APPROPRIATE ASSESSMENT UNDER REGULATION 63 OF THE CONSERVATION OF HABITATS & SPECIES REGULATIONS 2017 (as amended) *

1. Introduction

1.1. This is a record of the Appropriate Assessment under Regulation 63 of the Conservation of Habitats & Species Regulations 2017 (as amended) for planning application for the following planning application:

<table>
<tr><td>Planning application number</td><td colspan="2">P0672/25/0UT</td></tr>
<tr><td>Description</td><td colspan="2">Outline application for the erection of up to 180 residential dwellings (including affordable housing) with public open space, landscaping and vehicular access points (all matters reserved except for means of access).</td></tr>
<tr><td>Planning policy context</td><td colspan="2">Outside of settlement boundary</td></tr>
<tr><td>Date of Assessment</td><td colspan="2">10th April 2026</td></tr>
<tr><td>Assessment by</td><td colspan="2">Anouska Laramy</td></tr>
<tr><td rowspan="2">Summary

(see section 9 for detail)</td><td>Conditions / Legal agreement Required</td><td>* Yes</td></tr>
<tr><td>Adverse effects</td><td>* No adverse effects if controlled by condition</td></tr>
</table>

1.2. This assessment has been undertaken by Forest of Dean District Council, which is the competent authority responsible for authorising the project in respect of spatial planning consent/s and any assessment of it required by the Regulations, utilising guidance contained within the Habitats Regulations Assessment Handbook produced by DTA Publications as available at the date of assessment and other current guidance. The assessment is untaken on a precautionary principle basis.

1.3. The LPA is responsible for undertaking the ‘appropriate assessment’ for this project. It must precede any authorisation of the project and is a necessary pre-requisite to any consideration of the derogation in Article 6(4). The appropriate assessment is an objective, scientific assessment of the project’s implications for the qualifying features of European Sites likely to be significantly affected in order to inform an ‘integrity test’.

1.4. Work undertaken at the screening/re-screening stage (if appropriate) forms a valuable start to the appropriate assessment. However the appropriate assessment allows for a more detailed study of the implications of the project for the European Site(s) potentially affected. An important role of the appropriate assessment is to provide a better understanding of potential effects and therefore, where necessary, assist in the identification of further mitigation measures, which might be imposed by the LPA in order to ascertain that there will not be an adverse effect on the integrity of a European Site(s). More detailed examination, at appropriate assessment stage, may allow the LPA to conclude that the project will not, in fact, adversely affect the integrity of the European Site(s). The assessment is carried out on a precautionary principle basis.

2. How the document is set out

2.1. Any screening/re-screening and this Appropriate Assessment make up the Habitats Regulation Assessment and therefore all documents need to be read in conjunction. The tables in the Appropriate Assessment are divided into distinct sections (Boxes) which start from the point where additional measures to avoid likely significant effects were considered necessary were identified in the Screening (Box A). Project mitigation measures, proposed by the project proposer, are set out in Box B, with an assessment of effectiveness of those measures in Box C by the LPA as the competent authority. Additional mitigation measures considered necessary by the LPA are identified in Box D and the outcome as a result of all measures (proposed and imposed) is identified in Box E. Box F addresses the integrity test and finally in Box G any assumptions or limitations made during the assessment are identified.

2.2. As a competent authority it is important that the Appropriate Assessment sets out where it agrees with the information and assessments undertaken by the project proposer and where it does not. These considerations are set out in Box C.

3. Information used for assessment

3.1. When undertaking the Appropriate Assessment the competent authority took particular account of the following documents and the information they contain:

https://publicaccess.fdean.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SXACQDHIMS100

Wye Valley and Forest of Dean Bat SAC

Supplementary Advice for Wye Valley & Forest of Dean Bat Sites SAC	11/02/2019 (NE)	http://publications.naturalengland.org.uk/file/6041981725966336
Wye Valley & Forest of Dean Bat Sites SAC Conservation Objectives	08/02/2016 (JNCC/NE)	http://publications.naturalengland.org.uk/file/6564127446138880
Wye Valley & Forest of Dean Bat Sites SAC Conservation Objectives supplementary advice	11/02/2019 (NE)	http://publications.naturalengland.org.uk/file/6041981725966336
Wye Valley & Forest of Dean Bat Sites SAC Citation	26/06/2014 (JNCC/NE)	http://publications.naturalengland.org.uk/file/5725464458952704
Site Improvement Plan: Wye Valley and Forest of Dean Bat Sites	11/3/2015 (JNCC/NE)	http://publications.naturalengland.org.uk/publication/6102625057505280
A Strategy for the Conservation of Horseshoe Bats in the Wye Valley and Forest of Dean (2016)	2016 Wye Valley and Forest of Dean Bat Strategy partnership	https://www.fdean.gov.uk/media/5420/wye-valley-and-forest-of-dean-bat-strategy-may-2016.pdf

4. Screening of the project

4.1. The outcome of the screening/re-screening process can be found in the following documents:

PRELIMINARY SCREENING FOR LIKELY SIGNIFICANT EFFECTS UNDER REGULATION 63 OF THE CONSERVATION OF HABITATS & SPECIES REGULATIONS 2017 (as amended)	10th April 2026 17th July 2025

5. Mitigation measures

5.1. In reaching the conclusion of the Appropriate Assessment the competent authority took account of the information and mitigation given in the Table/s at Section 9.

6. Further mitigation measures

6.1. The competent authority considered the manner in which the project was to be implemented and any further mitigation measures that could be relied upon when deciding whether or not it could be ascertained that the project would have an adverse effect on site integrity, including when and how they might be embedded into the project. Further information about this conclusion is presented in the Table/s in Section 9.

7. Assumptions and limitations

7.1. The screening conclusion, appropriate assessment and the integrity test necessarily rely on some assumptions and inevitably are subject to some limitations. It is considered that the assumptions and limitations would not affect the conclusions, but where appropriate these are recorded in the Table/s in Section 9.

8. Appropriate Assessment

Table	**1**	
European site	**Wye Valley & Forest of Dean Bat SAC (the Bat SAC)**	
Type of project	• Sites whose qualifying features include mobile species which may be affected by the project irrespective of the location of the project or whether the species would be in or out of the site when they might be affected. • Sites whose qualifying features are considered to be potentially sensitive to the effects of changes in light or noise that could be brought about by the project. • Sites whose qualifying features are considered to be potentially sensitive to the source of new or increased mortality that could be brought about by the project	
(Box A) Potential adverse effect identified by screening process	i. Impact of internal and external lighting from the development negatively affecting foraging and commuting behaviours.	
(Box B) Information and incorporated mitigation measures to address affect from project proposer:	Hedgerows to be retained and enhanced, woodland planting and large buffer zones incorporated within the Landuse parameters plan.	
(Box C) Appropriate assessment outcome i) It is considered there is insufficient information within the lighting strategy to demonstrate that foraging and connectivity will not be adversely affected by internal and external lighting.		
Box D: Additional measures required to address uncertainty or residual effects identified in Box C		
Lighting Assessment, strategy and monitoring Strategy	Controlled by condition (Appendix 1)	
Compliance with reports and Landuse Parameters Plan	Controlled by condition (Appendix 1)	
Ecological Monitoring, reporting and remediation	Controlled by condition (Appendix 1)	
Construction Environmental Management Plan: Biodiversity	Controlled by condition (Appendix 1)	
Landscaping	Controlled by condition (Appendix 1)	
Habitat Management and Monitoring Plan	Controlled by condition (Appendix 1)	

Table	**1**
European site	**Wye Valley & Forest of Dean Bat SAC (the Bat SAC)**
(Box E) Outcome of additional measures Provided the measures outlined in box B and D are secured and implemented impacts on the Bat SAC will be avoided or cancelled.	
(Box F) Integrity test conclusion summary It is considered that, subject to control of external lighting, landscaping and management details and additional extended monitoring and reporting details via conditions being added to a permission, there is sufficient information to demonstrate that there will be no adverse effects to the Wye Valley and Forest of Dean Bat SAC.	
(Box G) Assumptions/limitations No Additional identified	

9. Integrity test conclusion

9.1. It is considered that the required conditions outlined above can be relied upon to avoid adverse effects on the integrity of the Wye Valley and Forest of Dean Bat SAC.

10. Next steps

10.1. Regulation 63 requires the competent authority to formally consult Natural England, as the Statutory Nature Conservation Organisation (SNCO), on this appropriate assessment, and have regard to its advice, before finally ascertaining whether the project would adversely affect the integrity of any European Site.

10.2. The SNCO should comment on this Appropriate Assessment, providing a letter to the competent authority indicating whether it agrees with its conclusions. The competent authority must accord considerable weight to the SNCO's advice and there must be cogent and compelling reasons for departing from it. The competent authority may need to amend the appropriate assessment as a result of the SNCO's comments and re-consult with it.

10.3. Where the competent authority cannot ascertain that the project will not adversely affect the integrity of a European Site, and this conclusion is consistent with the advice of the SNCO, the project cannot be authorised unless Regulations 62/66 are complied with.

Appropriate Assessment undertaken by:	A. Laramy
Date of Appropriate Assessment:	10.04.2026

*EU Exit – The European Union (Withdrawal Agreement) Act 2020 (the EUWA) ends the supremacy of EU law in UK law, it converts directly applicable EU legislation (in particular, EU Regulations and Decisions) as it stands at the moment of exit into domestic law, and will preserve legislation previously made in the UK to implement EU obligations.

The legislation will generally have the same effect that it had before the UK left the EU, unless or until it is changed by Parliament.

In some cases there may be changes in referencing and guidance as a result of secondary legislation amendments. Changes may move at pace and it may not be possible to update all processes immediately. Where reference to specific legislation is made the reader should check to ensure referencing is consistent with any subsequent legislation amendments. Further information can be found at: https://www.gov.uk/guidance/eu-exit-secondary-legislation-laid-with-impacts-on-local-government

Appendix 1: Recommended conditions

If the above cannot be resolved refusal is recommended for the following reasons:

1. **Buffer zones**

   The development shall be carried out strictly in accordance with the Ecology Landuse Parameters Plan (Rev A) dated November 2025 as submitted on the 2nd April 2026 and drawing number CSA/4057/124 prepared by CSA Environmental and the buffer zones, retained existing vegetation and proposed boundary planting as shown on the boundaries shall be maintained and retained in perpetuity of the development.

Reasons: To safeguard biodiversity as set out by the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, NPPF Chapter 15 (Paragraphs 192, 193, 194 and 195), Circular 06/2005, policies CSP.1 and CSP.2 of the Core Strategy and policies AP1, AP7 and AP8 of the Allocations Plan.

2. **Works to be carried out in accordance with biodiversity report and associated drawings**

   The development shall be completed in strict accordance with the following documents and drawings as submitted with the planning application:

   i. Section 5 of the ecological report dated August 2025 (Rev D) prepared by CSA Environmental; and
   ii. Drawing number CSA/4057/124 (Rev A) dated November 2025 prepared by CSA Environmental.

   All the biodiversity mitigation measures shall be implemented in full according to the specified timescales, and all mitigation features shall thereafter be permanently retained for the stated purposes of biodiversity conservation.

Reasons: To safeguard biodiversity as set out by the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, NPPF Chapter 15 (Paragraphs 192, 193, 194 and 195), Circular 06/2005, policies CSP.1 and CSP.2 of the Core Strategy and policies AP1, AP7 and AP8 of the Allocations Plan.

3. **Lighting strategy**

   Notwithstanding submitted details, prior to commencement of all development works (excluding hedgerow planting / landscaping works) a lighting assessment and details of external and internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause light pollution or disturb or prevent bats or other species using the site boundaries and buffer zones (hedgerows, woodland planting and buffer zones), key corridors and foraging habitat features. The lux levels within the buffer zones and key corridors shall be consistent with the Bat Conservation Trusts Guidance Note 08/23 Bats and artificial lighting in the UK: that is below 0.2lux on the horizontal and 0.4lux on the vertical plane or no higher than baseline levels. The details shall include, but not limited to, the following:

i. A drawing showing sensitive areas and/or dark corridor safeguarding areas;
ii. Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
iii. A description of the luminosity of lights and their light colour;
iv. A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
v. Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)); and
vi. Lighting contour plans both horizontal and vertical where appropriate and taking into account hard landscaping, etc.
vii. Details of a monitoring scheme to demonstrate compliance and continued compliance with the agreed lux levels. Monitoring periods: immediately after construction, year 1, year 3 and year 5 unless extended by any required rectification measures;
viii. Details of likely proposed rectification measures and extended monitoring timescales to check compliance (immediately after rectification, year 1, year 3 and year 5);
ix. Legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer.
x. Information on homeowner packs, leaflets and on-site information panels – consistent with HMMP.

All lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.

At the end of the construction and each monitoring period, a verification report by the EcOW or similarly competent person(s) shall be submitted to the Local Planning Authority.

Reasons: To safeguard rural character from increased light pollution (CSP1) and maintain the existing value of biodiversity on and adjacent to the site to protect ^foraging/commuting bats^ in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular section 15), NPPF chapter 15, CSP1, CSP2, AP1, AP7 and AP8.

4. Ecological Monitoring, reporting and remediation

Detailed ecological monitoring of bat activity (static detectors and where necessary transect or point observation surveys) shall be carried out in years 1, 3 and 5 post construction and ecological management of landscape condition and establishment of suitable lighting levels of bat flight corridors shall be carried out in years 2, 3, 5, 10, 20 and 30. Monitoring shall be carried out by a suitably qualified ecologist and reported each monitoring year in writing to the LPA together with any recommendations for remedial action which shall be agreed with the LPA and implemented as agreed within 8 months of the agreement.

Reason: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), Policies CSP1 and CSP2 of the Core Strategy and Policies AP1, AP7 and AP8 of the Allocations Plan, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

5. Construction Environmental Management Plan – Biodiversity (CEMP-B)

Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

a) Risk assessment of potentially damaging construction activities;

b) Purpose and objectives for the proposed works;

c) Review of site constraints;

d) Identification of 'biodiversity protection zones';

e) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);

f) The location and timing of sensitive works and mitigation to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);

g) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;

h) A non-native invasive species protocol (e.g. for Japanese knotweed);

i) Details for disposal of any wates arising from works;

j) The times during construction when specialists ecologists need to be present on site to oversee works;

k) Responsible persons and lines of communication;

l) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s); and

m) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

At the end of the construction period, a verification report by the EcOW or similarly competent person(s) shall be submitted to the Local Planning Authority.

Reasons: To safeguard biodiversity as set out by the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, NPPF Chapter 15 (Paragraphs 180, 181, 185 and 186), Circular 06/2005, policies CSP.1 and CSP.2 of the Core Strategy and policies AP1, AP7 and AP8 of the Allocations Plan.

6. Landscaping

Notwithstanding the submitted details and prior to above ground works a scheme for hard and soft landscaping of the site (incorporating existing flora, creation of new hedgerows and trees) and including the means of enclosure and the materials to be used for hard surfacing, shall be submitted to and approved by the Local Planning Authority. The scheme shall be consistent with or included within the Habitat Management and Monitoring Plan condition x and include, but not be limited to:

i) A plan showing existing vegetation to be retained and safeguarded during construction which shall be consistent with any Construction Management Plan.
ii) A plan showing areas to be managed as public open space including a final state topography plan, where appropriate.
iii) A landscaping implementation phasing plan, where appropriate.
iv) Detailed planting / sowing specifications including species, size, density spacing, cultivation protection (fencing, staking, guards) and methods of weed control
v) Details of surfacing, boundary treatments and landscaping structures including design, location, hedgehog accessibility, size, colour, materials and openings.

Development shall be carried out in accordance with the approved scheme and in accordance with the landscape implementation phasing plan.

Reason: In accordance with the principles of good design and the incorporation of biodiversity in and around developments and its enhancement in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policies CSP1 and CSP2 of the Core Strategy and Policies AP1, AP7 and AP8 of the Allocations Plan, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006 as amended by the Environment Act 2021.

7. HMMP- onsite significant

A 30-year Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and approved in writing by, the local planning authority prior to above ground works of the development hereby approved being undertaken. The plan shall include, but not necessarily be limited to, the following information:

i. Description and evaluation of all features to be managed (including bat mitigation features), including locations shown on a site map;
ii. Landscape and ecological trends and constraints on site that might influence management;
iii. Aims and objectives of management, including those related to species and ensuring the delivery of at least a 10% net gain in habitat, hedgerow and watercourse units;
iv. Appropriate management options for achieving the aims and objectives;
v. Prescriptions for all management actions;
vi. Extent and location/ area of proposed works on appropriate scale maos and plans

vii. Phasing implementation plan for the creation and establishment of bat mitigation and enhancement features (woodland and hedgerow planting)
viii. Time table for implementation demonstrating that works are aligned with proposed landscape phasing
ix. A work schedule matrix (i.e. an annual work plan) capable of being rolled forward over 10 year periods;
x. Details of the body or organisation responsible for implementation of the plan;
xi. Ongoing monitoring of delivery of the habitat enhancement and creation details to achieve net gain and bat mitigation as well as details of possible remedial measures that might need to be put in place;
xii. Timeframe for reviewing the plan; and
xiii. Details of how the aims and objectives of the HMMP will be communicated to the occupiers of the development including through information leaflets, homeowner packs and onsite panels to be consistent with the lighting strategy.

The HMMP 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. The plan shall also set out (where results from monitoring show that conservation aims and objective of the HMMP 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 biodiversity objectives of the originally approved scheme. The HMMP shall be implemented in full in accordance with the approved details.

Reason: To secure the delivery of at least a 10% biodiversity net gain for the required 30-year period and appropriate management of all habitats including for bat mitigation in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policies CSP1 and CSP2 of the Core Strategy and Policies AP1, AP7 and AP8 of the Allocations Plan.