

Habitats Regulations Assessment



Shobdon Neighbourhood Area

Addendum

July 2017

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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 Second Addendum Report is to detail the findings of the screening of proposed changes to policy S4 of the Shobdon NDP and consider if they significantly affect the conclusions of the earlier HRA Report (January 2016 and November 2016).
- 1.3 The refinements clarify and update the housing policy in relation to commitments, site allocations and their delivery and the delineation of the settlement boundary. They are not considered to significantly affect the conclusions of the earlier HRA reports, as they did not involve the introduction of new policies or change 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 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 (Reg16 first submission and re-submission)

- 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).
- 3.5 Following the requirement to re-evaluate the delivery potential of site allocations within the submission NDP, the Re-submitted plan has amendments made to the settlement boundary and the site allocations within Policy S4.
- 3.6 The main changes here have been the adjustments of the settlement boundary to the south of the village to reduce potential windfall development, acknowledgement of sites which have planning permission and the inclusion of an additional site 'Land to the east of the Paddocks'
- 3.7 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 NDP are not considered to affect the findings of the previous HRA reports.
- 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 Second Addendum Report will be published alongside both the re-submission NDP and earlier HRA Reports 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 (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 S4: Meeting Housing Needs within Shobdon Village (sites assessed within the previous HRA Addendum)	Housing development Increased vehicle traffic Increased demand for depending upon location of development River Wye SAC	Increase on water and sewerage usage within the catchment area	River Wye (including the River Lugg) SAC Downton Gorge SAC	No. This policy highlights the number of houses to be developed in line with the Core Strategy. Sites are now included within the policy to add certainty and settlement boundary reviewed	No. The policy would itself not lead to development; instead it relates to criteria for meeting housing needs within Shobdon village.
Land to the east of the Paddocks (additional new site)	Small scale housing development within the settlement boundary of Shobdon	Increase on water and sewerage usage within the catchment area	River Wye (including the River Lugg) SAC Downton Gorge SAC	Ensure main connection into the sewerage system.	No, this will lead to small scale development.

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