

Habitats Regulations Assessment

Report for:

How Caple Sollers Hope and Yatton Group
Neighbourhood Area

December 2017



How Caple Sollers Hope and Yatton Contents

1.0	Introduction	1
2.0	Screening of proposed modifications to the NDP	1
3.0	Summary of main findings	1
4.0	Conclusion	2
5.0	Next steps	2
Appendix 1: Revised screening of policy matrix		3
Appendix 2: Feedback on Habitat Regulation Assessment (HRA) Report consultation		4

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 How Caple Sollers Hope and Yatton 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 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. Policies have changed through additional wording and required rescreening were CF1 and ENV1 these have been rescreened and can be found in Appendix 1.

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 How Caple Sollers Hope and Yatton NDP would be likely to have a significant effect on the River Wye SAC 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, objective and site allocation individually, which is consistent with current guidance. The results from the HRA reports for the adopted version of the Herefordshire Local Plan (Core Strategy) and the proposed main modifications were also taken into consideration.
- 2.4 None of the How Caple Sollers Hope and Yatton NDP objectives and policies (July 2017) were concluded not be likely to have a significant effect on the European site. This conclusion is based on assumptions and information contained within the How Caple Sollers Hope and Yatton 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 How Caple Sollers Hope and Yatton 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 **How Caple Sollers Hope and Yatton NDP is not Likely to have a significant effect on the River Wye SAC and Wye Valley & Forest of Dean Bat Sites SAC.**

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 and Wye Valley & Forest of Dean Bat Sites SAC.
- 3.2 The proposed amendments to the Draft NDP have been minor wording changes to several policies in the plan. The major change in the plan was changes to policy CF1 effected policy and Policy ENV1 and have been rescreened at regulation 16 stage. Additional criteria for policy ENV1 has been added, this added in further safeguards for natural and built environment. Criteria has been added to policy CF1 of supporting small farm shops and trading outlets. Overall there were no significant effects found through the rescreening. 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.
- 3.3 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 How Caple Sollers Hope and Yatton NDP, the adopted 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 ENV1 and CF1 added further safeguarding to the natural and built environment. 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 **How Caple Sollers Hope and Yatton NDP will not have a likely significant effect on the River Wye 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: How Caple Sollers Hope and Yatton

NDP Title: How Caple Sollers Hope and Yatton Neighbourhood Plan

Date undertaken: December 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)
Policy CF1	<p>Policy in support of proposals that improve the range of facilities and services providing they meet certain criteria.</p> <p>Seeks to protect and promote the improvement of existing services, assets and facilities. Particular emphasis is given to up keeping the churchyard and supporting small trading outlets.</p> <p>Adds criteria to support small rural trading outlets and small farm shops.</p>	<p>The community's current facilities, assets and services will remain viable and continue to exist. New ones will be encouraged and promoted. Hence more people will be able to meet their needs within the community.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	<p>There are safeguards within the Core Strategy and NDP to help mitigate detrimental effects caused from new development.</p>	<p>No. This policy will not directly lead to development but encourages additional services to the community have a minimal effect for traffic generation and nonphysical disturbances. Therefore unlikely to have a detrimental impact on the SACs.</p> <p>Changes policy post regulation 16 still lead to the conclusion that significant effect on the baseline data.</p>

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<p>Policy ENV1</p>	<p>Protect, maintain or enhance the environment.</p> <p>Seek to protect woodlands and hedgerows.</p> <p>New plantings encouraged.</p> <p>Utilisation of redundant buildings.</p> <p>Protection of Heritage sites.</p> <p>Encouragement of domestic scale renewable energy projects.</p>	<p>This policy should ensure that:</p> <p>The local environment is maintained or enhanced; social cohesiveness and the local economy is supported; local infrastructure, including roads and highways, suffers no detrimental impacts and housing is centred on existing settlements.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	<p>No, this policy itself can help safeguard the parish against un sustainable development and aims to minimise impact on existing infrastructure and the existing built and natural environment.</p>	<p>No: this policy will not directly lead to development. But intends to protect and preserve the natural and built environment.</p> <p>Changes policy post regulation 16 still lead to the conclusion that significant effect on the baseline data. Additional criteria add in further environmental protection from development.</p>
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Appendix 2

HRA Consultation Feedback

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

Parish Council Name: How Caple Sollers and Yatton Group Parish Council

Neighbourhood Development Plan Name: How Caple Sollers and Yatton Group Neighbourhood Plan

Details of consultation: Regulation 14

Consultation date: 31 July to 24 September 2017

Consultation title: Reg 14

No comments have been received regarding the HRA report.