

# Habitats Regulations Assessment



## Callow & Haywood Group Neighbourhood Area

Addendum

February 2015

## **Contents**

1.0	Introduction	1
2.0	Screening of proposed modifications to the NDP	1
3.0	Summary of main findings	1
4.0	Conclusion	2
5.0	Next steps	2

Appendix 1: Revised screening of policy matrix

Appendix 2: Feedback on Habitat Regulation Assessment (HRA) Report consultation

## 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 modifications through the HRA process to the Callow and Haywood 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 the proposed changes to Policies CH1, CH4, CH5, CH7 and CH8 of the Callow and Haywood NDP and consider if they significantly affect the conclusions of the earlier HRA Report (November 2014).
- 1.3 However, 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 As required under Regulation 102 of the Habitats Regulations 2010, a Screening Assessment was undertaken to identify the 'likely significant effects' of the NDP. This involved the preparation of a screening matrix, which determined whether any of the policies in the 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 A number of suggestions were made in respect of five policies, as it was considered that the policy wording could be strengthened to ensure that any potential effects on the River Wye are taken into account. However, based on assumptions and information contained within the Callow and Haywood NDP, Herefordshire Local (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 River Wye SAC.
- 2.5 In many cases this was because the policy itself would not result in development, i.e. it 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 other policies.
- 2.6 It was also concluded that the Callow and Haywood NDP will unlikely have any in-combination effects with any plans from neighbouring parishes, as no sites are allocated for development in these.
- 2.7 Therefore, it was concluded that the **Callow and Haywood NDP will not have a likely significant effect on the River Wye SAC.**
- 2.8 The proposed amendments to the NDP (post November 2014) are screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in November 2014. A summary of the main findings is provided below.

### 3.0 Summary of main findings

- 3.1 The Submission NDP incorporates the changes that were suggested in the earlier HRA Report and during the Regulation 14 Draft Plan consultation, by making specific reference to the River Wye SAC within certain policies. Therefore these policies have been strengthened and so the likelihood of there being no significant effect remains high.
- 3.2 Based on assumptions and information contained within the Callow and Haywood NDP, Herefordshire Local Plan (Core Strategy) and the Pre-submission version of the HRA for the Local Plan (Core Strategy) the revised NDP policies were found to be unlikely to result in significant effects on the River Wye SAC.

### 4.0 Conclusion

- 4.1 With reference to section 3 above, the modifications to Policies CH1, CH4, CH5, CH7 and CH8 of the NDP are not considered to affect the findings of the previous HRA report.
- 4.2 Therefore the earlier conclusion that the **Callow and Haywood 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 February to March 2015. 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.

HRA Re-Screening Assessment of Emerging redrafted NDP objectives, options and policies					
Redrafted Policy	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 CH1	Seeks to ensure all development protects landscape, heritage, and the environment.	N/A	N/A	N/A	No, as the policy will not lead to new development; rather it aims to ensure that all development proposed will conserve or enhance Callow and Haywood's landscape, environment and habitats. Specific reference has been made to the River Wye SAC within criterion 5 of the policy.
Policy CH4	Policy identifies a range of sensitive landscapes in which development proposals would be required to provide a greater level of impact analysis.	N/A	River Wye (including River Lugg) SAC	N/A	No, as the policy merely emphasises the importance of avoiding urban sprawl and enhancing landscapes which have been identified as being sensitive. Specific reference has been made to the River Wye SAC within para 2 of the policy.

Policy CH5	Policy encourages the provision and development of small local business start-ups and farm diversification primarily in conversion, extensions.	Employment and infrastructure development.  Possible vehicular movements and demand for water abstraction and treatment.	Rive Wye (including the River Lugg) SAC	<p>This policy should help to reduce the extent to which people need to travel to work especially in connection with policies to improve network connections.</p> <p>Policy LD2 of the Local Plan (Core Strategy) will aim to help avoid any adverse impacts on the River Wye for new employment or businesses uses.</p> <p>Improved water efficiency measures, metering and addressing leakages in the supply may help to mitigate any additional pressures on the water supply as a result of new development.</p> <p>Measures within Policy SD1 of the Local Plan (Core Strategy) should help to mitigate potential impacts relating to non-physical disturbances.</p> <p>The implementation of Policies SD3 and SD4 within the Local Plan (Core Strategy) should also help to avoid any adverse impacts in relation to the hydrological regimes at the River Wye. Water Quality in the River Wye is also being specifically addressed through the Nutrient Management Plan.</p>	<p>No: this policy is seeking to allow further small scale businesses. This may have a positive effect on reducing the need to travel.</p> <p>There are policy safeguards within Local Plan (Core Strategy) policies that will help mitigate potential likely significant effects and specific reference has been made to the River Wye SAC within criterion 5 of the policy.</p>
Policy CH7	<p>Encouragement for full mobile and internet coverage during the plan period and energy saving measures.</p> <p>This could result in additional masts and transmitter facilities within the parish.</p>	Depending on type and location of infrastructure: Physical damage or disturbance and or non-physical disturbance such as noise.	River Wye (including River Lugg) SAC	<p>Measures included within Policy SD2 of the Local Plan (Core Strategy) should help to mitigate potential impacts relating to non-physical disturbances.</p> <p>Good practice construction techniques including noise suppression measures, hours of operation may help to mitigate potential adverse effects during construction.</p>	No, as this policy could result in the development of renewable energy infrastructure which depending on its location could have potential effect on the River Wye. However, sufficient policy safeguards are in place within the Local Plan (Core Strategy) and specific reference has been made to the River Wye SAC within criterion 4 of the policy.

Policy CH8	Encourage and enhance the use of community facilities, as well as facilitating new provision.	New community facilities.  Possible vehicular movements and demand for water abstraction and treatment.	Rive Wye (including the River Lugg) SAC	<p>Policy LD2 of the Local Plan (Core Strategy) will aim to help avoid any adverse impacts on the River Wye for new community uses.</p> <p>Improved water efficiency measures, metering and addressing leakages in the supply may help to mitigate any additional pressures on the water supply as a result of new development.</p> <p>Measures within Policy SD1 of the Local Plan (Core Strategy) should help to mitigate potential impacts relating to non-physical disturbances.</p> <p>The implementation of Policies SD3 and SD4 within the Local Plan (Core Strategy) should also help to avoid any adverse impacts in relation to the hydrological regimes at the River Wye. Water Quality in the River Wye is also being specifically addressed through the Nutrient Management Plan.</p>	No, although this policy could result in the development of new community facilities or the loss of existing provision to new uses, which depending on location could have potential effect on the River Wye. However, sufficient policy safeguards are in place within the Local Plan (Core Strategy) and specific reference has been made to the River Wye SAC within para 1 of the policy.
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**Consultation date:** 24/11/14 – 19/01/15

**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 to Comments
Natural England	<p>In Section 6, it appears the basis for the conclusion that there will be no likely significant effect from the NDP, in combination with the draft Herefordshire Local Plan (Core Strategy), is that in combination effects have been ruled out as the NDP aligns with the draft Local Plan.</p> <p>The draft Local Plan has not yet been adopted and both it, and its HRA, are therefore subject to further changes. Given this, relying on the draft Local Plan and its HRA to avoid or mitigate for any potential impact are not considered sufficient to be certain of avoiding impact at this stage. The NDP's HRA may, of course, rely on the evidence supporting the Local Plan's HRA to draw conclusions as to whether the policies in the plan will have significant effects on the River Wye Special Area of Conservation (SAC).</p> <p>Natural England agrees it is unlikely that the NDP will have a significant effect on the SAC alone, however in order to exclude the risk of in-combination effects, and to provide the necessary certainty (given that the NDP is progressing in advance of the Local Plan), we would advise changes to the wording of key policies.</p> <p>We support the conclusions of the HRA Screening matrix: specifically that Policies CH1, CH4, CH5, CH7 and CH8 require strengthening to explicitly indicate the need to avoid impacts on the River Wye SAC. We also believe the conclusions of the HRA could be strengthened by more thorough reference to the emerging Nutrient Management Plan. and its aims.</p>	Noted. Additional criteria have been added to the policies where necessary.