

Habitats Regulations Assessment



Brilley Neighbourhood Area

Addendum

July 2016

Brilley HRA

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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 amendments through the HRA process to the Brilley 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 (April 2016).
- 1.3 The majority of refinements are not considered to significantly affect the conclusions of the earlier HRA report as many were points of clarification. Three policies have been modified to include criteria regarding safeguarding of the River Wye SAC, other policies were amended to make minor clarification as a result of the representations to the draft consultation. However there were no changes to the overall vision and objectives of the existing planning policies.

2.0 Screening of draft 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 Brilley NDP would be likely to have a significant effect on the River Wye SAC. It should be noted that the River Wye itself is not within the parish and only a small part of the parish is contained within the hydrological 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 and objective 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 Brilley NDP objectives and policies (April 2016) were concluded to be likely to have a significant effect on the European site, however two policies were highlighted as having the potential to be strengthened by the inclusion of additional criteria to avoid comprise of the nutrient management plan targets. This conclusion is based on assumptions and information contained within the Brilley 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 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.
- 2.6 It is unlikely that the Brilley 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 Kington Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Brilley NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC.**
- 2.8 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 April 2016. A summary of the main findings is provided below.

3.0 Summary of main findings – modifications to NDP

- 3.1 The Submission NDP (April 2016) incorporates additional policy criteria to add clarity and emphasis throughout the document. Of particular importance is that Policy BR3 and BR10, which further safeguards environmental impact on landscape character and the natural environment as well as promoting sustainable modes of transport.

Appendix 1

Table 2: HRA Re-Screening of Emerging Redrafted Neighbourhood Development Plan Policies**Parish Council Name:** Brilley Parish Council**NDP Title:** Brilley Neighbourhood Plan**Date undertaken:** 19 April 2016 until 3 June 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 policy	Likely effect if redrafted objective/option/policy implemented. Could they have LSE on European Sites? (Yes/No, with reasons)	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 BR3	Additional criteria clarifies policy adding in safeguarding criteria for the natural environment in relation to landscape and built character.	No likely significant effect on the River Wye SAC	No	Good practice measures are implemented during and after construction phase ensuring there is minimal noise and vibration.	No. This policy will not lead to development. The policy criteria has been strengthened by adding further criteria safeguarding natural and built environment.
Policy BR10	Additional criteria promotes sustainable transport this overall will help to minimise air pollution and traffic within the parish.	No likely significant effect on the River Wye SAC	No	N/A	No. This policy will lead to new traffic development, and specifically aims to improve road safety and activate sustainable means of transport.

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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: Brilley Parish Council

Neighbourhood Development Plan Name: Brilley Neighbourhood Plan

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

Consultation date: 19 April 2016 to 3 June 2016.

Consultation title: Brilley Neighbourhood Plan

Response Date	Consultee	Summary of Comments	Response to Comments
3 rd June	Natural England	Having reviewed the Habitats Regulations Assessment (HRA) Report Natural England agree with the conclusion that the Brilley Neighbourhood Development Plan is unlikely to have significant effects on the River Wye SAC. This conclusion is reached on the basis that the Neighbourhood Development Plan (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

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