

Habitats Regulations Assessment

Addendum Report for:

Ballingham, Bolstone & Hentland Group Neighbourhood Area

March 2018



Ballingham, Bolstone and Hentland Group

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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 Ballingham, Bolstone and Hentland 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 (January 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 that have significantly changed were BBH1 and BBH5 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 Ballingham, Bolstone and Hentland Group NDP would be likely to have a significant effect on the River Wye SAC and Wye Valley Woodlands 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 Ballingham, Bolstone and Hentland Group NDP objectives and policies (January 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 Ballingham, Bolstone and Hentland 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. 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 Ballingham, Bolstone and Hentland Group 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 **Ballingham, Bolstone and Hentland Group NDP will not have a likely significant effect on the River Wye SAC and Wye Valley Woodlands SAC.**

2.8 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 to delete policy BB2 and BB8 and added criteria to BBH1 and BBH5, this has effected policy BBH1 and Y2 and have been rescreened at regulation 16 stage. Changes to these policies have added in further safeguards for natural and built environment. Overall there were no significant effects found through the rescreening. Therefore conclusion is the same as 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

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 Two policies has been changed in the submission NDP following the Regulation 14 Draft Plan consultation. Changes to BBH1 and BBH has added further safeguarding criteria this helps the policy move closer to the baseline objective. The policies have been amended 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 Ballingham, Bolstone and Hentland Group NDP, the adopted Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy). 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 BBH1 and BBH5 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 **Ballingham, Bolstone and Hentland Group NDP will not have a likely significant effect on the River Wye SAC and Wye Valley Woodlands 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: Ballingham, Bolstone and Hentland Group Parish Council

NDP Title: Ballingham, Bolstone and Hentland Group Neighbourhood Plan

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)	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 BBH1	<p>Policy to support sustainable development within Ballingham, Bolstone and Hentland Group.</p> <p>Promotion of achieving housing target.</p> <p>Increased vehicle traffic</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Depending on type, location of infrastructure.</p> <p>Physical damage of disturbance.</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,</p>	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC.</p>	<p>Measures included within policy SD2 of the Core Strategy should help to mitigate potential impacts relating to non-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</p>	<p>No. This policy may result in housing schemes. Depending on scale, nature and location of the development it may have a possibility of having a detrimental effect on the SACs. However there are sufficient policy safeguards within the NDP and Core Strategy to help avoid or mitigate any likely</p>

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		vehicular movements and demand for water abstraction and treatment.		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.	significant effects on the River Wye (inc River Lugg) SAC or Wye Valley Woodlands SAC. Changes to this policy provide further clarity and flexibility.
Policy BBH5 (previously BBH6)	Promote outdoor and tourist activities within BBH. Increase in vehicle traffic. Increase in recreation activities.	Increase in outdoor activities and tourist activities. Small increase in vehicle traffic.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC.	Changes to this policy add criteria to promote sustainable modes of transport and ensure outdoor and recreation facilities are safeguarded.	No, this is unlikely to have a detrimental effect on the SACs, as this policy is seeking to improve and evolve leisure and tourist facilities. Changes to this policy provide further clarity and protection to comm

Appendix 2

HRA Consultation Feedback

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

Parish Council Name: Ballingham, Bolsotne and Hentland Group Parish Council

Neighbourhood Development Plan Name: Ballingham, Bolsotne and Hentland Group Neighbourhood Plan

Details of consultation: Regulation 14

Consultation date: 6 March- 18 April 2017

Consultation title: Regulation 14

Natural England 27/03/17

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion of no likely significant effect upon the named European designated sites:

- River Wye SAC
- Wye Valley Woodlands SAC.

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