

Habitats Regulations Assessment



Wyeside Group Neighbourhood Area

Addendum

January 2017



**Herefordshire
Council**

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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 Wyeside 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 (March 2016).
- 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. Four policies have been modified and one policy added to include reference to sewerage capacity. These were as a result of the representations to the draft consultation on the plan itself rather than the response to the HRA report 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 Wyeside 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 Wyeside NDP objectives and policies (March 2016) were concluded to be likely to have a significant effect on the European site. Although three of the parishes making up the Wyeside Group border the River Wye SAC, only one village is in close proximity to the river itself. Policy WE01 and Core Strategy policy SD3 and SD4 together with the Nutrient Management Plan will ensure that there are safeguards in place. This conclusion is based on assumptions and information contained within the Wyeside 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 and the SAC itself is not within the parish. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 2.6 It is unlikely that the Wyeside 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 Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Wyeside 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 January 2017. A summary of the main findings is provided below.

3.0 Summary of main findings – modifications to NDP

- 3.1 The Submission NDP (January 2017) incorporates additional policy criteria or wording to add clarity and emphasis throughout the document. Of particular importance is that Policy WE05 has been added which now includes reference to the sewerage network capacity within the village and the potential to phase development. This will provide additional policy safeguards to avoid adverse impacts on the European site and ensure that the delivery of the Nutrient Management Plan is not compromised.
- 3.2 Modifications made to 4 other 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 Wyeside 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 **Wyeside 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

Table 2: HRA Screening of amended Neighbourhood Development Plan Policies

Date undertaken: January 2017

NDP objectives and policies	HRA Screening of Emerging NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if option implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Mitigation measures to be considered, as necessary, through redraft of objective/option/policy and to be considered as part of Appropriate Assessment	If recommendations are implemented, would it be possible that it would result in no LSE? (Yes/No with reasons)
WB02 – Retail Development	Policy to support proposals for small retail development.	Unlikely that there will be any significant effects on the European Site. This policy is promoting very small scale retail facilities within the parish	River Wye (including River Lugg) SAC	N/A	No, policy criteria exist within the NDP to safeguard the River Wye SAC particularly policy WE01.
WH01 – New Housing Development	Policy for housing development in line with Core Strategy targets. Increase in vehicle traffic. Increase recreation activities. Increased demand for water abstraction and	Small scale development proposed (plots of 10 or less) 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 River Lugg) SAC	Implementation of Core Strategy policy LD2: Biodiversity and Geodiversity, which aims to avoid adverse impacts on European sites from development including housing. Policy SD1: Sustainable design and Energy efficiency should help to mitigate potential impacts relating to non-	No: development is in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the NDP (WE01) will avoid or mitigate any likely significant effects.

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	sewage treatment.			physical disturbance Policy WE01 of the NDP also contains restrictive criteria including no development within 100m of the boundary of the River Wye.	
WH02 – Ensuring an appropriate Range of Tenures, Types and Size of Houses	Policy to support proposals for a range of types, tenures and size of houses.	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 River Lugg) SAC	This policy is criteria based policy for affordable housing within Wyeside Group. Safeguarding criteria exists within policy WE01 which restricts development within 100m of the boundary of the River Wye.	No: development is in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the Core Strategy should help avoid or mitigate any likely significant effects.
Policy WE03 - Protecting Local Green Spaces and Important Views	Local green spaces safeguarded from development Increase in recreational activity.	Unlikely that there will be any significant effects on the European Site. The policy wording includes safeguarding reference to the River Wye SAC and priority species and habitats.	River Wye (including River Lugg) SAC	This policy helps to safeguard local green spaces and significant views.	No: this policy itself refers to the River Wye SAC and other priority species and habitats. Additional policy criteria is contained within NDP policy WE01.
WE05 – Capacity of the sewerage and treatment works	Policy to ensure that capacity is available	Unlikely that there will be any significant effects on the European Site. Potential detrimental effects would be mitigated with the policies within the	River Wye (including River Lugg) SAC	This policy helps to ensure that sufficient capacity is available within the network	No: this policy itself refers to the River Wye SAC and other priority species and habitats. Additional policy criteria is

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		Core Strategy and by NDP policy			contained within NDP policy WE01.
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Appendix 2

Consultation date: 16 May to 26 June 2016

Consultation title: Wyeside Neighbourhood Plan Regulation 14

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

Consultee	Summary of Comments	Response to Comments
Natural England	Natural England notes the screening process applied to this NDP. Agree with the conclusions of no likely significant effect upon the River Wye SAC. Note and concur with the amendment to Policy WH01.	Noted
Heritage England	No comment received regarding the Environmental Report	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	