

Habitats Regulations Assessment



Lower Bullingham Neighbourhood Area

Addendum

July 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 amendments through the HRA process to the Lower Bullingham NDP; the NDP was refined by the NDP steering group to reflect feedback from consultation on the Draft Plan and Draft Environmental and Habitat Regulations Assessment (HRA) Reports, refer 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 policies and consider if they significantly affect the conclusions of the earlier HRA Report (October 2015).
- 1.3 The majority of refinements are not considered to significantly affect the conclusions of the earlier HRA report as many were points of clarification. Three policies have been modified to make minor clarification as a result of the representations to the draft consultation. However there were no changes to the overall vision and objectives of the existing planning policies.

2.0 Screening of draft 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 within the Lower Bullingham 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 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 reports for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 None of the lower Bullingham NDP objectives and policies (October 2015) 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 Lower Bullingham NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).
- 2.5 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 2.6 It is unlikely that the Lower Bullingham Neighbourhood Plan will have any in-combination effects with any Plans from neighbouring parish council due to the level of growth proposed is of the same that is proposed for the Hereford Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Lower Bullingham NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC.**
- 2.8 The proposed amendments within the submission NDP have been screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in October 2015. A summary of the main findings is provided below.

3.0 Summary of main findings – modifications to NDP

- 3.1 The Submission NDP (July 2016) incorporates modifications to 3 policies of the plan, all of which are considered to be minor and would not have a significant effect on the results previously assessed.
- 3.2 Policy LB4 has been amended to include reference to active travel, the list of open spaces has been amended in policy LB5 and policy LB6 has the inclusion of 'enhance' into the policy wording. None of the objectives or overall vision has been amended.

3.3 The revised NDP policies are therefore unlikely to result in significant effects on the European site, a conclusion of which is based on assumptions and information contained within the Lower Bullingham 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 made to three of the policies are not considered to affect the findings of the previous HRA report and strengthen the likelihood of there being no adverse impacts. Moreover, the Local Plan (Core Strategy) is now adopted and will provide further policy safeguards.

4.2 Therefore the earlier conclusion that the **Lower Bullingham 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 and the examination will be subject to further screening, in order to consider their impact on protected sites.

Appendix 1

HRA Screening of Emerging Neighbourhood Development Plan Objectives and Policies

Parish Council Name: Lower Bullingham

NDP Title: Lower Bullingham Neighbourhood Plan

Date undertaken: July 2016

Note: None of the objectives were amended between the draft and submission versions of the plan.

NDP objectives, options policies	HRA Screening of Emerging NDP objectives, options and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if objective/option/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites? (Yes/No, with reasons) <i>(If no, progress on to next objective/option/policy. If yes, progress on to next set of columns in row)</i>	European Sites potentially affected (Refer to Initial Screening)	Mitigation measures to be considered, as necessary, through redraft of objective/option/policy and to be considered as part of Appropriate Assessment	Could the policy have likely significant effects on European sites (taking mitigation into account?)
Policies					
<i>Policy LB4</i> <i>Change: inclusion of integrated active travel</i>	N/A	No likely significant effect on the River Wye SAC	N/A	This policy should help to mitigate the potential effects of future development, by ensuring sustainable methods are used and waste and recycling are specifically handled.	No. This policy is unlikely to lead to development, instead it relates to criteria for development.

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<p><i>Policy LB5</i></p> <p><i>Removal of two open spaces (the Pastures and Allotments) and inclusion of additional one (Martin's Wood)</i></p>	N/A	N/A	N/A	<p>The measures in this policy to conserve and protect open spaces across the Parish which should help to provide mitigation against the potential adverse impacts of new developments</p>	<p>No. This policy will not lead to new development; rather it specifically aims to protect and conserve open spaces. As such this policy could help to provide mitigation against the potential of other NDP policies.</p>
<p><i>Policy LB6</i></p> <p><i>Addition of 'enhance' to policy text</i></p>	N/A	N/A	N/A	<p>The measures in this policy to conserve and protect open spaces across the Parish which should help to provide mitigation against the potential adverse impacts of new developments</p>	<p>No. This policy will not lead to new development; rather it specifically aims to protect and conserve open spaces. As such this policy could help to provide mitigation against the potential of other NDP policies.</p>

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Appendix 2

Consultation date: 19 January to 8 March 2016

Consultation title: Lower Bullingham Neighbourhood Plan Regulation 14

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

Consultee	Summary of Comments	Response to Comments
Natural England	Agree with conclusions that the Lower Bullingham Plan will not have a likely significant effect on the River Wye SAC	Noted
English Heritage / Heritage England	Comments received to policy text but not specifically regarding the SEA	
Environment Agency	Comments received to policy text but not specifically regarding the SEA	
Natural Resources Wales	No comments received	