

Habitats Regulations Assessment

Addendum Report for:

Yarkhill Neighbourhood Area

June 2018



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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 has now been through an Independent Examination by Barbara Maksymiwiw 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 (August 2017 and December 2017).
- 1.4 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 and site allocations in the Yarkhill 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, 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 17 and addendum in December 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.
- 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 safeguard historic environment. These policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 2.6 There are no site allocations within this plan and most of the development will be within the Monkhide and Newtown settlement boundaries. Therefore it is unlikely that the SAC would be significantly effected given that none of the settlement boundaries are in close proximity of the European sites. Mitigation and safeguarding measures are included within the criteria of Yarkhill.
- 2.7 It was also concluded that the Yarkhill NDP will unlikely have any in-combination effects with any plans from neighbouring parishes.
- 2.8 Therefore it was concluded previously that the **Yarkhill NDP will not have a likely significant effect on the River Wye SAC.**

- 2.9 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 June 2018. 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 and repeated or unnecessary criterion deleted from some of the policies. Policy Y6 has been rescreened as it was too generic, criteria was added to make it more specific.
- 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 Herefordshire Local Plan (Core Strategy) and the adopted version of the HRA for the Local Plan (Core Strategy).

4.0 Conclusion

- 4.1 With reference to section 3 above, the change of wording added to the Y6 policy has been rescreened this have improved certainty in many places providing a more positive effect on the HRA SAC. The deletion of criterion within Policies is not considered to affect the findings of the previous HRA report. Policy Y2 has been deleted, Policies Y3,Y4, Y5, Y9, Y11, Y12 and Y13 have had minor deletions and minor wording amendments but changes were not significant enough to require rescreening.
- 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 the final Yarkhill NDP and the earlier HRA report and Addendum.

Appendix 1

HRA Re-Screening of Significant Changes (Objectives, Options and Policies) following Draft Plan Consultation and Examination

Parish Council Name: Yarkhill Parish Council

NDP Title: Yarkhill NDP

Date undertaken: June 2018

NDP Redrafted objectives, options, policies, sites following significant changes HRA Screening	HRA Re-Screening Assessment of significant changes (objectives, options and policies) following Draft Plan Consultation				
	Likely activities (operations) to result as a consequence of the redrafted objective, option or policy	Likely effect if redrafted objective, option or policy implemented. Could they have LSE on European Sites? (Yes/No, with reasons)	European Sites potentially affected (Refer to Initial Screening)	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 Y6	Promotes measures to support productive and efficient farming and small businesses. Car parking and vehicular usage Water abstraction and usage Local business growth	Due to the scale of potential development it is unlikely to have a significant effect on the River Wye SAC.	River Wye (including the River Lugg) SAC	The implementation of the Nutrient Management Plan will specifically address issues relating to water quality in the River Wye.	This objective is unlikely to have an effect on the River Wye SAC. Changes made to the policy from the examiner clarify and ensures that this policy is not too generic.

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Appendix 2

Modifications following Examination Yarkhill

Policy	Modification recommended	Justification
Recommended Modification 1 BCS and CS	Add the relevant date of production to the basic conditions statement and Consultation Statement.	Interests of accuracy and clarity
Recommended Modification 2 Maps	Delete Map 1 and replace with Yarkhill Neighbourhood Area Map. Consider adding a composite Proposals Map to the NDP.	For clarity
Recommended Modification 3 Information section	Insert "(Herefordshire LPCS" before "(Fig 4.14)" and "Herefordshire 15. LPCS" before "Fig 4.15" in paragraph 3.8	For clarity and accuracy.
Recommended Modification 4 Map 4	Change title of Map 4 on page 21 to "Map 4: Settlement Boundaries and Housing Allocations". Add "Housing" before "Site Allocation" in the key	For clarity and accuracy.
Recommended Modification 5 Policy Y2 and Y3	Delete "Policy Y2" at the end of paragraph 6.24 and substitute "Maps 7 and 8". Change title of plan on page 31 to "Policy Y3 Settlement Boundaries". Renumber Policy Y3 as Y2 and renumber all subsequent policies accordingly	Clarification of text and removal of superfluous text. Interests of consistency and accuracy.
Recommended Modification 6 Policy Y3	Delete clause 11 of Policy Y3	Clarification of text and removal of superfluous text.
Recommended Modification 7 Policy Y4	Add "rural locations" after "hamlets in" in the fourth paragraph of Policy Y4	Strengthen and clarification of policy. Interests of consistency and accuracy.
Recommended modification 8 Para 7.2	Change "reminder" to "remainder" in line 5 of para 7.2	Interests of accuracy.
Recommended modification 9 Policy Y5	Recommendation: Add a new Map 9 between pages 38 and 39 to show the four locations at Acorn Park, Newtown Cross, Baddy Marsh Farm and Whitwick Manor, using a symbol notation • Add "as shown in Map 9" after "Whitwick Manor" in the first paragraph of Policy Y5 Recommendation: Add "where appropriate" after "communications networks" in the last line of Policy Y5.	For clarity, consistency and accuracy. Provide more information about the areas identified in policy Y5.
Recommended modification 10 Policy Y6	Add "appropriate to the scale and type of business use" after "car parking" in the last paragraph of policy Y6	For the interests of clarity, ensuring the policy is not too generic.
Recommended modification 11	Change title of Policy Y9 to "Water Supply and Sewerage". Delete full stop after "water	For clarity, consistency and accuracy.

Modifications following Examination Yarkhill

Policy Y9	resources” and change “And” to “and” in third line of first paragraph of Policy Y9	
Recommended modification 12 Para 8.18	Add “and” between “control” and “means” in line 4 of para 8.18	For clarity, consistency and accuracy.
Recommended modification 13 Policy Y11	Add “educational” after “health” in the second line and add “health” after “community” in the second last line of Policy Y11.	Interests of accuracy and clarity.
Recommended modification 14 Policy Y12	Delete “special” from the second line of Policy Y12	Interests of accuracy and clarity. To align closer with strategic guidance.
Recommended modification 15 Policy Y13	In second paragraph of Policy Y13 insert “potential impacts in terms of” after “consideration to”. In fourth paragraph, delete “in the short term” in the last line. In the sixth paragraph, delete “the siting of” and start the paragraph at “Poly-tunnels, agricultural units...”.	For clarity, consistency and accuracy. Avoid repetition.
Recommended modification 16 Appendix IV	Steering Group to consider deleting Appendix IV from the final version of the NDP and adding a reference to the October Steering Group Meeting to Appendix II	Interests of accuracy, completeness and clarity.

Appendix 3

Appendix 3: HRA Consultation Feedback reg 16

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 16*

Consultation date: 5 January to 16 February 2018

Consultation title: Regulation 16 Consultation

No comments have been made regarding the reg 16 HRA assessments.