

Habitats Regulations Assessment



Eardisland Neighbourhood Area

Addendum

March 2016

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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 amendments through the HRA process to the Eardisland 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 (November 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. However there were no changes to the overall aims and direction 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 Eardisland 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 Eardisland NDP objectives and policies (November 2015) were concluded to be likely to have a significant effect on the European sites. This conclusion is based on assumptions and information contained within the Eardisland NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).
- 2.5 Due to recognised flooding and environmental constraints, the NDP proposed criteria based policies for future housing, in order to facilitate some element of proportional growth envisaged by Policy RA2 of the Local Plan 9(Core Strategy). Therefore there are no site allocations within the NDP. The water cycle study highlights that most of the River Wye catchment is in a moderate ecological status. The River Arrow runs through the parish and is part of the hydrological catchment of the River Wye. Therefore, the parish falls within the Upper River Wye catchment area. The River Wye downstream of the confluence with the River Lugg is currently exceeding the phosphate target. The WCS also identifies that the Eardisland Group as one of the highest areas at risk of fluvial flooding in the Upper Wye sub-catchment. The Upper Wye catchment is a part of a large, linear ecosystem which acts as an important wildlife corridor, an essential migration route, and breeding area for many nationally and internationally important species.
- 2.6 It is unlikely that the Eardisland Neighbourhood Plan will have any in-combination effects with any Plans from neighbouring parish council due to the level of growth proposed overall is of the same that is proposed for the Leominster Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Eardisland 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 November 2015. A summary of the main findings is provided below.

3.0 Summary of main findings – modifications to NDP

- 3.1 The Submission NDP (March 2016) incorporates a number of minor wording updates and points of clarification. However, none of the policies changes their direction of travel or made changes which would be likely to significantly affect the outcomes of the previous assessment.
- 3.2 Two objectives and two policies received minor wording updates which were not of a nature to require any rescreening to be undertaken. However, rescreening has been undertaken on nine policies in total despite as these changes had added additional criteria to wider points of clarification to the policy text.
- 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 Eardisland 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 and rewording 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 **Eardisland 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 objectives and policies	HRA Screening of submission 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 (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 likely significant effects on European sites (taking mitigation into account?)
Policy E1 – General development principles	<p>This policy will not lead directly to development but highlights the criteria by which any proposals will need to meet.</p> <p>Minor amends have been made to clarify the use of water and drainage systems, cumulative effects and location of development in /adjacent to the settlement boundary</p>	<p>A criteria is included which specifically includes the avoidance or mitigation of any likely significant effects on the River Wye SAC</p>	n/a	<p>Safeguarding criteria is already included within the policy</p>	<p>No, safeguarding is included within the policy criteria</p>
Policy E2 – Protecting heritage assets	<p>This policy will not lead to development but contains safeguarding criteria to protect heritage assets.</p> <p>Minor word changes have been added to clarify the policy in terms of setting of heritage</p>	<p>None, this policy outlines the design criteria with regards to the historic environment</p>	n/a	<p>Safeguarding criteria exist within other development principle policies of the NDP</p>	<p>No, this policy would not directly lead to development</p>

	assets, views and design standards				
Policy E3 – Landscape character	<p>This policy would not lead to development directly but highlight criteria to protect landscape character and features.</p> <p>Additional wording has been added to include 'restoring and enhancing' features.</p>	None, this policy outlines the design criteria with regards to the landscape character and features	n/a	Safeguarding criteria exist within other development principle policies of the NDP	No, this policy would not directly lead to development
Policy E4 – Protection and enhancement of features of ecological value	<p>This policy seeks to protect and enhance ecological features.</p> <p>Additional ecological features have been added to the policy, plus the creation of new wildlife and ecological features</p>	None, the policy is seeking to safeguard watercourse and ecological features within developments. However additional reference to the hydrological catchment of the River Wye SAC would be beneficial.	River Wye (including the River Lugg) SAC	Particular reference could be made to the River Wye SAC within the policy to add additional safeguard.	No, the policy is aiming to protect and enhance ecological features.
Policy E6 – Dark skies	<p>This policy is seeking to reduce light within the night sky and therefore will not affect the River Wye SAC</p> <p>Reference to historic buildings has been added and need for lighting assessment</p>	n/a	n/a	n/a	No, this policy is concerning lighting of development

Policy E7 – Protection of local community facilities	<p>This policy is relating to the protection of existing facilities and their potential change of use</p> <p>Policy now include a list of features previously within appendix 2</p>	<p>This would be dependent on the alternative use. However, additional policy criteria exists within the Core Strategy and NDP</p>	River Wye (including the River Lugg) SAC	<p>Safeguarding criteria exist within other development principle policies of the NDP</p>	<p>No, safeguarding criteria exists within the development principles policy of the NDP</p>
Policy E9 – Scale and type of new residential development	<p>This policy provides criteria for all new housing development</p> <p>Reference is now made to the preference for 4 to 5 dwellings per site and additional criteria regarding residential harm</p>	<p>None, the policy criteria specifically references the avoidance of any significant effects on the River Wye SAC</p>	River Wye (including the River Lugg) SAC	<p>Safeguarding criteria is already included within the policy</p>	<p>No, safeguarding is included within the policy criteria</p>
Policy E10 – Ensuring an appropriate range of tenure, types and sizes of houses	<p>This policy encourages a range and mix of dwellings on any sites</p> <p>Clarity added with regards to affordable housing</p>	<p>None, this policy would not lead to development but provides criteria regarding the size of properties.</p>	River Wye (including the River Lugg) SAC	<p>Safeguarding criteria exist within other development principle policies of the NDP</p>	<p>No, safeguarding criteria exists within the development principles policy of the NDP</p>
Policy E15 – Supporting existing local employment	<p>This policy is regarding the expansion of existing employment business.</p> <p>Clarity added regarding the loss of existing employment and the terms of active</p>	<p>Uncertain as at this stage as the location of any development is not known. Although safeguards exist in other policies, additional reference to the hydrological catchment of the River Wye SAC would</p>	River Wye (including the River Lugg) SAC	<p>Particular reference could be made to the River Wye SAC within the policy to add additional safeguard.</p>	<p>No, if additional criteria is included within the policy</p>

	monitoring	be beneficial			
Policy E16 – New local employment opportunities	<p>This policy provides criteria for future new employment development.</p> <p>Rewording to bring into line with Core Strategy policies.</p>	<p>Uncertain as at this stage as the location of any development is not known. Although safeguards exist in other policies, additional reference to the hydrological catchment of the River Wye SAC would be beneficial</p>	River Wye (including the River Lugg) SAC	<p>Particular reference could be made to the River Wye SAC within the policy to add additional safeguard.</p>	<p>No, if additional criteria is included within the policy</p>

Appendix 2

Consultation date: 3 December 2015 to 20 January 2016

Consultation title: Habitat Regulations Eardisland Neighbourhood Plan Regulation 14

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

Consultee	Summary of Comments	Response to Comments
Natural England	No comments received	n/a
English Heritage / Heritage England	No comments received	n/a
Environment Agency	No comments received	n/a
Natural Resources Wales	No comments received	n/a