

Habitats Regulations Assessment



Kingstone & Thruxton Group Neighbourhood Area

Addendum

January 2016

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 amendments through the HRA process to the Kingstone and Thrupton 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 (July 2015).
- 1.3 The majority of refinements are not considered to significantly affect the conclusions of the earlier HRA report as many were points of clarification. One additional policy has been added regarding green infrastructure and some criteria have been added to policies regarding safeguarding of the River Wye SAC. However there were no changes to the overall aims and objectives of the existing planning policies.

2.0 Screening of draft 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 within the Kingstone and Thrupton 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 Appendices 1 and 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 reports for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 None of the Kingstone and Thrupton NDP objectives and policies (July 2015) were concluded to be likely to have a significant effect on the European sites, however two policies were highlighted as having the potential to be strengthened by the inclusion of additional criteria to avoid comprise of the nutrient management plan targets. This conclusion is based on assumptions and information contained within the Kingstone and Thrupton NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).
- 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. Policies were also reflecting existing commitments and therefore no significant effect conclusion could be reached. Two policies have the potential to mitigate some of the possible adverse effects by the inclusion of additional criteria and safeguarding measures contained within other policies.
- 2.6 It is unlikely that the Kingstone and Thrupton Neighbourhood Plan will have any in-combination effects with any Plans from neighbouring parish council due to the level of growth proposed is of the same that is proposed for the Ross Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Kingstone and Thrupton NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC.**
- 2.8 The proposed amendments within the submission NDP have been screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in July 2015. A summary of the main findings is provided below.

3.0 Summary of main findings – modifications to NDP

- 3.1 The Submission NDP (December 2015) incorporates additional policy criteria to add clarity and emphasis throughout the document. Of particular importance is that Policy KTH1, KTH4 and KTE1 which now include specific reference to the necessity to avoid adverse impacts on the European site and ensure that the delivery of the Nutrient Management Plan is not compromised within the text and additional policy criteria relating to biodiversity.
- 3.2 One new policy has been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. This is related to green infrastructure provision. The policy has been screened and concluded to have not adverse impact.
- 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 Kingstone and Thrupton NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).

4.0 Conclusion

- 4.1 With reference to section 3 above, the additional criteria added to a number of policies are not considered to affect the findings of the previous HRA report and strengthen the likelihood of there being no adverse impacts. Moreover, the Local Plan (Core Strategy) is now adopted and will provide further policy safeguards.
- 4.2 Therefore the earlier conclusion that the **Kingstone and Thrupton 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. 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

NDP options/objectives/policies	HRA Screening of NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/policy	Likely effect if objective/policy implemented. Could they have Likely Significant Effects on European Sites?	European Sites potentially affected	Mitigation measures to be considered, as necessary, through redraft of objective/option/policy.	Could the policy have any likely significant effects on European sites (taking mitigation into account)?
Policy KTH1 Housing development buildings and phasing	Additional policy criteria added regard conversions and additional criteria added to ensure that any likely significant effect on the River Wye SAC is avoided or adequately mitigated.	No, this additional criterion has been added in line with comments from Natural England to the previous draft.	River Wye (including the River Lugg) SAC	This additional criteria will seek to avoid any significant effects	No. This policy conforms to Policy RA2 of the Local Plan (Core Strategy), and additional wording has strengthened the policy.
Policy KTH3 Meeting local housing needs and providing a mix of new housing	Criteria has been amended to include reference to 2 bed bungalows	n/a	n/a	n/a	No, this policy would not lead to development itself but guides mix and tenure.
Policy KTH4 Character and distribution of housing in Kingstone	Additional criteria added to ensure that any likely significant effect on the River Wye SAC is avoided or adequately mitigated	n/a	River Wye (including the River Lugg) SAC	This additional criteria will seek to avoid any significant effects	No, policy criteria has been strengthened by the include of reference to the River Wye SAC
Policy KTD3 Green Infrastructure	New policy – Requirement for green infrastructure within development proposals.	n/a	n/a	n/a	No, this policy will not lead to development in itself but outlines the green infrastructure requirements.
Policy KTCF1 Provision of protection of community facilities and services	Change to policy opening regarding active marketing	n/a	n/a	n/a	No, this policy seeks to avoid the change of use of specific community facilities within the settlement boundary
Policy KTE1 Proposals for new employment	Additional criteria added to ensure that any likely significant effect on the River Wye SAC is avoided or adequately mitigated	n/a	River Wye (including the River Lugg) SAC		No. This policy conforms to Policy RA6 and E1 of the Local Plan (Core Strategy), and additional policy criteria has strengthen this with regards to the River Wye SAC

Appendix 2

Consultation date: 7 September to 19 October 2015

Consultation title: Habitat Regulations Kingstone and Thruxton Neighbourhood Plan Regulation 14

*N.B. This consultation feedback is **only** for comments received on the HRA of the draft Neighbourhood Development Plan (July 2015)*

Consultee	Summary of Comments	Response to Comments
Natural England	Agree with the conclusion that subject to policies KTH1 and KTE1 the NDP being strengthened with appropriate safeguarding criteria, it can be concluded that likely significant effects can be avoided on the River Wye SAC.	Noted
English Heritage / Heritage England	Comments received to policy text but not specifically regarding the HRA	
Environment Agency	Comments received to policy text but not specifically regarding the HRA	
Natural Resources Wales	No comments received	