

# Habitats Regulations Assessment



## Shobdon Neighbourhood Area

Addendum

November 2016

## **Contents**

|     |  |   |
|-----|--|---|
| 1.0 | Introduction                                   | 1 |
| 2.0 | Screening of proposed modifications to the NDP | 1 |
| 3.0 | Summary of main findings                       | 1 |
| 4.0 | Conclusion                                     | 2 |
| 5.0 | Next steps                                     | 2 |

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 Shobdon 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 Shobdon NDP and consider if they significantly affect the conclusions of the earlier HRA Report (January 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 involve the introduction of new policies or change the overall aims and objectives of the existing planning policies. In general, these refinements relate to the composition of certain sentences and phrases, minor points of accuracy in relation to technical information and references to evidence base studies and other documentation.

## 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 Shobdon NDP would be likely to have a significant effect on the River Wye SAC and the Downton Gorge 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 Shobdon, 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 Downton Gorge SAC or 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 also included measures to help support the natural environment including biodiversity. In addition, to conserve community facilities and heritage etc, and 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 Downton Gorge SAC or the River Wye 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 Shobdon 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 **Shobdon NDP will not have a likely significant effect on Downton Gorge SAC nor 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 January 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. Shobdon parish is situated within the River Lugg sub catchment (the River Lugg upstream of the confluence with the River Wye). The River Lugg section of the SAC (which is south of Leominster) is currently exceeding the phosphate target. The parish is 9.5km from Downton Gorge SAC.
- 3.2 No new policies have been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. However nine policies have been amended, S2, S3, S4, S5, S7, S10, S11, S13 and S15. Objectives have been subject to minor rewording, however this is not seen as significant to require rescreening.
- 3.3 The main change has been made to policy S4 where 5 sites have been added to the policy wording which were originally within the reasoned justification to demonstrate potential delivery of housing numbers. These site have now been assessed due to their inclusion within the policy.
- 3.4 The revisions to these policies were found to be unlikely to result in significant effects on Downton Gorge SAC nor the River Wye SAC, a conclusion of which is based on assumptions and information contained within the Shobdon 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 five policies of the NDP are not considered to affect the findings of the previous HRA report.
- 4.2 Therefore the earlier conclusion that the **Shobdon NDP will not have a likely significant effect on Downton Gorge SAC nor 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

| NDP policies  | HRA Screening of revised NDP policies at submission  |   |   |   |  |
|---|--|---|---|---|--|
|   | 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?   | European Sites potentially affected<br><br>(Refer to Initial Screening) | Mitigation measures to be considered, as necessary, through redraft of objective/policy and to be considered as part of Appropriate Assessment                                      | Could the policy have likely significant effects on European sites (taking mitigation into account?)                           |
| Policy S2: Development Strategy                         | Development in line with proportional growth in line with Policy RA2 of the Local Plan (Core Strategy).<br><br>New homes will be created in Shobdon. Construction traffic may create noise and disruption. | Unlikely that there will be any significant effects on the European Site. Potential detrimental effects would be mitigated with the policies within the Core Strategy and by NDP policy | River Wye (including the River Lugg) SAC<br><br>Downton Gorge SAC       | It is unlikely that this policy will have a significant impact on both SACs. As any potential impact will be mitigated by policies in the Core Strategy and NDP policy S13 and S14. | No. Scale and extent of such development is unlikely to be significant   |
| Policy S3: Highways and Transport Infrastructure        | Promotion of safe access onto highway<br><br>Promotion of adequate car parking<br><br>Promotion of highway safety<br><br>Cap on street lights  | Safer roads<br><br>Decrease vehicle speed   | River Wye (including the River Lugg) SAC<br><br>Downton Gorge SAC       | It is unlikely that this policy will have a significant impact on either SACs.  | No. The policy would itself not lead to development; instead it relates to criteria for highways and transport infrastructure. |
| Policy S4: Meeting Housing Needs within Shobdon Village | Housing development<br>Increased vehicle traffic<br>Increased demand for depending upon location of  | Increase on water and sewerage usage within the catchment area  | River Wye (including the River Lugg) SAC<br><br>Downton Gorge           | No. This policy highlights the number of houses to be developed in line with the Core Strategy. Sites   | No. The policy would itself not lead to development; instead it relates to criteria for  |

|   |  |  |  |  |  |
|---|--|--|--|--|--|
|   | development<br>River Wye SAC   |  | SAC  | are now included within<br>the policy to add<br>certainty  | meeting housing<br>needs within<br>Shobdon village.  |
| Land to the north of Moor<br>Meadow           | Small scale housing<br>development within the<br>settlement boundary of<br>Shobdon | Increase on water and<br>sewerage usage within<br>the catchment area | River Wye<br>(including the River<br>Lugg) SAC<br><br>Downton Gorge<br>SAC | Current planning<br>application on site.<br>Ensure main connection<br>into the sewerage<br>system. | No, this will lead to<br>small scale<br>development. |
| Land to the south of Bar<br>Meadow            | Small scale housing<br>development within the<br>settlement boundary of<br>Shobdon | Increase on water and<br>sewerage usage within<br>the catchment area | River Wye<br>(including the River<br>Lugg) SAC<br><br>Downton Gorge<br>SAC | Ensure main connection<br>into the sewerage<br>system.   | No, this will lead to<br>small scale<br>development. |
| Land to the west end of the<br>Grove          | Small scale housing<br>development within the<br>settlement boundary of<br>Shobdon | Increase on water and<br>sewerage usage within<br>the catchment area | River Wye<br>(including the River<br>Lugg) SAC<br><br>Downton Gorge<br>SAC | Ensure main connection<br>into the sewerage<br>system.   | No, this will lead to<br>small scale<br>development. |
| Land to the rear of CALVI,<br>Canterbury Road | Small scale housing<br>development within the<br>settlement boundary of<br>Shobdon | Increase on water and<br>sewerage usage within<br>the catchment area | River Wye<br>(including the River<br>Lugg) SAC<br><br>Downton Gorge<br>SAC | Site has planning<br>permission  | No, this will lead to<br>small scale<br>development. |
| Land to the west of the<br>Paddocks           | Small scale housing<br>development within the<br>settlement boundary of<br>Shobdon | Increase on water and<br>sewerage usage within<br>the catchment area | River Wye<br>(including the River<br>Lugg) SAC<br><br>Downton Gorge<br>SAC | Ensure main connection<br>into the sewerage<br>system.   | No, this will lead to<br>small scale<br>development. |

|   |   |  |   |  |   |
|---|---|--|---|--|---|
| Policy S5: Phasing of Development                       | Ensures development will be phased within the plan period   | No significant impact on the River Wye SAC and Downton Gorge SAC | N/A   | It is unlikely that this policy will have a significant impact on either SACs.   | No. The policy would itself not lead to development; instead it relates to criteria for phasing housing to promote sustainable growth within Shobdon.     |
| Policy S7 – Design Criteria for Residential Development | Sets out design criteria for residential development  | No significant impact on the River Wye SAC or Downton Gorge SAC. | N/A   | N/A  | No. The policy would itself not lead to development; instead it relates to design criteria for Development.   |
| Policy S10: Surface and Foul Water Drainage             | Safeguard against surface water flooding in new development<br><br>Upgrading sewer works<br><br>Utilise of SUDs | No likely significant effect on the River Wye SAC                | N/A   | This policy will help mitigate potential impacts caused from new development on surface water flooding, sewer capacity and infrastructure. | No. The policy would itself not lead to development; instead it relates to safeguarding new development against flooding and over capacities in sewerage. |
| Policy S11: Accessibility to Community Facilities       | Facilitating better access to community facilities  | No likely significant effect on the River Wye SAC                | N/A   | N/A  | No. The policy would itself not lead to development; instead it relates to criteria for community facility development.                                   |
| Policy S13: Protection and Provision of Open Space      | Protection and enhancement of Open Spaces within Shobdon  | No likely significant effect on the River Wye SAC                | River Wye (including the River Lugg) SAC<br><br>Downton Gorge | N/A  | No. This policy is criteria based policy regarding open space which would not lead to   |



|                                       |                              |   |   |     |  |
|---------------------------------------|------------------------------|---|---|-----|--|
|                                       | Greenspace protected         |   | SAC   |     | development itself.  |
| Policy S15: Protecting local heritage | Protection of local heritage | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC<br><br>Downton Gorge SAC | n/a | No, this policy is criteria based policy regarding heritage. |

# Appendix 2

**Consultation date: 8 February to 21 March 2016**

**Consultation title:** Habitat Regulations Shobdon Neighbourhood Plan Regulation 14

*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                     | Section 8.4 states that 'the River Wye downstream of the confluence with the River Lugg is currently exceeding the phosphate target' The River Wye downstream of the confluence with the River Lugg known as the Lower River Wye sub catchment is currently meeting its phosphate target. The Shobdon parish is within the River Lugg sub catchment 9the River Lugg upstream of the confluence with the River Wye. The River Lugg section of the SAC is currently exceeding the phosphate target. Section 8.4 and 8.5 needs to be amended to reflect the correct section of the River Wye SAC. | Comments are noted and updated |
| English Heritage / Heritage England | No comments received   | n/a                            |
| Environment Agency                  | No comments received specifically to the HRA   | n/a                            |
| Natural Resources Wales             | No comments received   | n/a                            |