

Habitats Regulations Assessment



Eardisley Group Neighbourhood Area

Addendum

May 2015

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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 Eardisley 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. Also of importance is that planning permission was granted for three development proposals since the Draft Plan was published for comment; these have had an impact on the policies, too.
- 1.2 The purpose of this further HRA Addendum Report is to detail the findings of the screening of proposed changes to Policies H1, H4, H5 and H6 of the Eardisley Group NDP and consider if they significantly affect the conclusions of the earlier HRA Report (October 2014).
- 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. In general, these refinements relate to the composition of certain sentences and phrases, minor points of accuracy in relation to technical information and references to evidence base studies and other documentation.

N.B. The update to Policy H3: Affordable Housing of the Eardisley Group NDP increases the number of units sought on development sites from 3 dwellings to 10 dwellings. However, this amendment merely reflects changes to national planning policy since the Draft Plan was published for comment and it mirrors the equivalent policy in the Local Plan (Core Strategy), which itself has been screened as part of the HRA of the said Main Modifications; this report is clear that the conclusions set out in the 2014 HRA Report are not affected by the said Main Modifications and consequently, it is considered that the re-screening of Policy H3 would be unnecessary.

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 an NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies in the Eardisley Group NDP would be likely to have a significant effect on the River Wye SAC.
- 2.2 The findings of the screening matrix can be found in Appendix 2 of that report.
- 2.3 The screening matrix took the approach of screening each policy and objective individually, which is consistent with current guidance. The results from the HRA Report for the Pre-submission version of the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 On the basis of assumptions and information contained within the Eardisley Group NDP, Herefordshire Local Plan (Core Strategy) and the Pre-submission version of the HRA for the Local Plan (Core Strategy), all of the NDP policies were found to be unlikely to result in significant effects on the River Wye SAC.
- 2.5 In many cases this was 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. In addition, to conserve community facilities and heritage etc, and therefore no significant effect conclusion could be reached. These policies were considered to have the potential to mitigate some of the possible adverse effects arising from elsewhere within the plan.
- 2.6 Policies relating to site allocations and which would result in development were not found to have potentially adverse effects. This conclusion was attributed to the respective locations of the sites i.e. not directly on the river banks or adjacent to a watercourse that feeds into the river, as well as due to the scale of the sites being small (no larger than 15 homes in Eardisley, 9 homes in Winforton and 5 in Whitney on Wye). In addition, the scale of growth

that is required by the Herefordshire Local Plan (Core Strategy) would not be exceeded by the development of these sites and consequently; the effect on the River Wye SAC would be negligible.

- 2.7 It was also concluded that the Eardisley Group NDP will unlikely have any in-combination effects with any plans from neighbouring parishes, as no sites are allocated for development in these.
- 2.8 Therefore, it was concluded that the **Eardisley Group NDP will not have a likely significant effect on the River Wye SAC.**
- 2.9 The proposed amendments to the Draft NDP are screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in October 2014. 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, together with amendments made necessary by both recent planning permissions in Eardisley and Winforton and the proposed Main Modifications to the Local Plan (Core Strategy) following its Examination in Public during February 2015.
- 3.2 No new policies have been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation.
- 3.3 The revised NDP policies were found to be unlikely to result in significant effects on the River Wye SAC, a conclusion of which is based on assumptions and information contained within the Eardisley 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.

4.0 Conclusion

- 4.1 With reference to section 3 above, the modifications to Policies H1, H4, H5 and H6 of the NDP are not considered to affect the findings of the previous HRA report.
- 4.2 Therefore the earlier conclusion that the **Eardisley Group NDP will not have a likely significant effect on the River Wye 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 from May to June 2015. 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

Redrafted Policy	Screening of modified/redrafted NDP objectives, options and policies				
	Likely activities (operations) to result as a consequence of the redrafted objective/option/policy	Likely effect if redrafted objective/option/policy implemented. Could they have LSE on European Sites?	European Sites potentially affected	Mitigation measures to be considered to avoid any impacts	If recommendations are implemented, would it be possible that it would result in no likely significant effect?
Policy H1	<p>Housing development across three settlements in accordance with Policy RA2 of the Core Strategy.</p> <p>Increased vehicular movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Eardisley – minimum of 45 homes</p> <p>Winforton – minimum of 12 homes</p> <p>Whitney on Wye – minimum of 7 homes.</p> <p>The proposed Main Modifications to Policy RA1 of the Local Plan (Core Strategy) have led to an increase in the proportional housing growth target.</p>	River Wye SAC	<p>The policies set out in the Local Plan (Core Strategy), subject the outcome of the Inspector's Report, and elsewhere within the NPD should help to avoid adverse impacts upon the European site.</p> <p>Whilst the Local Plan (Core Strategy) has yet to be adopted and cannot, therefore, be relied upon in too much detail, the implications of the Main Modifications to its policies, for the earlier HRA findings, are set out in an addendum report, prepared in April 2015 and published on the Council's website.</p> <p>This addendum report reveals that none of the changes proposed to the policies through the Main Modifications would affect the conclusions set out in the September 2014 HRA Report. It also makes clear that the roll out of the Nutrient Management Plan (NMP) should avoid adverse effects.</p> <p>Improved water efficiency measures, including metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new development.</p>	<p>No. This policy conforms to Policy RA2 of the Local Plan (Core Strategy), and although it is acknowledged that there will be an increase in the demand for water abstraction and sewage treatment, the latest version of the HRA underlying the Core Strategy (April 2015) confirms that the roll out of Policy RA2 across the rural areas should not lead to adverse effects on the integrity of the River Wye SAC, provided the mitigation measures set out in the NMP are implemented.</p>

Herefordshire Local Plan (Core Strategy) version: Pre-submission Publication (May 2014).

<p>Policy H4</p>	<p>Implementation of planning permission on Land at Barley Close (planning permission already granted for 25 dwellings).</p> <p>Housing development in at least two other locations and in line with policy criteria; site of up to 1.3 ha on Land at the Glebe; site of up to 1 ha at Eardisley Old Sawmills, subject to criteria within Policy MD1 being satisfied.</p> <p>Increased vehicular movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Uncertain as to the impact upon the River Wye SAC, depending upon location of development.</p> <p>The policy does allocate two sites; Land at The Glebe (1.3 ha) and Land at Eardisley Old Sawmills (1 ha).</p>	<p>River Wye SAC</p>	<p>The policies set out in the Local Plan (Core Strategy), subject the outcome of the Inspector's Report, and elsewhere within the NDP should help to avoid adverse impacts upon the European site.</p> <p>The criteria set within the site allocations part of the policy does detail mitigation measures that should be implemented to reduce the risk of flooding and to avoid harm to protected species.</p> <p>Whilst the Local Plan (Core Strategy) has yet to be adopted and cannot, therefore, be relied upon in too much detail, the implications of the Main Modifications to its policies, for the earlier HRA findings, are set out in an addendum report, prepared in April 2015 and published on the Council's website.</p> <p>This addendum report reveals that none of the changes proposed to the policies through the Main Modifications would affect the conclusions set out in the September 2014 HRA Report. It also makes clear that the roll out of the Nutrient Management Plan would help to avoid adverse effects.</p> <p>Improved water efficiency measures, including metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new development.</p>	<p>No. This policy only identifies two relatively small sites for development, as well as providing criteria that other proposals must adhere to.</p> <p>With regard to the additional pressure on water abstraction and treatment, it has been confirmed by DCWW that there are sufficient water resources to meet the increases in demand.</p> <p>In addition, the HRA underlying the Core Strategy (April 2015) infers that the implementation of mitigation measures set out in the NMP would help to avoid adverse effects on the integrity of the River Wye SAC.</p>
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Policy H5	<p>Implementation of planning permission on Land at The Sun Inn (planning permission already granted for 4 dwellings) and Land at Courtlands Farm (planning permission already granted for 7 dwellings).</p> <p>Housing development in line with policy criteria.</p> <p>Increased vehicular movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	Uncertain as to the impact upon the River Wye SAC, depending upon location of development, but sufficient criteria exist within this policy to ensure that there is a reduce risk of any unacceptable adverse impacts.	River Wye SAC	<p>The policies set out in the Local Plan (Core Strategy), subject the outcome of the Inspector's Report, and elsewhere within the NDP should help to avoid adverse impacts upon the European site.</p> <p>Whilst the Local Plan (Core Strategy) has yet to be adopted and cannot, therefore, be relied upon in too much detail, the implications of the Main Modifications to its policies, for the earlier HRA findings, are set out in an addendum report, prepared in April 2015 and published on the Council's website.</p> <p>This addendum report reveals that none of the changes proposed to the policies through the Main Modifications would affect the conclusions set out in the September 2014 HRA Report. It also makes clear that the roll out of the Nutrient Management Plan would help to avoid adverse effects.</p> <p>Improved water efficiency measures, including metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new development.</p>	<p>No. This policy only provides criteria that other proposals must adhere to.</p> <p>With regard to the additional pressure on water abstraction and treatment, it has been confirmed by DCWW that there are sufficient water resources to meet the increases in demand.</p> <p>In addition, the HRA underlying the Core Strategy (April 2015) infers that the implementation of mitigation measures set out in the NMP would help to avoid adverse effects on the integrity of the River Wye SAC.</p>
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Policy H6	<p>Barn conversions and piecemeal housing development away from locations that are liable to flood.</p> <p>Increased vehicular movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	Uncertain as to the impact upon the River Wye SAC, depending upon location of development.	River Wye SAC	<p>The policies set out in the Local Plan (Core Strategy), subject the outcome of the Inspector's Report, and elsewhere within the NDP should help to avoid adverse impacts upon the European site.</p> <p>Whilst the Local Plan (Core Strategy) has yet to be adopted and cannot, therefore, be relied upon in too much detail, the implications of the Main Modifications to its policies, for the earlier HRA findings, are set out in an addendum report, prepared in April 2015 and published on the Council's website.</p> <p>This addendum report reveals that none of the changes proposed to the policies through the Main Modifications would affect the conclusions set out in the September 2014 HRA Report. It also makes clear that the roll out of the Nutrient Management Plan would help to avoid adverse effects.</p> <p>Improved water efficiency measures, including metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new development.</p>	<p>No. This policy does not specifically identify sites for development; it only provides criteria that proposals must adhere to and, in any event, the scale of growth would be minimal relative to the other named settlements.</p> <p>With regard to the additional pressure on water abstraction and treatment, it has been confirmed by DCWW that there are sufficient water resources to meet the increases in demand.</p> <p>In addition, the HRA underlying the Core Strategy (April 2015) infers that the implementation of mitigation measures set out in the NMP would help to avoid adverse effects on the integrity of the River Wye SAC.</p>
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Appendix 2

Consultation date: 07/10/14 – 17/11/15

Consultation title: Regulation 14

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

Consultee	Summary of Comments	Response
Natural England	<p><u>Identification of other plans and projects which may have 'in-combination' effects</u></p> <p>In Section 6, it appears the bases for the conclusion that there will be no likely significant effects in combination with the Core Strategy across Herefordshire, is that in combination effects have been ruled out because the neighbour plan is in line with the Core Strategy. The Core Strategy has not been adopted and therefore can not be used as evidence that there will be no likely significance of effect.</p> <p><u>Conclusions from the Screening Matrix</u></p> <p>This section states that part of the basis for the conclusion of no likely significant effect on the River Wye SAC is Herefordshire Core Strategy (Appendix to within the HRA). As stated earlier, as the Core Strategy is not adopted and may change at examination it can not be relied upon as evidence that there will be no likely significance effect. The NP's HRA may however use the evidence supporting the Core Strategy's HRA to draw conclusions as to whether the policies in the plan will have significant effects on the River Wye SAC.</p> <p>Considering the likely effects of the Plan on the River Wye SAC and the limited development proposed, it is unlikely to significantly affect the site alone. However, this will require confirmation within the revised HRA. Furthermore we advise you to consider the emerging Nutrient Management Plan as this addresses in combination issues at a strategic level.</p>	<p>Noted.</p> <p>The Core Strategy has since been examined and Main Modifications proposed by the Inspector.</p> <p>The implications of these Main Modifications for the earlier HRA findings are set out in an addendum report, prepared in April 2015 and published on the Council's website.</p> <p>This addendum report reveals that none of the changes proposed to the policies through the Main Modifications would affect the conclusions set out in the September 2014 HRA Report.</p>