Habitat Regulations Assessment Record			
Name of relevant MCC Officer:	**Sali Palmer**	**Date:**	14th January 2025
1. INTRODUCTION			
This is a record of the Habitats Regulations Assessment of the proposal outlined below, undertaken by Monmouthshire County Council as the Competent Authority. This assessment is required by Regulations 63 of Conservation of Habitats and Species Regulations 2017 (as amended) before the Council as the 'Competent Authority' under the Regulations can give consent for the proposal.			
2. INFORMATION ABOUT THE PROJECT			
2.1 Type of activity:	Planning Permission; Major Dwelling		
2.2 National Grid reference:	SO521122		
2.3 Site reference:	DM/2024/00557 Land at Tudor Road		
2.4 Brief description of the project	Proposed development of 50 affordable dwellings, sustainable drainage proposals, landscape planting, car parking and associated works		
3. INFORMATION ABOUT THE EUROPEAN AND RAMSAR SITES			
3.1 European site name(s) and status:	Site(s) to be taken forward: 1. **River Wye SAC;** The proposal is within the nutrient sensitive catchment for the River Wye SAC. 2. **Wye Valley and Forest of Dean Bat Sites SAC;** The proposal is within the 2km core sustenance zone for lesser horseshoes at Penallt Old Church SSSI and 3km core sustenance zone for greater horseshoe bats at Newton Court Stable Block SSSI, both component roost of the Wye Valley and Forest of Dean Bat Sites SAC. Both lesser horseshoe bats and greater horseshoe bats have been recorded using the site. 3. **Wye Valley Woodlands SAC;** The proposal is less than 400m from Harper's Grove – Lord's Grove SSSI woodland and less than 600m from Fiddler's Elbow SSSI woodland, both component woodlands of Wye Valley Woodland SAC. Lesser horseshoe bats are an interest feature of the SAC, and have been recorded using the site. Other sites are ruled out due to distance and scale of the proposal		

3.2 Site description

(reasons for designation, key ecological characteristics, information available on general ecological trends and current issues or sensitivities)

3.2.1 River Wye SAC

Description

The River Wye SAC is primarily designated for being a largely unmodified river. It has a geologically mixed catchment, including shales and sandstones, and shows a clear transition between its upland reaches, with characteristic bryophyte-dominated vegetation, and the lower reaches, with extensive *Ranunculus* beds. The river channel includes gorges and significant areas of associated woodland.

The proposal is within the nutrient sensitive catchment and will connect to the Wyesham WwTW which discharges to the River Wye in Management Unit 1802, Lower Wye Wyastone to Redbrook.

Reasons for designation and feature type in Management Unit

Code	Common Name	Status	Feature Type
Annex I habitats that are present as a primary reason for selection			
3260	Water courses to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation	Unfavourable: unclassified	Key Habitat
Annex I habitats that are present as a qualifying feature, but not a primary reason for selection			
7140	Quaking bogs		Absent
Annex II species that are a primary reason for selection			
1095	Sea lamprey *Petromyzon marinus*	Unfavourable: Unclassified	Key Species
1096	Brook lamprey *Lampetra planeri*	Unfavourable	Sympathetic
1099	River Lamprey *Lampetra fluviatilis*	Favourable	Sympathetic
1103	Twaite shad *Alosa fallax*	Unfavourable: Unclassified	Key Species
1106	Atlantic salmon *Salmo salar*	Unfavourable: Unclassified	Sympathetic
1163	Bullhead *Cottus gobioas*	Unfavourable: Unclassified	Sympathetic
1355	European otter *Lutra lutra*	Favourable	Key Species

1092	White-clawed crayfish *Austropotamobius pallipes*	Unfavourable	Absent
Annex II species that are present as a qualifying feature, but not a primary reason for selection			
1102	Allis shad *Alosa alosa*	Unfavourable: Unclassified	Sympathetic

Vulnerability (from JNCC - Natura 2000 Standard Data Form)
The River Wye is an excellent habitat for six Annex II freshwater fish. There are some concerns over long-term aquatic and riparian habitat degradation to be addressed in the Wye Catchment Management Plan, the Conservation Strategy, the River SSSI Management Plan, and by NRW encouraging owners and occupiers to carry out positive habitat management through agreements and agri-environment schemes.

Current issues for the River Wye SAC relevant to this HRA: Following changes to monitoring guidance, NRW reviewed the conservation objectives for all river SACs in Wales and substantially tightened targets for nutrient levels. Compliance data shows the Wye to be in poor condition with respect to phosphorus targets, with widespread failures often of large magnitude. Phosphorus concentrations in the river are also relatively high in absolute terms. Ammonia targets in the Wye are not breached.

Under the Habitats Regulations, Planning Authorities must consider the nutrient impact of proposed developments on water quality within SAC river catchments. Any development within the SAC catchment must be screened for Test of Likely Significant Effect (TOLSE).

3.2.1 Wye Valley and Forest of Dean Bat Sites SAC

Description

Wye Valley and Forest of Dean Bat Sites SAC is a cross Welsh/English border SAC, made up of 13 SSSIs, four of which are in Wales. Llangovan Church, Mwyngloddfa Mynydd-bach, Newton Court Stable Block and Wye Valley Lesser Horseshoe Bats SSSIs. Wye Valley Lesser Horseshoe Bats SSSI comprises four separate summer bat roosts, consisting of Penallt Old Church, The Priory at Llandogo, Itton Court Stud and Tregeiriog Farm. The Wye Valley and Forest of Dean Sites include 26% of the UK population of lesser horseshoe bats and 6% of the UK population of greater horseshoe bats.

The proposed development is located approximately 1.4km north of Penallt Old Church and approximately 2km south of Newton Court Stable Block SSSI. The site falls within the 3km radius Core Sustenance Zone (CSZ) for greater horseshoe bats, and 2km CSZ for lesser horseshoe bats.

Reasons for designation and status/feature type in Management Units

Code	Common Name	Penallt Old Church		Newton Court	
		Status	**Feature**	**Status**	**Feature**
Annex II Species that are a primary reason for selection					
1303	Lesser horseshoe bat *Rhinolophus hipposideros*	Unfavourable	Key Species		Not a reason for designation
1304	Greater horseshoe bat *Rhinolophus ferrumequinum*		Absent	Unfavourable	Key Species

Vulnerability

The habitat surrounding these sites is of paramount importance to maintaining the population. The loss of flight lines in the form of walls, hedges or woodland rides within 1km around the roost should be prevented, as this is where juvenile bats learn to forage and navigate. There should be a similar aim to maintain or improve the quality of woodland and grazed pasture around and between areas identified as being used by the bats. Management of river habitats in the area is also critical due to the diversity of insect life that sustains the bats.

The overall aim for the landscape surrounding the management units is to improve the feeding opportunities for the greater horseshoe bats and the fight links between these feeding areas and the roosts (nursery, hibernation and transitory). Increases in the amount of land that is cattle grazed, development of 'less managed' bushier hedgerows and conversion of improved grassland to semi-improved grassland, particularly close to the notified nursery roost, would improve the extent and quality of available greater horseshoe bat feeding habitat.

3.2.2 Wye Valley Woodlands SAC

Description

The Wye Valley contains abundant and near-continuous semi-natural woodland along the gorge with a variety of woodland types that is rare within the UK. The Wye Valley Woodlands SAC is a cross border site comprising of 16 SSSI sites, including nine wholly within Wales. Wye Valley Woodlands SAC is one of the most important areas for woodland conservation in the UK. It represents the western most distribution of all three Annex I habitats that are a primary reason for selection. Uncommon trees, including large-leaved lime *Tilia platyphyllos* and rare whitebeams such as *Sorbus porrigentiformis* and *S. rupicola* are found here, as well as locally uncommon herbs, including wood barley *Hordelymus europaeus*, stinking hellebore *Helleborus fo*etidus, narrow-leaved bitter-cress *Cardamine impatiens* and wood fescue *Festuca altissima*.

Reasons for Designations

Code	Common Name	Harper's Grove – Lords' Grove		Fiddler's Elbow	
		Status	**Feature**	**Status**	**Feature**
Annex I habitats that are a primary reason for selection					
9130	Asperulo-Fagetum beech forests	Favourable	Key Habitat	Favourable	Key Habitat
9180	Tilio-Acerion forests of slopes, screes and ravines	Favourable	Key Habitat	Favourable	Key Habitat
91J0	*Taxus baccata* woods		*Absent*		*Absent*
Annex II species that are present as a qualifying feature, but not a primary reason for selection					
1303	Lesser horseshoe bat *Rhinolophus hipposideros*	Unknown	Sympathetic	Unknown	Sympathetic

Vulnerability

A significant proportion of the SAC is already managed sympathetically by Forestry Authorities, the Woodland Trust and county Wildlife Trusts. Principal pressures are from lack of management (particularly traditional management, e.g. coppice) and inappropriate management proposals which would alter the recognised woodland stand types. Woodland management affects potential to support lesser horseshoe bats.

3.3 Other Relevant Information	
3.3.1 NRW Advice to planning authorities for planning applications affecting nutrient sensitive river SACs (v4, June 2024)	For new developments proposing connections to a public sewer, where a wastewater treatment works permit has been reviewed against the revised water quality targets and, in some cases, varied accordingly, new developments connecting to the associated public sewer should still be subject to an HRA by the Planning Authority. While the nutrient impacts of new connections should be considered on a case-by-case basis, it is likely that a conclusion of no likely significant effect could be drawn in the context of water quality impacts where the sewerage undertaker confirms the following apply: • there is capacity to treat additional wastewater from the proposed development within revised environmental permit limits (meaning both nutrient limits with immediate effective dates and for some permits, tighter nutrient limits with future effective dates), and • the WwTW is currently operating in compliance with permit conditions or will be in advance of new connections being made, where permit conditions include those for flow, final effluent standards and flow passed forward (for works with storm tanks or direct storm overflow).
3.3.2 Reference documents that provide further details on the site, and have been used to inform the assessment:	Core Management Plan for Wye Valley and Forest of Dean Bat SAC, CCW, 2008
	NRW Advice to planning authorities for planning applications affecting phosphorus sensitive river Special Areas of Conservation – Version v4 June 2024
	Compliance Assessment of Welsh River SACs against Phosphorus Targets -Report No: 489 produced by NRW
	CORE MANAGEMENT PLAN INCLUDING CONSERVATION OBJECTIVES FOR RIVER WYE SPECIAL AREA OF CONSERVATION Version: 3 Date: September 2022
	Core Management Plan for Wye Valley Woodlands SAC, CCW, 2008
	Monmouthshire County Council Review of Consents Element 1 Report by JBA Consulting dated 7th August 2013
	The Habitats Regulations Handbook, DTA Publications, updated 2021.
	Tyldesley, D. (2011) Assessing Projects under the Habitats Directive: guidance for competent authorities. Report to Countryside Council for Wales, Bangor.
	Dŵr Cymru Welsh Water consultation response, 27/11/2024. Ref PLA0083957
	Ecological Appraisal, Land off Tudor Road Wyesham. EDP, November 2024. Edp4401_r005c
	Green Infrastructure Statement. Produced by EDP. Report reference edp4401_r006c
	Green Infrastructure Strategy, Produced by EDP. Drawing number edp4401_d007g. Dated 15th November 2024
	Planning Layout. Produced by Edenstone Homes, drawing number 100, revision I

4.TEST OF LIKELY SIGNIFICANT EFFECT	
4.1 Is the proposal directly connected with or necessary to the management of the site for nature conservation?	**No**
4.2 Scoping of Potential Hazards on Interest Features of the Protected Sites	
4.2.1 River Wye SAC	**The interest features that may be impacted are:** 1. Water courses to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation 2. Sea lamprey *Petromyzon marinus* 3. Brook lamprey *Lampetra planeri* *4.* River lamprey *Lampetra fluviatilis* *5.* Twaite shad *Alosa fallax* 6. Atlantic salmon *Salmo salar* 7. Otter *Lutra lutra* 8. Allis shad *Alosa alosa* **The potential hazards are**: 1. Change in water chemistry (including pollution, nutrient enrichment and pH changes) **The possible effects may occur:** 1. During Operation (post-development) **The following potential hazards are screened out due to the scale of the proposed development and distance from the protected site:** Change in flow or velocity regime (including abstraction/ low flows and reduced dilution capacity); Change in surface flooding; Change in water levels or table; Changes in physical regime; Changes in thermal regime; Competition for non-native species; Disturbance (access, noise, lights, etc.); Entrapment/obstruction; Habitat loss (Direct if within site or indirect to mobile feature habitat if off site); Habitat/ community simplification; Habitat fragmentation/reduced connectivity; Physical damage; Siltation/Sedimentation/Turbidity; Toxic contamination (Vehicles, chemicals, building materials).
4.2.2 Wye Valley and Forest of Dean Bat Sites SAC	**The interest features that may be impacted are:** 1. Greater horseshoe bat *Rhinolophus ferrumequinum* 2. Lesser horseshoe bat *Rhinolophus hipposideros*

	The potential hazards are: 1. Disturbance (access, noise, lights, etc.), 2. Habitat loss (Direct if within site or indirect to mobile feature habitat if off site), 3. Habitat fragmentation/reduced connectivity, **The possible effects may occur:** 1. During construction 2. During operation (post-development) **The following potential hazards are screened out due to the scale and type of the proposed development:** Habitat/ community simplification; Physical damage; Toxic contamination (Vehicles, chemicals, building materials)
4.2.3. Wye Valley Woodlands SAC	**The interest features that may be impacted are:** 1. Lesser horseshoe bat *Rhinolophus hipposideros* Potential impacts on woodland interest features are screened out. The MCC Review of Consents (JBA, 2009) identified that protection of woodland features would be likely to maintain the capacity of the habitat to support the bat features and did not identify specific bat hazards for this site. However, NRW have raised impacts on lesser horseshoe bats associated with the Wye Valley Woodlands as a potential concern in their response dated 17th June 2024 (reference CAS-256900-Y6T4). We have therefore used the bat hazards and buffers associated with bat site SACs to consider potential impacts. **The potential hazards are**: 1. Disturbance (access, noise, lights, etc.), 2. Habitat fragmentation/reduced connectivity, **The possible effects may occur:** 3. During construction 4. During operation (post-development) **The following potential hazards are screened out due to the scale and type of the proposed development:** Habitat/ community simplification; Physical damage; Toxic contamination (Vehicles, chemicals, building materials)

4.3 River Wye SAC – Test of Likely Significant Effect			
Hazard	**Interest Features** ***Stage of the development***	**Possible Effect** ***Design of the scheme which reduces impacts on Interest Features*** **Magnitude in the absence of mitigation**	**Conclusion**
Change in water chemistry	Watercourse, all interest features *Operation*	The proposal will result in increased amount of nutrient entering the river environment from additional wastewater generated by 50 dwellings. Nutrients could include ammonia or phosphorus. Ammonia has a high decay rate, breaking down through the process of nitrification within the river system. Phosphorus has a very low decay rate and can accumulate in the river system from multiple point source and diffuse discharges. High concentrations of phosphorus lead to the process of nutrient enrichment, also known as eutrophication, and can alter the balance of plant species in our rivers causing significant ecological damage. *The development will connect to a WwTW with an environmental permit that has been reviewed against revised conservation objectives for water quality. The Environmental permit specifies limits for ammonia. There is capacity in place to accommodate the additional wastewater in compliance with revised permit limits. The sewer network and associated WwTW has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows. This has been confirmed by the sewerage undertaker Dŵr Cymru Welsh Water in their consultation response dated 27th November 2024 (reference PLA0083957)* NRW guidance (version 4, June 2024) states that significant effects from developments connecting to public sewers is unlikely; the magnitude in the absence of mitigation is **de minimus.**	**A likely significant effect on the River SAC is screened out.**
4.3.1 Based on the Test of Likely Significant Effect, is the project likely to have a Significant Effect on the River Wye SAC <u>alone</u>?		**A likely significant effect can be screened out**	
4.3.2 In combination test: Are there any in combination effects with other plans and projects			
The MCC Replacement Local Development Plan is being prepared for submission to Welsh Government. The Tudor Road proposed development site is included as a residential allocated site. In combination effects will be considered as part of the HRA for the RLDP. Other known projects not yet started/operational:			

• Upgrade to Wyesham Wastewater Treatment Works – including increased capacity and better nutrient management – EIA Screening Opinion DM/2024/00608 • DM/2021/01700 Land at Wheat Field Close – demolition of existing building and erection of residential development (8 no. one and two bedroom units) – Approved subject to S106 The hazard screened has no residual effects to be considered in combination with other plans and projects

4.3.4 Conclusion of the Test of Likely Significant Effect: Will a full Appropriate Assessment be required?	A full Appropriate Assessment is **not** required

4.4 Wye Valley and Forest of Dean Bat Sites SAC – Test of Likely Significant Effect			
Hazard	**Interest Features** ***Stage of the development***	**Possible Effect** ***Design of the scheme which reduces impacts on Interest Features*** **Magnitude in the absence of mitigation**	**Conclusion**
Disturbance (access, noise, lights, etc.) & Habitat fragmentation/ reduced connectivity,	Greater horseshoe bats Lesser horseshoe bats *Construction*	Horseshoe bats use commuting corridors along linear landscape features and forage in permanent pasture and woodland. Interruption of flightlines and decline in quality of linear features may impact the favourable conservation status of greater and lesser horseshoe bats. Surveys undertaken between May and October recorded both species present in the site and on the northern boundary in all months. Inappropriate site lighting during construction could light boundary features used by greater and lesser horseshoe bats commuting passed the site. Horseshoe bats are light sensitive species and avoid lit areas. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. *No features to reduce impacts are included in the design of the scheme.* The magnitude in the absence of mitigation is **unknown.**	A likely significant effect cannot be ruled out.
Disturbance (access, noise, lights, etc.) & Habitat fragmentation/	Greater horseshoe bats Lesser horseshoe bats	The development is adjacent to flight corridors used by horseshoe bats. Disturbance from the development includes lighting from street lighting and light spill from houses and gardens. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. *No features to reduce impacts are included in the design of the scheme.*	A likely significant effect cannot be ruled out.

reduced connectivity,	*Operation*	The magnitude in the absence of mitigation is **unknown.**	
Habitat loss (Indirect - mobile feature),	Greater horseshoe bats Lesser horseshoe *As a result of development*	The development will result in the loss of a small field which is within the core sustenance zone for lesser horseshoe and greater horseshoe bat roosts identified by the Bat Conservation Trust as 2km for lesser horseshoe bats and 3km for greater horseshoe bats. Loss of foraging habitat may affect the favourable conservation status of bats. Activity levels at the static location within the field were less than on the northern boundary; numbers of calls recorded did not indicate foraging activity but the field could be used for foraging opportunistically. The proposal will result in the loss of less than 0.01% of undeveloped land within core sustenance zone of protected roosts. The loss is unlikely to have a significant effect on the favourable conservations status of species. *No features to reduce impacts are included in the design of the scheme* The magnitude of the impact is **de minimus.**	A likely significant effect can be ruled out.

4.4.1 Based on the Test of Likely Significant Effect, is the project likely to have a Significant Effect on the Wye Valley and Forest of Dean Bat Sites SAC <u>alone</u>?	The following hazards are unlikely to have significant effect on the site 1. Habitat loss However, a likely significant effect on the interest features as a result of disturbance and habitat fragmentation cannot be ruled out.
4.4.2 In combination test: Are there any in combination effects with other plans and projects	In combination effects will be considered at Appropriate Assessment.
4.4.3 Conclusion of the Test of Likely Significant Effect: Will a full Appropriate Assessment be required?	A full appropriate assessment for Wye Valley Forest of Dean Bats Sites SAC is required.

4.5 Wye Valley Woodland SAC – Test of Likely Significant Effect			
Hazard	**Interest Features** ***Stage of the development***	**Possible Effect** ***Design of the scheme which reduces impacts on Interest Features*** **Magnitude in the absence of mitigation**	**Conclusion**
Disturbance (access, noise, lights, etc.) & Habitat fragmentation/ reduced connectivity,	Lesser horseshoe bats *Construction*	Horseshoe bats use commuting corridors along linear landscape features and forage in permanent pasture and woodland. Interruption of flightlines and decline in quality of linear features may impact the favourable conservation status of lesser horseshoe bats. Inappropriate site lighting during construction could light boundary features used by lesser horseshoe bats commuting passed the site. Horseshoe bats are light sensitive species and avoid lit areas. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. *No features to reduce impacts are included in the design of the scheme.* The magnitude in the absence of mitigation is **unknown.**	A likely significant effect cannot be ruled out.
Disturbance (access, noise, lights, etc.) & Habitat fragmentation/ reduced connectivity,	Lesser horseshoe bats *Operation*	The development is adjacent to flight corridors used by horseshoe bats. Disturbance from the development includes lighting from street lighting and light spill from houses and gardens. Loss of key flight routes can lead to fragmentation of habitat and reduced connectivity. *No features to reduce impacts are included in the design of the scheme.* The magnitude in the absence of mitigation is **unknown.**	A likely significant effect cannot be ruled out.
4.5.1 Based on the Test of Likely Significant Effect, is the project likely to have a Significant Effect on the Wye Valley Woodlands SAC <u>alone</u>?		A likely significant effect on the interest features as a result of disturbance and habitat fragmentation cannot be ruled out.	
4.5.2 In combination test: Are there any in combination effects with other plans and projects		In combination effects will be considered at Appropriate Assessment	
4.5.3 Conclusion of the Test of Likely Significant Effect: Will a full Appropriate Assessment be required?		A full appropriate assessment for Wye Valley Woodlands SAC is required.	

5. APPROPRIATE ASSESSMENT		
5.1 Wye Valley and Forest of Dean Bat Sites SAC		
Element of the Project	**Interest Feature(s)** ***Hazard(s)***	**Mitigation Measure Required**
Construction Phase	Greater Horseshoe Bat Lesser Horseshoe Bat *Disturbance (lighting)* *Habitat fragmentation*	Construction site lighting control is required to safeguard features during the construction phase of the development. Construction lighting details can be secured with a Construction Environmental Management Plan which is also required to protect non-SAC interest features.
Operational phase	Greater Horseshoe Bat Lesser Horseshoe Bat *Disturbance (lighting)* *Habitat fragmentation*	The built development is close to the northern boundary of the field. Some additional infill planting is shown on the masterplan. The redline development boundary has been extended north to allow for surface water drainage features. There is scope within this added area to provide further planting to screen the commuting route from the development. A sensitive lighting scheme will be required to further minimise disturbance impacts. We should also seen to ensure that boundary treatments are maintained to prevent degradation of the boundaries by access or increased light. Conditions will be required for: a landscape plan demonstrating screening planting; a Green Infrastructure Management Plan (or Landscape Environment Management Plan); a lighting scheme, and boundary treatments.
5.1.2 Based on the Appropriate Assessment; Is the project likely to impact the integrity of the Wye Valley and Forest of Dean Bat Sites SAC alone?		With appropriate worded conditions the proposal is unlikely to affect the integrity of the interest features of the site.
5.1.3 If there is no impact on the integrity of the SAC alone, are there other projects of plans that in-combination with the project being assessed could affect the site?		The MCC Replacement Local Development Plan is being prepared for submission to Welsh Government. The Tudor Road proposed development site is included as a residential allocated site. In combination effects will be considered as part of the HRA for the RLDP. There are no other known projects or plans which could have a cumulative effect.
5.1.4 Integrity Test - Wye Valley and Forest of Dean Bat Sites SAC		Subject to the imposition of appropriate conditions, it is concluded that the project will not adversely affect the integrity of the Wye Valley and Forest of Dean Bat Sites SAC.

5.2 Wye Valley Woodlands SAC		
Element of the Project	**Interest Feature(s)** ***Hazard(s)***	**Mitigation Measure Required**
Construction Phase	Lesser Horseshoe Bat *Disturbance (lighting)* *Habitat fragmentation*	Construction site lighting control is required to safeguard features during the construction phase of the development. Construction lighting details can be secured with a Construction Environmental Management Plan which is also required to protect non-SAC interest features.
Operational phase	Lesser Horseshoe Bat *Disturbance (lighting)* *Habitat fragmentation*	The built development is close to the northern boundary of the field. Some additional infill planting is shown on the masterplan. The redline development boundary has been extended north to allow for surface water drainage features. There is scope within this added area to provide further planting to screen the commuting route from the development. A sensitive lighting scheme will be required to further minimise disturbance impacts. We should also seen to ensure that boundary treatments are maintained to prevent degradation of the boundaries by access or increased light. Conditions will be required for: a landscape plan demonstrating screening planting; a Green Infrastructure Management Plan (or Landscape Environment Management Plan); a lighting scheme, and boundary treatments.
5.2.2 Based on the Appropriate Assessment; Is the project likely to impact the integrity of the Wye Valley Woodlands Sites SAC alone?		With appropriate worded conditions the proposal is unlikely to affect the integrity of the interest features of the site.
5.2.3 If there is no impact on the integrity of the SAC alone, are there other projects of plans that in-combination with the project being assessed could affect the site?		The MCC Replacement Local Development Plan is being prepared for submission to Welsh Government. The Tudor Road proposed development site is included as a residential allocated site. In combination effects will be considered as part of the HRA for the RLDP. There are no other known projects or plans which could have a cumulative effect.
5.2.4 Integrity Test - Wye Valley Woodlands SAC		Subject to the imposition of appropriate conditions, it is concluded that the project will not adversely affect the integrity of the Wye Valley Woodlands SAC.

6. CONCLUSION	
6.1 Outcome of Test of Likely Significant Effect	Based on planning guidance published by NRW, a likely significant effect on River Wye SAC is unlikely. Likely significant effects on Wye Valley and Forest of Dean Bat Sites and Wye Valley Woodlands SAC could not be ruled out.
6.2 Outcome of the Integrity Test	Subject to the imposition of appropriate conditions, the project is unlikely to adversely affect the integrity of the Wye Valley and Forest of Dean Bat Sites SAC and Wye Valley Woodland SAC.
6.3 Conditions required	**Construction Environmental Management Plan** No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following: • Construction methods: details of materials, how waste generated will be managed. • General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, mixing and washing areas) and any watercourse or surface drain. • Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures. • Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use. • Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. • Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details The CEMP shall be implemented as approved during the site preparation and construction phases of the development. The approved CEMP shall be adhered to and implemented throughout the site preparation and construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. *Reason: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.* **Landscape Plan** Prior to the commencement of development full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: • Detailed scaled plans, showing existing and proposed levels inclusive of proposed cross section. • Proposed and existing utilities/services above and below ground.

- Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive of SUDS green engineering and rainwater gardens.
- Hard landscape materials to include surfacing, SUDs, location of proposed lighting, fencing, gates, minor artefacts and structures (e.g. signs, bins, stores). Lighting strategy

Reason: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan. And to safeguard foraging and commuting routes used by species protected by Conservation of Habitats and Species Regulations 2017.

Green Infrastructure Management Plan (or Landscape Environment Management Plan)

An appropriately scaled Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the Management Plan as a standalone document shall include the following;

a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan.
    i. Boundary buffers including woodland, hedge and copse
    ii. Green corridors including those within the site
    iii. Grassland areas including mown grass, wildflower areas and understorey interfaces
    iv. Water bodies to include swales and rain gardens
b) Opportunities for enhancement to be incorporated
    a. Management of treed and planted boundaries for GI and biodiversity including interfaces with GI corridors connection the wider landscape
    b. Maintain habitat connectivity through the site for species
    c. Assessment of any ash die back, opportunities for replacement planting and a programme for implementation
c) Trends and constraints on site that might influence management of above features.
d) Aims and objectives of management.
e) Appropriate management options for achieving aims and objectives.
f) Prescriptions for management actions.
g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
h) Details of the body or organization responsible for implementation of the plan.
i) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery as appropriate. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that

	the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details. *Reason: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1,. And to safeguard foraging and commuting routes used by species protected by Conservation of Habitats and Species Regulations 2017.* **Lighting Scheme** Prior to the commencement of the development, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall at minimum: a) Identify areas/features on site that are sensitive for bats and must remain unlit b) Provide details of lighting type, position and specification, including use of cowls and appropriate light wave lengths c) Provide drawings showing lux levels on horizontal and vertical planes, demonstrating that dark corridors will be retained. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures other than approved under this permission shall be installed within the curtilage of the development without prior written approval of the Local Planning Authority *Reason: To safeguard foraging and commuting routes used by light sensitive species in accordance with Environment (Wales) Act 2016 and Conservation of Habitats and Species Regulations 2017.* **Boundary Treatments** Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gate, fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority. *Reasons: To safeguard commuting and foraging routes in accordance with Conservation of Habitats and Species Regulations 2017.*
6.4 Consultation	NRW will be consulted on the outcome of this Appropriate Assessment

APPENDIX 1 - European Site Conservation Objectives for River Wye SAC

Conservation Objective for the watercourse:

The ecological status of the watercourse is a major determinant of FCS for all features. The required conservation objective for the watercourse is defined below.

- The capacity of the habitats in the SAC to support each feature at near-natural population levels, as determined by predominantly unmodified ecological and hydromorphological processes and characteristics, should be maintained as far as possible, or restored where necessary.
- The ecological status of the water environment should be sufficient to maintain a stable or increasing population of each feature. This will include elements of water quantity and quality, physical habitat and community composition and structure.
- Flow regime, water quality and physical habitat should be maintained in, or restored as far as possible to, a near-natural state, in order to support the coherence of ecosystem structure and function across the whole area of the SAC.
- All known breeding, spawning and nursery sites of species features should be maintained as suitable habitat as far as possible, except where natural processes cause them to change.
- Flows, water quality, substrate quality and quantity at fish spawning sites and nursery areas will not be depleted by abstraction, discharges, engineering or gravel extraction activities or other impacts to the extent that these sites are damaged or destroyed.
- The river planform and profile should be predominantly unmodified. Physical modifications having an adverse effect on the integrity of the SAC, including, but not limited to, revetments on active alluvial river banks using stone, concrete or waste materials, unsustainable extraction of gravel, addition or release of excessive quantities of fine sediment, will be avoided.
- River habitat SSSI features should be in favourable condition. Where the SAC habitat is not underpinned by a river habitat SSSI feature, the target is to maintain the characteristic physical features of the river channel, banks and riparian zone.
- Artificial factors impacting on the capability of each species feature to occupy the full extent of its natural range should be modified where necessary to allow passage, eg. weirs, bridge sills, acoustic barriers.
- Natural factors such as waterfalls, which may limit, wholly or partially, the natural range of a species feature or dispersal between naturally isolated populations, should not be modified.
- Flows during the normal migration periods of each migratory fish species feature will not be depleted by abstraction to the extent that passage upstream to spawning sites is hindered.
- Flow objectives for will be agreed by NRW as necessary. It is anticipated that these limits will concur with the standards used by the Review of Consents process given in Appendix 3 [of the Core Management Plan].
- Water Quality targets follow those in the revised Common Standards Monitoring Guidance for Rivers (JNCC 2016). These are detailed in Appendix 2 [of the core management plan] with targets for organic pollution (DO, BOD and ammonia), phosphate, trophic diatom index and acidification.
- Potential sources of pollution not addressed in the Review of Consents, such as contaminated land, will be considered in assessing plans and projects.
- Levels of suspended soils will be agreed by NRW for each Water Framework Directive water body in the Wye SAC as necessary. Measures including, but not limited to, the control of suspended sediment generated by agriculture, forestry and engineering works, will be taken to maintain suspended solids below these levels.

Conservation Objective for Features 1-7 (fish):

- Sea lamprey *Petromyzon marinus* (EU Species Code 1095) ;

- Brook lamprey *Lampetra planeri* (EU Species Code 1096) ;
- River lamprey *Lampetra fluviatilis* (EU Species Code 1099) ;
- Twaite shad *Alosa fallax* (EU Species Code 1103) ;
- Allis shad *Alosa alosa* (EU Species Code 1102) ;
- Atlantic salmon *Salmo salar* (EU Species Code 1106) ;
- Bullhead *Cottus gobio* (EU Species Code 1163)

The vision for these features is for them to be in a favourable conservation status where all of the following conditions are satisfied:

- The conservation objective for the water course must be met
- The population of the feature in the SAC is stable or increasing over the long term.
- The natural range of the feature in the SAC is neither being reduced nor is likely to be reduced for the foreseeable future. The natural range is taken to mean those reaches where predominantly suitable habitat for each life stage exists over the long term. Suitable habitat is defined in terms of near-natural hydrological and geomorphological processes and forms eg. suitable flows to allow upstream migration, depth of water and substrate type at spawning sites, and ecosystem structure and functions eg. food supply. Suitable habitat need not be present throughout the SAC but where present must be secured for the foreseeable future. Natural factors such as waterfalls may limit the natural range of individual species. Existing artificial influences on natural range that cause an adverse effect on site integrity, such as physical barriers to migration, will be assessed in view of the conservation objectives for the watercourse.
- There is, and will probably continue to be, a sufficiently large habitat to maintain the feature's population in the SAC on a long-term basis.

Conservation Objective for Feature 8:

- European otter *Lutra lutra* (EU Species Code 1355)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- The population of otters in the SAC is stable or increasing over the long term and reflects the natural carrying capacity of the habitat within the SAC, as determined by natural levels of prey abundance and associated territorial behaviour.
- The natural range of otters in the SAC is neither being reduced nor is likely to be reduced for the foreseeable future. The natural range is taken to mean those reaches that are potentially suitable to form part of a breeding territory and/or provide routes between breeding territories. The whole area of the Wye SAC is considered to form potentially suitable breeding habitat for otters. The size of breeding territories may vary depending on prey abundance. The population size should not be limited by the availability of suitable undisturbed breeding sites. Where these are insufficient they should be created through habitat enhancement and where necessary the provision of artificial holts. No otter breeding site should be subject to a level of disturbance that could have an adverse effect on breeding success. Where necessary, potentially harmful levels of disturbance must be managed.
- The safe movement and dispersal of individuals around the SAC is facilitated by the provision, where necessary, of suitable riparian habitat, and underpasses, ledges, fencing etc at road bridges and other artificial barriers.

Conservation Objective for Feature 9:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and Callitricho-Batrachion vegetation (EU Habitat Code: 3260)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- The conservation objective for the water course must be met
- The natural range of the plant communities represented within this feature should be stable or increasing in the SAC. The natural range is taken to mean those reaches where predominantly suitable habitat exists over the long term. Suitable habitat and associated plant communities may vary from reach to reach. Suitable habitat is defined in terms of near-natural hydrological and geomorphological processes and forms eg. depth and stability of flow, stability of bed substrate, and ecosystem structure and functions eg. nutrient levels, shade. Suitable habitat for the feature need not be present throughout the SAC but where present must be secured for the foreseeable future, except where natural processes cause it to decline in extent.
- The area covered by the feature within its natural range in the SAC should be stable or increasing.
- The conservation status of the feature's typical species are defined with reference to the species composition of the appropriate JNCC river vegetation type for the particular river reach, unless differing from this type due to natural variability when other typical species may be defined as appropriate.

Conservation Objective for Feature 10

- White-clawed crayfish Austropotamobius pallipes (EU species code 1092)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- The conservation objective for the water course must be met.
- The population of the feature in the SAC is stable or increasing over the long term.
- The area covered by the feature within its natural range in the SAC should be stable or increasing.
- The natural range of the feature in the SAC is neither being reduced nor is likely to be reduced for the foreseeable future. The natural range is taken to mean those reaches where predominately suitable habitat for each life stage exists over the long term. Suitable habitat is defined in terms of near natural hydrological and geomorphological processes and forms e.g. substrate type, water hardness and temperature, and ecosystem structure and functions e.g. food supply, absence of invasive non-native competitors. Suitable habitat need not be present throughout the SAC but where present must be secured for the foreseeable future. Natural factors such as waterfalls may limit the natural range of individuals. Existing artificial influences on natural range that cause an adverse effect on site integrity should be assessed.
- There is, and will probably continue to be, a sufficiently large habitat to maintain the feature's population in the SAC on a long-term basis.

Conservation Objective for Feature 11

- Quaking bogs and transition mires (EU habitat code 7410)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- The conservation objective for the water course must be met.
- The natural range of the plant communities represented within this feature should be stable or increasing in the SAC. The natural range is taken to mean those reaches where near-natural hydrological and geomorphological processes and landforms favour the development of this habitat. The feature need not be present in all suitable locations in the SAC but where present must be secured for the foreseeable future.
- The area covered by the feature within its natural range in the SAC should be stable or increasing.

- The conservation status of the feature's typical species should be favourable. The typical species are defined with reference to the species composition of the appropriate NVC type(s), unless differing from this type due to natural variability/local distinctiveness when other typical/indicator species may be defined as appropriate.

APPENDIX 2 - European Site Conservation Objectives for Wye Valley and Forest of Dean Bat Sites SAC:

Conservation Objective for Feature 1

- Greater horseshoe bat *Rhinolophus ferrumequinum* (EU species code 1304)

The vision for this feature is for it to be in a favourable conservation status where all of the following conditions are satisfied:

- The site will support a sustainable population of greater horseshoe bats in the Wye Valley area.
- The population will viable in the long term, acknowledging the population fluctuations of the species.
- Buildings, structures and habitats on the site will be in optimal condition to support the populations.
- Sufficient foraging habitat is available, in which factors such as disturbance, interruption to flight lines, and mortality from predation or vehicle collision, changes in habitat management that would reduce the available food source are not at levels which could cause any decline in population size or range
- Management of the surrounding habitats is of the appropriate type and sufficiently secure to ensure there is likely to be no reduction in population size or range, nor any decline in the extent or quality of breeding, foraging or hibernating habitat.
- There will be no loss or decline in quality of linear features (such as hedgerows and tree lines) which the bats use as flight lines - there will be no loss of foraging habitat use by the bats or decline in its quality, such as due to over-intensive woodland management
- All factors affecting the achievement of the foregoing conditions are under control

Conservation Objective for Feature 2

- Lesser horseshoe bat *Rhinolophus hipposideros* (EU species code 1303)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- The site will support a sustainable population of lesser horseshoe bats in the Wye Valley area.
- The population will viable in the long term, acknowledging the population fluctuations of the species.
- Buildings, structures and habitats on the site will be in optimal condition to support the populations.
- Sufficient foraging habitat is available, in which factors such as disturbance, interruption to flight lines, and mortality from predation or vehicle collision, changes in habitat management that would reduce the available food source are not at levels which could cause any decline in population size or range
- Management of the surrounding habitats is of the appropriate type and sufficiently secure to ensure there is likely to be no reduction in population size or range, nor any decline in the extent or quality of breeding, foraging or hibernating habitat.
- There will be no loss or decline in quality of linear features (such as hedgerows and tree lines) which the bats use as flight lines - there will be no loss of foraging habitat use by the bats or decline in its quality, such as due to over-intensive woodland management
- All factors affecting the achievement of the foregoing conditions are under control

APPENDIX 3 - European Site Conservation Objectives for Wye Valley Woodlands SAC:

Conservation Objective for Feature 1

- ✦ Tilio-Acerion of slopes, screes and ravines (EU Habitat Code 9180)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- ∗ Tilio–Acerion woodland is found in all eight of the Welsh SSSIs that contribute to the Wye Valley Woodlands SAC.
- ∗ The woodland area covers the entire site.
- ∗ The woodland is maintained as far as possible by natural processes.
- ∗ The location of open glades varies over time.
- ∗ Trees and shrubs are mainly locally native broadleaved species.
- ∗ The abundance and density of individual native species varies across the site.
- ∗ Trees and shrubs of a wide range of ages and sizes are present.
- ∗ Tree seedlings are plentiful throughout the site.
- ∗ Tree seedlings develop into saplings in the open glades.
- ∗ There are abundant dead and dying trees with holes and hollows, rot columns, torn off limbs and rotten branches.
- ∗ Some dead and dying trees will be partially or completely hollow.
- ∗ Fallen dead wood is dense enough to obstruct progress by foot across the entire site, except on established maintained paths.
- ∗ Dead wood dependent species of moss, liverwort, fungi and specialised invertebrates are present, in spatially and temporally variable abundance, throughout the site.
- ∗ Field and ground layers are well developed with a patchwork of vegetation communities characteristic of local soil and humidity conditions.
- ∗ All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 2

- ✦ Asperulo–Fagetum beech forests (EU Habitat Code 9130)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- ∗ Asperulo-Fagetum woodland continues to be present in Fiddler's Elbow, Harper's Grove – Lord's Grove, Lower Hael, Cleddon Shoots and Blackcliff Wyndcliff woods that contribute to the Wye Valley Woodlands SAC
- ∗ The woodland area covers the entire site.
- ∗ The woodland is maintained as far as possible by natural processes.
- ∗ The location of open glades varies over time.
- ∗ Trees and shrubs are mainly locally native broadleaved species.
- ∗ The abundance and density of individual native species varies across the site.
- ∗ Trees and shrubs of a wide range of ages and sizes are present.
- ∗ Tree seedlings are plentiful throughout the site.

- Tree seedlings develop into saplings in the open glades.
- There are abundant dead and dying trees with holes and hollows, rot columns, torn off limbs and rotten branches.
- Some dead and dying trees will be partially or completely hollow.
- Fallen dead wood is dense enough to obstruct progress by foot across the entire site, except on established maintained paths.
- Field and ground layers are well developed with a patchwork of vegetation communities characteristic of local soil and humidity conditions.
- The woodland supports populations of birds (included pied flycatchers, redstarts, wood warblers) and mammals (including several bat species, otters and badgers).
- All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 3

- Taxus Baccata woods of the British Isles (EU Habitat Code 91J0)

The vision for this feature is for it to be in a favourable conservation status, where all of the following conditions are satisfied:

- Taxus Baccate woodland continues to be present in Blackcliff Wyndcliff Woods that contribute to the Wye Valley Woodlands SAC.
- The woodland area covers the entire site.
- The woodland is maintained as far as possible by natural processes.
- The location of open glades varies over time.
- Trees and shrubs are mainly locally native broadleaved species.
- The abundance and density of individual native species varies across the site.
- Trees and shrubs of a wide range of ages and sizes are present.
- Tree seedlings are plentiful throughout the site.
- Tree seedlings develop into saplings in the open glades.
- There are abundant dead and dying trees with holes and hollows, rot columns, torn off limbs and rotten branches.
- Some dead and dying trees will be partially or completely hollow.
- Fallen dead wood is dense enough to obstruct progress by foot across the entire site, except on established maintained paths.
- Dead wood dependent species of moss, liverwort, fungi and specialised invertebrates are present, in spatially and temporally variable abundance, throughout the site.
- Field and ground layers are well developed with a patchwork of vegetation communities characteristic of local soil and humidity conditions.
- The woodland supports populations of birds (included pied flycatchers, redstarts, wood warblers) and mammals (including several bat species, otters and badgers).
- All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 4

- Lesser horseshoe bat *Rhinolophus hipposideros* (EU species code 1303)

The vision for this feature is:

- The woodlands continue to support populations of lesser horseshoe bat.
- Sufficient foraging habitat is available, in which factors such as disturbance, interruption to flight lines, mortality from predation or vehicle collision, and changes in habitat management that would reduce the available food source are not at levels, which could cause any decline in population size.
- Management of the woodland SAC is of the appropriate type and sufficiently secure to ensure there is likely to be no reduction in population size or range, nor any decline in the extent or quality of breeding, foraging or hibernating habitat, for example due to over-intensive woodland management.
- There will be no loss or decline in quality of linear features (such as hedgerows and tree lines), which the bats use as flight lines.
- Disturbance to roost sites both within the site and in the surrounding area, especially from human physical presence, noise and lighting, is minimized.
- All factors affecting the achievement of these conditions are under control.

Conservation Objective for Feature 5

- Non SAC semi natural broadleaved woodland

The vision for this feature is as for features 1, 2 and 3.