

**Preliminary Screening: Habitat Regulations Assessment of the  
Lydney Neighbourhood Plan 2014-2014**

**Appendix 2 - Policy Screening**

Habitats regulations Assessment - Should the Plan be subject to Habitates Regulations Assessment?  
(Stage 1)

Name of Plan	Lydney Neighbourhood Development Plan		
Date	10/12/2014		
Assessor(s)	Caroline Lidgett		
	YES	NO	
Is the whole of the plan directly connected with or necessary to the management of a European site for nature conservation purposes?		<b>X</b>	If answer is YES the plan does not need to be assessed
Is the plan a 'strategic development plan' or 'local development plan' or 'supplementary guidance' (regulation 85A), or a core path plan (regulation 69A) or a revision thereof?	<b>X</b>		If answer is YES the plan should be assessed - proceed to stage 2
Does the plan provide a framework for deciding applications for project consents and / or does it influence decision makers on the outcome of applications for project consents?	<b>X</b>		If answer is YES the plan should be assessed - proceed to stage 2
Does the plan contain a programme, or policies, or proposals which could affect one or more particular European site?	<b>x</b>		If answer is YES the plan should be assessed - proceed to stage 2
Is the plan a general statement of policy showing only the general political will or intention of the planmaking body, and no effect on any particular European site can reasonably be predicted?		<b>X</b>	If answer is YES the plan does not need to be assessed

Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	Outcome of Screening	Potential for likely significant effects
<b>1. Vision for Lydney</b>														<b>Comments</b>
	Introduction	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	What Area does the Lydney NDP cover	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	The Plan Process	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Lydney Today	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Lydney Population	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Lydney Environment	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Lydney Heritage	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	A Vision for Lydney	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).

Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	Outcome of Screening	Potential for likely significant effects
<b>2. Policies for Sustainable Growth</b>														
	Lydney Neighbourhood Development Plan Policies	√											Explanatory Text	No likely significant effects (Screened Out).
	Protecting the Environment	√											Explanatory Text to LYD ENV policies	No likely significant effects (Screened out)
<b>Policy</b>	LYD ENV 1 Preservation of Open Space.				√								The policy aims to resist development outside the settlement boundary, overlaps with core strategy policies CSP 2 and CSP 4.	No likely significant effects (screened out).
<b>Policy</b>	LYD ENV 2 Protecting the Natural Environment.				√								The policy aims to protect the natural environment. Overlaps with Core Strategy Policy CSP1	No likely significant effects (screened out).
	Housing	√											Explanatory Text to LYD HOUS 1 policy	No likely significant effects (Screened out)

Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	Outcome of Screening	Potential for likely significant effects
<b>Policy</b>	LYD Hous 1 Housing for Eldery People.								v				<p>This policy will lead to development. The site proposed for housing has been previously allocated for development and is in the emerging Allocations Plan. The site is next to the River Lyd and an obvious green corridor directly connected to the woodlands to the north of Lydney and therefore the Wye Valley and Forest of Dean Bat SAC. The current policy does not recognise that, before planning permission can be granted, effects on European sites must be avoided or adequately mitigated.</p>	There is potential for development affect fly ways or bat roosts, which may be connected to the bat SAC. Screened in at this stage.
	Lydney Town Centre Improvements	v											Explanatory Text to LYD CEN 1 policy	No likely significant effects (Screened out)

<b>Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)</b>		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	<b>Outcome of Screening</b>	<b>Potential for likely significant effects</b>
<b>Policy</b>	LYD CEN 1 Lydney Town Centre Improvements.			✓		✓							This policy does not provide for development. It refers to policies in the Core Strategy and promotes improvements to Lydney Town Centre through design	No likely significant effects (Screened out)
	General Polcies - Water Management	✓											Explanatory Text to LYD GEN 1 policy	No likely significant effects (Screened out)
<b>Policy</b>	LYD GEN 1 Water Management	✓				✓							Overlap with Core Strategy Policies CSP1 and CSP2 and other regulatory systems. The policy does not provide for development.	No likely significant effects (Screened out)
	General Policies- Internet Connectivity	✓											Explanatory Text to LYD GEN 2 policy	No likely significant effects (Screened out)
<b>Policy</b>	LYD GEN 2 Fibre to Residential, Retail and Commercial Premises.	✓				✓							The policy does not provide for development	The policy does not provide for development and therefore the policy itself will not have a significant effect (Screened Out).

<p align="center"><b>Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)</b></p>		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	<p align="center"><b>Outcome of Screening</b></p>	<p align="center"><b>Potential for likely significant effects</b></p>
	Highway and Pedestrian Infrastructure	✓		✓			✓						Examiner's Version has been amended. The new explanatory text to LYD TRAN policies has been assessed as: explanatory text which does not promote additional new development (apart from the Swan Link cycle way and policies in the Core Strategy CSP12)	No likely significant effects (Screened out)
<b>Policy</b>	LYD TRAN 1 Improvements to the Highway Infrastructure					✓							This policy is a general policy which does not promote new development but is concerned with design quality	No likely significant effects (Screened out)
<b>Policy</b>	LYD TRAN 2 Pedestrian Infrastructure						✓						The Examiner's Version has been amended. The new wording recognises the importance of the Severn Estuary European Site. Whilst the policy promotes footpath use it also seeks to ensure that impacts the estuary would be avoided	No likely significant effects from the policy itself (screened out).

<p style="text-align: center;"><b>Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)</b></p>		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	<p><b>Outcome of Screening</b></p>	<p><b>Potential for likely significant effects</b></p>
<p><b>Policy</b></p>	<p>LYD TRAN 3 Public Rights of Way and Wildlife Corridors</p>							<p><b>v</b></p>				<p>The policy sets a framework to ensure new development will establish "wildlife corridors" alongside PRow. A full explanation for the scheme is in Appendix 2 of the NDP. The establishment of these corridors on some the PRow network could potentially result in significant effects to the Wye Valley and Forest of Dean Bat SAC and the Severn Estuary SPA/SAC/Ramsar. The current policy does not recognise that, before planning permission can be granted, effects on European sites must be avoided or adequately mitigated.</p>	<p>Potential significant effects identified, screened in at this stage</p>	
	<p>Lydney Harbour</p>							<p><b>v</b></p>				<p>The explanatory text and policy of the Examiner's Version have been</p>		

Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	Outcome of Screening	Potential for likely significant effects
Policy	LYD HAR 1 Lydney Harbour Area								v				amended. The amendment promotes small scale recreational development at Lydney Harbour. Although the policy states that its ecological importance will be "respected" insufficient detail or explanation is provided. Therefore the policy could result in likely significant effects on the Severn Estuary SAC/SPA/Ramsar, depending on the scale and location of the development. The current policy does not recognise that, before planning permission can be granted, effects on European sites must be avoided or adequately mitigated.	Possible likely significant effects (screened in).
<b>3. Ongoing Projects</b>														
	Lydney NDP Ongoing Projects	v											Explanatory text, general statements and vision	No likely significant effects (Screened Out).

Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	Outcome of Screening	Potential for likely significant effects
	Local Industry	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Future Healthcare Provision	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Education	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Leisure and Tourism	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Burial Provision	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
	Developer Contributor Priority List	✓											Explanatory text, general statements and vision	No likely significant effects (Screened Out).
<b>4. Appendices</b>														
	Bibliography	✓											Explanatory text	No likely significant effects (Screened Out).

<p style="text-align: center;"><b>Lydney Neighbourhood Development Plan. Examiner's Version with amendments (Table A)</b></p>		General statements of policy/aspiration	Policy for testing acceptability of proposals	Not proposals generated by this plan	Aspects that protect natural environment	Aspects that will not lead to development	Aspects that make provision for change (no conceivable effect on European site)	Effects cannot undermine the conservation objectives either alone or in combination	Likely significant effects alone	Effect not likely to be significant alone but need to check in combination effects	Not likely to have significant effect (screened out after in combination test)	Likely to have a significant effect in combination	<p><b>Outcome of Screening</b></p>	<p><b>Potential for likely significant effects</b></p>
	Wildlife Corridors							<b>v</b>					<p>The explanatory text here is linked to policy LYD TRAN 3. The resulting projects could result in significant effects by affecting the Severn Estuary SPA/SAC/Ramsar and potential flightpaths and associated habitat and features of the Wye Valley and Forest f Dean Bat SAC.</p>	Likely significant effect, screened in at this stage

**Masterplan and Design Code  
Mitigation  
(Table B)**

Aspect of the plan that could have some potential effect on a European Site (See Table A)	Potential for likely significant effects (See Table A)	Mitigation measures to Avoid, Reduce or Cancel potential for likely significant effects	Following mitigation measures would the plan result in likely significant effects?
LYD Hous 1 Housing for Eldery People.	LYD Hous 1 Housing for Eldery People. This policy will lead to development. The site proposed for housing has been previously allocated for development and is in the emerging Allocations Plan. The site is next to the River Lyd and an obvious green corridor directly connected to the woodlands to the north of Lydney and therefore the Wye Valley and Forest of Dean Bat SAC. The current policy does not recognise that, before planning permission can be granted, effects on European sites must be avoided or adequately mitigated.	<p>Amendments and caveats to the policy wording and explanatory text are recommended to ensure that the potential impact to protected sites and species are fully addressed and avoided or mitigated within any development proposal.</p> <p>Add to explanatory text: <i>The proposed site is a brownfield site and next to the River Lyd. The site has potential habitats used by protected species including bats and is hydrological connected to the Severn Estuary SAC/SPA and Ramsar. The River Lyd is an important green corridor and should be protected as a key element of any future proposal, possibly providing connectivity to the woodlands of the Wye Valley and Forest of Dean Bat SAC. Habitats (including the buildings) and species on and adjacent to the site, need to be fully taken into account at the earliest stage of project development, to ensure adverse impacts protected sites and species are integrated into any proposal.</i></p> <p>Amend Policy to include caveat:</p> <p><i>Planning applications will be sought for well designed residential accommodation suitable for elderly people's needs in the area shown in map 1.5, p22.</i></p> <p><i>Applications must be supported by an appropriate level of ecological assessment and mitigation that if necessary addresses the status of any protected features affected and any associated mitigation.</i></p>	The mitigation measures identified will avoid significant effects on the Wye Valley and Forest of Dean Bat SAC and the Severn Estuary SAC/SPA/Ramsar as a result of the NDP, alone, taking account of both direct and indirect impacts. The Allocations Plan document should also be amended.

LYD TRAN 3 Public Rights of Way and Wildlife Corridors.	LYD TRAN 3 Public Rights of Way and Wildlife Corridors. The policy sets a framework to ensure new development will establish "wildlife corridors" alongside PRoW. A full explanation for the scheme is in Appendix 2 of the NDP. The establishment of these corridors on some the PRoW network could potentially result in significant effects to the Wye Valley and Forest of Dean Bat SAC and the Severn Estuary SPA/SAC/Ramsar. The current policy does not recognise that, before planning permission can be granted, effects on European sites must be avoided or adequately mitigated.	Amendments and caveats to the policy wording and explanatory text are recommended to ensure that the potential impact to protected sites and species are fully addressed and avoided or mitigated within any development proposal.  Amend Policy Wording: Any proposal must assess potential impacts to protected sites and species. Proposals which do not adequately assess or avoid impacts will not be supported.  Changes to Appendix Two are also required.	The mitigation measures identified will avoid significant effects on the Wye Valley and Forest of Dean Bat SAC and the Severn Estuary SAC/SPA/Ramsar as a result of the NDP, alone, taking account of both direct and indirect impacts.
Lydney Harbour explanatory text and LYD HAR 1 Lydney Harbour Area.	Lydney Harbour explanatory text and LYD HAR 1 Lydney Harbour Area. The explanatory text and policy of the Examiner's Version have been amended. The amendment promotes small scale recreational development at Lydney Harbour. Although the policy states that its ecological importance will be "respected" insufficient detail or explanation is provided. Therefore the policy could result in likely significant effects on the Severn Estuary SAC/SPA/Ramsar, depending on the scale and location of the development. The current policy does not recognise that, before planning permission can be granted, effects on European sites must be avoided or adequately mitigated.	Amendments to the policy wording have already been made to the Policy wording and are incorporated here. A map has already been added to the Examiner's Version of the NDP highlighting the exact area to which the policy relates and should form a part of the amended document.  The potential level of impacts from an inappropriate scheme at this location would be highly significant. It must therefore be ensured the policy and its explanatory text clearly acknowledges the importance of the Severn Estuary and the need to ensure all potential negative impacts to the SPA/SAC/Ramsar are avoided. Therefore it is proposed to re-word the explanatory section as follows: <b>See Lydney NDP Habitat Regulations Assessment Report Section 7 for text.</b>	The mitigation measures identified will avoid significant effects on the Severn Estuary SAC/SPA/Ramsar as a result of the NDP, alone, taking account of both direct and indirect impacts.

<p>Appendix 2 Wildlife Corridors</p>	<p>The explanatory text here is linked to policy LYD TRAN 3. The resulting projects could result in significant effects by affecting the Severn Estuary SPA/SAC/Ramsar and potential flightpaths and associated habitat and features of the Wye Valley and Forest of Dean Bat SAC.</p>	<p>This explanatory text is concerned with establishing cycle routes and footpaths adjacent to existing PRoW. The text does not acknowledge that PRoW can be of existing high wildlife value. Many of the PRoW in the NDP area are either adjacent to European sites or, in the case the Wye Valley and Forest of Dean Bat SAC, within the site. It would be inappropriate to promote such schemes within these areas, or indeed where there is existing ecological value.</p> <p>The connected policy and this Appendix should be reworded to ensure that protected sites and species are fully taken into account when promoting such schemes.</p> <p>Alternatively the Policy itself should be refined to be specific to particularly schemes within the settlement boundary and taking into account the location of European sites and existing ecological value.</p> <p><b>See Lydney NDP Habitat Regulations Assessment Report Section 7 for proposed amendments to Appendix Two.</b></p>	<p>The mitigation measures identified will avoid significant effects on the Wye Valley and Forest of Dean Bat SAC and the Severn Estuary SAC/SPA/Ramsar as a result of the NDP, alone, taking account of both direct and indirect impacts.</p>
--------------------------------------	--	---	--

**Conclusion: No likely significant effects with proposed mitigation**