

Habitats Regulations Assessment



Burghill Neighbourhood Area

Addendum

June 2016

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 amendments through the HRA process to the Burghill NDP; the NDP was refined by the NDP steering group to reflect feedback from consultation on the Draft Plan, the Herefordshire Core Strategy 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 (December 2015).
- 1.3 The vast majority of refinements are not considered to significantly affect the conclusions of the earlier HRA report. Many of these were minor updates or rewording for clarity. One policy has been updated to include reference to waste water issues which may have a positive impact on the previous screening.

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 within the Burghill NDP would be likely to have a significant effect on the catchment of 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 Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 None of the Burghill NDP objectives and policies (January 2016) were concluded to be likely to have a significant effect on the European sites. This conclusion is based on assumptions and information contained within the Burghill NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).
- 2.5 In many cases this is because the policy itself would not result in development, i.e., it related instead to criteria for development. In a number of cases the policies also included measures to help support the natural environment, including biodiversity and therefore no significant effect conclusion could be reached. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 2.6 There are 7 possible site for development within the plan, these are included within the settlement boundary and are expected to be within the level of growth proposed within the Core Strategy.
- 2.6 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is sufficient existing permitted headroom in the Eign Sewerage treatment word to continue to treat water for the amount of housing provided for in the Core Strategy policies. The Nutrient Management Plan for the River Wye SAC will ensure that development permits would not be likely to have a significant effect upon the River Wye SAC.
- 2.7 It is unlikely that the Burghill Neighbourhood Plan will have any in-combination effects with any Plans from neighbouring parish council due to the level of growth proposed is of the same that is proposed for the Hereford Housing Market Area in the Herefordshire Core Strategy
- 2.8 Therefore it was concluded that the **Burghill NDP will not have a likely significant effect on the River Wye SAC.**

2.9 The proposed amendments within the submission NDP have been screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in December 2015. A summary of the main findings is provided below.

3.0 Summary of main findings

3.1 The Submission NDP incorporates additional policy criteria to add clarity and emphasis throughout the document. Of particular importance is that Policy KNDP 14 to KNDP16 which now include specific reference to the necessity to avoid adverse impacts on the European site and ensure that the delivery of the Nutrient Management Plan is not compromised within the text and additional policy criteria relating to biodiversity.

3.2 One new policy has been introduced into the Submission NDP following the Regulation 14 Draft Plan consultation. This was to reflect the changes to the Local Plan (Core Strategy) with regards to Cobnash. This policy has been screened and concluded to have not adverse impact.

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 Kingsland NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).

4.0 Conclusion

4.1 With reference to section 3 above, many of the changes made to the Burghill submission policies were regarding points of clarity in the wording. Addition criteria has been added to Policy B13 regarding the treatment of waste water. It is considered that this will have a positive effect on safeguarding the protected site. Therefore it is considered that this will strengthen the likelihood of there being no adverse impacts.

4.2 Therefore the earlier conclusion that the **Burghill 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 protected site.

Appendix 1

Redrafted Policy	HRA Re-Screening Assessment of Emerging redrafted NDP objectives, options and policies				
	Likely activities (operations) to result as a consequence of the redrafted policy	Likely effect if redrafted 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 result in no likely significant effect?
Policy B1		No, this will not have a likely significant effect	n/a	n/a	n/a
Policy B2	Inclusion of the word 'appropriately' in criteria (a)	No, this will not have a likely significant effect	n/a	n/a	n/a
Policy B7	Inclusion of the word 'through s106 or agreement'	No, this will not have a likely significant effect	n/a	n/a	n/a
Policy B8	Criteria e – change village to parish Criteria h – include 'surrounding' Criteria i – include reference to objective 8, B7 and active travel	No, these changes will not have a likely significant effect	n/a	n/a	n/a
Policy B10	Include reference to openness of sites	No, this change will not have a likely significant effect	n/a	n/a	n/a
Policy B12	Criteria a – change to include leisure, transport, communications Criteria d – inclusion of public realm	No, these changes will not have a likely significant effect	n/a	n/a	n/a
Policy B13	Inclusion of reference to the SRFA and criteria regarding waste water and sewerage	No, this change is likely to have a positive effect on safeguarding the catchment of the River Wye SAC	River Wye SAC	n/a	No, the policy has been amended to include reference to waste water sewerage treatment which will have a positive effect on safeguarding the water quality within the catchment of the protected site.

Appendix 2

Consultation date: 20 January to 11 March 2016

Consultation title: Burghill Parish NDP 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
Heritage England	No comments received regarding the HRA	n/a
Natural England	Agree with the conclusions of the HRA that the Burghill NDP will not have a likely significant effect on the River Wye SAC	n/a
Environment Agency	No comments received regarding the HRA	n/a
Natural Resources Wales	No comment received regarding the HRA	n/a