertheless important that this HRA of the higher-tier NDF identifies the types of potential impacts which could arise from policy implementation, and how these could be avoided/mitigated at a later stage (i.e. 'flagging up' potential issues at an early stage), as well as providing the high-level policy reassurance that future SDPs and LDPs will follow the necessary process to identify and assess potential implications for Natura 2000/Ramsar sites when allocating land for development. The subsequent local plan-, or even project-level HRAs will need to take into consideration the potential impacts identified in this HRA to



guide their policy development and ensure that appropriate mitigation or compensatory measures can be delivered where potential for adverse effects are identified.

It is important to note that this is how the iterative HRA process ensures that plans and projects cannot be consented or implemented without first ensuring that they would not have a significant adverse effect upon the integrity of the European network of Natura 2000 and Ramsar sites. The next section describes how these potential effects are assessed.

## 1.5 Assessing likely significant effects on Natura 2000/ Ramsar sites

The assessment of the implications of the various policies set out in the NDF for the Natura 2000/ Ramsar sites is based upon a consideration not only of the qualifying habitats and species *within* each Natura 2000/ Ramsar site but also the distance beyond each site's boundaries over which significant impacts could still, potentially, be experienced. This is the basis for the establishment of 'buffer zones' around each Natura 2000/ Ramsar site. Clearly, this detailed consideration of buffers is only possible where there is an obvious spatial element to a policy (e.g. proposed expansion of Cardiff airport), but the principles can nevertheless also be applied more generally when considering the potential for policies to lead to impacts.

The Rules of Thumb document (see Appendix A) provided the planners developing and writing the NDF with the principles underpinning the HRA process. In particular, it described how it is necessary to understand the potential impact pathways between the different types of development supported by the NDF and the Natura 2000/ Ramsar qualifying habitats and species across Wales. It also described how it was also necessary to consider the extent to which the Conservation Objectives of these sites could potentially be compromised. The types of potential impact pathway were summarised as follows:

- Land-take within a Natura 2000/ Ramsar site (i.e. direct habitat loss);
- Habitat degradation within a Natura 2000/ Ramsar site (i.e. indirect habitat loss);
- Effects as a result of deterioration of air quality;
- Effects on water quality or quantity;
- Risk of disturbance displacement to species that are qualifying features of a Natura 2000/ Ramsar site;
- Risk of mortality (to mobile species); and
- Severance and fragmentation creating barriers to movement.

Given that a number of these impacts can extend well beyond the boundaries of Natura 2000/ Ramsar sites, further explanation is required regarding the application of buffer zones around different types of designated site. An illustration of the application of buffers in this way is provided in the HRA of the Priority Areas for Solar and Wind Energy across Wales (Appendix B); Figure 2 in Appendix B not only illustrates the spatial relationship between the Priority Areas and the Natura 2000/ Ramsar sites across Wales but also shows the buffer zones around each site.

For the purposes of both the Priority Areas for Solar and Wind Energy HRA and this HRA of the NDF itself, buffer zones around Natura 2000/ Ramsar sites have been applied with the following justifications:

- Because SACs and Ramsar sites are generally habitat-based, impacts (beyond the obvious direct land-take) are primarily to do with hydrological effects on wetland habitat and potential effects of air quality changes such as nitrogen deposition. Although the latter can occur over greater distances, especially where the habitat is particularly sensitive to nutrient enrichment, significant effects (e.g. such that individual plants are adversely affected physiologically or that plant communities are altered by increased competitiveness of the more robust species present) are extremely unlikely over greater distances, owing to the dispersal of emissions in the air. **The buffer zone for Ramsar sites and for SACs where bats (and birds) are not a qualifying feature has therefore been set at 5km.**
- Whilst certain species of bats can fly distances greater than 10km to access foraging areas, the vast majority of the feeding habitat necessary to resource a roost (i.e. the 'roost sustenance zone (RSZ)') is much closer than this (the RSZ for horseshoe bats is generally considered to be a radius of 4km from the roost). Whilst bats can also fly large distances from summer roosts to hibernation sites, the

risks associated with exposure to any form of development (e.g. wind farms, road schemes, etc.) are much lower given that these journeys are only undertaken once annually (rather than routinely, as during the active months of roughly April to October). **The buffer zone for SACs where bats are a qualifying feature has therefore been set at 10km.**

- The buffer distance set for birds is greater than for bats mainly because certain birds associated with SPAs and Ramsar sites (e.g. raptors, wildfowl & waders, etc.) tend to readily fly greater distances as part of their foraging behaviour. Thus, birds associated with a designated site are certainly not confined to the boundaries of that location and will often fly some distance from it to feed, roost or breed. This is the basis of the concept of 'functionally-linked land' and the fact that HRAs of SPAs/ Ramsar sites need to take into account the fact that birds from the designated population will often spend time outside the boundaries of the designated area. Whilst this is unlikely to be a significant issue for certain types of development being promoted by the NDF, such as solar farms (although the presence of such features could displace birds from areas they would previously have used), there certainly is a risk of mortality, disturbance and other impacts (e.g. associated with wind farms, roads, tourism, cats and/or dog-walking from new residential development, etc.), even if they are some distance from the border of an Natura 2000/ Ramsar site supporting birds. **The buffer zone for SPAs (and for Ramsar sites where the qualifying features include bird species) has therefore been set at 20km.**
- A specific buffer zone has also been set for those SPAs where chough is a qualifying feature. Following consultation with Natural Resources Wales (NRW), it was agreed that the particular status of this species in Wales (the Welsh SPA network supports approximately 30% of the whole of the UK's population), and the fact that juvenile birds are known to disperse over particularly large distances, meant that a greater buffer was required. Evidence suggests that 98% of males disperse up to 35km from the natal site, whilst approximately 82% of females disperse up to 40km. **The buffer zone for SPAs where the qualifying features include chough has therefore been set at 40km.**
- Finally, whilst a buffer of 5km has been set for SAC habitats, wherever a riverine SAC is downstream of a proposed development, impacts associated with significant mobilisation of sediment could extend further than this. This is less due to the fact that sediment is likely to travel further than this, and more because individual fish species associated with these sites can readily occur some distance upstream from the boundary of the designated river (e.g. in undesignated tributaries).

It should be noted that these buffer distances have generally not been developed on the basis of a comprehensive analysis of the literature (other than for chough) but are instead relatively standard distances adopted by the ecological consultancy industry. We have adopted these distances on the basis of our own professional judgement and adopting the precautionary principle. They will be quite precautionary with regard to certain types of NDF development (e.g. solar farms, mobile telecommunications infrastructure, etc.), since although the potential does still exist for birds from nearby SPAs/ Ramsar sites to be displaced from feeding grounds by such development, the impact is likely to be less than that associated with other types of development (such as wind farms and the potential for collision with turbines) where significant adverse effects on populations are more likely.

These buffer zones are very important with regard to future consideration of development across Wales. Essentially, these buffers should aid the HRA Screening process for subsequent development proposals. Any proposed development that is *outside* the buffer zone for any Natura 2000/ Ramsar sites can be screened out of HRA, as it can be assumed that significant impacts are extremely unlikely. By contrast, any proposed development *within* a buffer (assuming there are recognised impact pathways) will need to be screened. This does not mean that an Appropriate Assessment will automatically be required, but it does mean that a HRA Screening Report will need to be prepared, setting out a detailed consideration of the impact pathways between the proposed development and any Natura 2000/ Ramsar site qualifying habitats and/or species, and thus the potential for Likely Significant Effects (LSE).

The closer a proposed development (i.e. one arising from the NDF) is to a Natura 2000/ Ramsar site, the less likely it will be to pass the HRA test and thus be consented. However, this does not mean that there is automatically a 'sterile' area around every Natura 2000/ Ramsar site. As a general rule of thumb for SPAs/

Ramsar site, though, any proposed development that is within 10km of a site supporting peregrine or hen harrier is likely to struggle to pass the HRA test, as it will be difficult to ‘demonstrate beyond reasonable scientific doubt’ that birds associated with the SPA/ Ramsar site will not be vulnerable to impacts (such as disturbance or wind turbine/vehicle collision). This is because the known foraging distances for hen harrier and peregrine from the literature are 10km and 18km, respectively. Similarly, any proposal within 5km of a SPA/ Ramsar site supporting merlin, red kite or Greenland white-fronted goose (whose foraging distances are 5km, 6km and 5-8km, respectively) is also likely to find it difficult to demonstrate no likely significant effect. The general SPA/ Ramsar site buffer of 20km (set out above) is therefore sufficient (and for many species highly precautionary) to cover all qualifying bird species other than chough.

Finally, a number of water birds are migratory, and therefore fly much greater distances between their breeding and over-wintering grounds. Whilst it is clearly not practical to account for these distances in establishing buffer zones, it is nevertheless important to note that traditional flyways for these species will need to be taken into consideration when carrying out local plan- or project-level HRAs. This is because even if a proposal site is many kilometres from an SPA/ Ramsar site boundary, it could still be located directly on the migration flight path for an SPA/ Ramsar site species. That said, migration is often carried out at height, so the risks are likely to be small (other than for airport expansion), but this potential impact will at least need to be considered at screening.

It is thus important to consider the potential implications of NDF-facilitated development on Natura 2000/ Ramsar sites even if they are located some distance away (up to 20 km), given the potential for mobile qualifying species (especially birds and bats) to be affected away from their designated site boundaries.

## 1.6 Screening Approach

As described in Section 1.4, it is not possible at this strategic level to be specific about the Natura 2000/ Ramsar sites that may be affected, nor the particular impacts that could potentially arise as a result of the policies outlined within the NDF (other than where there are spatial elements to the plan, such as the Priority Areas for Renewable Energy development). Instead, the screening process needs to follow guidance specific to plan and policy documents such as this. The 33 policies have therefore been reviewed against the screening assessment categories set out in the DTA Habitats Regulations Assessment Handbook (the ‘DTA Handbook’), which represents best practice guidance for completing HRA of this type of document (refer to Table 2).

These assessment categories were designed specifically to identify the different types of policy that could be implemented through high-level planning documents, and to determine whether future actions arising from a policy could lead to development which could in turn affect Natura 2000/Ramsar sites.

Table 2: Screening Assessment Categories (DTA Handbook)

Category	Description
Category A:	<b>General statements of policy/general aspirations.</b> Policies which are no more than general statements of policy or general political aspirations should be screened out because they cannot have a significant effect on a site.
Category B:	<b>Policies listing general criteria for testing the acceptability/sustainability of proposals.</b> These general policies cannot have any effect on a European site and should be screened out.
Category C:	<b>Proposal referred to but not proposed by the plan.</b> Screen out any references to specific proposals for projects, such as those which are identified, for example, in higher policy frameworks such as National Policy Statements, relating perhaps to nationally significant infrastructure projects. These will be assessed by the Secretary of State or Welsh Ministers.
Category D:	<b>General plan-wide environmental protection/site safeguarding/ threshold policies.</b> These are policies the obvious purpose of which is to protect the natural environment, including biodiversity, and/or to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any adverse effect on a European Site. They can be screened out because the implementation of the policies is likely to protect rather than adversely affect European sites and would not undermine their conservation objectives.
Category E:	<b>Policies or proposals that steer change in such a way as to protect European sites from adverse effects.</b> These types of policies or proposals will have the effect of steering change away from European sites whose qualifying features may be affected by the change, and they can therefore be screened out.

Category	Description
Category F:	<b>Policies or proposals that cannot lead to development or other change.</b> Policies that do not themselves lead to development or other change, for example, because they relate to design or other qualitative criteria for development, such as materials for new development. They do not trigger any development or other changes that could affect a European site and can be screened out.
Category G:	<b>Policies or proposals that could not have any conceivable adverse effect on a site.</b> Policies which make provision for change, but which could have no conceivable effect on a European site, because there is no causal connection or link between them and the qualifying features of any European site and can therefore be screened out.
Category H:	<b>Policies or proposals 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).</b> Policies or proposals which make provision for change, but which could have no significant effect on a European site, either alone or in combination with other aspects of the same plan, or in combination with other plans or projects, and can therefore be screened out.
Category I:	<b>Policies or proposals which may have a significant effect on a site alone.</b> Policies or proposals which are likely to have a significant effect on a European site alone should be screened in.
Category J:	<b>Policies or proposals unlikely to have a significant effect alone.</b> These aspects of the plan would have some effect on a site, but the effect would not be likely to be significant; so, they must be checked for in-combination (cumulative) effects. They will then be re-categorised as either Category K (no significant effect in combination) or Category L (likely to have a significant effect in combination).
Categories K and L:	<b>Policies or proposals unlikely to have a significant effect either alone or in combination (K), or which might be likely to have a significant effect in combination (L) after the in-combination test.</b>
Category M:	<b>Bespoke area, site or case specific policies or proposals intended to avoid or reduce harmful effects on European sites.</b> Policies or proposals which have been included in the plan with the intension of avoiding or reducing effects on specific European site(s) whose qualifying features may otherwise be affected by the plan being implemented.

Following assessment against the categories detailed in Table 2, policies which could not be ‘screened out’ were taken through to the second stage of HRA, the Appropriate Assessment. (that is, those which were assessed as Category I for which it could not be demonstrated that there would be no likely significant effects on Natura 2000/Ramsar sites)

Table 3 provides the screening assessment for all of the policies outlined within the NDF. Category I policies taken through to Appropriate Assessment have been highlighted in grey.

Table 3: Screening Assessment of the NDF Policies

Policy	Screening justification	Screening Decision
<b>Chapter 4: Strategic and Spatial Choices</b>		
P1 – Sustainable Urban Growth	This policy supports urban growth in compact urban centres with an integrated public transport network. It promotes higher density and mixed-use development on sites with good access to existing centres and public transport hubs. It sets out principles of good planning and urban design to be considered when planning for future growth. This is an overarching policy direction and implications for Natura 2000/ Ramsar sites are more appropriately addressed under other policies within the NDF which provide greater spatial detail.	Screened out (Category A)
P2 – Supporting Urban Centres	This policy provides support for public service facilities of significant scale to be located within town and city centres. It provides guidance on locating services and the approach to be taken to assess development plan allocations but implementing the policy would not in itself lead to change.	Screened out (Category B)
P3 – Public Investment, Public Buildings and Publicly Owned Land	This policy sets out Welsh Government's position in relation to its investments and land holdings and how they will use them to support the delivery of sustainable places. It sets the policy direction for Strategic and Local Development Plans in relation to publicly owned land but implementing the policy would not in itself lead to change.	Screened out (Category B)
P4 – Supporting Rural Communities	This policy outlines Welsh Governments support for sustainable rural communities. It sets out the policy direction for Strategic and Local Development Plans in respect of meeting the needs of rural communities. This is an overarching policy direction and implications for Natura 2000/ Ramsar sites are more appropriately addressed under other policies within the NDF and/or through lower-tier plans.	Screened out (Category A)
P5 – Delivering Affordable Homes	This policy sets criteria for ensuring the delivery of affordable homes is increased by confirming funding is effectively allocated and utilised. The policy provides guidance for Strategic and Local Development Plans in relation to affordable housing needs. Details of the locations for growth, including housing developments, are assessed under other policies for each region. Implementing the policy would not in itself lead to change.	Screened out (Category B)
P6 – Planning in Mobile Action Zones	This policy sets out a commitment to increase mobile coverage and provides for a presumption in favour for new mobile telecommunications infrastructure. Whilst it is considered likely that the majority of such infrastructure would be of small scale, and would fall under permitted development, there is the potential for larger infrastructure requirements to potentially effect Natura 2000/Ramsar sites.  The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.	Screened in (Category I)
P7 – Ultra Low Emission Vehicles	This policy sets out Welsh Government's support for ultra-low emission vehicles in Wales. Any development associated with electric vehicle infrastructure would be small-scale and tied to existing road networks and would therefore be unlikely to lead to any discernible effects upon Natura 2000/ Ramsar sites. Reducing vehicle emissions	Screened out (Category H)

Policy	Screening justification	Screening Decision
	would also provide potential for beneficial effects on Natura 2000/ Ramsar sites, for example through decreasing air pollution.	
P8 – Strategic Framework for biodiversity enhancement and ecosystem resilience	This policy sets criteria to ensure the enhancement of biodiversity and the resilience of ecosystems. It is anticipated that this policy will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting ecosystem services and enhancing, ecological networks and biodiversity in the wider countryside. It is thus a protective policy for environmental assets.	Screened out (Category D)
P9 – National Forest	<p>This policy sets out Welsh Governments commitment to developing a national forest for Wales. Whilst the policy is providing for a positive environmental outcome, development of forest habitat may not necessarily be compatible with the conservation objectives for Natura 2000/ Ramsar sites designated for the presence of other habitat types or species not associated with forests. As such, the potential for unsuitable sites to be converted to forest is not accounted for by the policy and potential impacts cannot be ruled out.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened in (Category I)
P10 – Wind and Solar Energy in Priority Areas	<p>This policy sets out Welsh Government's support for onshore wind and solar energy associated with Priority Areas for Solar and Wind Energy, with a presumption in favour of development and an associated acceptance of landscape changes. The policy includes the requirement for planning applications to demonstrate that impacts on nature conservation sites have been minimised.</p> <p>Renewable energy projects have the potential to impact upon Natura 2000/ Ramsar sites in a number of ways, including direct impacts (such as habitat loss and degradation, and mortality of birds and bats as a result of collision with wind turbines), and indirect effects (such as disturbance and solar glare). A review of implications of the location of the draft Priority Areas identified that they have largely avoided the majority of Natura 2000/ Ramsar sites, the potential for impacts as a result of proximity remained, and further refinement of the Priority Areas was carried out. Whilst this refinement further reduced the risk to Natura 2000/ Ramsar sites, it will not reduce the risk completely.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment, and the Priority Areas for Solar and Wind Energy HRA (Appendix B).</p>	Screened In (Category I)
P11 – Wind and Solar Energy Outside of Priority Areas	<p>This policy sets criteria to be met by applications for onshore wind and solar energy developments <i>outside</i> of the Priority Areas set out in Policy P10. The policy puts a requirement on projects to demonstrate there would be no unacceptable adverse impacts upon nature conservation sites and species as a result of such applications. Whilst this provides some assurance that applications will be required to show that they have assessed the potential impacts upon designated sites, it cannot be relied upon to conclude that there would be no likely significant effects upon Natura 2000/ Ramsar sites.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened In (Category I)



Policy	Screening justification	Screening Decision
P12 – Wind and Solar Energy in National Parks and Areas of Outstanding Natural Beauty	This policy precludes large onshore and solar energy developments from being permitted in National Parks or Areas of Outstanding Natural Beauty (AONB). Such sites often support other sites of nature conservation importance and therefore this policy will protect designated sites from development.	Screened out (Category D)
P13 – Other Renewable Energy Developments	This policy sets out Welsh Government’s support, in principle, for all renewable energy technologies to assist in meeting 2030 targets. The policy refers to proposals for other large scale (10MW and over) renewable energy generation to those provided in Policy P11; therefore, projects would similarly need to demonstrate there would be no unacceptable adverse impacts upon nature conservation sites and species as a result of such applications. Whilst this provides some assurance that applications will be required to show that they have assessed the potential impacts upon designated sites, it cannot be relied upon to conclude that there would be no likely significant effects upon Natura 2000/ Ramsar sites.  The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.	Screened In (Category I)
P14 – Priority Areas for District Heat Networks	This policy encourages planning authorities to identify opportunities for district heat networks within Priority Areas and require new and existing development to integrate them where appropriate. The policy would not lead to development and therefore would not affect Natura 2000/ Ramsar sites.	Screened out (Category F)
P15 Masterplanning for District Heat Networks	This policy sets the requirement for large scale, mixed use developments to prepare an Energy Master Plan to establish whether a District Heat Network is the most effective energy option. Implementing this policy would not in itself lead to development.	Screened out (Category B)
<b>Chapter 5: The Regions</b>		
P16 – Strategic Policies for Regional Planning	This policy provides an outline of the criteria to be embedded in Strategic Plans and constituent Local Development Plans where relevant. It sets the policy direction for Strategic and Local Development Plans and is a general policy statement and would not in itself lead to development. The policy includes the requirement for Strategic Plans to establish ecological networks and opportunities for protecting or enhancing the connectivity of these networks. Implementing this policy would not in itself lead to development.	Screened out (Category B)
<b>North Wales</b>		
P17 – Wrexham and Deeside	This policy sets out Welsh Government’s support for Wrexham and Deeside to be the primary focus for regional growth and investment in North Wales. The policy sets out the direction that Strategic and Local Development Plans should take when planning growth and development in the region.	Screened in (Category I)

Policy	Screening justification	Screening Decision
	<p>There are a number of Natura 2000/ Ramsar sites located close to these towns, as well as around the coastline to the north of Deeside, which could be affected by increased growth within these areas.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	
P18 – North Wales Coastal Settlements	<p>This policy sets out Welsh Government’s support for the coastal arc from Caernarfon to Deeside as the focus for managed growth recognising the area’s important sub-regional role. It requires Strategic and Local Development Plans to recognise the role of this corridor as a focus for housing, employment and key services.</p> <p>There are a number of Natura 2000/ Ramsar sites around the north Wales coast, both on- and off-shore, which could be affected by increased growth within this area.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened in (Category I)
P19 – Green Belts in North Wales	<p>This policy supports the identification and management of green belts which would serve to protect environmental assets from development.</p>	Screened out (Category D)
P20 – Port of Holyhead	<p>This Policy sets out Welsh Government’s position in relation to development of the port its support for investment to improve capacity.</p> <p>Increasing the capacity of the port, and other port related activities, could affect the Natura 2000/ Ramsar sites located around the Anglesey coast.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened In (Category I)
P21 – Transport Links to North West England	<p>This policy sets out Welsh Government’s position in relation to transport investment in North Wales and in working with cross-border authorities. It sets the policy direction for Strategic and Local Development Plans in terms of supporting transport links and maximising opportunities from better connectivity.</p> <p>Improving transport connectivity through the development of new infrastructure could affect Natura 2000/ Ramsar sites within the region for example new roads could fragment habitats and reduce connectivity between designated areas.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened In (Category I)
P22 – North West Wales and Energy	<p>This policy sets out Welsh Government’s support for new energy development investment in North West Wales and sets criteria that new development proposals will be required to fulfil.</p>	Screened In (Category I)



Policy	Screening justification	Screening Decision
	<p>New energy developments in North West Wales could affect Natura 2000/ Ramsar sites located both on land and around the coastline of the region.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	

**Mid and South West Wales**

P23 – Swansea Bay and Llanelli	<p>This policy outlines Welsh Government’s support for Swansea Bay and Llanelli to be the focus for regional growth and investment in Mid and South West Wales. It sets out the direction that Strategic and Local Development Plans should take.</p> <p>There are a number of Natura 2000/ Ramsar sites located close to these towns as well as around the coastline to the south and west which could be affected by increased growth within these areas.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened in (Category I)
P24 – Regional Centres	<p>This policy sets out Welsh Government’s support for the towns of Carmarthen, Builth Wells, Llandrindod Wells, Aberystwyth, Newtown and the four Haven Towns to be the focus for sub-regional growth and investment in Mid and South West Wales. It sets out the direction that Strategic and Local Development Plans should take.</p> <p>There are a number of Natura 2000/ Ramsar sites located close to some of these towns, as well as around the coastline, including the Haven Waterway adjacent to the Haven Towns and Carmarthen and West Wales Marine site off the coast of Aberystwyth, which could be affected by increased growth within these areas.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened in (Category I)
P25 – Haven Waterway	<p>This Policy sets out Welsh Government’s position in relation to operation and development at Haven Waterway.</p> <p>Increasing the capacity of the port and other port related activities could affect the Natura 2000/ Ramsar sites located around the Pembrokeshire coast, including the Haven Waterway itself.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened In (Category I)
P26 – Swansea Metro	<p>This policy sets out Welsh Government’s support for the development of the Swansea Metro and ensuring Strategic and Local Development Plans also support and plan for growth to maximise the opportunities arising from the Scheme.</p> <p>Potential new rail infrastructure, and other development associated with the Swansea Bay Metro, could have implications for Natura 2000/ Ramsar sites including Crymlyn Bog SAC, which lies between Swansea and Neath.</p>	Screened In (Category I)

Policy	Screening justification	Screening Decision
	The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.	

**South East Wales**

P27 – Cardiff	<p>This policy provides support for Cardiff as the primary national centre for culture, sport, leisure, media, the night-time economy and finance. The policy recognises the challenges of Cardiff's geographical location which sets a limit on the extent to which the city can expand and therefore shows support for regional development which addresses these challenges whilst ensuring the City retains its functions as a Capital City.</p> <p>The Severn Estuary SAC/SPA/Ramsar site is present to the south of Cardiff, and there is the potential for this site to be affected as a result of growth in and around the city (although the potential for likely significant effects is considered to be lower than in other areas in the region). The potential implications for Natura 2000/ Ramsar sites as a result of this policy are thus provided in more detail in the Appropriate Assessment.</p>	Screened In (Category I)
P28 - Newport	<p>This policy provides support for Newport as being the focus for growth and investment in the South East Wales Region. The policy outlines guidance for Strategic and Local Development Plans for strategic housing and economic growth within the existing urban, and in restricting the extent of growth as a result of new settlements or major greenfield releases to the east of Newport.</p> <p>The River Usk SAC flows through the City and the Severn Estuary SAC/SPA/Ramsar site is present to the south. There is the potential for these sites to be affected as a result of growth in and around Newport (although the potential for likely significant effects is considered to be lower than in other areas in the region).</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened In (Category I)
P29 – The Heads of the Valleys	<p>This policy sets out Welsh Government's support for regeneration and investment in the Heads of the Valleys area. Whilst the focus on regeneration could be considered to reduce the potential for likely significant effects upon Natura 2000/ Ramsar sites, such effects cannot be ruled out.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened In (Category I)
P30 – Green Belts in South East Wales	This policy requires the identification and management of green belts which would serve to protect environmental assets from development.	Screened out (Category D)
P31 – Growth in sustainable transport-orientated settlements	This policy sets out support for the focus of growth and development within South Wales to be in places with good active travel and public transport links, thus ensuring that Strategic and Local Development Plans support and plan for growth to maximise the opportunities arising from better regional connectivity. It also, more specifically, identifies Welsh Government's support for the development of the South Wales Metro.	Screened in (Category I)

Policy	Screening justification	Screening Decision
	<p>A Strategic Habitats Regulations Assessment for the South Wales Metro scheme concluded that the plan is not likely to have a significant effect on any Natura 2000/Ramsar designated sites or their associated features (Mott Macdonald, 2017). Each subsequent phase of the Plan to develop the Scheme will also be subject to environmental assessment and project specific HRA; this will ensure that appropriate mitigation is developed and provided to limit the likelihood of significant adverse effects.</p> <p>Although development associated with the Metro scheme has been assessed, and concluded that no likely significant effects are anticipated, impacts from other development in the region associated with this policy cannot be ruled out without greater spatial detail on the type or location of specific developments.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	
P32 – Cardiff Airport	<p>This policy supports the growth and development of Cardiff Airport. The policy encourages a shift from private to public transport, and guides development of land adjacent to the airport to be supportive of the functions of the airport.</p> <p>Any expansion of airport capacity in terms of flights could have wider environmental effects, and the potential for effects upon Natura 2000/ Ramsar sites cannot be ruled out.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened in (Category I)
P33 – Valleys Regional Park	<p>This policy supports the establishment of the Valleys Regional Park, a framework which seeks to maximise the social, economic and environmental potential of the Valley's natural and cultural assets. Whilst environmental assets form a key part of the framework, the policy also looks to maximise the potential for new development to help with the regeneration of the area. Effects upon Natura 2000/ Ramsar sites cannot therefore be ruled out.</p> <p>The potential implications for Natura 2000/ Ramsar sites as a result of this policy are provided in more detail in the Appropriate Assessment.</p>	Screened in (Category I)

## 2 In-Combination Assessment

Under the Habitats Regulations, it is necessary to assess the potential in-combination effects of the NDF. Firstly, the potential for different policies outlined within the NDF to act in combination with each other to increase the likelihood of significant effects is assessed; then the potential for in-combination effects between the NDF and other current, or proposed, Plans or Projects is considered.

### 2.1 Policies within the NDF

The policies set out within the NDF have been developed taking into account the requirements of the Well-being of Future Generations Act, 2015 (WFGA, 2015). They are therefore founded on the principles of sustainability, which include the requirement to protect Natura 2000/ Ramsar designated sites. Nevertheless, any policies aimed at supporting development have the potential to have adverse effects on such sites, and even if they are worded specifically to reduce the risk of such impacts to 'acceptable' levels, it is not always possible to ensure that there are not conflicts with other policies that might compromise these protections.

The NDF includes two main sections setting out policies: Chapter 4 describes those policies associated with strategic and spatial choices that would apply across Wales (such as broad policies relating to urban growth, housing or renewable energy), whilst Chapter 5 sets out policies applying specifically to particular regions (i.e. North Wales, Mid and South-west Wales and South-east Wales). Whilst it is considered unlikely that there would be in-combination effects between the three regions (since impacts associated with the regional policies have a spatial element which are unlikely to impact sites in other regions), the spatial policies for these regions do have the potential to act in combination with the overarching strategic policies in Chapter 4. This is because the national nature of the latter means that it is possible that they could lead to additional development within a region to that already determined by the regional policies. However, because the spatial element of the national strategic policies is not known at this stage, it is not possible to assess the in-combination effects.

It is also considered possible that any of the Screened-in strategic policies in Chapter 4 could act in combination with each other. This is because if policies outlining the approach for different types of development have the same spatial focus, then effects which may not be significant on their own may become significant in combination with each other if proposals could lead to effects on the same Natura 2000/ Ramsar site. Thus, for example, the strategic policies relating to renewable energy and housing could have significant effects if they each lead to development adjacent to the same European site, even if on their own they are not significant. However, again, because there are no specific details pertaining to the spatial distribution of developments that could be forthcoming in lower-tier plans resulting from these Chapter 4 policies, it is again not possible to assess the in-combination effects.

The potential for in-combination effects associated with screened-in policies will be assessed in the AA (Section 5 of this report) following a more detailed assessment of the individual policies and the implementation of mitigation (if required).

In addition to the in-combination effects between screened-in policies, the potential also exists for policies which were screened out as 'Category J' in the screening assessment (see Table 2) to act in combination with other policies; this is because this category relates to policies which, on their own would not have a significant effect but which could have an effect in-combination with other policies. However, no policies were categorised in this way, so no in-combination effects of screened-out policies with other policies with the NDF are anticipated.

### 2.2 Other Plans or Projects

#### Lower-tier plans

The lower-tier planning documents arising from the NDF (e.g. the Strategic Development Plans or their constituent Local Development Plans) will identify the locations to be allocated for development, and it is therefore only at this level that the potential for impacts on Natura 2000/ Ramsar sites can be properly assessed. Furthermore, it is not possible to consider in-combination effects between these documents and the NDF since they are not independent of each other (not least because such plans will be required to be in conformity with the policies within the NDF).

## Other development plans

The NDF sits alongside a number of other Government Strategies/Plans including (but not limited to) the Wales Infrastructure Investment Plan, the Draft Welsh National Marine Plan, the Wales Transport Strategy, Natural Resources Policy and the Brexit and Our Land document. The potential in-combination effects associated with these plans is outlined below.

### *Wales Infrastructure Investment Plan*

The Wales Infrastructure Investment Plan sets out the potential investment opportunities within the public and private sector in Wales. There is the potential for in-combination effects with this plan and the NDF policies related to growth, industry and housing. However, because there are no specific details pertaining to the nature of the potential developments within the NDF, it is not possible at this high level to assess the potential in-combination effects between these documents.

### *Draft Welsh National Marine Plan*

The Welsh National Marine Plan (WNMP) sets out how sustainable development can be achieved in the marine area to benefit from the economic and ecological value of the inshore and offshore seas around Wales. Although there is the potential for in-combination effects with several NDF policies (such as renewable energy, the Port of Holyhead and Haven Waterway), the WNMP has been subject to HRA which concluded that *'the WNMP includes appropriate plan-level mitigating provisions within it that will minimise the risk of 'in-combination' effects as a result of activities within the WNMP area.'* This, in combination with the protective policy wording within the NDF, will provide protection to marine environments, and as such would ensure no in-combination effects.

### *Wales Transport Strategy*

The Wales Transport Strategy has been designed to *'promote sustainable transport networks that safeguard the environment while strengthening our country's economic and social life.'* There is therefore the potential for in-combination effects with NDF Policy 22 (Transport Links to North West England). However, there are no specific transport Schemes within either the NDF nor the Transport Strategy, and therefore it is not possible to assess the in-combination effects. However, both documents include protective policy wording to ensure that Natura 2000/ Ramsar sites are not adversely affected, and as such, in-combination effects are considered unlikely.

### *National Resources Policy*

The National Resources Policy focuses on *'sustainable management of Wales' natural resources, to maximise their contribution to achieving goals within the Well-being of Future Generations Act.'* This policy adds to the protection of designated sites within Wales and would not lead to negative in-combination effects with the NDF (indeed it would actually help add to the protective wording set out within Policy 8 of the NDF (Policy 8 will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside).

### *Brexit and Our Land*

The Brexit and Our Land document sets out the proposed new Land Management Programme that will replace the Common Agricultural Policy (CAP), in its entirety, following Brexit. Depending on the final content of the Landscape Management Plan, there is the potential for in-combination effects with NDF policies which support rural development, such as P4 – Supporting Rural Communities. However, given the current uncertainty surrounding Brexit, it is not possible to meaningfully assess in-combination effects at this stage.

## Wales/ England border

In addition to the Welsh development plans, set out above, there is also the potential for in-combination impacts on Natura 2000/ Ramsar sites between the NDF and English plans.

There are a number of Natura 2000/ Ramsar sites which lie at the border of between Wales and England, for example, the Dee Estuary SPA/SAC/ Ramsar site, the Severn Estuary SPA/SAC/ Ramsar site, Midland Meres and Mosses Ramsar sites, Liverpool Bay SPA, and the River Wye SACs, as well as those in the vicinity of the

border in both England and Wales. Potential in-combination impacts on these Natura 2000/ Ramsar sites could arise through policies implemented in both countries.

The National Planning Policy Framework (NPPF) *sets out the government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.* The policy framework relating to areas such as housing supply, economy, sustainable transport, land-use, and minerals have the potential for in-combination effects with NDF policies related to growth, industry and housing. However, because there are no specific details pertaining to the nature of the potential developments which could occur as a result of implementing policies within the NDF, it is not possible at this high level to assess the potential in-combination effects between the NPPF and NDF. Nonetheless, both include protective policy wording to ensure that Natura 2000/ Ramsar sites are not adversely affected (such as Sections 13 to 15 of the NPPF and Policy 8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), and as such, in-combination effects are considered unlikely.

## Projects

The NDF does not include reference to specific NSIPs or DNS or any other project-level development. Such developments would likely originate through lower-tier plans, such as strategic or local development plans. These plans would therefore be subject to the protective policy wording within the higher-tier NDF, and as such no in-combination effects would occur.

## 3 Screening Summary/Conclusion

Of the 33 policies set out in the draft NDF, 13 can be screened out from further Appropriate Assessment since they either would not lead directly to change, or if they did, any change would be of such small scale that no likely significant effect on Natura 2000/ Ramsar sites could occur either alone or in combination.

The remaining 20 policies are considered to have the potential to direct future development such that there could be implications for Natura 2000/ Ramsar sites. These policies have therefore been screened in for further Appropriate Assessment, the results of which are outlined in Section 4.

## 4 Appropriate Assessment

### 4.1 Overview

This Section comprises the Appropriate Assessment (Stage 2) of the 20 policies which could not be screened out at the screening stage of the HRA process (refer to Table 3).

Table 4 provides a more detailed assessment of the potential implications for Natura 2000/Ramsar sites that could arise as a result of implementation of the policies. Where the policy contains a spatial element, the Natura 2000/Ramsar sites that could be affected as a result of the policy are identified (where possible) with examples of the types of impacts that could occur. Since no specific development allocations or proposals are identified in the NDF, the full scope of potential effects cannot be identified at this strategic stage, and therefore any effects identified here are not considered to be a conclusive list of all possible impacts.

In addition to the assessment of the potential for an adverse effect on the integrity of a Natura 2000/Ramsar site of each of the Screened In policies, the requirement for mitigation to ensure such effects would not occur is also included in the assessment. At the strategic level of the NDF, mitigation is usually focused primarily on changing policy wording. However, although in this case that could mean ensuring that the final NDF includes policy wording designed to ensure that any lower-tier policy/planning documents would have to take Natura 2000/Ramsar sites properly into account during the planning process, all lower-tier plans and projects within or near to Natura 2000/ Ramsar sites are already required to comply with the Conservation of Habitats and Species Regulations (2017) as a matter of law. Therefore, irrespective of the policy wording included within the NDF, statutory HRA of lower tier plans/ projects would be required.

It is nevertheless important that this HRA of the higher-tier NDF identifies the types of potential impacts which could arise from policy implementation, and also sets out how these could be avoided or mitigated at later stages of the planning process. This detail is thus provided in the table below. It is also important that this HRA provides the high-level policy reassurance that future SDPs and LDPs will follow the necessary process to identify and assess potential implications for Natura 2000/Ramsar sites when allocating land for development. The subsequent local plan-, or even project-level HRAs will need to take into consideration the potential impacts identified in this HRA to guide their policy development and ensure that appropriate mitigation or compensatory measures can be delivered where potential for adverse effects are identified.

Table 4, below, provides the Appropriate Assessment for the 20 screened-in policies.

Table 4: Appropriate Assessment of Screened-in Policies

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
<p>P6 – Planning in Mobile Action Zones</p>	<p><i>Impacts</i></p> <p>Whilst the majority of infrastructure for mobile technology would be of small scale and generally linked to existing development (for example, installing cabling along road verges), the requirement for larger infrastructure, such as mobile phone masts, could lead to potential impacts on Natura 2000/ Ramsar sites, should they be located within or close to such areas. Although the exact details of such Schemes are not known, potential impacts are likely to be largely restricted to the short-term and associated with the construction phase of development. Potential impacts during construction could include: disturbance to qualifying features (for example, disturbance/ displacement of qualifying bird species if locating new infrastructure in or near to coastal or upland SPAs/Ramsar sites); damage to, or loss of, important habitats associated with Ramsar sites/ SACs (for example, permanent loss of habitat under the footprint of new structures, or damage if laying cable across watercourses or through other SAC/Ramsar site habitats); and hydrological effects (for example, the digging of cable trenches leading to the inadvertent drainage, and thus drying out, of SAC/Ramsar site wetland habitats).</p> <p><i>Mitigation</i></p> <p>Generally, the installation of infrastructure for mobile technology is unlikely to adversely affect Natura 2000/ Ramsar sites (due to the temporary and short-term nature of such infrastructure works, and likely urban settings). However, where there is a need to expand mobile infrastructure within Mobile Action Zones, where sensitive habitats and species could be present, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Where possible, avoid allocating land for new mobile infrastructure within or near to Natura 2000/ Ramsar sites, and if this is not possible, ensure that impact pathways are well understood so that the potential for likely significant effects is avoided.</li> <li>• Minimise the footprint of larger infrastructure and/ or cabling routes if installation within Natura 2000/ Ramsar sites cannot reasonably be avoided.</li> <li>• If sensitive species are located nearby, time works to avoid potential impacts (for example, avoiding the winter period if an area is utilised by over-wintering qualifying bird species).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during project design, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	<p>No adverse effect on integrity of Natura 2000/ Ramsar sites</p>
<p>P9 – National Forest</p>	<p><i>Impacts</i></p> <p>The exact location of a new National Forest for Wales is not currently known; however, Policy P9 states that it is likely to be dispersed over a number of locations, with a target to increase woodland cover in Wales by at least 2000 hectares per annum from 2020.</p>	<p>No adverse effect on integrity of Natura 2000/ Ramsar sites</p>



Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>The creation of a National Forest for Wales is considered to be a positive policy, with many environmental benefits; however, if areas of forest are planted in unsuitable locations, the policy could potentially lead to detrimental impacts on existing habitats and species (e.g. open habitats like heathland or grassland, where woodland cover is not beneficial). Whilst planting woodland in such habitats within Natura 2000/ Ramsar sites would clearly be contrary to their conservation objectives, it is also possible that planting woodland adjacent to such sites could also have adverse effects, especially if species from those sites depend upon similarly-open habitats beyond the site boundaries (e.g. for foraging or roosting). Planting woodland adjacent to these sites could also provide cover for predators of the qualifying species (in particular ground nesting birds), or could potentially affect the hydrology of the landscape, which could adversely affect wetland sites. Increasing the number of visitors to areas of new woodland planting could also have detrimental impacts associated with recreational pressure (such as disturbance from increased human presence and dog walkers)</p> <p><i>Mitigation</i></p> <p>It is clearly important to ensure that sites selected to support the delivery of this policy are not already designated for the presence of other (non-woodland) habitats which would be compromised by such planting (e.g. open grassland or heathland sites). Where sensitive habitats and species could be present, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Avoid new woodland planting within designated sites where new woodland planting would be detrimental to the conservation objectives of the site.</li> <li>• Avoid new woodland planting adjacent to designated sites where this could indirectly affect the qualifying habitats or species of the site.</li> <li>• If the creation of an area of National Forest close to a Natura 2000/ Ramsar site is aimed at providing a resource for recreation, consider the implications of human disturbance and dog-walking on the sensitive habitats and qualifying species of any nearby designated sites (in particular, the implications for ground-nesting bird species and damage caused by trampling).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P10 – Wind and Solar Energy in Priority Areas	<p><i>Impacts &amp; Mitigation</i></p> <p>Welsh Government have already identified a number of potential Priority Areas for Solar and Wind Energy development across Wales. A review of these areas in relation to Natura 2000/ Ramsar sites has been undertaken to determine the potential implications that development within these areas could have on sites of international importance. The initial review (Arcadis, March 2019) confirmed that the original selection process had largely avoided not only Natura 2000/ Ramsar sites but also other designated areas, including National Parks and AONBs; these often support species, particularly birds and bats, that are protected under the Habitats Regulations, even if the individuals are not directly associated with a particular designated site. The review did, however, identify some Natura 2000/</p>	Assuming that the Priority Areas for Solar and Wind Energy process is followed, no adverse effect on the integrity of Natura

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>Ramsar sites that were either within or close to the boundary of a number of the Priority Areas, and so further refinement of the boundaries was recommended to ensure that any proposals arising within the Priority Areas avoided any direct effects on Natura 2000/ Ramsar sites.</p> <p>Following this refinement, a final HRA of the Priority Areas process was carried out, taking into account changes to the Priority Area boundaries (Arcadis, June 2019). This HRA Report (see Appendix B) concluded that the process for prioritising areas for wind and solar farm development had successfully reduced the risk to the Natura 2000 network of sites across Wales. However, it also clarified that this does not mean that all potential impacts have necessarily been avoided, since the buffer zones (shown on Figure 2 of the report) clearly illustrate that a significant proportion of the area prioritised for renewables development does still lie sufficiently close to Natura 2000/ Ramsar sites that impacts could occur. These buffer zones will be important for informing the scope of subsequent local plan-/ project-level HRA for future wind and solar farm proposals.</p> <p>The HRA Report finally concluded that, assuming that the Priority Areas map is first of all used to prioritise where future wind and solar development is focused, and that a further safety net would be provided by the local plan-/project-level HRA process (for all proposal sites located within the buffer zone of one or more Natura 2000/ Ramsar sites sites), this strategic approach to renewables development across Wales (as established by the NDF) would be compliant with the Habitats Regulations.</p> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	<p>2000/ Ramsar sites would be anticipated.</p>
<p>P11 – Wind and Solar Energy Outside of Priority Areas</p>	<p><i>Impacts</i></p> <p>As detailed against Policy P10 (above), Welsh Government have identified Priority Areas for Solar and Wind Energy developments across Wales. Whilst it is considered likely that the majority of proposals for wind and solar development will therefore fall within these areas, that does not mean that such development outside of the Priority Areas cannot be consented. However, in many cases there would be a strong possibility that the proposed wind or solar farm would be in closer proximity to Natura 2000/ Ramsar sites, so the potential risks to habitats and species associated with those sites would be greater.</p> <p><i>Mitigation</i></p> <p>It is clearly important to ensure that any sites or areas proposed for wind and/or solar development outside of the Priority Areas network are very robustly assessed, initially through a feasibility and HRA screening exercise so that the potential for consent (or indeed likelihood of refusal) is understood early in the process. In the event that projects are proposed outside of the Priority Areas, the policy wording in P11 requires ‘no unacceptable adverse impacts’ upon nature conservation sites and species. Whilst this requirement should ensure that potential effects are fully assessed, it cannot be relied upon at this stage to ensure ‘beyond reasonable scientific doubt’ that adverse effects on Natura 2000/ Ramsar sites can be ruled out. Details of specific Natura 2000/ Ramsar sites that could be affected by this policy cannot be identified at this stage since there are no spatial elements to the policy; therefore, lower-tier plans/individual project proposals will need to identify which designated sites could be affected. Where sensitive habitats and/or species could be</p>	<p>No adverse effect on integrity of Natura 2000/ Ramsar sites</p>

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>present, consideration should be given to the following avoidance/mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Avoid locating new wind farms or solar farms within 5km of Ramsar sites, and also SACs where bats (and birds) <i>are not</i> a qualifying feature.</li> <li>• Avoid locating new wind farms within 10km of SACs with bat interests.</li> <li>• Consider not only the presence of SAC rivers within 5km of any proposed wind or solar farm, but also presence of tributaries to these rivers, as the qualifying species could also occur some distance upstream of the officially designated boundaries of these sites.</li> <li>• Avoid locating new wind farms within 20km of SPAs and/or Ramsar sites with bird interests (and within 40km of those SPAs/ Ramsar sites for which chough are a qualifying species).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P13 – Other Renewable Energy Developments	<p><i>Impacts</i></p> <p>The Welsh Government also supports other renewable energy technologies (i.e. other than wind or solar) in principle and is preparing an Energy Atlas to identify opportunities for all types of renewable projects. Details or locations of any other renewable energy technology projects are not outlined within the NDF; however, new energy development has the potential to affect multiple Natura 2000/ Ramsar sites.</p> <p>Examples of impacts that could arise from new energy related developments could include (but are not limited to): collision-related impacts on birds if new large structures are built within or adjacent to sensitive areas; loss of or damage to sensitive habitats; loss of or damage to land functionally linked to a Natura 2000/ Ramsar site; disturbance/ displacement of qualifying marine and terrestrial species; and hydrological and hydrogeological impacts.</p> <p><i>Mitigation</i></p> <p>The policy wording within P13 acknowledges that ‘<i>Proposals should ensure that there is no significant unacceptable detrimental impact on the surrounding natural environment and local communities and that the development brings with it positive social, environmental and economic benefits</i>’. Whilst this requirement should ensure that potential effects are fully assessed, it cannot be relied upon at this stage to ensure ‘beyond reasonable scientific doubt’ that adverse effects on Natura 2000/ Ramsar sites can be ruled out. Details of specific Natura 2000/ Ramsar sites that could be affected by this policy cannot be identified at this stage since there are no spatial elements to the policy; therefore, lower-tier plans/individual project proposals will need to identify which designated sites could be</p>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>affected. Where sensitive habitats and species could be present, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Avoid allocating land for new energy developments within, or directly adjacent to Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding habitats supporting sensitive habitats and species known to be within or functionally linked to adjacent SPA/ Ramsar sites). Feasibility studies may be required to determine potential impacts on the natural environment.</li> <li>• Avoid known marine designated sites (such as Marine SPAs, Marine Conservation Zones or European Marine Sites) when considering locations for potential new marine energy projects. Feasibility studies may be required to determine potential impacts on the marine environment.</li> <li>• The location and routing of cabling (and associated infrastructure) from new energy developments should also avoid designated sites or minimise route corridors through sensitive areas (if they cannot be avoided).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P17 – Wrexham and Deeside	<p><i>Impacts</i></p> <p>A number of Natura 2000/ Ramsar sites are present in north east Wales. In particular the Deeside and Buckley Newt Sites SAC, the Johnstown Newt Site SAC, Midland Meres and Mosses Ramsar site, the River Dee and Bala Lake SAC, and The Dee Estuary SAC/SPA/Ramsar site. These sites are all present in close proximity to the towns of Wrexham and Deeside.</p> <p>Increased growth in these areas could lead to impacts upon the newt sites, such as severance of commuting routes, reducing connectivity between the sites that make up the SAC, or through other effects such as pollution or increased disturbance and damage as a result of recreational pressures. Other potential impacts include disturbance/displacement of qualifying bird species associated with The Dee Estuary SAC/SPA/Ramsar site, as well as pollution and recreational pressures on other Natura 2000/ Ramsar sites.</p> <p><i>Mitigation</i></p> <p>Lower-tier plans, such as Local Development Plans, are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE) and implement appropriate mitigation measures as required. However, consideration should also be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Focus land allocations within existing urban locations.</li> <li>• Avoid allocating new development within, or directly adjacent to, Natura 2000/ Ramsar sites to reduce/ minimise impacts such as severance of connectivity between Newt SAC sites and disturbance/ displacement effects on qualifying bird species.</li> </ul>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<ul style="list-style-type: none"> <li>Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. considering whether a Natura 2000/ Ramsar site can sustain the increases in additional residents proposed by a lower-tier plan). A recreational pressure feasibility study may be required. Potential for likely significant effects in relation to recreational pressure in combination with other lower plans should also be considered, especially where Natura 2000/ Ramsar sites are present at the boundary between Local Authorities (LAs), such as the Dee Estuary.</li> <li>Consider the potential implications of increased air pollution within Wrexham and Deeside, as well as across the region (in combination). Consideration should be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P18 – North Wales Coastal Settlements	<p><i>Impacts</i></p> <p>A number of Natura 2000/ Ramsar sites are located around the north west Wales coastline such as Liverpool Bay SPA, Lavan Sand SPA and Menai Strait and Conwy Bay SAC, as well as inland sites including Snowdonia SAC and smaller woodland and SACs designated for their bat interest.</p> <p>Increased growth in these coastal areas could lead to impacts upon Natura 2000/ Ramsar sites through potential disturbance/ displacement of bird species associated with nearby SPA/ Ramsar sites (for example, loss of functionally-linked land under the footprint of land allocated for development within lower-tier plans), severance of commuting routes for bats associated with SACs ( i.e. reducing connectivity between the sites through loss of hedgerows/ woodland), or through other effects such as water/ air pollution or increased disturbance as a result of recreational pressures from an increased population within the region.</p> <p><i>Mitigation</i></p> <p>Lower-tier plans, such as Local Development Plans, are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE and implement appropriate mitigation measures as required. However, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>Focus land allocations within existing urban locations.</li> <li>Avoid allocating land for new development within, or directly adjacent to Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding land adjacent to the coast known to be functionally-linked to adjacent SPA/ Ramsar sites).</li> <li>Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. can a Natura 2000/ Ramsar site sustain the increases in additional residents proposed by a lower-tier plan?). A recreational pressure feasibility study may be required. Potential for likely significant</li> </ul>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>effects in relation to recreational pressure in combination with other lower plans should also be considered, especially where Natura 2000/ Ramsar sites are present at the boundary between LAs.</p> <ul style="list-style-type: none"> <li>Consider the potential implications of increased air pollution within coastal regions, as well as across the region (in combination). Consideration should also be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P20 – Port of Holyhead	<p><i>Impacts</i></p> <p>Although the exact details of growth associated with the Port of Holyhead are currently unknown, the Welsh Government generally supports development of the port and facilities, including increasing its capacity to accommodate cruise ships.</p> <p>Increasing the capacity of the port and other port-related activities has the potential to impact upon one or more Natura 2000/ Ramsar sites located around the Anglesey coast, including North Anglesey SAC and Anglesey Terns SPA. Potential impacts could include (but are not limited to): disturbance/displacement effects upon qualifying features of the marine sites (including harbour porpoise and breeding terns); loss/ damage to sensitive marine and coastal habitats; potential increases in air pollution through increased boat traffic; pollution within the marine environment; and indirect effects such as increased recreational pressures on the coastline through additional tourism to the area.</p> <p><i>Mitigation</i></p> <p>Given the potential scale of development around the port, it is anticipated that such schemes would fall within the scope of an NSIP/ DNS. Whilst this would ensure that potential impacts upon Natura 2000/ Ramsar sites are fully assessed through the HRA process (irrespective of Policy P20 wording within the NDF), it is also considered essential that a high-level assessment is carried out (prior to any lower-tier assessments) in order to determine whether Natura 2000/ Ramsar sites can accommodate any port expansion and/or an increase in shipping.</p> <p>Such a feasibility study would need to include identification of potential impacts on qualifying features of nearby SPA/Ramsar sites/ SACs (marine and terrestrial) associated with air quality, recreational pressure, and potential in-combination effects with other large-scale projects regionally/ nationally. This may be useful for directing further work at the future plan/project stages but would certainly provide essential context for this policy before it can be implemented in any way.</p> <p>Consideration should also be given to how new infrastructure associated with the port development integrates with the existing road/ rail network, and to encouraging sustainable transport solutions (such as integrated public transport routes).</p> <p><i>Conclusion</i></p>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>Consideration of the measures set out above, compliance with P8 of the NDF and the requirement for such large-scale development to undergo statutory HRA at the project-level, will ensure no adverse effect on the integrity of Natura 2000/ Ramsar sites.</p>	
<p>P21 – Transport Links to North West England increased</p>	<p><i>Impacts</i></p> <p>The precise details of proposed growth in transport links between north west England and Wales are currently unknown; however, the Welsh Government does support development of a new North Wales Metro and improvements to the A55 to reduce congestion.</p> <p>A number of Natura 2000/ Ramsar sites are located around the north west of England and Wales, including Liverpool Bay SPA, Lavan Sand SPA, Menai Strait and Conwy Bay SAC, and the Dee Estuary SAC/SPA/Ramsar site, as well as inland sites including Snowdonia SAC, Deeside and Buckley Newt Sites SAC and Johnstown Newt SAC, and smaller woodland and SACs designated for bats.</p> <p>Any proposals for development associated with improving transport connectivity within north west England could lead to likely significant effects upon Natura 2000/ Ramsar sites through potential impacts including (but not limited to): habitat loss under the footprint of new roads schemes; fragmentation of habitats, severance of connectivity between sites (particularly in relation to newt SAC sites) and potential road-related mortality; disturbance, displacement and/or road-related mortality of qualifying bird species associated with SPAs/ Ramsar sites; as well as potential water and air pollution from such schemes.</p> <p><i>Mitigation</i></p> <p>Given the scale of the potential new Metro Scheme, and possible large-scale improvements to the A55, it is anticipated that they could fall within the scope of an NSIP/ DNS. This would ensure that potential impacts upon Natura 2000/ Ramsar sites are fully assessed through the HRA process (irrespective of Policy P21 within the NDF). Development of the metro Scheme would also be subject to the Welsh Transport Appraisal Guidance (WelTAG) business case process, which incorporates the requirements of HRA at the appropriate planning stage. However, consideration of the following avoidance/ mitigation measures should also be given when policies are implemented either regionally and/or locally in relation to improving transport links:</p> <ul style="list-style-type: none"> <li>• New transport links should aim to avoid impacts on Natura 2000/ Ramsar sites, wherever possible. This should be achieved through sensitive route planning to avoid development within, or directly adjacent to, Natura 2000/ Ramsar sites. Feasibility studies may be required to assess potential impacts on designated sites at an early stage.</li> <li>• Consideration should be given to the potential implications of increased air pollution as a result of changes to the transport links locally as well as across the north west region (i.e. in combination effects with other new road schemes).</li> <li>• Consideration should be given to encouraging sustainable transport solutions (e.g. incorporating cycle paths, foot bridges to link existing footpaths and integrated public transport routes, use of bus lanes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	<p>No adverse effect on integrity of Natura 2000/ Ramsar sites</p>



Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
P22 – North West Wales and Energy	<p><i>Impacts</i></p> <p>The Welsh Government supports north west Wales as a location for new energy development and investment, including wind and tidal energy, the potential Wylfa Newydd nuclear power station development, and smaller Modular (nuclear) Reactors.</p> <p>North West Wales (including the island of Anglesey) is surrounded by Natura 2000/ Ramsar sites, including four SPAs (Anglesey Terns, Lavan Sands, Puffin Island and Liverpool Bay) and the Menai Strait and Conwy Bay SAC. In addition, numerous smaller Natura 2000/ Ramsar sites are present around the coast and inland, including Anglesey Fens SAC/Ramsar site, Abermenai to Aberffraw Dunes SAC, Snowdonia SAC and Holy Island Coast SAC/SPA. Any new energy developments in the region therefore have the potential to affect multiple Natura 2000/ Ramsar sites.</p> <p>Examples of impacts that could arise from new energy-related developments could include (but are not limited to): collision-related impacts on birds as a result of wind energy developments; loss of, or damage to sensitive habitats; disturbance/ displacement of qualifying marine and terrestrial species; hydrological and hydrogeological changes; and impacts on marine animals as a result of hot water outfalls from nuclear power stations. Solar developments tend to have lower environmental impacts; however, sited incorrectly these could also have impact Natura 2000/Ramsar sites through habitat loss/ damage and potential effects on species from solar glare.</p> <p><i>Mitigation</i></p> <p>Given the scale of new nuclear energy developments, any future nuclear proposals will fall under the requirements of NSIPs or DNS. These will ensure that potential effects upon Natura 2000/ Ramsar sites are fully assessed and mitigation or compensation measures incorporated into any proposals. New wind and tidal energy developments are also likely to fall within the remit of NSIPs/ DNS. The policy wording within P22 acknowledges that ‘considerations will need to be balanced against the long-term impact that these large-scale developments can have on sensitive areas and the surrounding environment’ and requires that consideration should be given to ‘impacts on the natural and historic environment’.</p> <p>Details of specific Natura 2000/ Ramsar sites that could be affected by this policy cannot be identified at this stage since there are no spatial elements to the policy (with the exception of Wylfa, see below); therefore, lower-tier plans/individual project proposals will need to identify which designated sites could be affected by future energy development within north west Wales. Where sensitive habitats and species could be present, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Use the Priority Areas for Solar and Wind Energy) development (see Policy P10) wherever possible, and avoid allocating land for new wind energy developments within, or directly adjacent to Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding upland habitats supporting sensitive habitats and species known to be within or functionally-linked to adjacent SPA/ Ramsar sites). Feasibility studies may be required to determine potential impacts on the natural environment.</li> <li>• Avoid known marine designated sites (such as Marine SPAs, Marine Conservation Zones or European Marine Sites) when considering locations for potential new wave energy projects. Again, feasibility studies may be required to determine potential impacts on the marine environment.</li> </ul>	No adverse effect on integrity of Natura 2000/ Ramsar sites



Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<ul style="list-style-type: none"> <li>The location and routing of cabling (and associated infrastructure) from new energy developments should consider avoiding designated sites, or minimising route corridors through sensitive areas, if they cannot be avoided.</li> </ul> <p>Significant ecological assessment has already been carried out at the potential Wylfa Newydd nuclear power station site, and mitigation measures proposed. Careful consideration of these (and any further assessment) will need to ensure no adverse effect on the integrity of nearby Natura 2000/ Ramsar sites as part of the statutory requirement to undertake HRA for the Scheme.</p> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P23 – Swansea Bay and Llanelli	<p><i>Impacts</i></p> <p>The Burry Inlet SPA/Ramsar site and Carmarthen Bay and Estuaries SAC lie on the coast to the south of Llanelli and west of Swansea. Crymlyn Bog SAC/Ramsar site lies on the eastern edge of Swansea, and Gower Commons SAC and Gower Ash Woods SAC are to the south west of Swansea.</p> <p>Focusing growth in and around existing urban centres is considered likely to minimise the potential for likely significant effects on designated sites; however, in the absence of any detailed development proposals, the potential for Natura 2000/ Ramsar sites to be affected cannot be ruled out. Increased growth in these coastal areas could lead to impacts upon Natura 2000/ Ramsar sites through potential disturbance/ displacement of bird species associated with nearby SPA/ Ramsar sites (for example, loss of functionally-linked land under the footprint of land allocated for development within lower-tier plans), or through other effects such as water/ air pollution or increased disturbance as a result of recreational pressures from an increased population within the region.</p> <p><i>Mitigation</i></p> <p>Lower-tier plans, such as Local Development Plans, are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE and implement appropriate mitigation measures as required. However, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>Focus land allocations (in Strategic and Local Development plans) within existing urban locations within Swansea and Llanelli.</li> <li>Avoid allocating new development within, or directly adjacent to, Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding land adjacent to the coast known to be functionally linked to adjacent SPA/ Ramsar sites).</li> <li>Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. can a Natura 2000/ Ramsar site sustain the increases in additional residents proposed by a lower-tier plan?). A recreational pressure feasibility study may be required. Potential for likely significant effects in relation to recreational pressure in combination with other lower tier plans should also be considered, especially where Natura 2000/ Ramsar sites are present at the boundary between LAs.</li> </ul>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<ul style="list-style-type: none"> <li>Consider the potential implications of increased air pollution within coastal regions, as well as across the region (in combination). Consideration should be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P24 – Regional Centres	<p><i>Impacts</i></p> <p>The Haven Towns are located along the Cleddau Estuary and Milford Haven (which form part of the Pembrokeshire Marine SAC). Carmarthen lies alongside the River Tywi SAC (with the Carmarthen Bay and Estuaries SAC/Marine site to the south) and Northern Cardigan Bay SPA. Growth in all of these areas has the potential to impact upon designated sites.</p> <p>The potential for impacts from growth at Newtown, Builth Wells and Llandrindod Wells (also named in this policy) are considered to be minimal, given the distance of these towns from Natura 2000/ Ramsar sites; however, given that there is no spatial element associated with the policy, potential impacts cannot be ruled out.</p> <p>Focusing growth in and around existing urban centres is considered likely to minimise the potential for adverse effects on designated sites; however, in the absence of any detailed development proposals, the potential for Natura 2000/ Ramsar sites to be affected cannot be ruled out. Increased growth in these areas could lead to impacts upon Natura 2000/ Ramsar sites through potential disturbance/ displacement of bird species associated with nearby SPA/ Ramsar sites (for example, loss of functionally-linked land under the footprint of land allocated for development within lower-tier plans), or through other effects such as water/ air pollution or increased disturbance as a result of recreational pressures from an increased population within the region.</p> <p><i>Mitigation</i></p> <p>Lower-tier plans, such as Local Development Plans, are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE and implement appropriate mitigation measures as required. However, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>Focus land allocations (in Strategic and Local Development plans) inside existing urban locations within the various regional centres.</li> <li>Avoid allocating new development within, or directly adjacent to, Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding land adjacent to the coast known to be functionally linked to adjacent SPA/ Ramsar sites).</li> <li>Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. whether a Natura 2000/ Ramsar site can sustain the increases in additional residents proposed by a lower-tier plan). A recreational pressure feasibility study may also be required. Potential for likely</li> </ul>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>significant effects in relation to recreational pressure in combination with other lower-tier plans should also be considered, especially where Natura 2000/ Ramsar sites are present at the boundary between LAs.</p> <ul style="list-style-type: none"> <li>Consider the potential implications of increased air pollution within coastal regions, as well as across the region (in combination). Consideration should be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P25 – Haven Waterway	<p><i>Impacts</i></p> <p>Although the Haven Waterway is an existing port with long-established industries, and a key location for the UK's energy supplies, it is also an important wildlife site, being designated under the West Wales Marine SAC and Pembrokeshire Marine SAC. The NDF identifies the potential for strategic development of the waterway and provides support to facilitate 'appropriate' new development.</p> <p>Whilst the exact details of proposed the expansion of the waterway are not currently known, any increase in the capacity of the port, and other port-related activities, has the potential to impact upon one or more of the coastal Natura 2000/ Ramsar sites. Potential impacts could include (but are not limited to): disturbance/displacement effects upon qualifying features of the marine sites; loss/damage to sensitive marine and coastal habitats; potential increases in air pollution through increased boat traffic and associated industrial growth; and pollution within the marine environment. Should growth within the waterway also include an increase in recreational boat traffic, indirect effects of recreational pressures on the coastline would also need to be considered.</p> <p><i>Mitigation</i></p> <p>Given the potential scale of development around the port, it is anticipated that such schemes would fall within the scope of an NSIP/ Development of National Significance. Whilst this would ensure potential impacts upon Natura 2000/ Ramsar sites are fully assessed through the HRA process (irrespective of Policy P25 wording within the NDF), it is also considered essential that a high-level assessment is carried out (prior to any lower-tier assessments) in order to determine whether Natura 2000/ Ramsar sites can accommodate any expansion of the Haven Waterway and/or an increase in shipping.</p> <p>Such a feasibility study would need to include identification of potential impacts on qualifying features of nearby SPA/Ramsar sites/ SACs (marine and terrestrial) associated with air quality, recreational pressure, and potential in-combination effects with other large-scale projects regionally/ nationally. This may be useful for directing further work at the future plan/project stages but would certainly provide essential context for this policy before it can be implemented in any way.</p> <p>Consideration should also be given to how new infrastructure associated with the waterway development integrates with the existing road/ rail network, and to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</p>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P26 – Swansea Metro	<p><i>Impacts</i></p> <p>The Welsh Government supports the development of the Swansea Bay Metro to improve connections across the region. Whilst it is likely that the majority of any such metro scheme would be located largely within urban settings within Swansea, because the exact details of any proposals are not currently known, potential impacts on Natura 2000/ Ramsar sites cannot be ruled out.</p> <p>The Burry Inlet SPA/Ramsar site and Carmarthen Bay and Estuaries SAC lie to the west of Swansea. Crymlyn Bog SAC/Ramsar site are on the eastern edge of Swansea, with the Gower Commons SAC and Gower Ash Woods SAC to the south west.</p> <p>Potential impacts could include (but are not limited to) disturbance/ displacement of bird species associated with nearby SPA/ Ramsar sites (for example, loss of functionally-linked land under the footprint of the metro if outside of urban locations, or along the coast), or through other effects such as water/ air pollution or increased disturbance/damage as a result of recreational pressures from an increased population within the region (should the metro provide greater access to coastal areas known to support sensitive habitats and species).</p> <p><i>Mitigation</i></p> <p>Given the scale of the potential new Metro Scheme, it is anticipated that this could fall within the scope of an NSIP/ DNS. This would ensure that potential impacts upon Natura 2000/ Ramsar sites are fully assessed through the HRA process (irrespective of Policy P26 within the NDF). Development of the metro scheme would also be subject to the WelTAG business case process, which incorporates the requirements of HRA at the appropriate planning stage. However, consideration of the following avoidance/ mitigation measures should be given when policies are implemented either regionally and/or locally in relation to improving transport links:</p> <ul style="list-style-type: none"> <li>• The new metro, and any associated links or infrastructure, should aim to avoid impacts on Natura 2000/ Ramsar sites, wherever possible. This should be achieved through sensitive route planning to avoid development within, or directly adjacent to Natura 2000/ Ramsar sites. Feasibility studies may be required to assess potential impacts on designated sites.</li> <li>• Consideration should be given to the potential implications of increased air pollution as a result of the new metro locally as well as across the region (i.e. in-combination effects with other new schemes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
P27 - Cardiff	<p><i>Impacts</i></p> <p>The Severn Estuary SAC/SPA/Ramsar site and Cardiff Beech Woods SAC are located close to Cardiff and could therefore be affected by growth within and around the city.</p> <p>Focusing growth in and around the existing urban area of Cardiff is considered likely to minimise the potential for adverse effects on designated sites; however, in the absence of any detailed development proposals, the potential for Natura 2000/ Ramsar sites to be affected cannot be ruled out. Increased growth in Cardiff could lead to impacts upon Natura 2000/ Ramsar sites through potential disturbance/ displacement of bird species associated with nearby SPA/ Ramsar sites (for example, loss of functionally-linked land under the footprint of land allocated for development within lower-tier plans), or through other effects such as water/ air pollution or increased disturbance as a result of recreational pressures from an increased population within the region</p> <p><i>Mitigation</i></p> <p>Lower-tier plans, such as Local Development Plans, are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE and implement appropriate mitigation measures as required. However, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Focus land allocations (in Strategic and Local Development plans) within existing urban locations within Cardiff.</li> <li>• Avoid allocating new development within, or directly adjacent to, Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding land adjacent to the coast known to be functionally-linked to adjacent SPA/ Ramsar sites).</li> <li>• Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. whether a Natura 2000/ Ramsar site can sustain the increases in additional residents proposed by a lower-tier plan). A recreational pressure feasibility study may be required.</li> <li>• Consider the potential implications of increased air pollution within coastal regions, as well as across the region (in combination). Consideration should be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	No adverse effect on integrity of Natura 2000/ Ramsar sites
P28 Newport	<p><i>Impacts</i></p> <p>The River Usk SAC and Severn Estuary SAC/SPA/Ramsar site are located close to Newport and could therefore be affected by growth within and around the city.</p>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>Focusing growth in and around the existing urban area of Newport is considered likely to minimise the potential for adverse effects on designated sites; however, in the absence of any detailed development proposals, the potential for Natura 2000/ Ramsar sites to be affected cannot be ruled out. Increased growth in Newport could lead to impacts through potential disturbance/ displacement of bird species associated with the Severn Estuary SPA/ Ramsar site (for example, loss of functionally-linked land under the footprint of land allocated for development within lower-tier plans), or through other effects such as water/ air pollution or increased disturbance as a result of recreational pressures from an increased population within the region.</p> <p><i>Mitigation</i></p> <p>Lower-tier plans, such as Local Development Plans, are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE and implement appropriate mitigation measures as required. However, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Focus land allocations (in Strategic and Local Development plans) within existing urban locations within Newport, avoiding land-take adjacent to the River Usk SAC.</li> <li>• Avoid allocating new development within, or directly adjacent to, Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding land adjacent to the coast known to be functionally-linked to adjacent SPA/ Ramsar sites).</li> <li>• Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. whether or not a Natura 2000/ Ramsar site can sustain the increases in additional residents proposed by a lower-tier plan). A recreational pressure feasibility study may be required.</li> <li>• Consider the potential implications of increased air pollution within and across the region (in combination). Consideration should be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P29 – The Heads of the Valleys	<p><i>Impacts</i></p> <p>There are a small number of Natura 2000/ Ramsar sites within the Heads of the Valleys area, including Blaen Cynon SAC (designated for marsh fritillary butterfly), Coedydd Need a Mellte SAC and Cwm Cadlan SAC.</p> <p>Focusing growth in and around the existing urban centres is considered likely to minimise the potential for adverse effects on these designated sites; however, in the absence of any detailed development proposals, the potential for Natura 2000/ Ramsar sites to be affected cannot be ruled out. Increased growth in the Heads of the Valleys area could lead to impacts upon Natura 2000/ Ramsar sites through potential loss of marsh fritillary sites (if land is allocated within areas known to support the species) or through other effects,</p>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>such as water/ air pollution and increased disturbance/ damage to sensitive habitats and species as a result of recreational pressures from an increased population within the region.</p> <p><i>Mitigation</i></p> <p>Lower-tier plans, such as Local Development Plans, are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE and implement appropriate mitigation measures as required. However, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Focus land allocations (in Strategic and Local Development plans inside existing urban centres within the Heads of the Valleys area.</li> <li>• Avoid allocating new development within, or directly adjacent to, Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding land known to support marsh fritillary butterfly).</li> <li>• Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. whether or not a Natura 2000/ Ramsar site can sustain the increases in additional residents proposed by a lower-tier plan). A recreational pressure feasibility study may be required.</li> <li>• Consider the potential implications of increased air pollution within the valleys, as well as across the region (in combination). Consideration should be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy..</p>	
P31 – Growth in sustainable transport-orientated settlements	<p><i>Impacts</i></p> <p>This policy relates to growth in South Wales, in particular the south east region. There are numerous Natura 2000/ Ramsar sites within the south east region (including the Severn Estuary SAC/SPA/Ramsar site, River Usk SAC and Cardiff Beech Woods SAC).</p> <p>The policy focusses on developing growth within existing urban locations with good transport links and social infrastructure, such that future strategic development plans will identify the most sustainable locations for new development. Whilst focusing growth in and around the existing transport network is considered likely to minimise the potential impacts on designated sites, in the absence of any detailed development proposals or spatial element to the policy, the potential for Natura 2000/ Ramsar sites to be affected cannot be ruled out. Increased growth in South Wales could lead to impacts upon Natura 2000/ Ramsar sites through potential disturbance/ displacement of bird species associated with nearby SPA/ Ramsar sites (for example, loss of functionally-linked land under the footprint of land allocated for development within lower-tier plans), or through other effects such as water/ air pollution or increased disturbance as a result of recreational pressures from an increased population within the region</p>	No adverse effect on integrity of Natura 2000/ Ramsar sites



Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p><i>Mitigation</i></p> <p>Lower tier Strategic Development Plans are required to carry out HRA of proposed allocation sites and policies (as a matter of law) to determine the potential for LSE and implement appropriate mitigation measures as required. However, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Focus land allocations (in Strategic and Local Development plans) within existing urban locations, if possible.</li> <li>• Avoid allocating new development within, or directly adjacent to, Natura 2000/ Ramsar sites to reduce/ minimise impacts on such sites (for example, avoiding land adjacent to the coast known to be functionally-linked to adjacent SPA/ Ramsar sites).</li> <li>• Consider the potential implications of recreational pressure (in particular through in-combination effects) on Natura 2000/ Ramsar sites when determining housing and employment targets (i.e. can a Natura 2000/ Ramsar site sustain the increases in additional residents proposed by a lower-tier plan?). A recreational pressure feasibility study may be required. Potential for likely significant effects in relation to recreational pressure in-combination with other lower-tier plans should also be considered, especially where Natura 2000/ Ramsar sites are present at the boundary between LAs.</li> <li>• Consider the potential implications of increased air pollution across the region (in combination). Consideration should be given to encouraging sustainable transport solutions (such as cycle paths and integrated public transport routes).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	
P32 – Cardiff Airport	<p><i>Impacts</i></p> <p>The Welsh Government supports the growth and development of Cardiff Airport, including expanding the capacity of the airport and providing improved facilities for passengers.</p> <p>Cardiff airport is located adjacent to the Bristol Channel; however, the only Natura 2000/ Ramsar site within 10 km of the airport is the Severn Estuary SPA/ Ramsar site/SAC (over 8.5 km to the east). Given the distance of the airport from the nearest Natura 2000/ Ramsar site, direct effects (such as habitat loss and any water quality impacts) as a result development within Cardiff airport itself are not anticipated. However, any expansion of airport capacity in terms of increased flights could have much wider environmental effects, and the potential implications for Natura 2000/ Ramsar sites would extend much further than for smaller-scale, ground-based development. Increasing the capacity of the airport could include impacts such as: increases in air pollution as a result of additional flights and increased traffic flow of passengers to and from the airport; indirect effects such as increased recreational pressures on the region through additional tourism; and potential in-combination effects with other large-scale projects regionally/ nationally.</p> <p><i>Mitigation</i></p>	No adverse effect on integrity of Natura 2000/ Ramsar sites



Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<p>Given the possible scale of any potential expansion of Cardiff airport, this type of scheme would fall within the scope of an NSIP/ DNS. Whilst this would ensure that potential impacts upon Natura 2000/ Ramsar sites are fully assessed through the HRA process (irrespective of Policy P32 wording within the NDF), it is also considered essential that a high-level assessment is carried out (prior to any lower-tier assessments) in order to determine whether Natura 2000/ Ramsar sites can accommodate an increase in air traffic.</p> <p>Such a feasibility study would need to include identification of potential impacts on qualifying features of nearby SPA/Ramsar sites/ SACs associated with air quality and nitrogen deposition, as well as potential in-combination effects with other large-scale projects regionally/ nationally. This may be useful for directing further work at the future plan/project stages, but would certainly provide essential context for this policy before it can be implemented in any way.</p> <p>Consideration should also be given to how new infrastructure associated with the airport integrates with the existing road/ rail network, and to encouraging sustainable transport solutions (such as integrated public transport routes).</p> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above, compliance with P8 of the NDF, and the requirement for such large-scale development to undergo statutory HRA at the project-level, will ensure no adverse effect on the integrity of Natura 2000/ Ramsar sites.</p>	
P33 – Valleys Regional Park	<p><i>Impacts</i></p> <p>The Welsh Government supports the establishment of the Valleys Regional Park, although the exact location is not currently determined. There are a number of Natura 2000/ Ramsar sites within the Valleys area, including Blaen Cynon SAC, Coedydd Need a Mellte SAC and Cwm Cadlan SAC.</p> <p>The creation of a Valleys Regional Park is considered to be a positive policy, with many environmental, economic and social benefits; however, if the Park is located in an unsuitable location, the policy could potentially lead to detrimental impacts on existing habitats and species. For example, locating the new Park within or adjacent to a SAC could be contrary to the conservation objectives for the site. Introducing new habitats adjacent to existing sensitive habitats could have negative impacts on the hydrology of the area, may introduce a different seed bank of unwanted species, and/or could provide cover for predators of qualifying species. Given that one of the main purposes of the Regional Park is to encourage visitors to the area, recreational pressure may also be a consideration, especially in areas not currently disturbed by human activity.</p> <p><i>Mitigation</i></p> <p>It is important to ensure that site selection for the new Regional Park (to support the delivery of this policy) does not include areas that are already designated for the presence of other designated habitats and species, which could be compromised by such a Scheme. Where sensitive habitats and species could be present, consideration should be given to the following avoidance/ mitigation measures when this policy is implemented, either regionally and/or locally:</p> <ul style="list-style-type: none"> <li>• Avoid selecting a site for the Regional Park within or adjacent to designated sites, where creation of the Park would be detrimental to the conservation objectives of the site;</li> <li>• Avoid changing habitat types adjacent to designated sites where this could indirectly affect the qualifying species of the site;</li> </ul>	No adverse effect on integrity of Natura 2000/ Ramsar sites

Policy	Potential effects on integrity of Natura 2000/ Ramsar sites and proposed mitigation requirements	Conclusion (assuming mitigation is implemented)
	<ul style="list-style-type: none"> <li>As the new Park is aimed at providing a resource for recreation, consider the implications of human disturbance and dog-walking on the sensitive habitats and qualifying species of any nearby designated sites (in particular, the implications for ground-nesting bird species and damage caused by trampling).</li> </ul> <p><i>Conclusion</i></p> <p>Consideration of the measures set out above during regional/local planning and during site-specific implementation of the policy, as well as compliance with P8 of the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside), should ensure that there will be no adverse effect on the integrity of Natura 2000/ Ramsar sites as a result of implementing this policy.</p>	

## 5 In-Combination Effects

Section 2 describes in detail the types of in-combination effects that need to be considered when assessing how various high-level policy statements or plans might work together to lead to additive effects on Natura 2000/Ramsar sites.

The Appropriate Assessment of the Screened-in policies, as set out in Table 4 has concluded that due to the high-level nature of the NDF, it is not possible effectively to assess the full implications of the policies, since there are no details pertaining to the spatial distribution of developments that could be forthcoming in lower-tier plans resulting from these policies. It is therefore not possible to effectively assess the potential in-combination effects, other than to conclude that, at this stage of the process, such additive effects are unlikely to over-ride the protections included within the NDF, especially given the mitigation measures set out in Table 4.

## 6 Appropriate Assessment Summary/Conclusion

The AA reviewed 20 screened-in policies for the potential for adverse effects on the integrity of Natura 2000/Ramsar sites as a result of policy implementation.

None of the policies in the NDF are considered to be actively directing development in such a location or manner that potential impacts arising from projects emerging under the policies (or lower-tier plans which will identify development opportunities for allocation) could not be avoided or mitigated at the lower-tier level. However, it is important to note that wherever feasibility studies are recommended, these should be carried out. This is generally in those areas where further clarification is required, at a strategic level, regarding the extent to which any further development could impact on the conservation objectives of I Natura 2000/Ramsar sites (i.e. are qualifying features already close to being significantly compromised by existing human/environmental pressures/ threats). Assuming this is done, deferring the requirement for HRA to lower-tier plans and/or projects would be appropriate and deliverable mitigation at this stage.

Furthermore, the inclusion of Policy P8 within the NDF (which it is anticipated will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside) provides an overarching safeguard to which other policies within the NDF, as well as those in lower-tier plans, will be required to adhere.

Policy 16 sets the criteria for lower-tier Strategic Plans (and their constituent LDPs) to follow when identifying allocations for development. As with Policy P8 this policy includes reference to identifying ecological networks, which it is also considered will indirectly provide protective buffering for Natura 2000/ Ramsar sites by protecting and enhancing ecosystem services, ecological networks and biodiversity in the wider countryside.

Policies P10, P11, P13, P20, P21, P22, P25, P26 and P32 all relate to the types of development that typically have a higher likelihood of leading to adverse effects on Natura 2000/ Ramsar sites. This is because of the size and scale of the developments (energy and port-related activities) and because they tend to be more likely to be located away from existing urban areas, and/or on the coast, where the risk of conflicting with European sites designated for nature conservation is higher. As such, specific mitigation measures have been recommended to ensure that they provide a strong enough guide to lower-tier plans and projects which emerge from these elements of the NDF.

The Appropriate Assessment did not identify any residual effects, assuming that Policy P8 is properly complied with and due consideration is given to the mitigation measures set out in Table 4 when implementing these policies at the regional and local levels (in particular undertaking feasibility studies prior to allocating land for large-scale development in areas such as Cardiff airport, or expansions of existing port facilities). Lower-tier plans would be required to take the potential implications of development on Natura 2000/ Ramsar sites into account during the planning process, and to adopt the high-level mitigation measures proposed, as well as more specific measures (to be determined during subsequent HRAs). Furthermore, the potential for in-combination effects to arise when spatial planning is being undertaken at the strategic and local level would be fully assessed, and appropriate measures put in place within the lower-tier plans to ensure that any in-combination effects would not adversely affect the integrity of Natura 2000/ Ramsar sites.

## 7 Overall Conclusion

Whilst this report has made it clear that it is difficult at this very high-level stage of the development planning process in Wales to be clear about how European designated sites may or may not be affected by strategic

policy decisions, it is important to note that the potential implications for Natura 2000/ Ramsar sites have been considered throughout the development of the Plan (through use of the Rules of Thumb document presented in Appendix A), such that early avoidance of the issues (and/or reduction of risk) has been a key element of the process.

Table 4 of the Appropriate Assessment (refer to Section 4) sets out the type of impacts which could occur through implementation of the policies (where LSE could not be confirmed) and flags up mitigation measures that would need to be considered when producing lower-tier plans. This has provided a precautionary extra level of protection to Natura 2000/Ramsar sites which it is considered will, in addition to the legal requirement for HRA of lower-tier plans and projects, provide sufficient safeguarding to be able to confirm that no adverse effects on integrity are anticipated as a result of implementing the policies within the NDF.

## 8 References

Arcadis, March 2019. *Wales NDF – Implications for the Natura 2000 network of Priority Areas for Renewables Development across Wales.*

Mott Macdonald, 2017. *South Wales Metro – A Report to Inform a Strategic Habitats Regulations Assessment*

## **APPENDIX A**

### **Welsh Government NDF – Habitats Regulations Assessment: Rules of Thumb**



## **APPENDIX B**

**Wales NDF** - Implications for the Natura 2000 network of Priority Areas for Solar and Wind Energy across Wales – HRA Report

**Arcadis UK**

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