

Habitats Regulations Assessment



Sutton St Nicholas 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 modifications through the HRA process to the Sutton St. Nicholas NDP; the NDP was refined by the NDP steering group to reflect feedback from consultation on the Draft Plan and Draft Habitat Regulations Assessment (HRA) Report, 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 (June 2015).
- 1.3 The refinements are not considered to significantly affect the conclusions of the earlier HRA report, although there is the introduction of one new policy, it does not 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 a NDP. Accordingly, a screening matrix was prepared (October 2015) and this determined the extent to which any of the policies and site allocations in the Sutton St. Nicholas NDP would be likely to have a significant effect on the River Wye (including the River Lugg) 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 Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 None of the Sutton St. Nicholas NDP objectives and policies (October 2015) 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 Sutton St. Nicholas NDP, the Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy) 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 within the NDP.
- 2.6 It was also concluded that the Sutton St. Nicholas NDP will unlikely have any in-combination effects with any plans from neighbouring parishes, as any sites currently allocated in the adjacent parishes' NDP is within the parameters set out within the Herefordshire Local Plan (Core Strategy).
- 2.7 Therefore it was concluded that the **Sutton St. Nicholas NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC.**
- 2.8 The proposed amendments to the Draft NDP following the Regulation 14 consultation are screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in October 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. There have been some additions to the criteria in some of the policies which are strengthening up the protection of the area, encouraging active travel, and ensuring that waste water treatment

works have capacity to reduce the adverse impacts upon the River Wye (including the River Lugg) SAC.

- 3.2 Policy 1 although no wording has changed within the policy, the settlement boundary to which it refers has altered slightly to enlarge it at two points, however the re-screening found that these additional areas within the settlement boundary would not have a significant effect on the SAC.
- 3.3 There has been one new policy introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. This policy details criteria for protecting and enhancing existing Green Infrastructure and to promote creation of new Green Infrastructure within the Parish. It will help to mitigate against any overall impact upon the SAC and therefore is unlikely to result in a significant effect on the SAC itself as it does not propose any new development.
- 3.4 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 Sutton St. Nicholas NDP, the Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy).

4.0 Conclusion

- 4.1 With reference to section 3 above, the additional criteria and information added to Policies 1, 2, 3, 4 and 5, and the new policy 9 introduced 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 **Sutton St. Nicholas 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 the River Wye (including the River Lugg) SAC.

Appendix 1

Table 2: HRA Re-Screening of Emerging Redrafted Neighbourhood Development Plan Policies

Parish Council Name: Sutton St.Nicholas

NDP Title: Sutton St.Nicholas Submission NDP

Date undertaken: March 2016

NDP Redrafted policies	HRA Re-Screening Assessment of Emerging redrafted NDP 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) <i>(If no, progress onto next redrafted objective/option/policy. If yes, progress onto next set of columns in row)</i>	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)
Policy 1 : Settlement Boundary	Highlights the boundary for the village core of where development would be acceptable. Submission version has extended the settlement boundary slightly in a couple of places however this will not change the overall impact upon the policy.	No significant effect upon the River Wye	N/A	N/A	No. The policy would itself not lead to development; instead it relates to criteria for where the village core is and therefore where development is demonstrated as acceptable.

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	The				
Policy 2: Delivering new housing – change to settlement boundary and additional information on the sites	<p>Housing development</p> <p>Increased vehicle traffic</p> <p>Increased demand for water abstraction and sewage treatment</p>	<p>No significant effect on the River Wye (including the River Lugg) SAC.</p> <p>Two sites are proposed:</p> <p>Land at the lane (20 dwellings)</p> <p>Land adjacent to the Linnings (18 dwellings)</p>	River Wye (including the River Lugg) SAC	<p>The measures set out in the Core Strategy policies and also the NDP policies should help to avoid adverse impacts upon the European site.</p> <p>Improved water efficiency measures, metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new development.</p> <p>The policy ensures that there is capacity at the Waste water treatment works prior to development which will ensure no adverse impact upon the River Wye (including the River Lugg) SAC</p>	<p>This figure remains within the figure set out in the Core Strategy RA2 policy and therefore is not over and above the proposed. Although it is acknowledged that there will be an increase in the demand for water abstraction and sewage treatment the Core Strategy has identified that there is sufficient headroom and capacity for the additional houses over the plan period.</p>
Policy 3: Criteria for new housing development	<p>Housing development</p> <p>Increased vehicle traffic</p> <p>Increased demand for water abstraction and</p>	No likely significant effect on the River Wye SAC	n/a	This policy should help to mitigate the potential effects of future development.	No. This policy is unlikely to lead to development, instead it relates to criteria for development

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	<p>sewage treatment</p> <p>Criterion within policy that states that phasing should occur to protect the SAC.</p>				
Policy 4: Small-scale employment	<p>Increase in home working</p> <p>Small work premises</p> <p>Reduced vehicle traffic</p> <p>Retaining existing employment sites</p> <p>Encourage Active Travel</p>	No likely significant effect on the River Wye SAC	n/a	This policy should help to mitigate the potential impacts of other NDP policies in relation to increased traffic and large scale business developments due to reducing the extent to which people need to travel for work.	No. Although this policy encourages some development it is of small scale and encourages home working thereby reducing the need to travel in both instances. There are measures in other policies in the Plan that will help to mitigate against any negative impact the policy may have.
Policy 5: Local Community facilities	<p>Development of social and community facilities and infrastructure</p> <p>Encourage Active travel</p>	No likely significant effect on the River Wye SAC	n/a	The measures in this policy will help to ensure that any potential adverse impact will be mitigated against. In addition the measures set out in other policies within the NDP will mitigate against any potential adverse impact.	No. The scale and extent of such development is not likely to be significant. In addition, this policy will not itself lead to development, instead it relates to the criteria for the protection of existing community facility or any new community development, which

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					ensures that mitigation methods are put in place for any adverse impacts that may arise.
Policy 9: Green Infrastructure	n/a	n/a	n/a	The measures in this policy to conserve and enhance Green infrastructure and priority species across the Parish should help to provide mitigation against the potential adverse impacts of new developments	No. This policy will not lead to new development; rather it specifically aims to ensure that any development proposed will conserve and enhance green infrastructure. As such this policy could help to provide mitigation against the potential of other NDP policies.

Appendix 2

HRA Consultation Feedback

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

Parish Council Name: Sutton St. Nicholas

Consultation title: Sutton St. Nicholas Regulation 14 Draft Plan consultation

Response Date	Consultee	Summary of Comments
1/02/2016	Natural England	Natural England agrees with the conclusion that the Sutton St Nicholas Neighbourhood Plan will not have a likely significant effect on the River Wye SAC as the draft neighbourhood plan conforms with the adopted Herefordshire Core Strategy and the proposed housing allocations fall within the level of growth proposed for the Housing Market Area in the Herefordshire Core Strategy.

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