

# Habitats Regulations Assessment

Addendum Report for:

**Ocle Pychard Group Neighbourhood Area**

**March 2018**



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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 Ocle Pychard 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 (September 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 or amendment of 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 Ocle Pychard Group 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 Ocle Pychard Group NDP objectives and policies (September 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 Ocle Pychard Group 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. But where policies did lead to development, the policies also included mitigation 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 and site allocations.
- 2.6 It was also concluded that the Ocle Pychard Group NDP will unlikely have any in-combination effect with any plans from neighbouring parishes.
- 2.7 Therefore it was concluded that the Ocle Pychard **Group NDP will not have a likely significant effect on the River Wye SAC.**
- 2.8 The majority of the proposed amendments to the draft NDP have been minor wording changes and have not needed to be rescreened. Policies OPG 2, OPG2 and OPG4 have been rescreened due to the changes post reg 14 consultation.

### 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, promoting sustainable transport measures and utilising existing development in order to reduce unnecessary development.
- 3.2 No comments were received as part of the consultation to the HRA report and the Ocle Pychard Group Neighbourhood Development Plan (NDP) is unlikely to have significant effect 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 to ensure no likely significant effect.
- 3.3 Three policies have been amended for the Submission NDP following the Regulation 14 Draft Plan consultation.
- 3.4 The revised NDP policies are unlikely to result in significant effects on the European sites, a conclusion of which is based on assumptions and information contained within the Ocle Pychard Group 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 and amendments to Policy OPG2, OPG3 and OPG4 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 **Ocle Pychard Group 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: Ocle Pychard Group

NDP Title: Ocle Pychard Group NDP

Date undertaken: March 2018

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)  <i>(If no, progress onto next objective/option/policy. If yes, progress onto next set of columns in row)</i>	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)
<b>OPG2</b>  <b>Development needs and requirement</b>	Development needs including a minimum of 36 dwellings to be delivered	Any development could have a possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment.  Uncertain as to the impact on the River Wye SAC as dependant on the location of the development of all	River Wye (including River Lugg) SAC.	Specific environmental issues could be investigated during the site search and be positively addressed within the policy wording. Policies LD2, SD1, SD3 and SD4 of the Local Plan (Core Strategy)	No, development in line with the Local Plan (Core Strategy) policy RA2 and the policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects.

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		development.			
<b>OPG3</b> <b>Burley Gate</b>	Development in Burley Gate	Housing, infrastructure development  Possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment.  Uncertain as to the impact on the River Wye SAC as dependant on the location of the development.	River Wye (including River Lugg) SAC.	Specific environmental issues could be investigated during further site investigation and be positively addressed within the policy wording.	
<b>OPG4</b> <b>Land East of the Telephone Exchange, Burley Gate</b>	Site identified for development	Development of residential infrastructure could have a possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment. Uncertain as to the impact on the River Wye SAC as dependant on the location of the development.	River Wye (including River Lugg) SAC.	Specific environmental issues could be investigated during further site investigation and be positively addressed within the 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.	

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				<p>The policies set out in the Local Plan (Core Strategy), subject the outcome of the Inspector's Report, and elsewhere within the NPD should help to avoid adverse impacts upon the European site; though the policy could be strengthened with the inclusion of the following: Development can only proceed where any adverse effects on the River Wye SAC can be avoided or mitigated. Development will only be permitted when it does not compromise the ability of the NMP to deliver the necessary overall nutrient reductions along those stretches of the River Wye SAC which are already exceeding water quality targets or at risk of doing so.</p>	
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# Appendix 2

## Appendix 2: HRA Consultation Feedback

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

**Parish Council Name:** Ocle Pychard Group

**Neighbourhood Development Plan Name:** Ocle Pychard Group NDP

**Details of consultation:** *Regulation 14 Draft Plan consultation*

**Consultation date:** 1 November 2017 –31 December 2017

Response Date	Consultee	Summary of Comments	Response to Comments

**No Comments received**