

Habitats Regulations Assessment



Welsh Newton & Llanrothal Group Neighbourhood Area

Addendum

September 2016

Welsh Newton and Llanrothal HRA Addendum Report

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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 Main Modifications through the HRA process to the Welsh Newton and Llanrothal 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 WNL2, and WNL3 of the Welsh Newton and Llanrothal NDP were the two policies that have changed since reg 14 consultation. The rescreening will consider if they significantly affect the conclusions of the earlier HRA Report (November 15).
- 1.3 In response to Natural England's comments all of the options, objectives and policies have been rescreened to take into account Wye Valley Woodlands SAC, which the previous screening did not cover and additional policy of WNL2. Overall the rescreening did not 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, despite the addition of new criteria in certain places. 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 Welsh Newton and Llanrothal Plan would likely to have a significant effect on the River Wye SAC or Wye Valley woodlands.
- 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 adopted Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 On the basis of assumptions and information contained within the Welsh Newton and Llanrothal 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 and Wye Valley Woodland SAC.
- 2.5 In most cases this was because the policies themselves would not result in development, i.e. they related instead to criteria for development. In many cases the policies clarified policies and included measures to help support the natural environment. WN2 and WN3 has been rescreened and concluded that no significant impact on the SEA, amendments to these criteria can help safeguard biodiversity and mitigate against impact caused from development. The mixed use site allocation for the former garage site in Welsh Newton is unlikely to have a significant impact on both European sites, due to scale and mitigation policies. All options, policies and objectives have been rescreened and no significant effects towards the River Wye SAC or Wye Valley woodland SAC.

- 2.7 It was also concluded that the Welsh Newton and Llanrothal 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 **Welsh Newton and Llanrothal NDP will not have a likely significant effect on the River Wye SAC or Wye Valley woodlands.**
- 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 November 2015. A summary of the main findings is provided 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, together with amendments made necessary by Natural England's comments towards Welsh Newton and Llanrothal NDP.
- 3.2 The revised NDP policies were found to be unlikely to result in significant effects on the River Wye SAC and Wye Valley woodland SAC, a conclusion of which is based on assumptions and information contained within the Welsh Newton and Llanrothal NDP, and the adopted Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy), updated in October 2015 and published on the Council's website.

4.0 Conclusion

- 4.1 With reference to section 3 above, the modifications the policies of the submission version of the Welsh Newton and Llanrothal NDP are not considered to affect the findings of the first HRA report.

An addendum report in a positive way as in many cases policies have been strengthened by the addition of design criteria and safeguarding of heritage assets.

- 4.2 Therefore the earlier conclusion that the **Welsh Newton and Llanrothal NDP will not have a likely significant effect on the River Wye SAC or Wye Valley Woodlands** 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 from October to November 2016. Any further changes to the plan that arise as a result of the consultation will be subject to further screening to consider their significance with regard to HRA.

Appendix 1

Table 2: HRA Re-Screening of Emerging Redrafted Neighbourhood Development Plan Objectives, Options and Policies

Parish Council Name: Welsh Newton and Llanrothal

NDP Title: Welsh Newton and Llanrothal Neighbourhood Plan

Date undertaken: September 2016

NDP Redrafted objectives/options/policies	HRA Re-Screening Assessment of Emerging redrafted 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)	European Sites potentially affected (Refer to Initial Screening)	Mitigation measures to be considered to avoid any impacts	If recommendations are implemented, would it be possible that it would result in no likely significant effect? (Yes/No with reasons)
Options					
Option 1 Do nothing.	No NDP to determine planning applications.	Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	N/A	N/A	N/A
Option 2 Allocate sites for housing.	Small scale proportionate growth on specific sites identified on a proposals map.	Greater degree of certainty over the impact of future development on the European sites, as the location of housing would be pre-determined and not left to market	River Wye (including the River Lugg) SAC Wye Valley Woodlands SAC	Specific environmental issues could be investigated during the site search and be positively addressed within the	No, development in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the Core Strategy

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		forces.		policy wording. Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	should avoid or mitigate any likely significant effects. Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
Option 3 Manage future housing using a settlement boundary.	Small scale proportionate growth within a defined settlement boundary area.	Uncertain as to the impact on the European sites as dependant on the location of the development	River Wye (including the River Lugg) SAC Wye Valley Woodlands SAC	Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur. Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	No, development in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects. Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
Option 4 (Preferred option) Allocate sites and identify a settlement boundary.	Small scale proportionate growth on specific sites identified on a proposals map and within a defined settlement	Greater degree of certainty over the impact of future development on the European sites,	River Wye (including the River Lugg) SAC	Specific environmental issues could be investigated during the site search	No, development in line with the Local Plan (Core Strategy) and the

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	boundary area.	as the location of housing would be pre-determined and the settlement boundary would provide a clear distinction between open countryside and the built environment.	Wye Valley Woodlands SAC	and be positively addressed within the policy wording. Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur. Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects. Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
Option 5 Manage future housing through a development management policy.	Small scale proportionate growth where the location would be determined by a criteria based policy.	Uncertain as to the impact on the European sites as dependant on the location of the development.	River Wye (including the River Lugg) SAC Wye Valley Woodlands SAC	Criteria based housing policy would require to include reference to mitigation measures to avoid any non-disturbance effects on the River Wye via its catchment. Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local	No, development in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects. Policy criteria should be included within the NDP which reflects this. Further

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				STW.	assessments will be undertaken at draft policy stage.
Objective WNC2:	Objective to ensure that Welsh Newton Common's Housing growth is small scale and 'organic'	The Common area would be spared any major development. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WNC3:	Objective to support the use of eco-building principles and the use of local and traditional materials	More properties in the parishes would have a lower carbon footprint as a result of this objective. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WNC4:	Objective to support the use of temporary, more sustainable forms of accommodation, such as log cabins, where there is a temporary need identified	Temporary workers would be accommodated in more sustainable temporary accommodation which wouldn't threaten the character of the parishes. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WNC5:	Objective to support the use of suitably converted existing properties wherever possible to meet the housing need	Otherwise redundant buildings capable of conversion would be brought into use. No likely significant impacts	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC

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		expected.			or the River Wye SAC.
Objective WNC6:	Objective to support the protection and enhancement of biodiversity and environmental features within the Common area.	The development process will be used to enhance biodiversity and the connections between habitats in the Common area. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WNC7:	Objective to protect an area of land with a significant average wind-speed from residential development.	Residents would have the option to develop a community-owned wind energy scheme within the protected area. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WNC8:	Objective to protect and enhance local views, woodland, tranquillity and footpaths	Specific views and tree cover will be maintained. Commercial development, rural business or diversification that benefits from tranquillity will be encouraged, and those that threaten it resisted. Lost footpaths and bridleways would be reinstated. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

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Welsh Newton Objectives					
Objective WN1:	Objective to ensure that new housing is limited in the first instance to exception housing in line with Core Strategy Policy RA3	Redundant or unoccupied buildings, or buildings that could be converted into residential dwellings would be used before creating new houses that may lie unoccupied for a long time. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WN2:	Objective to support the use of eco-building principles and the use of local and traditional materials	More properties in the parishes would have a lower carbon footprint as a result of this objective. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WN3:	Objective to support the accessibility to, and the promotion of, local facilities where they exist.	The plan seeks to support any existing or new facilities that are, or would be, provided to enable the population to meet more of their needs locally. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective WN4:	Objective to protect and enhance tranquillity, historic and natural environment, and the village boundary	Commercial development, rural business or diversification that	River Wye SAC Wye Valley	N/A	No, this objective will not produce any impacts upon Wye Valley

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		benefits from tranquillity will be encouraged, and those that threaten it resisted. Historic and natural features of the settlement will be protected and enhanced. And development should be limited to within a virtual settlement boundary. No likely significant impacts expected.	Woodlands SAC		Woodlands SAC or the River Wye SAC.
Llanrothal Objectives					
Objective L1:	Objective to ensure that new housing is limited in the first instance to exception housing in line with Core Strategy Policy RA3	Redundant or unoccupied buildings, or buildings that could be converted into residential dwellings would be used before creating new houses that may lie unoccupied for a long time. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective L2:	Objective to support the use of eco-building principles and the use of local and traditional materials	More properties in the parishes would have a lower carbon footprint as a result of this objective. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

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Objective L3:	Objective to protect and enhance the features that contribute towards local distinctiveness and the areas special characteristics.	Features such as the tranquillity, environmental quality, (including water quality), important views and veteran trees will be protected and enhanced. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective L4:	Objective to improve traffic management on the roads within the area.	Damage to roadsides, verges, bridges and road surfaces themselves would be avoided. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective L5:	Objective to protect the historic assets of the Llanrothal area.	Historic assets such as listed buildings and traditionally built properties will be protected. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policies					
Policy WNL1:	Policy to ensure that important elements of the local landscapes character are enhanced and protected.	Issues such as the sense of tranquillity, heritage assets, environmental, habitat and wildlife assets will all be protected. Light pollution will be limited. Developments will be	River Wye SAC Wye Valley Woodlands SAC	This policy will help mitigate impact caused from potential development, and help to safeguard existing landscape character.	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

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		required to deliver high quality green infrastructure or to contribute towards the local community through the Community Infrastructure Levy (CIL). Important views of the landscapes will also be protected. No likely significant impacts expected			
Policy WNL2:	<p>Policy will promote green infrastructure as part of development proposals.</p> <p>Ecological enhancements</p> <p>Re naturalising of watercourses</p> <p>Promotion of green design</p>	<p>This policy will promote and benefit the existing biodiversity and help to enhance it within Welsh Newton and Llanrothal. No likely significant impacts expected.</p>	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>This policy will help mitigate impact caused from potential development, and help to promote green infrastructure within Welsh Newton and Llanrothal.</p>	<p>No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.</p>
Policy WNL3:	<p>Policy to ensure developers put in place measures to protect and enhance local wildlife and habitats.</p>	<p>Wildlife and habitats should not be adversely affected by new developments which will include roosting and nesting space for compatible species, planting of local and native species and the provision of wildlife corridors and stepping stones. No likely significant impacts expected.</p>	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>This policy will help mitigate impact caused from potential development, and help to protect and enhance local wildlife and habitats.</p>	<p>No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.</p>

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Policy WNL4:	Protect local greenspace.	This policy will help to safeguard local greenspace against development, for the benefit of the community.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL5:	Policy to support the use of design principles that take their lead from existing historical and architectural forms or the traditional materials used locally. This includes sustainable building techniques	More properties in the parishes would fit into the existing character of the settlements and have a lower carbon footprint as a result of this policy. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL6:	Policy to support proposals within the settlement boundary of WN Common and as exception sites in line with Core Strategy policies RA3, RA4 and H2.	This policy will determine house sizes and support affordable or self build or community led housing projects, as well as those designed for older people. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL7:	Policy that will accept proposals in the wider countryside according to the criteria set out in Core Strategy policies RA3, RA4, RA5 and H2, but places further conditions on the proposals	Proposal in the wider countryside will be built with regard to their design and finish using local materials and sustainable building methods, requiring a wildlife survey to be	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye

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		undertaken and mitigation measures in place, of an appropriate scale and setting, with a demonstrable local need identified. No likely significant impacts identified.			SAC.
Policy WNL8:	Policy to ensure that appropriate conversions or renovations are considered before new build wherever possible. It also specifies the design and sustainability principles for their consideration.	Proposals to bring rural outbuildings, un-occupied dwellings and unused stone dwellings into residential use will be encouraged. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL9:	Policy to determine the nature of proposals for a particular site of former garage in Welsh Newton.	Proposals for housing, commercial (retail) and or tourism (holiday cottage) would be considered providing a number of issues concerning drainage, flooding and wildlife can be resolved. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL10:	Policy to support in principle proposals for small scale and appropriate conversion of former agricultural buildings to offices, workshops and other business uses where they are part of agricultural diversification and contribute to local economic	Such proposals will have suitable access and traffic management measures, appropriate landscaping, noise attenuation, lighting mitigation and not involve frequent heavy	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye

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	development.	goods movements, excessive fresh water use or waste water generation. No likely significant impacts expected.			SAC.
Policy WNL11:	Policy to determine the conditions under which polytunnel development would be permitted or supported.	Polytunnels in the parish would be located where they are not; visually intrusive; form an adverse threat to the setting of heritage assets; within 30metres of any residential property; or create any difficulties with regard to access and traffic. Nor will they be permitted in Flood Zone 3 or within 2 meters of a public right of way. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL12:	Policy to support proposals for creating or improving the broadband infrastructure along with necessary conditions.	Providing proposals are sympathetically designed and located and any road reinstatement works are guaranteed for 10 years proposals will be supported. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

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Policy WNL13:	Policy in support of small scale, community led low carbon energy schemes where they are able to meet the needs of local communities within the Parish	Small scale hydro or wind proposals will be supported provided their visual impact is minimised, noise levels are acceptable, and negative wildlife impacts are avoided. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL14:	Policy in support of proposals for renewable energy schemes providing they meet certain criteria	Support would be dependent upon transport and ecological study's being undertaken and the scale size, mass, design, noise & light pollution and location being considered acceptable. Small scale micro domestic installations that present negligible impacts to neighbours will also be supported. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Policy WNL15:	Policy in support of proposals that promote improvement or extension to existing rights of way will be supported	New development proposals will be required to contribute towards improving the local rights of way network in support of the wellbeing and health of residents and visitors alike. No likely	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

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		significant impacts expected.			
Policy WNL16:	Policy in support of proposals for new, or improvements to existing, facilities will be supported in principle. Criteria for change of use will also apply.	Local community facilities will be protected as community assets, and a presumption in favour of the re-use of such facilities for health, education, and community use. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	N/A	No, this policy will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

Appendix 2

Template 2: HRA Consultation Feedback

This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan

Parish Council Name: Welsh Newton and Llanrothal

Neighbourhood Development Plan Name: Welsh Newton and Llanrothal Neighbourhood Plan

Details of consultation: *this could include how the consultation was advertised and what information was provided*

Consultation date: 26 October to 7 December 2015

Consultation title: Welsh Newton and Llanrothal Reg14 consultation

Response Date	Consultee	Summary of Comments	Response to Comments
3 rd November 2015	Natural England	Habitat Regulations Assessment (Nov 2015) The HRA Initial screening report identified two Special Area of Conservation (SAC), the River Wye and Wye Valley Woodlands SAC, which needed to be included in the HRA. The assessment of impacts on the River Wye SAC is out of date as the Herefordshire Core Strategy has now been adopted and the HRA should be amended to reflect this change. We note that only The River Wye SAC has been considered. The HRA will need to be changed to include an assessment of the impacts on the Wye Valley Woodlands SAC. Please updated the HRA before re-consulting us.	Comments noted and HRA amended.

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