

Habitats Regulations Assessment



Weston Beggard Neighbourhood Area

Addendum

September 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: Details of the recommended modifications from the Examiners Report

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 Weston Beggard NDP. The NDP has now been through an Independent Examination by Clare Wright and within her report she has recommended a number of minor modifications to ensure the Plan meets the Basic conditions.
- 1.2 Herefordshire Council have accepted these modifications to the Plan, the NDP, therefore, has been updated to reflect the modifications suggested. In the main the changes were minor word alterations to ensure the Policies were in line with the Framework and also to add clarity for the decision makers. These modified policies have now been assessed as part of the HRA and the full results can be viewed in Appendix 1.
- 1.3 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 Reports (November 2015 and March 2016).
- 1.3 The modifications 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.

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 Weston Beggard NDP would be likely to have a significant effect on the River Wye SAC which runs through the neighbourhood area.
- 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 Pre-submission version of the Herefordshire Local Plan (Core Strategy) and the proposed Main Modifications were also taken into consideration.
- 2.4 None of the Weston Beggard NDP objectives and policies (November 2015 and Addendum in March 2016) were concluded to be likely to have a significant effect on the European site. This conclusion is based on assumptions and information contained within the Weston Beggard 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.
- 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. These policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 2.6 It was also concluded that the Weston Beggard 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 previously that the **Weston Beggard NDP will not have a likely significant effect on the River Wye SAC.**
- 2.8 The proposed amendments to the final NDP following the examination are screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in November 2015. A summary of the main findings is provided below. The full findings can be found in Appendix 1 of this report.

3.0 Summary of main findings

- 3.1 The final NDP incorporates the modifications that examiner has recommended within the examiner's report. These changes are to ensure that the Plan meets the Basic Conditions. For full details on the modifications see Appendix 2 of this Addendum.
- 3.2 No new policies have been introduced into the Final NDP following the examination; however there have been some minor word changes for flexibility and unnecessary criterion deleted from policy WB5.
- 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 Weston Beggard 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 change of wording and the deletion of criterion within Policy are not considered to affect the findings of the previous HRA report.
- 4.2 Therefore the earlier conclusion that the **Weston Beggard 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 the final Weston Beggard NDP and the earlier HRA report and Addendum.

Appendix 1

Redrafted Policy	HRA Re-Screening Assessment of Emerging redrafted NDP policies				
	Likely activities (operations) to result as a consequence of the redrafted objective/option/policy	Likely effect if redrafted 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 WB5 – Delivery of Local Infrastructure	Promote sustainable high quality infrastructure for community utilities.	No likely significant effect on the River Wye SAC	River Wye SAC	This addendum report reveals that none of the changes proposed to the policies through the Examiners Modifications would affect the conclusions set out in the previous HRA Reports.	No. This policy will not lead to development; rather it aims to ensure that new infrastructure coming forward under the other NDP policies contributes to sustainable development across the county. The examiner's recommendations included addition wording to help provide a framework sustainable development. This will also better reflect the NPPF and the Core Strategy.

Appendix 2

HRA Table of Examiner's recommended modifications

Policy	Modification recommended	Justification
<p>Recommended Modification 1</p>	<p>Minor amendment suggested to change the plan period from 2011-2031, to 2016-2031.</p>	<p>Clarification, examiner has suggested it is confusing to have a retrospective plan period.</p> <p>However it should be noted that the housing requirement figures are calculated on 2011-2031 to be in conformity with the Core Strategy.</p>
<p>Recommended Modification 2</p>	<p>The last paragraph of this policy is overly restrictive, as it does not allow for any test on the impact of commercially led renewable energy scheme on the local environment. In order to meet the basic conditions, having regard to the National Planning Policy Framework Paragraph 10. Meeting the challenge of climate change, flooding and coastal change it will be necessary to reword the final paragraph as follows:</p> <p><i>This Plan will support the inclusion of low carbon renewable energy initiatives including solar, heat pumps and waterpower within individual proposals or to sensitively sited community renewable energy schemes, which directly benefit the community. Proposals for commercially led renewable energy schemes will not be supported within the parish unless it can be demonstrated that the proposal will not have a detrimental impact on the local environment through the submission of information appropriate to the scale of development relating to the impact of the proposal on;</i></p> <ul style="list-style-type: none"> • <i>Landscape appearance and character</i> • <i>Traffic and transport</i> • <i>Wildlife and ecology</i> • <i>Residential amenity</i> • <i>Flood Risk</i> 	<p>Ensure this policy has regard national policy providing a practical framework to provide sustainable development</p> <p>Strengthen and clarification of policy</p> <p>Ensure the policy has a better reflection of relevant legislation in the NPPF and Core Strategy.</p>