

Habitats Regulations Assessment



Bishops Frome Neighbourhood Area

Addendum

May 2017



**Herefordshire
Council**

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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 Bishops Frome 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 (July 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, despite the addition of new criteria in certain places.

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 a NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies and site allocations in the Bishops Frome 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, objective and site allocation individually, which is consistent with current guidance. The results from the HRA reports for the Pre-submission version of the Herefordshire Local Plan (Core Strategy) and the proposed Main Modifications were also taken into consideration.
- 2.4 None of the Bishops Frome NDP objectives and policies (July 2016) were concluded to be likely to have a significant effect on the European site. This conclusion is based on assumptions and information contained within the Bishops Frome NDP, the proposed Main Modifications to the Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy), updated in April 2015 in light of the said modifications and published on the Council's website.
- 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. In several cases the policies also included measures to help support the natural environment including biodiversity, and therefore no significant effect conclusion could be reached. These policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 2.6 It was also concluded that the Bishops Frome NDP will unlikely have any in-combination effect with any plans from neighbouring parishes, as no sites are currently allocated for development in these.
- 2.7 Therefore it was concluded that the **Bishops Frome NDP will not have a likely significant effect on the River Wye SAC.**
- 2.8 The proposed amendments to the Draft NDP have been minor wording changes, there was an extra policy added to cover housing numbers BF2 this was screened and no significant effects

were found. BF2 (now BF3), BF4 (now BF5), BF7 (now BF8) and BF9 (now BF10) have all been rescreened to changes in wording/ additions on to the policies, none have had a significant effect on the SAC. Therefore conclusion is the same as the findings of the previous HRA Report, prepared in July 2016. 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. There have been some additions to the criteria in some of the policies which are strengthening up the protection of the area, prevention of flooding, water quality measures added and generally a reduction of adverse impact upon the River Wye (including the Lugg) SAC.
- 3.2 One new policy has been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. Addition of policy BF2 has been added in response to comments and to provide clarity and criteria to ensure development takes into consideration scale of development in relation to its surroundings.
- 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 Bishops Frome NDP, the proposed Main Modifications to the Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy), updated in April 2015 in light of the modifications. This is published on the Council's website.

4.0 Conclusion

- 4.1 With reference to section 3 above, the additional criteria added to policies BF3, BF5, BF8 and BF10 and addition of policy BF2, are not considered to affect the findings of the previous HRA report. On the contrary; they strengthen the likelihood of there being no adverse impacts.
- 4.2 Therefore the earlier conclusion that the **Bishops Frome 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 will be subject to further screening, in order to consider their impact on protected sites.

Appendix 1

Table 3: HRA Screening of Significant Changes (Objectives, Options and Policies) following Draft Plan Consultation

Parish Council Name: Bishops Frome

NDP Title: Bishops Frome Neighbourhood Plan

Date undertaken: April 2017

NDP objectives, options and policies significantly changed following Draft Plan Consultation	HRA Screening of significant changes (objectives, options and policies) following Draft Plan Consultation				
	Likely activities (operations) to result as a consequence of the significant change to the objective, option or policy	Likely effect if changed objective, option or policy is implemented. Could it have LSE on any European Site? (Yes/No, with reasons)	European Sites potentially affected (Refer to Initial Screening)	Potential mitigation measures to be considered through redraft of changed objective, option or policy and as necessary, to be considered as part of Appropriate Assessment of these changes	If recommendations are implemented, would it be possible that the changes would result in no likely significant effect?
BF2 (New policy)	This policy illustrates how Bishops Frome NDP will meet the housing target. Housing target achieved.	No Likely Significant effect on the River Wye SAC	River Wye SAC (Including River Lugg)	N.A	No. The addition of this policy helps to identify how Bishops Frome will meet the housing targets from existing permissions and windfall development.
BF3 (Now BF5)	Ensuring that any new housing development is fitting with its context and has suitable design and materials to be in keeping with the neighbourhood area existing context.	No Likely Significant effect on the River Wye SAC	River Wye SAC (Including River Lugg)	This policy acts as a mitigation measure within itself.	No. Wording changes to this policy adds additional safeguards within the policy and will ensure that any new development is in keeping with the surrounding design and context of Bishops

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					Frome.
BF5 (Now BF8)	Improvement of existing facilities Increase in activity around community facilities	No likely significant effect on the River Wye SAC	River Wye (including River Lugg (SAC)	Ensure sustainable transport measures are considered during the construction phases of the development.	No. Wording changes to this policy will not lead to development itself but will look to ease the pressures between the community facilities and transport through the Parish.
BF7 (Now BF8)	New public rights of way created. Provision of landscaping and planting.	No likely significant effect on the River Wye SAC	River Wye (including River Lugg (SAC)	N/A	No. Wording changes to the policy aims to promote and boost biodiversity by creating more green spaces within the parish.
BF9 (Now BF10)	Development of flood alleviation schemes Improvement of water quality	No significant effect upon the River Wye	River Wye (including River Lugg (SAC)	N/A	No. Wording changes to the policy ensures new proposals to improve water quality and ensure the parish is protected from flooding.

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: Bishops Frome Parish Council

Neighbourhood Development Plan Name: Bishops Frome Neighbourhood Plan

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

Consultation date: 4 July 2016- 15 August 2016

Consultation title: Reg 14

Response Date	Consultee	Summary of Comments	Response to Comments
29 July 2016	Natural England	Having reviewed the Habitats Regulations Assessment (HRA) Report we agree with the conclusion that the Bishops Frome Draft Neighbourhood Development Plan (NDP) is unlikely to have significant effects on the River Wye SAC. This conclusion is reached on the basis that the NDP is in line with the Herefordshire Local Plan and the NDP can rely on the policies within the local plan to ensure no likely significant effects.	Duly noted

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