

# Habitats Regulations Assessment



## Bartestree and Lugwardine Neighbourhood Area

Addendum

March 2016

# **Bartestree with Lugwardine HRA Addendum Report**

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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 Bartestree with Lugwardine 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 BL6, and BL13 of the Bartestree with Lugwardine NDP and consider if they significantly affect the conclusions of the earlier HRA Report (November 15). BL6 added in criteria small-scale commercial business use to the redundant rural policies. BL13 added design criteria and cycle ways, street lighting/ Section 106/CIL. Reference about the travellers sites has been removed.
- 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. Policy BL3, BL4, BL8 and BL9 had additional phrases added but did not change the policy significantly for it to be reassessed.

## **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 Bartestree with Lugwardine Plan would 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 adopted Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 On the basis of assumptions and information contained within the Bartestree with Lugwardine NDP, Herefordshire Local Plan (Core Strategy) and 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 River Wye SAC.
- 2.5 In most cases this was because the policies themselves would not result in development, i.e. they related instead to criteria for development. In many cases the policies clarified policies and included measures to help support the natural environment and historic environment including the term 'heritage assets to policy BL8. Policy BL6 added criteria for added in

criteria small-scale commercial business use to the redundant rural policies, this has been rescreened and concluded that no significant impact on the SEA due to the small scale of potential development any potential impact can be mitigated by policies within the Core Strategy. BL13 added design criteria and cycle ways, street lighting/ Section 106/CIL adding further certainty and guidance to the policy. This has been rescreened and no significant effects towards the SAC have been found.

2.6 BL4 policies relate to the two settlement boundaries for the settlement of Bartestree and the settlement of Lugwardine which indicates development to be developed within the settlement boundary. The rest of the 12 policies plan are mostly criteria based, and does not allocate sites as recent housing developments have provided housing close to the housing target. The remaining 12 mostly criteria based policies would not have an effect on the River Wye SAC.

2.7 It was also concluded that the Bartestree with Lugwardine 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 **Bartestree with Lugwardine NDP will not have a likely significant effect on the River Wye 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 2015. 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, together with amendments made necessary by both recent planning permissions in Bartestree with Lugwardine.

3.2 The revised NDP policies were found to be unlikely to result in significant effects on the River Wye SAC, a conclusion of which is based on assumptions and information contained within the Bartestree with Lugwardine NDP, and the adopted Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy), updated in October 2015 and published on the Council's website.

### **4.0 Conclusion**

4.1 With reference to section 3 above, the modifications the policies of the submission version of the Bartestree with Lugwardine NDP are not considered to affect the findings of the first HRA report.

An addendum report in a positive way as in many cases policies have been strengthened by the addition of design criteria and safeguarding of heritage assets.

- 4.2 Therefore the earlier conclusion that the **Bartestree with Lugwardine 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 from March to April 2016. Any further changes to the plan that arise as a result of the consultation will be subject to further screening to consider their significance with regard to HRA.

# Appendix 1

Table 2: HRA Re-Screening of Emerging Redrafted Neighbourhood Development Plan Objectives, Options and Policies

Parish Council Name: Bartestree with Lugwardine

NDP Title: Bartestree with Lugwardine Neighbourhood Plan

Date undertaken: 23 November 2015 until 18 January 2016.

NDP Redrafted objectives/options/policies	HRA Re-Screening Assessment of Emerging 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? (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? (Yes/No with reasons)
<i>Policy BL6</i>	Residential development in redundant rural buildings  Increase in vehicle traffic  Small scale increase in water abstraction  Small scale commercial business use development in redundant rural buildings	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	This policy deals with rural development and accords with Core Strategy Policy RA5 Re-use of rural buildings.	No. Due to the scale and nature of development this policy is unlikely to produce an adverse impact upon the European site.

<p><i>Policy BL13</i></p>	<p>Design and layout of new roads accord with manual for streets</p> <p>Promotion of cycleway and footway development</p>	<p>Unlikely that there will be any significant effects on the European Site.</p>	<p>River Wye (including River Lugg) SAC</p>	<p>This policy will help to mitigate traffic and vehicular effects of new development within Bartestree and Lugwardine.</p>	<p>No, this policy will not directly lead to development, it provide criteria for development proposals. This policy is unlikely to produce an adverse impact upon the European site.</p>
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# Appendix 2

## Template 2: HRA Consultation Feedback

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

**Parish Council Name:** Bartestree with Lugwardine

**Neighbourhood Development Plan Name:** Bartestree with Lugwardine Neighbourhood Plan

**Details of consultation:** *this could include how the consultation was advertised and what information was provided*

**Consultation date:** 23 November 2015 until 18 January 2016.

**Consultation title:** Bartestree with Lugwardine Reg14 consultation

Response Date	Consultee	Summary of Comments	Response to Comments
18 <sup>th</sup> January 2016	Natural England	<b>Habitat Regulations Assessment (Nov 2015)</b> Natural England has no general comments in respect of the above documents. Natural England agrees with the conclusions of the Habitat Regulations Assessment for Bartestree with Lugwardine.	Comments noted

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