

Habitats Regulations Assessment



Belmont Rural Neighbourhood Area

Addendum

June 2017

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1.0 Introduction

- 1.1 To ensure that the requirements of the Habitats Directive and Regulations are met, it is necessary to consider the modifications through the HRA process to the Belmont Rural NDP. The NDP has now been through an Independent Examination by Ann Skippers and within her report she has recommended a number of modifications to ensure that the plan meets the Basic Conditions.
- 1.2 Herefordshire Council have accepted these modifications to the NDP. Therefore, the document has been updated to reflect the modifications which consisted of points of clarity and compliance with national policy. The modified policies have now been assessed as part of the HRA and the full results can be viewed in Appendix 1.
- 1.3 The purpose of this further HRA Second Addendum Report is to detail the findings of the screening of proposed changes to policies and consider if they significantly affect the conclusions of the earlier HRA Report (February 2015 and March 2016).
- 1.3 The Modifications are not considered to significantly affect the conclusions of the earlier HRA report; as there did not involve the introduction of new policies or changes the overall aims and objectives of the existing planning policies.

2.0 Screening of proposed modifications to the NDP

- 2.1 Regulation 102 of the Habitats Regulations 2010 requires that a Screening Assessment be undertaken, in order to identify the 'likely significant effects' of a NDP. Accordingly, a screening matrix was prepared (June 2013) and this determined the extent to which any of the policies within the Belmont Rural NDP would be likely to have a significant effect on the River Wye SAC.
- 2.2 The findings of the screening matrix can be found in Appendices 1 and 2 of the draft HRA report (October 2014).
- 2.3 The screening matrix took the approach of screening each policy, objective and site allocation individually, which is consistent with current guidance. The results from the HRA reports for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 For full details of the European Sites' attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Belmont Rural Initial Screening Report. The Initial Screening Report, June 2013, can be found in Appendix 3 of the HRA report (October 2014). This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Belmont Rural Neighbourhood Plan may affect site integrity.
- 2.5 None of the Belmont Rural NDP objectives and policies (February 2015 and March 2016) were concluded to be likely to have a significant effect on the European site. This conclusion is based on assumptions and information contained within the Belmont Rural NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy) published on the Council's website.
- 2.6 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development
- 2.7 Therefore it was concluded that the **Belmont Rural NDP will not have a likely significant effect on the water quality of the River Wye SAC.**
- 2.8 The proposed amendments to the final NDP following examination have been screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in February 2015 and March 2016. A summary of the main findings are provided below. The full findings can be found in Appendix 1 of this report.

3.0 Summary of main findings following examination

- 3.1 The final NDP incorporates the modifications that the examiner has recommended within the examiner's report. These changes are to ensure that the plan meets the Basic Conditions. For full details on the modifications see Appendix 2 of this Addendum.
- 3.2 No new policies has been introduced into the Final NDP following the examination. A total of 13 modifications have been made to add clarity to the policies or ensure that they are in conformity with national policy. None of these significantly alter the direction or stance of the submission policies which were previously assessed.
- 3.3 Policy 4 has been amended to include a new criterion referencing that development can only proceed where any likely significant effects on the River Wye can be avoided or mitigated. This is to address an early concern highlighted by Natural England.
- 3.4 The revised NDP policies are therefore unlikely to result in significant effects on the European sites, a conclusion which is based on the assumptions and information contained within the Belmont Rural NDP, the Herefordshire Core Strategy and the HRA for both plans.

4.0 Conclusion

- 4.1 With reference to section 3 above, modifications made to policies 1, 2, 3, 4, 5 and 6 are not considered to affect the findings of the previous HRA report and the modification made to policy 4 will strengthen the safeguarding for the River Wye.
- 4.2 Therefore the earlier conclusion that the **Belmont Rural NDP will not have a likely significant effect on the River Wye SAC** remains valid.

5.0 Next steps

- 5.1 This Addendum Report will be published alongside the final Belmont Rural NDP and the earlier HRA report and Addendum.

Appendix 1

Redrafted Policy	HRA Re-Screening Assessment of Modified NDP policies following examination				
	Likely activities (operations) to result as a consequence of the redrafted policy	Likely effect if redrafted policy implemented. Could they have LSE on European Sites?	European Sites potentially affected	Mitigation measures to be considered to avoid any impacts	If recommendations are implemented, would it be possible that it would result in likely significant effects?
Policy 1	Policy to offer a greater degree of protection to the specific open spaces and Local Green Spaces.	N/A	N/A	N/A	No, this policy will not lead to new development; rather it specifically aims to resist any development proposed on the open spaces and Local Green Spaces identified. As such this policy could help to provide mitigation against the potential of other NDP policies.
Policy 2	Continued use of Home Farm as recreational space/buffer land between the existing edge of built development and Belmont Abbey.	N/A	N/A	N/A	No, this policy would not result in development; rather it seeks to preserve the existing use of the land at Home Farm and encourage measures to enrich its biodiversity offer, and protect the setting of key heritage assets.
Policy 3	Redevelopment of Belmont Golf Club and course for housing and B1 use at the existing buildings (conversion with limited extension / alterations) and leisure use within the golf course. Small-scale housing development	All potential uses could result in a rise in vehicular movements and demand for water abstraction and treatment.	River Wye SAC	The policy is clear that future proposals for this site should be well connected, appropriately designed and respect the River Wye SAC. In addition, Policy LD2 of the Local Plan (Core Strategy) will provide a certain degree of protection against inappropriate uses and the policy would appear to infer that applicants should demonstrate that their schemes have been worked up in collaboration with the relevant statutory bodies/stakeholders.	No, the mitigation measures mentioned would help to prevent any significant effects, by providing the policy justification for refusing the grant of planning permission for inappropriate forms of use of the site and its buildings.
Policy 4	Encourage and enhance the use of community facilities, as well as facilitating new provision.	New community facilities. Possible vehicular movements and demand for water abstraction and treatment.	River Wye SAC	The policy has a new criterion stating that development can only occur if any likely significant effect on the River Wye can be avoided or mitigated. Policy LD2 of the Local Plan (Core Strategy) will aim to help avoid any adverse impacts on the River Wye for new community uses. Measures within Policy SD1 of the Local Plan (Core Strategy) should help to mitigate potential impacts relating to non-physical disturbances. The implementation of Policies SD3 and SD4 within the Local Plan (Core	No, although this policy could result in the development of new community facilities or the loss of existing provision to new uses. However, sufficient policy safeguards are in place within the NDP and the Local Plan (Core Strategy) to avoid or mitigate any likely significant effects on the River Wye with the additional of the new criterion.

				Strategy) should also help to avoid any adverse impacts in relation to the hydrological regimes at the River Wye. Water Quality in the River Wye is also being specifically addressed through the Nutrient Management Plan.	
Policy 5	<p>Policy to support the delivery of proportional growth.</p> <p>Small-scale housing</p>	<p>Infill housing and associated infrastructure development.</p> <p>Possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment.</p> <p>Uncertain as to the impacts upon the River Wye SAC dependent on the location of development, however the policy would result in small scale growth.</p>	River Wye SAC	<p>The policy has a new criterion stating that development can only occur if any likely significant effect on the River Wye can be avoided or mitigated.</p> <p>Measures set within the Local Plan (Core Strategy) should help to avoid adverse impacts upon the European site.</p> <p>Improved water efficiency measures, metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new developments.</p> <p>The implementation of the Core Strategy policies SD3 and SD4 should help to avoid adverse impacts in relation to hydrological regimes at the River Wye. Water quality in the River Wye SAC is also specifically addressed through the Nutrient Management Plan produced by Natural England and the Environment Agency.</p>	No, this policy would allow for infill plots only and there are additional policy criteria in place in both the NDP and the Local Plan (Core Strategy) to avoid or mitigate any likely significant effects.
Policy 6	Access and connectivity	n/a	n/a	n/a	No, this policy will not lead to development itself; rather it seeks enhancements to the Great Western Way and requires that development schemes propose satisfactory linkages within the parish.

Appendix 2

Appendix 2 – Modifications to the Belmont Rural NDP following examination

Policy	Modification recommended	Justification
Modification 1 Front cover	Add a sentence to the Plan to indicate the time period is 2011 -2031 to align with the Core Strategy.	For clarity
Modification 2	Replace 'December 2015' in paragraph 4.2 on page 12 of the plan with October 2015	To amend an error
Modification 3	Add a sentence at the end of paragraph 4.7 on page 13 of the plan to indicate that; 'it is recognised some of the issues are achievable through mechanisms other than planning policy'	For clarity
Modification 4 Objective 2	Refer to the Western Relief Road proposal under objective 2 or remove the reference to the appeal decision	To completeness and accuracy
Modification 5 Para 5.12	Delete the last sentence of para 5.12 on page 21 of the plan which begins 'It is recognised there are little opportunities..'	To ensure consistency as Policy 3 supports development
Modification 6 Para 5.14	Add; 'this can be achieved by working' before the second sentence in paragraph 5.14 on page 22 of the plan which currently begins 'Working with Herefordshire Council...'	To include some missing text
Modification 7 Policy 1	<p>Change Figure 8 on page 28 of the plan by including what is referred to as '5. Northholme Community Centre' within 2. Abbey View East so that there are four identified areas. This can be done by changing 2 to read; '2. Abbey View East incorporating Northholme Community Centre' in the first column. Move text from the second column at 5 to the text at 2 with the addition of word 'and' and moving the text from the third column at 5 to the text at 2</p> <p>Change reference to 'Figure 8' in criterion b) to 'Figure 9'</p> <p>Amend the wording of criteria c) to read: 'Other Open Spaces within the parish identified below will also be protected. Any proposals which would result in the loss of these open spaces will be determined in line with Core Strategy Policy OS3'</p> <p>Follow with the retained list of open spaces and the sentence on enhancement</p> <p>Delete 'identified on Figure 8' from criteria c)</p> <p>Delete criterion f)</p>	<p>To ensure clarity</p> <p>To ensure correct cross-reference</p> <p>To ensure conformity with the Core Strategy</p> <p>To remove confusion</p> <p>To remove imprecision</p>

<p>Modification 8 Policy 2</p>	<p>Reword to read: Any development on land at Home Farm and land adjacent to Ruckhall Lane as identified on Figure 10 must have regard to the character and appearance of the area and conserve or enhance the character or appearance of heritage assets.</p> <p>Opportunities to enhance ecological networks and habitats including hedgerows will be promoted and support is given for a walking and cycling link between Abbey View West and Belmont Abbey</p> <p>Any proposals must have regard to policies SS4 and HD3 of the adopted Hereford Local Plan Core Strategy and any other strategic policy or proposal concerning the proposed Hereford Relief Road and it is not intended that this policy will prejudice the implementation of the Hereford Relief Road'</p> <p>The supporting text will need revision to ensure it reflects the wording of the policy.</p>	<p>To ensure wording positive and not restrictive to prevent strategic proposals within the Core Strategy.</p> <p>To ensure conformity with Core Strategy policy SS4 and HD3</p> <p>To achieved sustainable development in terms of cycling and walking links.</p>
<p>Modification 9 Policy 3</p>	<p>Reword the first paragraph of the policy to read: 'Future development of the former Belmont Golf Course site (see Figure 11) will be supported if proposals secure the future of Belmont House and other heritage assets. Existing buildings should, wherever desirable and viable to do so, be reused and converted. Enabling development will be considered favourable if appropriate in location and scale and it if respects the setting of the site.'</p> <p>Change the second paragraph of the policy so that it begins; 'A range of uses including housing, B1 employment and leisure uses will be supported...(retain the remainder of the paragraph as is and retain criteria a to g)</p> <p>Delete the words; 'The site lies within a flood zone, and' from criteria f) of the policy so that it begins 'Future development..' (retain the remainder of the criterion as is).</p>	<p>To ensure clarity and increase flexibility in relation to the redevelopment of existing buildings.</p> <p>To ensure the deliverability of the policy</p> <p>To ensure clarity and accuracy regarding flooding.</p>
<p>Modification 10 Policy 4</p>	<p>Change the words 'community and recreation type uses' in the second paragraph of the policy to 'community, social or recreation uses'</p> <p>Change '18 months' in criterion b) to 'of at least 12 months'</p> <p>Add a new criterion c) that reads; 'Development can only proceed where any likely significant effect on the Rover wye SAC can be avoided or mitigated'</p>	<p>To ensure conformity with the Core Strategy</p> <p>To ensure conformity with the Core Strategy in the absence of supporting evidence for the longer time period</p>

		To ensure the River Wye SAC is safeguarded.
Modification 11 Policy 5	<p>Revise criterion b) to read: 'will not have a harmful impact on the privacy or other living conditions of the occupiers of nearby properties or is inconsistent with the character and appearance of the locality'</p> <p>Reword criteria c) to read: 'A mix of property type, size or tenure should be provided on appropriate sites'</p> <p>Add a new criterion that reads; 'All new dwellings will have useable gardens space and provide appropriate parking provision within the site curtilage'</p>	<p>To ensure sustainable development and conformity with the NPPF</p> <p>To ensure conformity with the Core Strategy</p> <p>To ensure clarity</p>
Modification 12 Policy 6	<p>Reword the second sentence of the policy to read; 'New development should take every available opportunity to provide new and enhanced safe footpaths and cycleways'</p>	To increase flexibility in line with national policy
Modification 13 Appendix A	<p>Add to Appendix A a sentence that reads: 'The information in the appendix is correct at the time of writing the plan. Up to date information should be sought from the local planning authority, the Parish Council or other relevant organisation such as Historic England'</p>	To refer to the most up to date information