

# Habitats Regulations Assessment

Addendum Report for:

**Leominster Neighbourhood Area**

**October 2017**



## **Contents**

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

Appendix 1: Feedback on Habitat Regulation Assessment (HRA) Report consultation Reg16

Appendix 2: Revised screening of policy matrix- Resubmission Reg16

## **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 further modifications through the HRA process to the Leominster Area Neighbourhood Plan (LANP). The draft Leominster NDP has been modified in light of concerns raised during the submission consultation in early 2016 about the plans ability to comply with the Herefordshire Core Strategy and the National Planning Policy Framework.
- 1.2 The purpose of this HRA second Addendum Report is to detail the findings of the screening of the proposed changes to 15 policies within the Leominster Area Neighbourhood Plan and consider if they significantly affect the conclusions of the earlier HRA Reports (November 2014 and October 2016).

## **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 initial report.
- 2.3 The screening matrix took the approach of screening each policy and objective individually, which is consistent with current guidance. The Leominster Area Neighbourhood Plan dated April 2017 has made amendments to that submitted in January 2016, this includes 15 policies which could have an effect on the results of the original screening matrix. Within this re-screening the results from the HRA report for the Core Strategy were also taken into consideration.
- 2.4 The previous draft of the HRA indicated that at that stage the draft Leominster Area NP would be unlikely to result in significant effects on the River Wye SAC.

## **3.0 Summary of main findings**

- 3.1 The final Leominster Area Neighbourhood Plan has incorporated many of the changes that were suggested by Natural England in the earlier HRA Report and Regulation 14 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 remained high with regards to these policies.
- 3.2 The Local Plan (Core Strategy) was adopted in October 2015 and therefore provides a level of policy safeguards with regards to the water management, the Water Framework Directive and Nutrient Management Plan.
- 3.3 Additional policy LANP 24 has been added to the plan which specifically seeks to ensure that the ability to reduce nutrient levels within the river are not compromised by new developments.
- 3.4 Policy LANP4 guides development within the three rural settlements within the neighbourhood area highlighted within the Local Plan (Core Strategy) Policy RA2. This policy was previously highlighted as having potential uncertain effects on the hydrological catchment of the River Wye SAC. This is due to not particularly reference or safeguards within LANP4 to flooding or surface water issues. The inclusion of additional policy LANP24 with this regard would help to strengthen the LANP and the inclusion of settlement boundaries for the town of Leominster and the three outlying settlements will give more certainty to the areas where development will be permitted. .

- 3.5 At this stage, the neighbouring parish councils of Kingsland; Humber Ford and Stoke Prior; Hope under Dinmore; Luston Group; Hatfield and District Group and Kimbolton are not proposing a greater level of development than that assessed within the Core Strategy. It is therefore also concluded that the Leominster Neighbourhood Plan will unlikely have any in-combination effects with any plans from neighbouring parishes.
- 3.6 Based on assumptions and information contained within the Leominster Neighbourhood Plan, Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy), the further revisions to the 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 the policies of the LANP are not considered to affect the findings of the previous HRA reports. In many cases, policies have been strengthened by the addition of criteria and a specific policy seeking to avoid the impacts on the River Wye SAC and other environmental assets.
- 4.2 Reference to the Nutrient Management Plan and its actions has been included within many policies. The Local Plan (Core Strategy) provides additional safeguards within Policy SD3.
- 5.3 Therefore the earlier conclusion that the Leominster Neighbourhood Plan will not have a likely significant effect on the River Wye SAC remains.

#### **6.0 Next steps**

- 6.1 This Second Addendum Report will be published alongside both the re-Submission NDP and earlier HRA Reports for consultation. 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

**Consultation date:** 20 January to 2 March 2016

**Consultation title:** Draft Habitat Regulations Leominster Neighbourhood Plan Regulation 16

*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	Agree with the conclusions that the Leominster NP will not have a likely significant effect on the River Wye SAC. Agree that LANP4 could be strengthened with additional wording on safeguarding the River Wye SAC and flooding.	Noted. A specific policy has now been included within the redrafted plan regarding the River Wye SAC.
English Heritage / Heritage England	No comments received	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

# Appendix 2

Re-screened NDP policies	HRA Screening of further amended NDP policies				
	Likely activities (operations) to result as a consequence of the policy	Likely effect if policy implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Mitigation measures to be considered, as necessary, through redraft of policy and to be considered as part of Appropriate Assessment	Could the policy have likely significant effects on European sites (taking mitigation into account?)
<p><b>Policy LANP1:</b> Supporting the strategic development needs in Leominster</p>	<p>Strategic housing site within the Core Strategy.</p> <p>The inclusion of a green corridor alongside the road, reduced surface water into the River Arrow included within the criteria</p>	<p>No likely significant effect on the River Wye SAC</p>	<p>River Wye SAC</p>	<p>Ensure location and construction is suitable and has minimal impact to the surrounding environment.</p>	<p>No. This policy does not specifically identify route for the southern link but instead provides criteria that any new road must adhere to.</p> <p>A criterion is included within the policy which indicates that surface water run off from the road should not be allowed to enter the River Arrow and a wide green corridor should bound the road. This will have a positive impact on the River Wye SAC. The overall aim of this and its related policies is towards sustainable development that conserves and enhances existing environment.</p>
<p><b>Policy LANP3 :</b> Supporting the strategic and small</p>	<p>Small scale housing development.</p> <p>Increase in water abstraction</p>	<p>Uncertain effects on the River Wye.</p> <p>There is no mention within</p>	<p>River Wye SAC</p>	<p>The policy has been strengthened by the addition of necessary criteria that ensures all</p>	<p>No. This policy will lead to new development but does not define the site. An additional criterion</p>

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

<p>scale housing development needs in Leominster Town (was LANP2)</p>	<p>and treatment. Reference in the text regarding the need to safeguard the River Wye SAC and not compromise the delivery of the Nutrient Management Plan.</p>	<p>the Plan of a Surface Water Management Plan. Para 4.6.24 of the Core Strategy highlights the requirement is areas such as Leominster that measures are required to reduce nutrients in line with targets.</p>		<p>developments must not comprise the ability of the NMP to reduce nutrients in line with the targets set. However no additional information has been added with regards to the Surface Water issues.</p>	<p>has been added to reference the Nutrient Management Plan</p>
<p><b>Policy LANP4:</b> New housing development in Brierley, Ivington and Wharton</p>	<p>Promotes limited growth within these mentioned settlements with a wide range of environmental and design criteria. However there is no reference to the NMP or flooding concerns given the close proximity of two of the three villages to the River Lugg and River Arrow</p>	<p>No likely significant effect on the River Wye SAC</p>	<p>River Wye SAC</p>	<p>Policy promotes very limited housing development within built form of settlements. Settlement boundaries have now been added which give greater certainty.</p> <p>However, there is no mention of flooding or water quality issues given the close proximity of two of the three settlements to the River Lugg or River Arrow.</p>	<p>This policy will lead to new development. Sites are not defined but there are settlement boundaries to guide development.</p> <p>However there are no measures included to address the recognised nutrient levels within this area and the NMP or the avoidance of flood risk areas.</p> <p>Two of the three settlements are close to the River Lugg and River Arrow which are part of the hydrological catchment of the River Wye SAC.</p> <p>However policy LANP24 is now in place which seeks to ensure that the river is not compromised.</p>
<p><b>Policy LANP 5;</b> New</p>	<p>Very small scale housing,</p>	<p>No likely significant effect on</p>	<p>River Wye SAC</p>	<p>Policy LANP24 now exists which specifically seeks to</p>	<p>No, this policy would only permit very limited</p>

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

homes in the countryside	limited criteria	the River Wye SAC		safeguard the River Wye SAC	development within the countryside in line with Policy RA3 of the Core strategy.
<b>Policy LANP6:</b> Renewable energy	Smalls scale projects  Potential disturbance	No likely significant effects on the River wye SAC	River Wye SAC	Policy LANP24 now exists which specifically seeks to safeguard the River Wye SAC	No, this policy contains criteria to safeguard biodiversity and a specific policy exists within the plan regarding the River Wye SAC
<b>Policy LANP7:</b> New business development	Employment generation, Increase in small business, increase in industry around town centre, and the enterprise park.	No likely significant effect on the River Wye SAC	River Wye SAC	Additional criterion has been added to reflect the need to avoid adverse effects on the natural environment.  Improved water efficiency measures metering and addressing leakages in the supply may help mitigate any additional pressure placed on the water supply through new development. Good practice construction techniques including noise suppression measures, hours of operation etc, may help to mitigate potential adverse effects during construction.	No. This policy relates to sustainable development through expanding business development. This may increase water resource usage and increase vehicle traffic but should be mitigated through the addition of the environmental criterion and other policies within Leominster's plan.
<b>Policy LANP8:</b> Protecting existing employment sites	Safeguarding of existing employment sites	No likely significant effect on the River Wye SAC	River Wye SAC	None	No, this policy is seeking to safeguard existing areas of employment. Policy LANP24 exists to ensure that any changes in employment use would not compromise the SAC

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

<b>Policy LANP9 :</b> Development in Leominster Town Centre	Retail development and small scale upper floor housing	No likely significant effect on the River Wye SAC	River Wye SAC	None	No, this policy is seeking to enhance the town centre. Other policies exist within the plan to safeguard the SAC
<b>Policy LANP19:</b> New building in Leominster	Additional criteria added to encourage high levels of connectivity, community space and avoidance of adverse impacts on the natural environment particularly the River Wye SAC	No likely significant effect on the River Wye SAC	River Wye SAC	Additional reference to the need to avoid adverse impact on the natural environment particularly the River Wye SAC has been added to the policy.	No. This policy is criteria based specifying design and low carbon options for new buildings in Leominster This envisages Leominster to be a world leading sustainable town, and for all new buildings to have a low carbon design, this should mitigate out any environmental issues created out of development. Specific reference has been made to the important of avoiding environmental impacts particularly associated with the River Wye.
<b>Policy LANP20:</b> New extensions in Leominster	Small scale residential extensions to properties	No likely significant effect on the River Wye SAC	River Wye SAC	None	No, policy will only lead to small scale extensions. LANP 24 exists to provide policy safeguard.
<b>Policy LANP21:</b> Agricultural	Agricultural development	No likely significant effect on the River Wye SAC	River Wye SAC	Criteria is included within the policy to avoid adverse impact on the natural heritage of the area. Policy	No, although this will be locational dependent, sufficient policy

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

development				LANP 24 also provides a policy safeguard	safeguards exist.
<b>Policy LANP22:</b> Intensive livestock unit policy	Poultry unit development, treatment of waste  Development likely to be subject to permits and EIA	No likely significant effect on the River Wye SAC	River Wye SAC	Policy safeguards exist within the plan and developments would be subject to further EIA and necessary permits.	No, although this will be locational dependent, sufficient policy safeguards exist.
<b>Policy LANP23:</b> Tourism	Potential additional disturbance from increased visitors	No likely significant effect on the River Wye SAC	River Wye SAC	Criteria is included within the policy to avoid adverse impact on the natural heritage of the area. Policy LANP 24 also provides a policy safeguard	No. Although an increase in tourist may create an increase in visitor pressure at sensitive European site, sufficient policy safeguards are included within the NDP LANP24.
<b>Policy LANP 24:</b> River Wye Special Area of Conservation	Safeguarding policy	No likely significant effect on the River Wye SAC	River Wye SAC	None	No, the intension of the policy is to provide a policy safeguard
<b>Policy-LANP25:</b> Protecting important views	Ensuring important views are protected	N/A	N/A	N/A	No. This policy is criteria based specifying on views and vistas. Therefore should not have an impact on the River Wye SAC.
<b>Policy LANP26:</b> Community and highway infrastructure	Increase in cycling and walking.  Additional parking at the railway station, better pavements and street	N/A	N/A	N/A	No. This policy is unlikely to have an effect on the River Wye SAC. This may help improve environmental conditions through decreasing the amount of private car

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

---

	furniture. Vehicle restriction in the town centre.				usage in Leominster.
--	---	--	--	--	----------------------