

Habitats Regulations Assessment

Addendum Report for:

Peterstow 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 Peterstow 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 (November 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. One policy PTS14 has significantly changed 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 Peterstow NDP would be likely to have a significant effect on the River Wye SAC, Wye Valley Woodlands and Wye Valley and Forest of Dean Bat sites.
- 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 Peterstow NDP objectives and policies (November 2017), were considered to have a significant effect on the European sites. This conclusion is based on assumptions and information contained within the Peterstow 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 Peterstow 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 **Peterstow NDP will not have a likely significant effect on the River Wye SAC, Wye Valley Woodlands SAC or Wye Valley and Forest of Dean Bat sites SAC.**
- 2.8 The proposed amendments to the Draft NDP have been minor wording changes to several policies in the plan. Minor amendments were made to PTS5, PTS6 and PTS13, these policies did not require rescreening as they were not significantly changed. The major change in the plan was the addition of protected community facilities and areas, this has effected policy PTS14 and has been rescreened at regulation 16 stage. 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 November 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 Three policies have been changed in the submission NDP following the Regulation 14 Draft Plan consultation. PTS14 has been changed by listing the safeguarded community Facilities, changes have enhanced the policy and has given further certainty to the Neighbourhood plan. The policy has 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 Peterstow 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 In reference to section 3 above, additional criteria has been added to policy PTS14 this has added further safeguarding to the protect the built environment. Therefore is 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 **Peterstow NDP will not have a likely significant effect on River Wye SAC, Wye Valley Woodlands and Wye Valley and Forest of Dean Bat sites 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: Peterstow

NDP Title: Peterstow 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 PTS14: Protection and enhancement of community facilities and services	Community areas safeguarded and enhanced. Renewable energy schemes developed. Construction traffic. Continued use of community services. Recreational activities.	Unlikely that there will have a significant effect on the European Site. Depending on type, location of infrastructure. Physical damage of disturbance. Non-physical disturbance such as noise.	River Wye (including the Lugg SAC). Wye Valley and Forest of Dean Bat Sites SAC. Wye Valley Woodlands SAC	Changes to this policy have identified community areas for protection within this policy have been added to ensure special facilities are protected in the parish area. Measures included within policy SD2 of the Core Strategy should help to mitigate potential impacts relating to non-physical disturbances.	No. This policy will not have an impact on the River Wye sac, Wye Valley Woodlands and Wye Valley and Forest of Dean bat sites SACs. Changes to this policy help clarify the policy by identifying specific facilities to be protected. This adds certainty to what community areas should be protected. This policy is unlikely to have an impact on the SACs as it is a safeguarding policy of existing buildings.

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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: Peterstow Parish Council

Neighbourhood Development Plan Name: Peterstow Neighbourhood Plan

Details of consultation: Regulation 14

Consultation date: 25 November 2017 to 21 January 2018

Consultation title: Peterstow Regulation 14

No comments regarding the HRA have been received at Regulation 14 Consultation.