



Forest of Dean District Council Allocations Plan (AP)

Habitats Regulations Assessment (HRA) Addendum

September 2016

Introduction

Modifications to the Allocations Plan were identified during examination hearings and following the Inspectors Interim Findings (24/6/16). The proposed modifications have been considered in light of the AP's HRA. A Likely Significant Effects screening, without consideration of mitigation or cancellation effects, of the modifications has been carried out (Table 1 below) to identify modifications which required further Appropriate Assessment (Table 2 below). Full details of the HRA process and assessments are set out in The Habitats Regulations Assessment March 2015, Keynotes 15-18 & Natural England/FoDDC statement of common ground January 2016.

Summary

83 Main Modifications were evaluated. Five modifications were screened in for further consideration through Appropriate Assessment, these all related to additional or extension of sites for development. In the case of existing sites which are to be increased (High Street, Drybrook & Land North of Newnham) the existing policies were considered appropriate and avoided, mitigated or cancelled any potential adverse effects. Policy amendments are required for three sites were new allocations for residential development (Sneyd Road, Augustus Way & Milkwall) is proposed. These measures are in line with the requirements/recommendations of the existing HRA. Policy measures will ensure any adverse effects are avoided, mitigated or cancelled. It is considered that any potential impacts of these sites can be addressed at project level when a greater level of detail is available.

Provided the AP incorporates the HRA policy requirements (table 2 below) within the policies it is considered that the AP will not have an adverse effect on integrity of European designated nature conservation sites, alone or in combination. On this basis it is considered that overall the conclusions of HRA for the Allocations Plan remain unchanged (March 2015, Keynotes 15-18 & Natural England January 2016).

Table 1: Allocations Plan Modifications - HRA likely Significant Effects Screening September 2016

Screening Summary Key

Likely Significant Effect	I	Appropriate Assessment required
No Likely Significant Effect	O	No further assessment required
Significant Effect Uncertain/in combination Effect	P	Uncertain, precautionary approach taken and Appropriate Assessment required

Change or modification	Assessment/ Reasoning	Significant effects screening (LSE)					Significant effects screening (LSE)
		River Wye	WV Woodlands	Severn Estuary	Walmore Common	WV & FoD Bat Sites	
Main modifications 7 th April 2016 No's: MM 1-4,8-12, 14, 16, 17, 19-68	Limited text changes to policies and supporting text. No changes to policy objectives or previous HRA assessment	O	O	O	O	O	Screened out (A-H)
MM005 – New policy to combine previous AP4 & 5.	No changes to policy objectives or previous HRA assessment	O	O	O	O	O	Screened out – criteria based policy (B)
MM006 – New Policy, Historic Character and Local Distinctiveness	No changes to policy objectives or previous HRA assessment	O	O	O	O	O	Screened out – criteria based policy (B)
MM007 – Changes to AP7, Biodiversity policy	No changes to policy objectives or previous HRA assessment	O	O	O	O	O	Screened out – Policy provides for Environmental Protection (D/F)
Revised Canal Policy AP9 (Incorporating MM0013 & 15).	No changes to policy objectives or previous HRA assessment	O	O	O	O	O	Screened Out - Policy cannot undermine conservation objectives due to distance from Severn Estuary SAC
MM018 – modification for	No changes to policy objectives or previous	O	O	O	O	O	Screened out – modification does not

Change or modification	Assessment/ Reasoning	River Wye	WV Woodlands	Severn Estuary	Walmore Common	WV & FoD Bat Sites	Significant effects screening (LSE)
additional residential use AP17 (Stowfield)	HRA assessment						lead to changes General Statement does not lead to development
MM069 – modification to AP79 Longhope (including increased site area).	No changes to policy objectives or previous HRA assessment	O	O	O	O	O	Screened Out - no conceivable effect
Ellwood Road Milkwall - 1.6ha of land for residential development.	Within 1km of bat SAC	O	O	O	O	P	Potential for LSE - Proximity to European site.
Poolway Farm - Additional allocation (AP 62) of 2.1ha for residential development	G/H	O	O	O	O	O	Screened out. Allocation screened out in original HRA. Assessment reviewed and considered appropriate
Augustus Way – 6.5ha of land for residential development		O	O	P	O	P	Potential for LSE. Large Allocation with potential for indirect effects on Bat SAC and Severn Estuary
Sneyd Road St Whites Farm – 0.6ha for residential development		O	O	O	O	P	Potential for LSE - Proximity to European site.
Newnham North – 1.9ha of additional land (AP90) for residential development		O	O	O	O	P	Potential for LSE - Proximity to European site.
Clanna Road Alvington – 0.5ha for residential development	G/H	O	O	O	O	O	Screened Out – no conceivable effect
Land east of Kings Meade, Coleford – 1.6ha for residential development	G/H	O	O	O	O	O	Screened Out – no conceivable effect
Old Coach Depo, Mitcheldean - 1.0ha for residential	G/H	O	O	O	O	O	Screened Out – no conceivable effect

Change or modification	Assessment/ Reasoning	River Wye	WV Woodlands	Severn Estuary	Walmore Common	WV & FoD Bat Sites	Significant effects screening (LSE)
development							
High street Drybrook, - 2.0ha of additional (AP77) land for residential development	G/H	O	O	P	O	O	Potential for LSE – Potential in combination, water quality.
Worcester Walk Coleford – 2.4ha for residential development.	G/H	O	O	O	O	O	Screened Out – no conceivable effect
Southend Lane Newent – 4.0ha for residential development	G/H	O	O	O	O	O	Screened Out – no conceivable effect
Chartists way Staunton – 1.1ha for residential development	G/H	O	O	O	O	O	Screened Out – no conceivable effect
Cleeve Mill Newent – 4.6ha for residential & recreation development	G/H	O	O	O	O	O	Screened Out – no conceivable effect
Land off Drury lane Redmarley – 1.2ha for residential development	G/H	O	O	O	O	O	Screened Out – no conceivable effect

Table 2: Allocations Plan Modifications - HRA Appropriate Assessment addendum September 2016

Site	LSE Reason	Assessment	Mitigation/Cancellation	Outcome following mitigation / cancellation.
Ellwood Road Milkwall - 1.6ha of land for residential	Proximity to Bat SAC	<p>There are no built structures on the site which are likely to provide any substantial roosting opportunities for the bats species related to the SAC designation. The site does provide potential foraging opportunities although the site is boarded on two sides by existing roads an residential development.</p> <p>Consideration to the potential for impacts on foraging and commuting activity of bats will be necessary. Some activity surveys have been undertaken (Summer 2016). Indications are that bat issues can be satisfactorily addressed at project level. The LPA's experience of this type of site, small fields, adjacent to existing settlements is that bat issues can be satisfactorily addressed in detail at the project level.</p>	<p>Policy wording should include:</p> <p><i>"Development will only be permitted where it can be demonstrated that it will not have an adverse effect on the integrity of the Wye Valley and Forest of Dean Bat SAC."</i></p>	No Adverse effects on integrity of Bat SAC
Augustus – 6.5ha of land for residential development	Scale of allocation in relation to Severn Estuary and Bat SAC	A planning application (P1284/13/OUT) (subsequently refused and at appeal (no ecological grounds)) for a larger site incorporating this proposed allocation. Was subject to considerations by Natural England, a Planning Inspector and SoS. Consideration was given to European Sites and it was concluded that any potential impacts could be adequately mitigated / cancelled at the detailed project level.	<p>Regulatory processes (Severn Trent Water, Welsh Water and the Environment Agency) address the majority of the concerns. There are also existing policy safeguards in the Core Strategy, CSP1. - Design and Environmental Protection and CSP2 – Climate Change</p> <p>Project Level requirements: For those policies identified as having a potential in-combination impact individual proposals will be required to provide</p>	No Adverse effects on integrity of Bat SAC or Severn Estuary

Site	LSE Reason	Assessment	Mitigation/Cancellation	Outcome following mitigation / cancellation.
			<p>hydrological modelling and/or construction Environmental Management plans. This is ensured through existing Core Strategy Policies.</p> <p>It is recommended that for policies identified with potential in-combination impacts that additional wording is added to the policies special requirements.</p> <p><i>Development proposals must demonstrate that the treatment of waste water and any run off can be adequately provided for and that no adverse effects on the integrity of the River Severn SAC, SPA and Ramsar sites result"</i></p> <p>Policy wording should also include:</p> <p><i>"Development will only be permitted where it can be demonstrated that it will not have an adverse effect on the integrity of the Wye Valley and Forest of Dean Bat SAC."</i></p>	
Sneyd Road St Whites Farm – 0.6ha for residential development	Proximity to Bat SAC	<p>The allocation is a small site adjacent to the existing St White’s hill development area. St White’s hill development was subject to HRA, due to its proximity to the bat SAC (Buckshaft Mine).</p> <p>Whilst the allocation is only small and located further away from the SAC it is considered appropriate that at the project level a detailed</p>	<p>Policy wording should also include:</p> <p><i>"Development will only be permitted where it can be demonstrated that it will not have an adverse effect on the integrity of the Wye Valley and Forest of Dean Bat SAC."</i></p>	No Adverse effects on integrity of Bat SAC

Site	LSE Reason	Assessment	Mitigation/Cancellation	Outcome following mitigation / cancellation.
		assessment should be undertaken. The LPA's experience of this type of site, small fields, adjacent to existing settlements is that bat issues can be satisfactorily addressed in detail at the project level.		
Newnham North – 1.9ha of additional land (AP90) for residential development	Proximity to Bat SAC	The modification increases the area of allocation AP90. As such AP 90 was considered in the 'original' HRA. Having reviewed the allocation in light of the increased area the policy is considered to remain appropriate.	<p>The following policy wording is recommended to be added to the section "Landscaping" and "Special Requirements":</p> <p>Landscaping: <i>"To provide substantial planting to the northern edge of the site ."</i></p> <p>Special Requirements: <i>"Development must demonstrate that it will not have an adverse effect on the integrity of the Wye Valley and Forest of Dean Bat SAC and Severn Estuary SAC, SPA and Ramsar. All proposals must be compatible with the Habitats Regulations."</i></p>	No Adverse effects on integrity of Bat SAC or Severn Estuary
High street Drybrook, - 2.0ha of additional (AP77) land for residential development	Aquatic pathway to Severn Estuary SAC	The modification increases the area of allocation AP77. As such AP 77 was considered in the 'original' HRA. Having reviewed the allocation in light of the increased area the policy is considered to remain appropriate.	<p>Regulatory processes (Severn Trent Water, Welsh Water and the Environment Agency) address the majority of the concerns. There are also existing policy safeguards in the Core Strategy, CSP1. - Design and Environmental Protection and CSP2 – Climate Change</p> <p>Project Level requirements: For those policies identified as having a potential in-combination impact individual proposals will be required to provide hydrological modelling and/or construction Environmental Management plans. This is ensured</p>	No Adverse effects on integrity of Severn Estuary

Site	LSE Reason	Assessment	Mitigation/Cancellation	Outcome following mitigation / cancellation.
			<p>through existing Core Strategy Policies.</p> <p>It is recommended that for polices identified with potential in-combination impacts that additional wording is added to the policies special requirements.</p> <p><i>Development proposals must demonstrate that the treatment of waste water and any run off can be adequately provided for and that no adverse effects on the integrity of the River Severn SAC, SPA and Ramsar sites result"</i></p>	