

Habitats Regulations Assessment



Staunton on Wye Group Neighbourhood Area

Addendum

February 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 modifications through the HRA process to the Staunton on Wye 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 the two policies which have been added to the Staunton on Wye NDP and consider if they significantly affect the conclusions of the earlier HRA Report (November 2014).
- 1.3 However, these policies are not considered to significantly affect the conclusions of the earlier HRA report, as they merely act upon the recommendations made by Natural England.
- 1.4 Other refinements 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.

2.0 Screening of proposed modifications to the NDP

- 2.1 As required under Regulation 102 of the Habitats Regulations 2010, a Screening Assessment was undertaken to identify the 'likely significant effects' of the NDP. This involved the preparation of a screening matrix, which determined whether any of the policies in the 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 4 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 A number of suggestions were made in respect of certain policies, as it was considered that the policy wording could be strengthened to ensure that any potential effects on the River Wye are taken into account. However, based on assumptions and information contained within the Staunton on Wye NDP, Herefordshire Local (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 policy itself would not result in development, i.e. it 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 other policies.
- 2.6 It was also concluded that the Staunton on Wye NDP will unlikely have any in-combination effects with any plans from neighbouring parishes, as no sites are allocated for development in these.
- 2.7 Therefore, it was concluded that the **Staunton on Wye NDP will not have a likely significant effect on the River Wye SAC.**
- 2.8 The proposed additions to the NDP (post November 2014) are screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in November 2014. A summary of the main findings is provided below.

3.0 Summary of main findings

- 3.1 The Submission NDP includes two new policies in response to suggestions that were made during the Regulation 14 Draft Plan consultation. One of these policies (SOWG1) sets out measures to protect habitats by restricting development to within 100 metres of the River Wye SAC, while the other policy (SOWG2) sets out a range of criteria related to Green Infrastructure, which will help to ensure that the NDP is able to provide the conditions in which relevant parts of Herefordshire Council's Green Infrastructure Strategy can be delivered on the ground. Therefore these policies have enhanced the NDP and so the likelihood of there being no significant effect remains high.
- 3.2 Based on assumptions and information contained within the Staunton on Wye NDP, Herefordshire Local Plan (Core Strategy) and the Pre-submission version of the HRA for the Local Plan (Core Strategy) the new NDP policies were found to be unlikely to result in significant effects on the River Wye SAC.

4.0 Conclusion

- 4.1 With reference to section 3 above, the addition of Policies SOWG1 and SOWG2 to the NDP are not considered to affect the findings of the previous HRA report.
- 4.2 Therefore the earlier conclusion that the **Staunton on Wye 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 February to March 2015. Any further changes to the plan that arise as a result of the consultation will be subject to further screening to consider their significance with regard to HRA.

Appendix 1

Redrafted Policy	HRA Re-Screening Assessment of Emerging redrafted NDP objectives, options and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if 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 SOWG1	Policy to prevent any development taking place within 100 metres of the River Wye SAC	N/A	River Wye (including River Lugg) SAC	N/A	No, as the policy will not lead to new development; rather it aims to ensure that all development proposed will be at least 100 metres distant from the River Wye SAC, thereby preventing any harm to protected species.
Policy SOWG2	Policy to facilitate the delivery of relevant parts of Herefordshire Council's Green Infrastructure Study on the ground.	N/A	River Wye (including River Lugg) SAC	N/A	No, as the policy merely emphasises the importance of having regard to Green Infrastructure in drawing up proposals.

Appendix 2

Consultation date: 07/11/14 – 19/12/14

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 to Comments
Natural England	<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 cannot be used as evidence that there will be no likely significance of effect.</p> <p>This section states that part of the bases 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 cannot 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, providing policy wording is altered to prevent development within 100m of the SAC we agree with the screening statement. 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>	Noted. Additional policies have been added to the NDP.