

Habitats Regulations Assessment



Kings Cople Neighbourhood Area

Addendum

November 2016

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Appendix 1: Revised screening of policy matrix

Appendix 2: Feedback on Habitat Regulation Assessment (HRA) Report consultation

1.0 Introduction

- 1.1 To ensure that the requirements of the Habitats Directive and Regulations are met, it is necessary to consider the proposed modifications through the HRA process to the Kings Caple NDP; the NDP was refined by the NDP steering group to reflect feedback from consultation on the Draft Plan and the associated Environmental and Habitat Regulations Assessment (HRA) Reports, referred to Appendix 2.
- 1.2 The purpose of this further HRA Addendum Report is to detail the findings of the screening of proposed changes to eight policies of the Kings Caple NDP and consider if they significantly affect the conclusions of the earlier HRA Report (June 2016).
- 1.3 The vast majority of refinements are not considered to significantly affect the conclusions of the earlier HRA report, as they did not result in changes the overall aims and objectives of the existing planning policies. Two additional policies were included to address issues raised by Welsh Water. In general, other refinements relate to the alignment of the settlement boundary and its associated policy and minor additional word changes to another policy.

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 an NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies in the Kings Caple 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 Appendix 2 of that report.
- 2.3 The screening matrix took the approach of screening each policy and objective individually, which is consistent with current guidance. The results from the HRA Report for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 On the basis of assumptions and information contained within the Kings Caple NDP, Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy), all of the NDP policies were found to be unlikely to result in significant effects on the River Wye SAC.
- 2.5 In many cases this was because the policies themselves would not result in development, i.e. they related instead to criteria for development. In several cases the policies were included measures to help support the natural environment including water quality and biodiversity. Therefore no significant effect conclusion could be reached. These policies were considered to have the potential to mitigate some of the possible adverse effects arising from elsewhere within the plan.
- 2.6 For those policies concerning site 'allocations' or that would result in development, it was concluded that there would not be an appreciable effect on the River Wye SAC or its hydrological catchment. This was largely attributed to the location of the site allocations and the level of growth proposed would not exceed the proportional growth targets outlined in the Local Plan (Core Strategy).
- 2.7 It was also concluded that the Kings Caple NDP will unlikely have any in-combination effects with any plans from neighbouring parishes, as no sites are allocated for development in these.
- 2.8 Therefore, it was concluded that the **Kings Caple NDP will not have a likely significant effect on the River Wye SAC.**
- 2.9 The proposed amendments to the Draft NDP are screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in June 2016 and the main findings of this assessment are summarised below.

3.0 Summary of main findings

- 3.1 The Submission NDP incorporates suggestions made by consultees during the Regulation 14 Draft Plan consultation, by adding clarity and emphasis throughout the document. Kings Caple parish is situated adjacent to the River Wye SAC.
- 3.2 Two new policies have been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. Policy E4 and E5 were added to address the issues regarding water capacity, quality and biodiversity. Policy E4 has been renumbered Policy E6 but no wording changes have been made; the policy was included within the assessment for clarification. Three policies have been amended, SB1 (amendment to the settlement boundary), H2 (including for 'adjacent to the settlement boundary') and BD6.
- 3.3 The revisions to these policies were found to be unlikely to result in significant effects on the River Wye SAC, a conclusion of which is based on assumptions and information contained within the Kings Caple NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).

4.0 Conclusion

- 4.1 With reference to section 3 above, the modifications to the six policies of the NDP are not considered to affect the findings of the previous HRA report.
- 4.2 Therefore the earlier conclusion that the **Kings Caple 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 both the Submission NDP and earlier HRA Report for consultation. Any changes to the plan that arise from this consultation will be subject to further screening, in order to consider their impact on protected sites.

Appendix 1

HRA Report – Kings Caple Neighbourhood Plan (November 2016) - HRA Screening of amended Neighbourhood Development Plan Policies for submission

Date undertaken: **November 2016**

| NDP objectives, policies | HRA Screening of Emerging NDP objectives and policies | | | | |
|---|---|--|-------------------------------------|---|---|
| | Likely activities (operations) to result as a consequence of the objective/policy | Likely effect if objective/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites? | European Sites potentially affected | Mitigation measures to be considered, as necessary, through redraft of objective/option/policy. | Could the policy have any likely significant effects on European sites (taking mitigation into account)? |
| E4 New policy | Ensuring adequate capacity to meet growth needs. | This policy is seeking to have a positive effect. | River Wye SAC | N/A | No; this policy seeks to include biodiversity and water quality issues. |
| E5 New policy | Include Sustainable drainage within schemes. | This policy is seeking to have a positive effect. | River Wye SAC | N/A | No; this policy seeks to include biodiversity and water quality issues. |
| E6 (policy renumbered previously E4) | Renewable energy methods within new housing schemes | N/A | N/A | N/A | No: this policy seeks the include of renewable energy design within any residential schemes |
| SB1 | Proportionate housing development within and immediately | Some small scale housing development. Housing, infrastructure development | River Wye SAC | Additionally policy E4 takes into account proportional growth requirements of the Core Strategy | No, development in line with the Local Plan (Core Strategy) policy RA2 and the policy safeguards which exist within the Core Strategy |

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HRA Report – Kings Caple Neighbourhood Plan (November 2016) - HRA Screening of amended Neighbourhood Development Plan Policies for submission

| | | | | | |
|----|--|---|---------------|---|--|
| | adjacent to the settlement boundary. | <p>Possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment.</p> <p>Uncertain as to the impact on the River Wye SAC as dependant on the location of the development. The River Wye flows along the border of the parish but not adjacent to the settlement boundary</p> | | and potential headroom capacity at the local STW. | <p>should avoid or mitigate any likely significant effects.</p> <p>Although it is acknowledged that there will be an increase in the demand for water abstraction and sewage treatment, the latest version of the HRA underlying the Core Strategy (April 2015) confirms that the roll out of Policy RA2 across the rural areas should not lead to adverse effects on the integrity of the River Wye SAC, provided the mitigation measures set out in the NMP are implemented</p> <p>Further assessments will be undertaken at site application stage.</p> |
| H2 | Small scale windfall development within and adjacent to the settlement boundary or in line with policy RA3 | <p>Some small scale housing development.</p> <p>Housing, infrastructure development</p> <p>Possible increase in recreation activities, vehicular movements and demand for water</p> | River Wye SAC | | No, development in line with the Local Plan (Core Strategy) policy RA2 and RA3 and the policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects. |

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HRA Report – Kings Caple Neighbourhood Plan (November 2016) - HRA Screening of amended Neighbourhood Development Plan Policies for submission

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| | | <p>abstraction and treatment.</p> <p>Allocation of sites with given more certainty and impacts can be assessed.</p> | | | |
| BD6 | Protection of residential amenity | N/A | N/A | N/A | No; this is a design criteria for housing schemes to protect existing residential amenity |

Appendix 2

Consultation date: 27 June to 10 August 2016

Consultation title: Kings Caple Neighbourhood Plan Regulation 14

*N.B. This consultation feedback is **only** for comments received on the HRA of the draft Neighbourhood Development Plan (Aug 2016)*

| Consultee | Summary of Comments | Response to Comments |
|--|---|----------------------|
| Natural England | 'Agree with conclusions that the Kings Caple draft NDP is unlikely to have significant effects on the River Wye SAC. No other comments were made specifically regarding the HRA | Noted |
| English Heritage / Heritage England | Comments received to policy text but not specifically regarding the HRA | |
| Environment Agency | Comments received to policy text but not specifically regarding the HRA | |
| Natural Resources Wales | No comments received | |