

# Habitats Regulations Assessment

Addendum Report for:

**Aymestrey Neighbourhood Area**

**June 2018**



## **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

Appendix 2: Feedback on Habitat Regulation Assessment (HRA) Report consultation

## 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 Aymestrey 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 (February 2018).
- 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 Aymestrey NDP would be likely to have a significant effect on the River Wye SAC or the Downton Gorge 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 the Aymestrey NDP objectives and policies (February 2018) 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 Aymestrey 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 Aymestrey NDP will unlikely have any in-combination effect with any plans from neighbouring parishes.
- 2.7 Therefore it was concluded that the **Aymestrey NDP will not have a likely significant effect on the River Wye SAC or the Downton Gorge SAC.**
- 2.8 The proposed amendments to the draft NDP included the amendment of twelve policies were following the Draft Plan stage; these changes were necessitated by comments

received during the consultation period. Wording changes were made to AYS1, AYS2 AYEnv2, AYEnv3, AYEnv4, AYMT1, AYT2, AYH3 and AYH4 in light of the consultation comments to add additional clarification on the criteria. Policies AYEnv5, AYEnv7a and AYEnv8 were more significantly amended and had additional criteria added for further clarification and inclusion of key topics such as sustainable travel infrastructure. Objectives xii was also amended and objective xiii was added as an additional objective. The amended objectives xii and xiii and policies AYEnv5, AYEnv7a and AYEnv8 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 One comment was received as part of the consultation to the HRA report and the Aymestrey Neighbourhood Development Plan (NDP) is unlikely to have significant effect on the River Wye SAC and The Downton Gorge 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 Twelve policies and two objectives 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 Aymestrey 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, none of the amended policies or the additional criteria and amendments to objectives xii and xiii and policies AYEnv5, AYEnv7a and AYEnv8, which were rescreened, 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 **Aymestrey NDP will not have a likely significant effect on the River Wye SAC or The Downton Gorge 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: Aymestrey

NDP Title: Aymestrey NDP

Date undertaken: June 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>Objectives</b>					
<b>(xii)</b>	To address community concerns about the volume and speed of traffic on the major roads and its impact and to improve safety (and perception of safety) for pedestrians and highway users	This objective would help address issues regarding traffic in the parish, it would not necessarily lead directly to development but could help to improve safety in the parish.	River Wye (including River Lugg) SAC  Downton Gorge SAC	N/A	No; policy criteria can be added to any allocation site as an outcome to this objective to mitigate the impact.

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

	including cyclists.	<p>There would be no significant effect on the River Wye catchment.</p> <p>If required mitigation criteria can be added to site allocations policies to ensure no likely significant effect would occur.</p>			
(xiii)	Promote sustainable travel either through cycle lanes, track ways or road user awareness.	<p>This objective would help address issues regarding traffic in the parish, it would not necessarily lead directly to development but could help to promote sustainable travel in the parish.</p> <p>There would be no significant effect on the River Wye catchment.</p> <p>If required mitigation criteria can be added to site allocations policies to ensure no likely significant effect would occur.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Downton Gorge SAC</p>	N/A	No; policy criteria can be added to any allocation site as an outcome to this objective to mitigate the impact.
<b>Policies</b>					
Policy AYEnv5:	Addressing Climate Change.	N/A	River Wye (including River Lugg) SAC	N/A	No, there will be no direct development as a result of this policy

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

	The additions to the policy post regulation consultation have helped refine the policy in terms as scale of renewable proposals and support of active travel methods.		Downton Gorge SAC		but guidance as to the sustainable elements of design of any future development and will be 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.
Policy AYEnv7a:	Protection of Views and Vistas.  A new important view has been added however this does not further effect the outcome on the SEA objectives	N/A	River Wye (including River Lugg) SAC  Downton Gorge SAC	N/A	No: this policy seeks to protect greenspaces in the parish but does not directly lead to development itself.
Policy AYEnv8	Protection from Flood Risk.  The addition of criteria relating the need to regard to the SFRA strengthens the policy in line with a positive impact on the SEA baseline.	Development needs to be tested before it commences.  Housing, infrastructure development  Possible loss of surface drainage capacity  Uncertain as to the impact on the River Wye SAC as	River Wye (including River Lugg) SAC  Downton Gorge SAC	Specific environmental issues could be investigated at development stage but be positively addressed within the policy wording.  Policy would need to take account of the proportional growth requirements of the	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.

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.



		dependant on the location and specifics of the development.		Core Strategy and potential headroom capacity at the local STW and the impact this will have on flooding in the development areas and SAC.	
--	--	---	--	--	--

# 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:** Aymestrey

**Neighbourhood Development Plan Name:** Aymestrey NDP

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

**Consultation date:** 19 March to 12 May 2018

<b>Response Date</b>	<b>Consultee</b>	<b>Summary of Comments</b>	<b>Response to Comments</b>
8/5/18	Natural England	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: <input type="checkbox"/> River Wye SAC <input type="checkbox"/> Downton Gorge SAC	N/A

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.