

# Habitats Regulations Assessment

Addendum Report for:

**Yarkhill Neighbourhood Area**

**December 2017**



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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 Yarkhill 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 (August 2017).
- 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. Policies that have significantly changed were Y1, Y2 and Y4 these have been rescreened and can be found in Appendix 1.

## 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 a NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies and site allocations in the Yarkhill 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, objective and site allocation individually, which is consistent with current guidance. The results from the HRA reports for the adopted version of the Herefordshire Local Plan (Core Strategy) and the proposed main modifications were also taken into consideration.
- 2.4 None of the Yarkhill NDP objectives and policies (August 2017) 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 Yarkhill 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, and therefore no significant effect conclusion could be reached. 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 Yarkhill NDP will unlikely have any in-combination effect with any plans from neighbouring parishes, as no sites are currently allocated for development in these.

- 2.7 Therefore it was concluded that the **Yarkhill NDP will not have a likely significant effect on the River Wye SAC**.
- 2.8 The proposed amendments to the Draft NDP have been minor wording changes to several policies in the plan. The major change in the plan was the removal of sites 3 and 4, this has effected policy Y1 and Y2 and have been rescreened at regulation 16 stage. Additional criteria for policy Y4 has been added, this added in further safeguards for natural and built environment. Overall there were no significant effects found through the rescreening. Therefore conclusion is the same as the findings of the previous HRA Report, prepared in August 2017. A summary of the main findings is provided 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. There have been some additions to the criteria in some of the policies which are strengthening up the protection of the area, prevention of flooding, water quality measures added and generally a reduction of adverse impact upon the River Wye (including the Lugg) SAC.
- 3.2 Three policies has been changed in the submission NDP following the Regulation 14 Draft Plan consultation. Changes to Y1 and Y2 has removed sites 3 and 4 in Monkhide this has helped The Neighbourhood plan be in conformity with the Core Strategy. Further safeguarding criteria has been added to policy Y4 this helps the policy move closer to the baseline objective. The policies have been amended in response to comments and to provide clarity and criteria to ensure development takes into consideration scale of development in relation to its surroundings.
- 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 Yarkhill NDP, the adopted 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 modifications. This is published on the Council's website.

### 4.0 Conclusion

- 4.1 With reference to section 3 above, the additional criteria added to policies Y1, Y2 and Y4 added further safeguarding to the natural and built environment. Therefore are not considered to affect the findings of the previous HRA report. On the contrary; they strengthen the likelihood of there being no adverse impacts.
- 4.2 Therefore the earlier conclusion that the **Yarkhill 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

HRA Screening of Significant Changes (Objectives, Options and Policies) following Draft Plan (reg 14) Consultation

Parish Council Name: Yarkhill

NDP Title: Yarkhill Neighbourhood Plan

Date undertaken: December 2017

NDP objectives, options and policies significantly changed following Draft Plan Consultation	HRA Screening of significant changes (objectives, options and policies) following Draft Plan Consultation				
	Likely activities (operations) to result as a consequence of the significant change to the objective, option or policy	Likely effect if changed objective, option or policy is implemented. Could it have LSE on any European Site? (Yes/No, with reasons)	European Sites potentially affected  (Refer to Initial Screening)	Potential mitigation measures to be considered through redraft of changed objective, option or policy and as necessary, to be considered as part of Appropriate Assessment of these changes	If recommendations are implemented, would it be possible that the changes would result in no likely significant effect?  (Yes/No, with reasons)
Policy Y1	<p>New housing allocated in selected sites 1 and 2.</p> <p>Increase in water consumption.</p> <p>Non-physical disturbance during construction phase.</p> <p>Physical damage of disturbance on a localised scale.</p>	<p>Small scale housing development.</p> <p>Housing, infrastructure development Possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment.</p> <p>Physical damage of disturbance on a localised scale.</p> <p>Non-physical disturbance such as noise.</p>	River Wye (including the Lugg SAC). The River Wye is 5.4km away from the parish.	Changes to this policy helps Monkhide and Newtown contain development and control growth in a sustainable way. Adverse effects will be mitigated by NDP policies	<p>No. The scale and extent of such development is unlikely to be significant, as the development is contained in a sustainable approach. Allocations help give greater certainty.</p> <p>Changes to this policy provide further clarity and flexibility. The removal of sites 3 and 4 in Monkhide help the NDP confirm to the Core Strategy RA2 to RA3.</p>

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Policy Y2	<p>New housing development within the designation settlement boundaries of Newton and Monkhide.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Depending on type, location of infrastructure.</p> <p>Physical damage of disturbance.</p> <p>Non-physical disturbance such as noise.</p>	River Wye (including the Lugg SAC). The River Wye is 5.4km away from the parish.	<p>Measures included within policy SD2 of the Core Strategy should help to mitigate potential impacts relating to non-physical disturbances.</p> <p>Good practice construction techniques include noise suppression measures; hours of operation may help to mitigate potential adverse effects during construction.</p>	<p>No. The scale and extent of such development is unlikely to be significant, as the development is contained in a sustainable approach in accordance with policies SS1 and RA2 of the Core Strategy.</p> <p>Changes to this policy provide further clarity and flexibility. The removal of sites 3 and 4 in Monkhide help the NDP confirm to the Core Strategy RA2 to RA3.</p>
Policy Y4	<p>Sustainable re use of agricultural buildings.</p> <p>Sustainable development encouraged within the identified settlements.</p> <p>Minimal increase demand for water abstraction and sewage treatment</p> <p>Sustainable housing growth</p>	<p>Minimal increase of vehicular movement and demand for water abstraction and treatment.</p> <p>Physical damage of disturbance on a localised scale.</p> <p>Non-physical disturbance such as noise.</p> <p>Depending on location could be physical disturbance.</p>	River Wye (including the Lugg SAC). The River Wye is 5.4km away from the parish.	<p>Measures within Core Strategy policy SD1 should help to mitigate potential impacts relating to non-physical disturbances.</p> <p>Further safeguards within this policy have been added to ensure species are protected in the parish area.</p>	<p>No. The scale and extent of conversion of agricultural building is likely to be minimal, therefore is unlikely to have a significant impact on the SAC .</p> <p>There are sufficient policy safeguards within the Core Strategy and Yarkhill NDP to safeguard and where necessary mitigate detrimental impact caused from development towards the SAC.</p> <p>Changes to this policy adds further protection to natural and built environment.</p>

# Appendix 2

## **HRA Consultation Feedback**

This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan

**Parish Council Name:** Yarkhill Parish Council

**Neighbourhood Development Plan Name:** Yarkhill Neighbourhood Plan

**Details of consultation:** Regulation 14

**Consultation date:** 21 July to 22 September 2017

**Consultation title:** Reg 14

### **Natural England 22.09.17**

Having reviewed the Habitats Regulations Assessment (HRA) Report and subject to policies in adopted Herefordshire Local Plan Core Strategy we agree with the conclusion in section 8.6 that the Yarkhill Neighbourhood Development Plan (NDP) is unlikely to have significant effects on the designated European Sites and further Habitats Regulations Assessment will not be required.

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