

# Habitats Regulations Assessment



## Peterchurch Neighbourhood Area

Addendum

July 2016

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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 proposed amendments through the HRA process to the Peterchurch 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. A number of 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. It should also be noted that since the previous HRA report, the Herefordshire Core Strategy has now been adopted (October 2015) and the Nutrient Management Plan has been produced. These provided additional policy safeguards.

## 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 Peterchurch NDP would be likely to have a significant effect on the River Wye SAC. It should be noted that the River Wye itself is not within the parish and only a small part of the parish is contained within the hydrological catchment of 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 Peterchurch 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 Peterchurch 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 Peterchurch 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 Golden Valley Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Peterchurch 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 additional policy criteria to add clarity and emphasis throughout the document. Of particular importance is that Policy P6 and P8/1 which now include specific reference to the necessity to avoid adverse impacts of flood risk

which would have an added consequential benefit to the hydrological catchment of the River Wye SAC.

- 3.2 Modifications made to 9 policies of the plan are considered to be minor and would not have a significant effect on the results previously assessed. These were points of clarity and minor word changes.
- 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 Peterchurch 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 additional criteria added to a number of 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 **Peterchurch 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

NDP options/objectives/policies	HRA Screening of 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 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)?
Policy P1 New housing development in Peterchurch village	Additional criteria regarding environmental value and local distinctiveness. Delete reference to affordable housing	No	n/a	n/a	No, the policy has included criteria regarding local distinctiveness and environmental quality.
Policy P3 Rural exception housing	Additional criteria requiring sites to be in walking distance of the village	No	n/a	n/a	No, this criteria is promoting sustainable locations for housing development
Policy 5 Peterchurch village centre	Additional criteria regarding viability of the facility and encouragement of active travel	No	n/a	n/a	No, this criteria is promoting walking and cycling within the village and ensuring that proposals demonstrate any community facilities are no longer viable.
Policy P6 Peterchurch School	Additional criteria referencing flooding sequential test	No	River Wye (including the River Lugg) SAC	n/a	No, this policy is seeking to reduce flood risk within the hydrological catchment
Policy P7 Promoting local employment and tourism	Additional criteria to reference environmental value, residential amenity	No	n/a	n/a	No, the policy has included criteria regarding local distinctiveness and environmental quality.
Policy P8/1 Extension to Old Forge Industrial Estate	Additional criteria referencing flooding sequential test	No	River Wye (including the River Lugg) SAC	n/a	No, this policy is seeking to reduce flood risk within the hydrological catchment
Policy P9 Landscape	Minor amendment to delete criteria which was not planning policy	n/a	n/a	n/a	n/a
Policy P10/1 Land off Bazeley Lane	Additional criteria to encourage active travel	No	n/a	n/a	No, this criteria is promoting walking and cycling within the village and to the recreation area.
Policy P10/2	New Local Green Space	n/a	n/a	n/a	No, this is seeking to protect an area as Local Green Space
Policy P10/3	New Local Green Space	n/a	n/a	n/a	No, this is seeking to protect an area as Local Green Space
Policy P11 Non-designated heritage assets	Identification of non-designate heritage assets	n/a	n/a	n/a	No, the wording has been amended to include a list of heritage assets to clarify the policy

# Appendix 2

**Consultation date:** 9 November - 21 December 2015

**Consultation title:** Habitat Regulations Peterchurch Neighbourhood Plan Regulation 16

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

Consultee	Summary of Comments	Response to Comments
Natural England	Agree with the conclusion that the Peterchurch NDP will not have a likely significant effect on the River Wye SAC	Noted
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	