

# Habitats Regulations Assessment

Addendum Report for:

**Kimbolton Neighbourhood Area**

**September 2017**



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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 Kimbolton 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 (March 2017).
- 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 Kimbolton 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 Kimbolton NDP objectives and policies (March 2017) 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 Kimbolton 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 Kimbolton 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 **Kimbolton 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 to policies K2, K10, K12, K14, K16 and K18. K10 and K11 had added parts to the policy so were re screened in the screening assessments, overall there were no significant effects. Therefore conclusion is the same as the findings of the previous HRA Report, prepared in March 2017. 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, 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. Changes to K10 and K11 adding further safeguards within each policy have been added in response to comments and to provide clarity and criteria to ensure development takes into consideration scale of development in relation to its surroundings.
- 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 Kimbolton 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 policies K10 and K11 added further safeguarding to Heritage Assets. Therefore 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 **Kimbolton 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

## HRA Screening of Significant Changes (Objectives, Options and Policies) following Draft Plan (reg 14) Consultation

Parish Council Name: Kimbolton

NDP Title: Kimbolton Neighbourhood Plan

Date undertaken: September 2017

NDP objectives, options and policies significantly changed following Draft Plan Consultation	HRA Screening of significant changes (objectives, options and policies) following Draft Plan Consultation				
	Likely activities (operations) to result as a consequence of the significant change to the objective, option or policy	Likely effect if changed objective, option or policy is implemented. Could it have LSE on any European Site? (Yes/No, with reasons)	European Sites potentially affected  (Refer to Initial Screening)	Potential mitigation measures to be considered through redraft of changed objective, option or policy and as necessary, to be considered as part of Appropriate Assessment of these changes	If recommendations are implemented, would it be possible that the changes would result in no likely significant effect?  (Yes/No, with reasons)
Policy K10	<p>Safeguard existing landscape and townscape against inappropriate development.</p> <p>Protect local habitats and wildlife corridors</p> <p>Protect special views</p> <p>Protect setting of historic parkland at Berrington Hall.</p>	No likely significant effect on the River Wye (including River Lugg)	River Wye and Lugg SAC	This policy should help to mitigate the potential impacts of other NDP policies in relation to impact on historic character of townscape and landscape.	No. This policy will not lead to new development; rather it specifically aims to protect and enhance the existing character of Kimbolton. Changes to this policy provide further historic asset protection to Berrington Hall.
Policy K11	<p>Protect local historic assets.</p> <p>Enhancing local character and distinctiveness of Kimbolton.</p>	No likely significant effect on the River Wye (including River Lugg) SAC.	River Wye and Lugg SAC	This policy should help to mitigate the potential impacts of other NDP policies in relation to impact on historic character of	No. This policy will not lead to new development; rather it specifically aims to protect and enhance the existing character

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	Protect surface and sub surface archaeology.			townscape and landscape.	of Kimbolton . Changes to this policy add in safeguards for surface and subsurface archaeology.
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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:** Kimbolton Parish Council

**Neighbourhood Development Plan Name:** Kimbolton Neighbourhood Plan

**Details of consultation:** Regulation 14

**Consultation date:** `10<sup>th</sup> April 2017- 30<sup>th</sup> May 2017

**Consultation title:** Reg 14

No comments regarding the HRA have been received from Statutory Consultees.