

Habitats Regulations Assessment

Addendum Report for:

Lea Neighbourhood Area

November 2017



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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 Lea 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 (August 2017).
- 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. Objective Lea 7 has been screen changes to this policy has made it more specific. Policies 1,2 and 8 have been rescreened, again changes to the wording in these polices have helped make the policies more specific and informed providing further details will make these policies easier to implement.

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 Lea NDP would be likely to have a significant effect on the River Wye SAC, Wye Valley Woodlands SAC and Wye Valley & Forest of Dean Bat Sites 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 adopted version of the Herefordshire Local Plan (Core Strategy).
- 2.4 None of the Lea NDP objectives and policies (November 2017) 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 Lea NDP.
- 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 Lea 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 **Lea NDP will not have a likely significant effect on the River Wye SAC Wye Valley Woodlands SAC and Wye Valley & Forest of Dean Bat Sites SAC.**
- 2.8 The proposed amendments to the Draft NDP have been minor wording changes to several policies within the plan. However only objective 7 and policies 1,2 and 8 needed rescreening. Lea Objective 7 *To enhance highway/ transport safety* has been rescreened as added highway/ transport' has been added this changes the meaning of this policy and has been rescreened with the conclusion it is unlikely to impact on all of the SACs Policies 1,2 and 8 have been rescreened, again changes to the wording in these polices have helped make the policies more specific and informed providing further details will make these policies easier to implement. After rescreening these polices there were no significant effects. Therefore the conclusion is the same as the findings of the previous HRA Report, prepared in August 2017. 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 SAC Wye Valley Woodlands SAC and Wye Valley & Forest of Dean Bat Sites SAC.
- 3.2 One new policy has been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. Changes to Lea 1 adds further safeguards within this policy to have 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. Policy further information has been added to the policy to cover impact on local sewage networks. Policy 8 becomes more specific and easier to implement as it now list the community areas the NDP wish to protect and enhance.
- 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 Lea 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 objective 7, policies 1,2 and 8 added further information and clarity to each of the policy. Therefore 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 River Wye (including River Lugg) SAC, **Wye Valley Woodlands SAC and Wye Valley & Forest of Dean Bat Sites 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

HRA Screening of Significant Changes (Objectives, Options and Policies) following Draft Plan (reg 14) Consultation

Parish Council Name: Lea

NDP Title: Lea Neighbourhood Plan

Date undertaken: November 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? (Yes/No, with reasons)
Lea Objective 7	Promotion of road safety within Lea Potential decrease in accidents Greater road safety awareness	None identified.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC. Wye Valley & Forest of Dean Bat Sites SAC	None. This objective is a mitigation measure in itself.	No. This policy will not lead to new development; rather it specifically aims to promote traffic safety within the parish of Lea. Changes to this policy provide further clarity and have no changes the policies impact on the SACs..
Lea 1- The right housing in the right place.	Policy to support sustainable development within Lea. Promotion of achieving	Depending on type, location of infrastructure. Physical damage of disturbance.	River Wye (including River Lugg) SAC Wye Valley	Measures included within policy SD2 of the Core Strategy should help to mitigate potential impacts relating to non-	No. The scale and extent of potential development unlikely to have a significant impact on the SACs . There are sufficient

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	<p>housing target.</p> <p>Increased vehicle traffic</p> <p>Small increase in demand for water abstraction and sewage treatment.</p> <p>Housing developed within the identified settlement boundaries.</p>	<p>Non-physical disturbance such as noise.</p> <p>Small scale housing development.</p> <p>Housing, infrastructure development</p> <p>Possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment.</p>	<p>Woodlands SAC.</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	<p>physical disturbances. Policies SD3 and SD4 should help avoid adverse impacts in relation to hydrological regimes. Water quality in the River Wye SAC is also specifically addressed through the Nutrient Management Plan produced by Natural England and the Environment Agency. Good practice construction techniques include noise suppression measures; hours of operation may help to mitigate potential adverse effects during construction.</p>	<p>policy safeguards within the Core Strategy and NDP to safeguard and where necessary mitigate detrimental impact caused from development towards the SACs. Changes to this policy provide further clarity and have no changes to the overall impact on the SACs.</p>
<p>Lea 2-Surface and foul water drainage</p>	<p>Increase of suitable SUDs where appropriate</p> <p>Flood alleviation</p> <p>Pollution reduction</p>	<p>None identified.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC.</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	<p>This policy itself will help to mitigate potential adverse effects related to water drainage and surface water flooding</p>	<p>No. It is unlikely that this policy will have a detrimental impact on the SACs. Changes to this surface and foul water drainage policy provide further clarity regarding impact on public sewage network and have no changes to the overall impact on the SACs.</p>

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Lea 8-Access to community facilities	<p>Community facility development.</p> <p>Community benefit.</p> <p>Increase in recreation and community events.</p> <p>Support and upkeep of existing local community facilities.</p> <p>Promote new development of community facilities.</p> <p>Increase in vehicular movements.</p>	<p>Increase of vehicular movement and demand for water abstraction and treatment.</p> <p>Physical damage of disturbance on a localised scale.</p> <p>Non-physical disturbance such as noise.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC.</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	<p>Improved water efficiency measures, metering and addressing leakages in the supply may help to mitigate any additional pressures on the water supply as a result of new development. Measures within Policy SD1 of the Local Plan (Core Strategy) and Lea policy 2 should help to mitigate potential impacts relating to non-physical disturbances</p>	<p>No, although this policy could result in the re development of new community facilities or the loss of existing provision to new uses. Changes to this policy provide further clarity stating which community facilities will be protected and have no changes to the overall impact on the SACs</p>

Appendix 2

HRA Consultation Feedback

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

Parish Council Name: Lea Parish Council

Neighbourhood Development Plan Name: Lea Neighbourhood Plan

Details of consultation: Regulation 14

Consultation date: 4 September to 16 October 2017

Consultation title: Reg 14

Consultees have made no specific comments to make on the Lea Regulation 14 HRA.