



**APPROPRIATE ASSESSMENT
of the
RHONDDA CYNON TAF COUNTY
BOROUGH COUNCIL'S
LOCAL DEVELOPMENT PLAN (2006-2021):**

PREFERRED STRATEGY

SCREENING REPORT

January 2007

Prepared by

enfusion



in association with Soltys Brewster Ecology

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SCREENING REPORT

for and on behalf of Enfusion Ltd

<i>date:</i>	<i>December 2006</i>	
<i>prepared for:</i>	<i>Rhondda Cynon Taf County Borough Council</i>	
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1 INTRODUCTION

Enfusion, in association with Soltys Brewster Ecology, was appointed by Rhondda Cynon Taf County Borough Council in November 2006 to undertake an Appropriate Assessment (AA) of the Council's Local Development Plan, 2006-2021. This report contains the findings of a 'screening' process to determine if the Local Development Plan will have a significant adverse effect on Natura 2000 sites in and adjacent to the Borough.

2 APPROPRIATE ASSESSMENT (AA)

European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) protects habitats and species of European nature conservation importance. The Habitats Directive establishes a network of sites designated for their ecological status. These are referred to as Natura 2000 sites or European sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

Articles 6 (3) and 6 (4) of the Habitat's Directive require AA to be undertaken on plans. In 2007, this will be transposed into UK law in Part IVA of the Habitats Regulations (The Conservation (Natural Habitats, & c.)(Amendment) (England and Wales) Regulations 2007), and will require the application of AA to all land use plans. A draft of these regulations was placed on public consultation in Summer 2006.

The purpose of AA is to assess the impacts of a land-use plan in combination with the effects of other plans and projects against the conservation objectives of a European Site and to ascertain whether it would adversely affect the integrity of that site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects. The scope of the AA is dependent on the location, size and significance of the proposed plan or project.

3 WELSH ASSEMBLY GUIDANCE ON APPROPRIATE ASSESSMENT

Draft guidance on how to undertake Appropriate Assessment in Wales was provided in October 2006 by David Tyldesley Associates and the Welsh Assembly Government (WAG) in 'The Assessment of Development Plans in Wales under the Provisions of the Habitats Regulations'¹, and this has been consulted in the production of this screening report.

The WAG guidance advises that Appropriate Assessment be undertaken as a separate process to Sustainability Appraisal and Strategic Environmental Assessment (statutory and iterative processes also required in the production

¹ David Tyldesley & Associates and the Welsh Assembly Government. 2006. *Draft Guidance. The assessment of Development Plans in Wales under the provisions of the Habitats Regulations*. Consultation version, October 2006. Draft Annex to Technical Advice Note 5, Nature Conservation and Planning (Consultation Version)

of a Development Plan), but advises that AA should run parallel to these processes.

Under the WAG guidance, Appropriate Assessment forms part of what is known as Habitats Regulations Assessment (HRA). HRA covers:

- Determining likely significant effects of a development plan on European sites (SACs, SPAs) and, if applicable;
- Scoping what needs “appropriate assessment” (AA) and how it will be undertaken.
- Undertaking the AA.
- Applying a “site integrity test” (to determine the impact of the plan on the integrity and conservation objectives of a European site) and determining whether development plans or elements within them have no alternative solutions and there are imperative reasons of over-riding public interest.

The WAG guidance states that HRA is part of an iterative process and needs to be revisited at each stage of the plan process depending on the nature and scale of the changes to the plan. This report comprises the first two stages of that process, determining the likely significant effects and ‘scoping’ what needs Appropriate Assessment.

4 METHODOLOGY

In accordance with the WAG Guidance and existing practice in the undertaking of Appropriate Assessment, the following methodology was adopted in undertaken the screening report:

Step 1 Identification of Natura 2000 sites

This involved the identification of European sites within or in close proximity (<5km) to Rhondda Cynon Taf County Borough.

Step 2 Site Information

Information was obtained for each European site, based on discussion with CCW and information relating to the site’s qualifying features and geographical boundaries, available via internet.

Step 3 Policies review

A review was undertaken of policies within the LDP that may be likely to impact upon European sites.

Step 5 – Assessment of ‘in-combination’ effects

This involved the consideration of other plans and programs that may, in-combination with the Rhondda Cynon Taf LDP have the potential to adversely impact European sites.

Step 6 – Assessment of likely significant effects

This involved consideration of any likely adverse effects and whether these are significant.

5 CONSULTATION

Initial discussions were held with the ecologist at Rhondda Cynon Taf Borough Council and contact made with the relevant officers at CCW. Formal consultation with CCW and other consultees will follow consultation on the Preferred Strategy in January 2007.

6 APPROPRIATE ASSESSMENT SCREENING

Soltys Brewster Ecology carried out the site assessment of the SACs and informal consultation with the Countryside Council for Wales (CCW) to assess and, if necessary, address the potential impacts of the LDP on Natura 2000 sites within the Borough. The process follows that recommended in the draft Welsh Assembly guidance², a summary of which is attached at Annex 1 of this report. This section assesses the potential impacts on Natura 2000 sites within RCT as far as practicable based on the level of information provided within the draft plan.

Step 1 Identification of Natura 2000 sites

All Natura 2000 sites which lie within or adjacent to the LDP area for RCT or for which RCT is listed as a relevant local authority were identified through analysis of information available on the internet (www.ccw.gov.uk and www.jncc.gov.uk), and through discussion with Rhondda Cynon Taff and CCW.

Four sites were identified, all of which are designated as SACs – Cwm Cadlan, Coedydd Nedd y Mellte, Cardiff Beech Woods and Blaen Cynon. The latter two sites fall within the unitary boundary of Rhondda Cynon Taf whilst Cwm Cadlan and Coedydd Nedd y Mellte lie within the boundary of the Brecon Beacons National Park, outside the prescribed area of the emerging LDP. No other adjacent or overlapping Natura 2000 sites were located within 5 km of the LDP boundary which were considered of ecological relevance³ to the plan.

² David Tyldesley & Associates and the Welsh Assembly Government. 2006. *Draft Guidance. The assessment of Development Plans in Wales under the provisions of the Habitats Regulations*. Consultation version, October 2006.

³ The nearest Natura 2000 sites other than the four identified are Blackmill Woods and AberBargoed Grasslands, which lie approximately 5 km to the west and east respectively of the LDP boundary.

Step 2 Site Information

As part of the formal consultation on the emerging LDP (anticipated from January 2007), CCW will be contacted and details of the four SAC boundaries, qualifying features and condition assessments requested. For the purposes of this AA scoping report, only informal consultation has been undertaken and no details on condition assessment were available. Generic information relating to the site's qualifying features and geographical boundaries was accessible via the internet. A summary of the four sites is provided in the table below.

Table 1: Summary information on four SAC sites within or adjacent to RCT boundaries.

Site Name/Location/Size	Qualifying Interest
<p>Blaen Cynon</p> <p>Central Grid Ref: SN 946 066 Three separate parcels of land north west of Hirwaun between the A465 and A4059 roads.</p> <p>Size (ha): 66.83</p>	<p>1) Marsh Fritillary Butterfly</p> <p>Blaen Cynon contains an extensive complex of damp pastures and heaths supporting the largest meta-population of Marsh Fritillary <i>Euphydryas aurinia</i> on the southern edge of the Brecon Beacons National Park.</p>
<p>Cardiff Beech Woods</p> <p>Central Grid Ref: ST 118 824 Woodland block to the north of Tongwynlais either side of the A470.</p> <p>Size (ha): 115.62</p>	<p>1) Asperulo-Fagetum Beech Forests:</p> <p>Cardiff Beech Woods contains one of the largest concentrations of this habitat type in Wales, and represent the habitat close to the western limit of its past native range in both the UK and Europe.</p> <p>2) Tilio-acerion forests of slopes, screes and ravines</p>
<p>Coedydd Nedd y Mellte</p> <p>Central Grid Ref: SN 919 093 Lies outside the LDP area, within the Brecon Beacons National Park. The southernmost part of the site is approximately 500 m north of the A465 and 2.5 km north-west of Rhigos.</p> <p>Size (ha): 378.18</p>	<p>1) Old sessile Oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>The woods extend along a series of deeply incised valleys and ravines and contain complex mosaics of Sessile Oak woodland, Ash woodland and transitions to lower woodland types.</p> <p>2) Tilio-acerion forests of slopes, screes and ravines</p>
<p>Cwm Cadlan</p> <p>Central Grid Ref: SN 961 098 Lies outside the LDP area,</p>	<p>1) <i>Molinia</i> meadows on calcareous, peaty or clayey silt-laden soils.</p> <p>Cwm Cadlan has the largest recorded example of <i>Molinia</i> meadows in Wales</p>

within the Brecon Beacons National Park. The village of Penderyn lies approximately 1 km to the west and Hirwaun 5 km to the south. Size (ha): 83.93	2) Alkaline Fens Cwm Cadlan supports an outstanding suite of flushed short-sedge mire communities on glacial drift overlying carboniferous limestone within the valley of the Nant Cadlan.
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As part of the formal consultation process, details of the site condition assessment as it relates to the qualifying interests of each of the sites will be requested from CCW.

Step 3 Policies review

Consideration of the potential for impacts on the four SACs has been based on the information supplied within the LDP Preferred Strategy document, and particularly the map of non-strategic candidate sites, which provides the location of each numbered proposal within the plan. The type of development and its extent (in hectares) is also provided within the plan although no information exists at this stage relating development boundaries to those of the SACs. On this basis, the screening assessment should be considered precautionary and all four sites should be re-assessed at such time as more detailed plans become available.

Cwm Cadlan & Coedydd Nedd y Mellte

Both Cwm Cadlan and Coedydd Nedd Y Mellte lie outside the area covered by the LDP and on this basis, consideration of direct impacts (i.e. habitat loss) arising from any of the proposal would not need to be considered.

Given the distance of both sites relative to the closest proposed development, the risk from indirect impacts would appear negligible. For example, a cluster of residential development (e.g. Proposal No 406, 407) is proposed to the south of the A465 close to Rhigos although this type of development would not be expected to generate potential impacts of relevance to Coedydd Nedd Y Mellte. Similarly, the cluster of proposed residential development north of Hirwaun would not result in any foreseeable activities of relevance to Cwm Cadlan.

Cardiff Beech Woods

Only a small portion of Cardiff Beech Woods falls within the LDP area and the closest development proposal (No 262) is located to the north of the westernmost woodland block near Taffs Well. The proposal is for a residential development of less than 1 ha in size and given that no direct habitat loss would occur, the risk from indirect impacts, for example increased recreational use (pedestrian) is likely to be negligible.

Blaen Cynon

The potential for impacts at Blaen Cynon represent the greatest level of uncertainty with respect to the LDP and further detail relating to the extent of the proposed developments would be required. On this basis, it is likely that additional investigation would be required.

Based on information contained within the LDP, proposal No. 446, a four hectare residential development, lies in close proximity to, and may overlap with, the boundary of the SAC. Any development which would result in physical habitat loss would almost certainly trigger the need for an Appropriate Assessment by the competent authority (in this case Rhondda Cynon Taf Borough Council). Similarly, development in close proximity (e.g. within 250m) to the SAC boundary is also likely to trigger a similar requirement. The proposed plan to upgrade the A465 (see Step 5) should also be considered, and scheme design based around the concept of 'avoidance of the SAC and adjoining areas' where practicable. Further investigation with respect to this proposal is likely to be required.

Other indirect effects on the SAC from this proposal (No 446) and those located immediately north of Hirwaun that would need consideration would include any effect on the water table from increased demand for residential use (potentially affecting ground conditions and vegetation type at the SAC) or adverse effects on the site through increased recreational pressure.

With regards to the A465 widening, details of the scheme alignment, temporary works (haulage routes, compounds etc), treatment of highway run-off and the potential for indirect effects on the SAC through changes in air quality (e.g. increases in NO_x levels which could alter vegetation structure through deposition of nitrogen) would all require consideration to advise of the potential for 'significant effects'.

Step 5 – Assessment of 'in-combination' effects

The Wales Spatial Plan⁴ was examined in order to obtain information that would assist in ascertaining the 'in-combination' effects of development on the four SACs in Rhondda Cynon Taf. Although there are elements of the Wales Spatial Plan that will be relevant to Rhondda Cynon Taf, such as the objectives listed in chapter 2, 'Promoting a Sustainable Economy', Rhondda Cynon Taf is not mentioned in the report specifically and the strategic nature of the Plan does not generally provide the detail needed to assess potential impacts on the four SACs within the Borough. However, both Rhondda's LDP Preferred Strategy (2006-2021) and the Wales Spatial Plan (part 2, page 37) refer to the upgrade/ dualling of the A465. Any upgrading of the A465 planned for the vicinity of the Blaen Cynon SAC is likely to trigger the need to undertake further Appropriate Assessment.

⁴ People, Places, Futures. The Wales Spatial Plan. November 2004.

The Wales Transport Strategy Consultation Document produced by the Welsh Assembly Government in July 2006 does not contain enough detailed, site-specific information to be useful in this Screening Report.

Merthyr Tydfil County Borough Council's Local Development Plan Draft Strategic Options Report (June 2006) was also examined in order to establish whether any 'in-combination' impacts are likely to affect the European sites in Rhondda Cynon Taf. Although some Merthyr sites earmarked for development are close to the border of the Brecon Beacons National Park, and Blaen Cynon SAC is located on the southern edge of the National Park, the integrity of the SAC is unlikely to be compromised as there are several kilometres between the Merthyr development sites and the SAC. Caerphilly's Unitary Development Plan (2003) is also unlikely to have any significant implications for the SACs in Rhondda Cynon Taf.

With respect to the Cardiff Beech Woods SAC, the levels of development promoted in Cardiff's Structure Plan⁵ will have implications for the site as the SAC is near the border between Rhondda Cynon Taf and Cardiff City. For example, as the SAC is close to the M4, changes to Cardiff's transport policies may, at some point, have an impact on the SAC.

Step 6 – Assessment of likely significant effects

Based on the proposals emerging in the LDP and other plans and programs and consideration of the type and location of the four SACs within Rhondda Cynon Taf, significant effects are considered unlikely for Cwm Cadlan and Coedydd Nedd y Mellte SACs. However, clarification or changes to development locations may warrant further appropriate assessment of the effects on these sites.

The residential development proposed to the south and west of Blaen Cynon is identified as a potential source of adverse impacts on the Blaen Cynon SAC. Taken in conjunction with the plan to upgrade the A465 Abergavenny / Hirwaun to a dual carriageway, there is potential for significant adverse effects on this SAC.

There is also potential for significant impact on the Cardiff Beech Woods SAC, primarily in-combination with development proposed in the Cardiff's Development Plan.

7 SUMMARY AND CONCLUSIONS

The Appropriate Assessment Screening for Rhondda Cynon Taf's LDP has identified potential significant effects on one Natura 2000 sites, the Blaen Cynon SAC. In accordance with the Welsh Assembly Guidance, it is therefore recommended that an Appropriate Assessment be undertaken to ascertain the effect of the LDP on the integrity of this site.

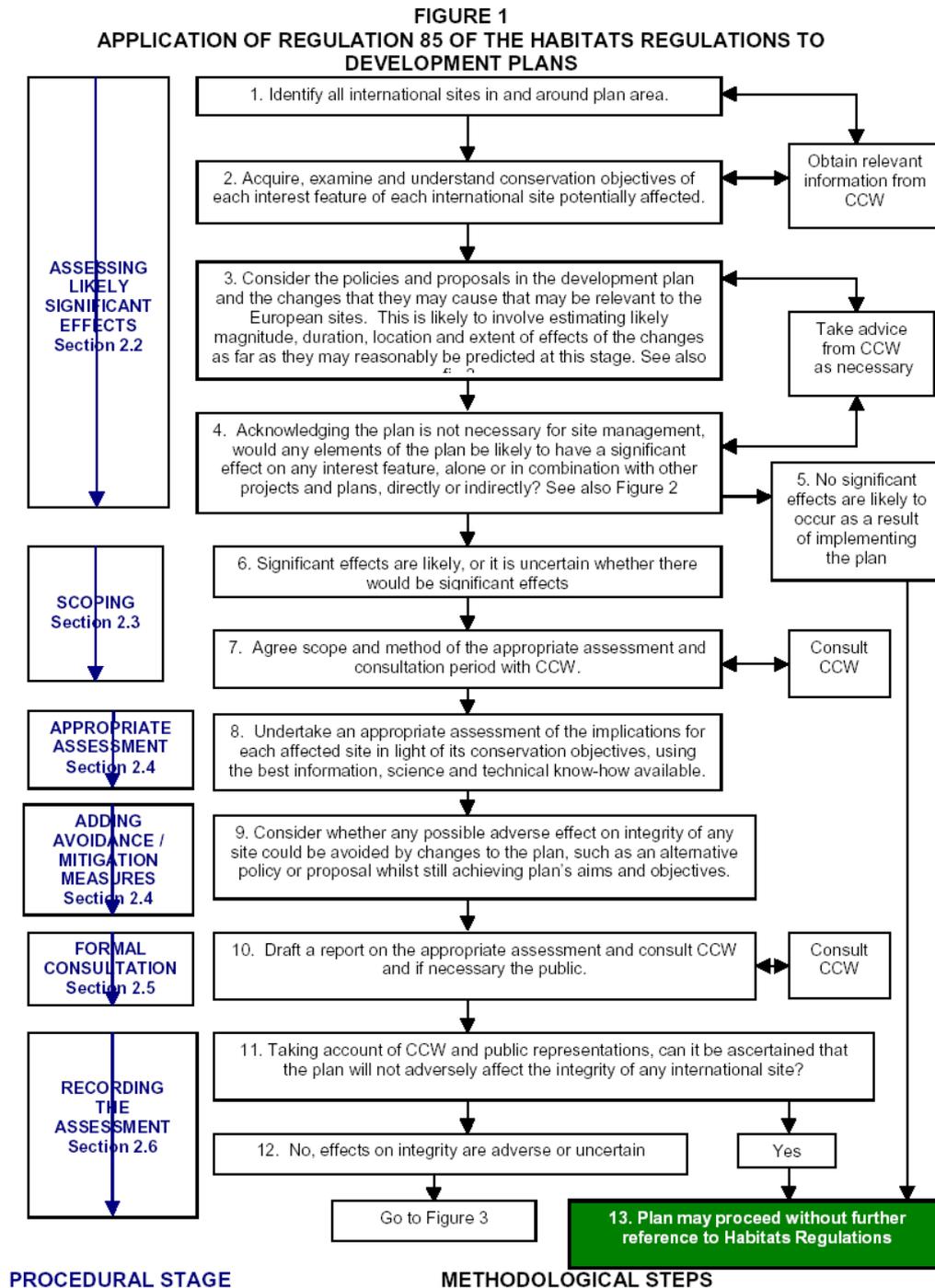
⁵ South Glamorgan (Cardiff Area) Replacement Structure Plan, 1991-2011

There is also potential for significant impact on the Cardiff Beech Woods SAC, in-combination with development proposed in the Cardiff's Development Plan, and it is recommended that discussion is undertaken with Cardiff County Council regarding how to best to proceed with an Appropriate Assessment for this SAC.

Whilst it is considered that the LDP will be unlikely to have significant effects on the Cwm Cadlan and Coedydd Nedd y Mellte SACs, it is recommended that a precautionary approach be adopted, such that the potential for impacts is re-assessed once further clarification or changes to development locations is made.

It is recommended this work begin in January/February 2007 in order to inform the continued development of the LDP.

ANNEX 1: APPLICATION OF REGULATION 85 OF THE HABITAT REGULATIONS TO DEVELOPMENT PLANS



Source: David Tyldesley & Associates & Associates and WA (2006).