

Habitats Regulations Assessment



Eaton Bishop Neighbourhood Area

Addendum

October 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 proposed Main Modifications through the HRA process to the Eaton Bishop 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 (July 2016).
- 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.

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 Eaton Bishop 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 Pre-submission version of the Herefordshire Local Plan (Core Strategy) and the proposed Main Modifications were also taken into consideration.
- 2.4 None of the Eaton Bishop NDP objectives and policies (July 2016) 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 Eaton Bishop 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 Eaton Bishop 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 **Eaton Bishop 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 and have not needed to be rescreened. New policy EB9 to consider if they are likely to have a significant affect the findings of the previous HRA Report, prepared in July 2016. A summary of the main findings is provided below.

2.0 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 One new policy has been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. EB9 Wastewater Treatment and Water Supply. This has been added in response to Welsh Water's comments and to provide clarity and criteria to ensure development takes into consideration water capacity within Eaton Bishop and does not cause detriment to parishioners.
- 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 Eaton Bishop 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 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 Policy EB1, EB7 and addition of policy EB9 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 **Eaton Bishop 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

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

Parish Council Name: Eaton Bishop Parish Council

NDP Title: Eaton Bishop Neighbourhood Plan

Date undertaken: 25 July 2016 until 17 September 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?	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 EB9</i> Wastewater treatment and water supply	Promotion of sustainable waste water treatment and suitable provision of water supply. Feasibility studies undertaken of waste water treatment works. Improvement works take place on treatment works.	Unlikely that there will have a significant effect on the European Site.	River Wye SAC (including River Lugg)	This policy will help mitigate impact of waste water treatment and water supply. This will ensure a robust approach to waste water treatment and water supply	No. The addition of this policy helps to mitigate impact from development on waste water and supply. This ensures development takes into account the overcapacity of the WwTS by carrying out an out a feasibility study of WwTW.

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: Eaton Bishop Parish Council

Neighbourhood Development Plan Name: Eaton Bishop Neighbourhood Plan

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

Consultation date: 25 July 2016 until 17 September 2016.

Consultation title: Regulation 14 Consultation

Response Date	Consultee	Summary of Comments	Response to Comments
31/08/16	Natural England	Having reviewed the Habitats Regulations Assessment (HRA) Report we agree with the conclusion that the Eaton Bishop NDP is unlikely to have significant effects on the River Wye SAC. This conclusion is reached on the basis that the NDP is in line with the Herefordshire Local Plan and the NDP can rely on the policies within the local plan to ensure no likely significant effects.	Duly noted.