

Habitats Regulations Assessment



Yarpole Group Neighbourhood Area

Addendum

January 2017

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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 Yarpole Group 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. 11 policies have been modified. There have been some minor changes to the allocation sites and settlement boundaries for Bircher and Yarpole. These changes 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 Yarpole Group NDP would be likely to have a significant effect on the River Wye SAC and/ or Downton Gorge 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 Yarpole Group NDP objectives and policies (March 2016) were concluded to be likely to have a significant effect on either of the European sites.
- 2.5 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is currently no permitted headroom in the Sewerage Treatment works serving the Luston and Yarpole area, however it is investigating options that might make sufficient headroom available to continue to treat the water from the amount of housing provided for in the Core Strategy policies. In addition, the preparation of the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.
- 2.6 Downton Gorge SAC is vulnerable to air quality associated with poultry units and other intensive agricultural practices, the Yarpole Group NDP is not proposing either of these within its policies.
- 2.6 It is unlikely that the Yarpole Group 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 Leominster Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Yarpole Group NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC or Downton Gorge 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.
- 3.2 Modifications made to 11 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 sites, a conclusion of which is based on assumptions and information contained within the Yarpole Group 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 **Yarpole Group NDP will not have a likely significant effect on the River Wye SAC or Downton Gorge 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 objectives and policies	HRA Screening of amended NDP objectives 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?	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	Could the policy have likely significant effects on European sites
Policies					
Policy YG1: Promoting Sustainable development Amendment: inclusion of active travel in (b) and change of 'must' to 'should'	Encourages sustainable development and communities	No likely significant effects expected	N/A	N/A	No. The policy would itself not lead to development; instead it relates to criteria for encouraging sustainable development and sustainable communities.
Policy YG3: Housing Development in Bircher Amendment: additional criteria regarding residential amenity and junction improvements	Policy outlines the criteria for further residential development in the village of Bircher for a minimum of 14%. Includes a settlement boundary around the village.	No likely significant effects expected	N/A	N/A	N/A
Policy YG4: proposed Land for Housing Development in Bircher	Housing Development Increased in vehicle	This policy does propose a site to the north of the village of 0.47 hectare; this is still within the	No likely significant effect on the River Wye SAC or	Within this policy there are mitigation methods to help reduce the potential impacts arising from this	No. Although this policy is identifying a site for housing development within

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Amendments: additional criteria regarding junction improvements	traffic	threshold of the Core Strategy. This is not directly adjacent to either of the SACs.	Downton Gorge SAC	development. Ensure during development phase that there are mitigation methods in place to reduce any adverse impact that could occur during the development.	the village, it does include mitigation methods as well as the additional policies within the NDP and Core Strategy that have measures to mitigate against the impact of the development. In addition, the development is not over and above the Core Strategy requirement which has been identified as not having a significant effect on the River Wye SAC and Downton Gorge SAC.
Policy YG6: Housing Development in Lucton Amendment: additional criteria regarding residential amenity	Policy that lays out the criteria for further residential development in the village of Lucton for a minimum of 14%. Includes a settlement boundary around the village.	No likely significant effects expected	N/A	N/A	N/A
Policy YG8: Housing Development in Yarpole Amendment: additional criteria regarding	Policy outlines the criteria for further residential development in the village of Yarpole, and the area of Cockgate, for a minimum of 14%. Includes a	No likely significant effects expected	N/A	N/A	N/A

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residential amenity	settlement boundary around the village.				
Policy YG9: Land off Croft Crescent Amendment: policy text to reflect site now has outline permission	Housing Development Increased in vehicle traffic	This policy does propose a site to the north of the village. This site now has the benefit of outline planning permission	No likely significant effect on the River Wye SAC or Downton Gorge SAC	Within this policy there are mitigation methods to help reduce the potential impacts arising from this development. Ensure during development phase that there are mitigation methods in place to reduce any adverse impact that could occur during the development.	No. Although this policy is identifying a site for housing development within the village, this site now has the benefit of outline planning permission. Criteria is in place to ensure any reserve matters have regard to the safeguard of the River Wye SAC
Policy YG10: Book House Farm and land to its East Amendment: criteria regarding conservation area and retained features and housing sizes	Housing Development Increased in vehicle traffic	This policy does propose a site to the south of the village; this is still within the threshold of the Core Strategy. This is not directly adjacent to either of the SACs within the Parish.	No likely significant effect on the River Wye SAC or Downton Gorge SAC	Within this policy there are mitigation methods to help reduce the potential impacts arising from this development. Ensure during development phase that there are mitigation methods in place to reduce any adverse impact that could occur during the development.	No. Although this policy is identifying a site for housing development within the village, it does include mitigation methods as well as the additional policies within the NDP and Core Strategy that have measures to mitigate against the impact of the development. In addition, the development is not over and above the Core Strategy requirement which has been identified as not

					having a significant effect on the River Wye SAC and Downton Gorge SAC.
Policy YG11: Highway Measures at Yarpole Amendment: wording amended to refer to traffic calming	Policy that specifies the measures that are required to improve traffic and resident safety within the parish, with the expectation that these will be met via working closely with HC and any developers.	No likely significant effects expected	N/A	N/A	N/A
Policy YG12: Local Green Space in Yarpole Amendment: deletion of LGS and associated text	Policy seeks to protect important green areas within the village.	No likely significant effects expected	N/A	N/A	No. The policy would itself not lead to development; instead it relates to criteria for protection of local green spaces.
Policy YG14: Development in conservation areas Amendment; change to 'conserve' to 'preserve'	N/A	No likely significant effects expected	N/A	N/A	No. This policy will not lead to new development; rather it aims to ensure that any development proposed will preserve and enhance the conservation area
Policy YG15: Sustainable Design Amendment: additional	Policy that imposes the need for new housing to conform to high standards of sustainable design and architecture	No likely significant effects expected	N/A	N/A	N/A

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criteria regarding contamination	that includes maximum carbon reductions and an integrated package of identified design measures.				
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Appendix 2

Consultation date: 6 June to 17 July 2016

Consultation title: Yarpole Group Neighbourhood Plan Regulation 14

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

Consultee	Summary of Comments	Response to Comments
Natural England	Highlight that 4.1 – 4 makes reference to the River Wye SAC being to the north west of the parish of Leintwardine. It is in fact the River Clun that is north west of the parish group.	Noted and addressed within the addendum
Heritage England	No comment received regarding the HRA	
Environment Agency	No comments received regarding the HRA	
Natural Resources Wales	No comments received	