

Herefordshire Local Plan Core Strategy: Proposed Main Modifications (Addendum B): Sustainability Appraisal and Habitats Regulations Assessment Statement

- 1.1 This Statement supplements the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) Addendum that was produced by LUC on behalf of Herefordshire Council in April 2015¹, in relation to the consultation on the proposed Main Modifications to the Local Plan Core Strategy. The Main Modifications proposed at that time, were prepared by Herefordshire Council to address issues raised during the Examination hearings that took place in February 2015 in relation to the Local Plan Core Strategy.
- 1.2 As described in the April 2015 SA Addendum, LUC previously undertook SA (incorporating Strategic Environmental Assessment (SEA)) and HRA of the Local Plan Core Strategy throughout its development. The most recent full SA and HRA Reports for the Local Plan Core Strategy are the May 2014 SA Report and the September 2014 HRA Report, both of which relate to the Pre-Submission Publication version of the Local Plan Core Strategy. **Table 1** signposts where the requirements of the SEA Directive have been met within the May 2014 SA report, April 2015 SA Addendum and this Statement.
- 1.3 The Main Modifications were consulted on by the Council between March and May 2015. The April 2015 SA and HRA Addendum, which was made publicly available, described the implications of each proposed change for the SA and HRA conclusions set out in the earlier 2014 SA and HRA reports. The SA and HRA Addendum also included a summary of the cumulative sustainability effects of the Local Plan Core Strategy and whether the cumulative effects identified in the May 2014 SA Report were affected by the proposed changes to the Plan.
- 1.4 Since the consultation on the Main Modifications, Herefordshire Council has prepared an additional proposed change to the Local Plan Core Strategy. This proposed change relates to policy SD2: Renewable and Low Carbon Energy and the supporting text to that policy. The purpose of the additional proposed change is to make the Local Plan Core Strategy 'sound' taking into account the Ministerial Statement that was issued on the 18th June 2015².
- 1.5 The implications of the proposed change for the SA and HRA findings are described in **Tables 2 and 3** overleaf. The proposed change does not affect either the SA or HRA findings set out in the May 2014 SA Report (Appendix 8) and the September 2014 HRA Report (Appendix 1). The cumulative effects of the Local Plan Core Strategy remain as described in the April 2015 SA Addendum.

LUC
July 2015

¹ Herefordshire Local Plan Core Strategy: Main Modifications - Sustainability Appraisal and Habitats Regulations Assessment Addendum (LUC, April 2015).

² <http://www.publications.parliament.uk/pa/cm201516/cmhansrd/cm150618/wmstext/150618m0001.htm>

Table 1: Requirements of the SEA Directive and where these have been addressed in the May 2014 SA Report, April 2015 SA Addendum and this statement

| SEA Directive Requirements | Where covered in the SA documentation |
|---|--|
| <p>Preparation of an environmental report in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme, are identified, described and evaluated. The information to be given is (Art. 5 and Annex I):</p> | |
| <p>a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes</p> | <p>Chapter 1 and Appendix 1 of the May 2014 SA Report.</p> |
| <p>b) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme</p> | <p>Chapter 3 of the May 2014 SA Report.</p> |
| <p>c) The environmental characteristics of areas likely to be significantly affected</p> | <p>Chapters 3 and 4 of the May 2014 SA Report.</p> |
| <p>d) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.</p> | <p>Chapter 3 of the May 2014 SA Report.</p> |
| <p>e) The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation</p> | <p>Appendix 1 of the May 2014 SA Report.</p> |
| <p>f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. (Footnote: These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects)</p> | <p>Chapter 4 and Appendices 6, 7 and 8 of the May 2014 SA Report; Appendices 1 and 2 in the April 2015 SA Addendum and Table 2 in this SA and HRA Statement.</p> |
| <p>g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;</p> | <p>Chapter 4 and Appendices 6, 7 and 8 of the May 2014 SA Report; Appendices 1 and 2 in the April 2015 SA Addendum and Table 2 in this SA and HRA Statement.</p> |
| <p>h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information;</p> | <p>Chapter 2 and Appendices 2 and 3 of the May 2014 SA Report.</p> |

| SEA Directive Requirements | Where covered in the SA documentation |
|---|---|
| i) a description of measures envisaged concerning monitoring in accordance with Art. 10; | Chapter 5 of the May 2014 SA Report. |
| j) a non-technical summary of the information provided under the above headings | A separate non-technical summary document was produced to accompany the May 2014 SA report. |
| The report shall include the information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, its stage in the decision-making process and the extent to which certain matters are more appropriately assessed at different levels in that process to avoid duplication of the assessment (Art. 5.2) | Addressed throughout the SA documentation. |
| <p>Consultation:</p> <ul style="list-style-type: none"> authorities with environmental responsibility, when deciding on the scope and level of detail of the information which must be included in the environmental report (Art. 5.4) | Consultation on the SA Scoping Report for the Herefordshire LDF was undertaken in 2007. |
| <ul style="list-style-type: none"> authorities with environmental responsibility and the public, shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme (Art. 6.1, 6.2) | Consultation has been undertaken in relation to each stage of the Local Plan Core Strategy preparation, accompanied by SA reports and notes as described in Chapter 2 in the May 2014 SA Report. Appendix 4 in that report sets out the consultation responses received at each stage and how they have been addressed. The proposed Main Modifications for the Local Plan Core Strategy were consulted on between March and May 2015 and the April 2015 SA Addendum was also published for consultation. The additional proposed Main Modification that this SA and HRA Statement relates to is being published for consultation between July and August 2015. |
| <ul style="list-style-type: none"> other EU Member States, where the implementation of the plan or programme is likely to have significant effects on the environment of that country (Art. 7). | N/A |
| <p>Taking the environmental report and the results of the consultations into account in decision-making (Art. 8)</p> | |

| SEA Directive Requirements | Where covered in the SA documentation |
|---|---|
| <p>Provision of information on the decision: When the plan or programme is adopted, the public and any countries consulted under Art.7 must be informed and the following made available to those so informed:</p> <ul style="list-style-type: none"> • the plan or programme as adopted • a statement summarising how environmental considerations have been integrated into the plan or programme and how the environmental report of Article 5, the opinions expressed pursuant to Article 6 and the results of consultations entered into pursuant to Art. 7 have been taken into account in accordance with Art. 8, and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and • the measures decided concerning monitoring (Art. 9) | <p>To be addressed after the Local Plan Core Strategy is adopted.</p> |
| <p>Monitoring of the significant environmental effects of the plan's or programme's implementation (Art. 10)</p> | <p>To be addressed after the Local Plan Core Strategy is adopted.</p> |
| <p>Quality assurance: environmental reports should be of a sufficient standard to meet the requirements of the SEA Directive (Art. 12).</p> | <p>The SA documentation has been produced in line with current guidance and good practice for SEA/SA and this table demonstrates where the requirements of the SEA Directive have been met.</p> |

Table 2: Assessment of the additional Main Modification and its implications for the SA findings (as set out in the May 2014 SA Report)

| Ref No | Policy/ Para/ Figure | Proposed Main Modification | Reason for Main Modification | Implications of Main Modification for the SA findings set out in the May 2014 SA Report |
|--|----------------------------|--|--|---|
| Section 5: General Policies – Environmental Quality | | | | |
| MM.067 | Para. 5.3.40 | <p>Add to end of paragraph:</p> <p><u>In respect of wind energy, National Planning Policy Guidance indicates that in order to gain planning permission suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Therefore, Herefordshire Council will consider whether to identify suitable areas for wind energy through the preparation of the Rural Areas Site Allocation Development Plan Document or other appropriate development plan document. Neighbourhood Development Plans also have the ability to consider identifying suitable sites for wind energy development.</u></p> | To ensure that the Herefordshire Local Plan- Core Strategy is in conformity with up-to date-changes to National Planning Policy. | <p>No change to SA findings – the changes to the supporting text are made to reflect national policy with regards to wind energy and do not affect the SA findings. Should any areas or sites for wind energy be identified through the Rural Areas Site Allocation Development Plan Document and/or Neighbourhood Development Plans, they will be subject to SA and SEA as part of the preparation of those plans.</p> |
| | SD2 | <p>Add to end of policy:</p> <p><u>In the case of energy generation through wind power developments, permission will only be granted for such proposals where:</u></p> <ul style="list-style-type: none"> • <u>the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and</u> • <u>following consultation with local residents, it can be demonstrated that the planning impacts identified can be fully addressed, and therefore the proposal has the backing of the local community.</u> | | <p>No change to SA findings – the changes to the policy are made to reflect national policy with regards to wind energy and do not affect the SA findings. The fact that planning impacts must be addressed before planning permission will be granted for wind energy developments may provide some mitigation for the potential negative impacts of the policy identified in the May 2014 SA Report, including in relation to SA objectives 15: landscape and 20: biodiversity. As the wind energy developments will also need the backing of the local community before permission can be granted, this should help to achieve the minor positive effects already identified in the May 2014 SA Report for SA objective 11 (Provide everyone with the opportunity to live in good quality, affordable</p> |

| Ref No | Policy/ Para/ Figure | Proposed Main Modification | Reason for Main Modification | Implications of Main Modification for the SA findings set out in the May 2014 SA Report |
|--------|----------------------------|----------------------------|------------------------------|---|
| | | | | housing of the right type and tenure, in clear, safe and pleasant local environments). |

Table 3: Assessment of the additional Main Modification and its implications for the HRA findings (as set out in the September 2014 HRA Report)

| Ref No | Policy/ Para/ Figure | Proposed Main Modification | Reason for Main Modification | Do the proposed changes to the policy affect the HRA conclusions? |
|--|----------------------------|--|--|---|
| Section 5: General Policies – Environmental Quality | | | | |
| MM.067 | Para. 5.3.40 | <p>Add to end of paragraph:</p> <p><u>In respect of wind energy, National Planning Policy Guidance indicates that in order to gain planning permission suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Therefore, Herefordshire Council will consider whether to identify suitable areas for wind energy through the preparation of the Rural Areas Site Allocation Development Plan Document or other appropriate development plan document. Neighbourhood Development Plans also have the ability to consider identifying suitable sites for wind energy development.</u></p> | To ensure that the Herefordshire Local Plan- Core Strategy is in conformity with up-to date-changes to National Planning Policy. | <p>No: The changes to the supporting text to this policy do not have any impact on the development likely to result from the policy or the potential for significant effects on European sites. Policies LD2, SS4, SD1 and SD2 itself still provide sufficient mitigation for any potential impacts of renewable energy developments on European sites. Should any areas or sites for wind energy be identified through the Rural Areas Site Allocation Development Plan Document and/or Neighbourhood Development Plans, they will be subject to HRA as part of the preparation of those plans.</p> |
| | SD2 | <p>Add to end of policy:</p> <p><u>In the case of energy generation through wind power developments, permission will only be granted for such proposals where:</u></p> <ul style="list-style-type: none"> • <u>the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and</u> • <u>following consultation with local residents, it can be demonstrated that the planning impacts identified can be fully addressed, and therefore the proposal has the backing of the local community.</u> | | <p>No: The changes to the policy do not have any impact on the development likely to result from the policy or the potential for significant effects on European sites. Policies LD2, SS4, SD1 and SD2 itself still provide sufficient mitigation for any potential impacts of renewable energy developments on European sites.</p> |

