

Habitats Regulations Assessment



Little Dewchurch Neighbourhood Area

Addendum

August 2016

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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 Little Dewchurch 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 (Feb 2016).
- 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. Five policies have been modified, one to include reference to sewerage capacity, one minor increase in housing numbers on the allocation site and three with minor word changes. These were as a result of the representations to the draft consultation on the plan itself rather than the response to the HRA report consultation. However there were no changes to the overall vision 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 Little Dewchurch NDP would be likely to have a significant effect on the River Wye SAC. It should be noted that the River Wye itself is not within the parish but the parish is contained within its hydrological catchment.
- 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 Little Dewchurch NDP objectives and policies (Feb 2016) were concluded to be likely to have a significant effect on the European site, 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 Little Dewchurch 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 and the SAC itself is not within the parish. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 2.6 It is unlikely that the Little Dewchurch 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 Hereford Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Little Dewchurch 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 February 2016. A summary of the main findings is provided below.

3.0 Summary of main findings – modifications to NDP

- 3.1 The Submission NDP (August 2016) incorporates additional policy criteria or wording to add clarity and emphasis throughout the document. Of particular importance is that Policy INF1, which now includes reference to the sewerage network capacity within the village and the potential to phase development. This will provide additional policy safeguards to avoid adverse impacts on the European site and ensure that the delivery of the Nutrient Management Plan is not compromised. The site allocation policy H1 also updated the housing numbers from 16 to 20, however this is not seen as significant as the overall proportional growth figures for the parish remain unchanged.
- 3.2 Modifications made to 3 other policies of the plan are considered to be minor and would not have a significant effect on the results previously assessed. These were points of clarity and minor word changes.
- 3.3 The revised NDP policies are therefore unlikely to result in significant effects on the European site, a conclusion of which is based on assumptions and information contained within the Little Dewchurch 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 **Little Dewchurch 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 and the examination will be subject to further screening, in order to consider their impact on protected sites.

Appendix 1

HRA Report –Little Dewchurch Neighbourhood Plan (August 2016) - HRA Screening of submission Neighbourhood Development Plan modified policies

Date undertaken: **August 2016**

NDP modified policies	HRA Screening of Submission NDP 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 (LSE) 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 ENV1 – Natural and Built Environment	Safeguard local character including local habitats and biodiversity value Modifications have included reference to native trees and hedgerows	This policy is seeking to protect those elements of the natural environment which could have a positive effect on the European site	N/A	N/A	No; this policy is seeking to protect and enhance those features of the natural environment with a specific criteria relating to biodiversity and local habitats.
Policy ENV2 – Local Green Spaces	Protect existing open spaces. Modification has included reference to the improvement of local green spaces	N/A	N/A	N/A	No; this policy is seeking to safeguard four existing open spaces within the village.
Policy H1 – Housing Delivery	Housing delivery and distribution	The River Wye does not flow through the	River Wye (including the	Distribution within the policy highlights	No: this policy will allow for the small scale sustainable

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	<p>within the parish.</p> <p>Factual update to the commitment figures</p>	<p>parish but the Wriggle Brook forms part of the hydrological catchment of the River Wye (including River Lugg) SAC</p>	<p>River Lugg) SAC</p>	<p>the majority of the development should take place within the settlement boundary.</p> <p>The settlement boundary is not within the flood area of the Wriggle Brook, however the area forms part of the River Wye hydrological catchment. However the policy would result in very small scale growth.</p> <p>The implementation of the Core Strategy policies SD3 and SD4 should help to avoid adverse impacts in relation to hydrological regimes at the River Wye. Water quality in the River Wye SAC is also specifically addressed through the Nutrient Management Plan</p>	<p>growth of Little Dewchurch village in line with Core Strategy policy RA1/RA2.</p>
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				produced by Natural England and the Environment Agency.	
Policy H1 – Land to the west of Field Fare	Development for 20 dwellings Modification has increased the numbers of dwellings on the size by 4	Site is outside of the floodplain for the Wriggle Brook Possible increase in vehicles and demand for water abstraction. Welsh Water have indicated that growth can potential be accepted within current flow limits as headroom is available at present.	River Wye (including the River Lugg) SAC	The settlement boundary is not within the flood area of the Wriggle Brook, however the area forms part of the River Wye hydrological catchment. However the policy would result in very small scale growth. Criteria is contained within Policy H2 of the NDP which complement SD3 and SD4 of the Core Strategy. Consultation with Welsh Water has resulted in a phasing policy within the plan regarding the sewerage network capacity	No: this policy will allow for the small scale sustainable growth of Little Dewchurch village in line with Core Strategy policy RA1/RA2.
Policy E1 – Rural	Encouragement of	Employment and	River Wye	The Core Strategy	No: this policy is seeking to

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<p>Employment</p>	<p>small local business start-ups, working from home and farm diversification primarily in conversion, extensions.</p> <p>The modifications has been strengthened by reference to biodiversity and historic, drainage and flooding issues</p>	<p>infrastructure development.</p> <p>Possible vehicular movements and demand for water abstraction and treatment.</p>	<p>(including the River Lugg) SAC</p>	<p>policy LD2 will aim to help avoid any adverse impacts on the River Wye for new employment or businesses uses.</p> <p>Improved water efficiency measures, metering and addressing leakages in the supply may help to mitigate any additional pressures on the water supply as a result of new development.</p> <p>Measures within Core Strategy policy SD1 should help to mitigate potential impacts relating to non-physical disturbances.</p> <p>The implementation of Core Strategy policies SD3 and SD4 should also help to avoid any adverse impacts in relation to the</p>	<p>allow further working for home and small scale businesses. This may have a positive effect on reducing the need to travel.</p> <p>There are policy safeguards within Core Strategy policies that will help mitigate potential likely significant effects.</p>
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HRA Report –Little Dewchurch Neighbourhood Plan (August 2016) - HRA Screening of submission Neighbourhood Development Plan modified policies

				<p>hydrological regimes at the River Wye. Water Quality in the River Wye is also being specifically addressed through the Nutrient Management Plan.</p> <p>This Little Dewchurch NDP policy should help to reducing the extent to which people need to travel to work especially in connection with policies to improve network connections.</p>	
<p>Policy INF1 – Local Infrastructure</p>	<p>This could result in additional masts and transmitter facilities within the parish.</p> <p>Additional section has been added to the policy with reference to the capacity of the sewerage network</p>	<p>Depending on location could be physical disturbance.</p> <p>Uncertain as to the impacts upon the River Wye SAC dependent on the location of development, however the policy could result in some small scale infrastructure.</p>	<p>River Wye (including River Lugg) SAC</p>	<p>The reference to the capacity of the sewerage network and potential phasing for development within the village will have a positive effect on the water quality and discharge into the hydrological catchment of the</p>	<p>No: the policy itself will not lead to development but provided the criteria by which any development proposal will be adjudged.</p> <p>A number of policy safeguards exist both within the Core Strategy and the Little Dewchurch NDP. With the additional wording regarding the sewerage</p>

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	and the potential phasing of development.			River Wye SAC	capacity this has strengthened the safeguards.
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Appendix 2

Consultation date: 28 March – 16 May 2016

Consultation title: Habitat Regulations Little Dewchurch Neighbourhood Plan Regulation 14

*N.B. This consultation feedback is **only** for comments received on the HRA of the draft Neighbourhood Development Plan (May 2016)*

Consultee	Summary of Comments	Response to Comments
Natural England	Agree that the Little Dewchurch NDP is unlikely to have significant effects 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	