

Habitats Regulations Assessment



Brimfield & Little Hereford Group Neighbourhood Area

Addendum

August 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 Brimfield and Little Hereford NDP; the NDP was refined by the NDP steering group to reflect feedback from consultation on the Draft Plan and the associated Environmental and Habitat Regulations Assessment (HRA) Reports, as well as the proposed Main Modifications to the Local Plan (Core Strategy), 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 BLH2 and BLH3 of the Brimfield and Little Hereford NDP and consider if they significantly affect the conclusions of the earlier HRA Report (November 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.

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 Brimfield and Little Hereford 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 Brimfield and Little Hereford 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 Downton Gorge 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 For those policies concerning site allocations or that would result in development, it was concluded that there would not be an appreciable effect on the Downton Gorge SAC. This was largely attributed to the location of the site allocations and the level of growth proposed would not exceed the proportional growth targets outlined in the Local Plan (Core Strategy).
- 2.7 It was also concluded that the Brimfield and Little Hereford 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 **Brimfield and Little Hereford NDP will not have a likely significant effect on Downton Gorge 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 November 2014 and the main findings of this assessment are summarised 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 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, although one policy (BLH3) has been split into two separate policies for the sake of clarity. However, these policies largely continue the thread of the previous Draft Plan and so it was not considered necessary to screen these.

3.3 Policy BLH2 includes a new proportional housing growth target and this is higher than previously envisaged. Accordingly, the policy was screened to determine its impact on the previous HRA conclusions.

3.3 The revisions to Policy BLH2 were found to be unlikely to result in significant effects on Downton Gorge SAC, a conclusion of which is based on assumptions and information contained within the Brimfield and Little Hereford 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 Policy BLH2 of the NDP are not considered to affect the findings of the previous HRA report.

4.2 Therefore the earlier conclusion that the **Brimfield and Little Hereford NDP will not have a likely significant effect on Downton Gorge 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 August to September 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 BLH2	<p>Housing development in Brimfield 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>Provision of 58 dwellings throughout the parish, including 20 dwellings on one site that has been allocated for housing, infill development and other small development opportunities.</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>	Downton Gorge 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>

Appendix 2

Consultation date: 15/12/14 – 09/02/15

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	We have reviewed the Habitats Regulation Brimfield and Little Hereford HRA November 2014, and concur with its conclusion namely that 8.5 It is therefore concluded that the Brimfield and Little Hereford Plan will not have a likely significant effect on the Downton Gorge SAC. (Other sites having been ruled out at initial screening stage).	Noted.