

**Preliminary Screening: Habitat Regulations Assessment of the
Lydney Neighbourhood Plan 2014-2024**

Appendix 3 – Consultation Responses

Alastair Chapman

From: Alastair Chapman
Sent: 24 February 2015 17:15
To: 'Merlin.Ash@naturalengland.org.uk'; 'amanda.grundy@naturalengland.org.uk'
Cc: 'ndp.assistant@lydneytowncouncil.co.uk'
Subject: FW: Lydney Neighbourhood Development Plan - Habitats Regulations Screening Assessment
Attachments: Lydney NDP Appendix 1 LSE Screening - 11-12-14.pdf; Lydney NDP Appendix 2 Policy Screening tables 11-12-14 LSE.PDF; Lydney NDP Draft HRA Main Report 11-12-14.pdf; NDP Amended Examiners v2 17-12-2014.doc; Lydney NDP Prospectus march 14.pdf

Dear Amanda and Merlin,

Before Christmas, we consulted Natural England on the Habitats Regulations Screening Assessment for the Lydney NDP, see below.

We have received no response from Natural England and therefore in the absence of any adverse comments we will advise Lydney NDP group that provided the amendments set out in the HRSA are incorporated there are no objections to the HRSA.

I would be grateful if you could confirm that is the position to the Steering Group (ndp.assistant@lydneytowncouncil.co.uk) and ourselves as commissioned consultant for the HRSA.

Yours sincerely

Alastair Chapman
Sustainability Team Leader
Sustainability Team
Forest of Dean District Council

01594 812329
<http://www.fdean.gov.uk/>

From: Alastair Chapman
Sent: 18 December 2014 16:12
To: 'Merlin.Ash@naturalengland.org.uk'; 'amanda.grundy@naturalengland.org.uk'
Cc: 'ndp.assistant@lydneytowncouncil.co.uk'
Subject: Lydney Neighbourhood Development Plan - Habitats Regulations Screening Assessment

Dear Amanda and Merlin,

The Forest of Dean District Council have been commissioned by the Lydney NDP steering group to undertake a Habitats Regulations Screening Assessment (HRSA) for the Lydney NDP. On behalf of the Lydney NDP steering group please accept this email as the formal consultation with Natural England on the attached draft HRSA, as the appropriate nature conservation body set out in reg 102.

An examiner draft of the NDP was produced in March 2014 and is attached for your information.

The draft HRSA makes several recommendations to change policies and text within the March 2014 version of the NDP. The NDP steering group have incorporated those changes into a revised draft which is attached as word document.

We would welcome your views on the HRA screening as whole as well as specifically:

1. Does Natural England agree that subject to the changes identified in the HRA screening report there are no likely significant effect and therefore there is no requirement to undertake appropriate assessment?
2. Does Natural England agree that subject to the changes identified in the HRA screening report and where no likely significant effects have been identified, it is therefore not necessary undertake any further cumulative assessment.

For your information we will be consulting you further on the screening assessment for Strategic Environmental Assessment in connection with the NDP, however it is important to conclude the HRA in order that it can inform the final version of the SEA.

I realise that the Christmas break may delay your consideration however we would be grateful of you response by **the 23rd January 2015**. In the meantime if you have any questions or would like to discuss it further please do not hesitate to get in touch.

Yours sincerely

Alastair Chapman

Sustainability Team Leader
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Alastair Chapman

From: Clare, Ruth <ruth.clare@environment-agency.gov.uk>
Sent: 17 March 2015 15:43
To: Alastair Chapman
Cc: ndp.assistant@lydneytowncouncil.co.uk
Subject: RE: Lydney Neighbourhood Development Plan - Habitats Regulations Screening Assessment 1 of 2
Attachments: Preliminary Screening HRA of the Lydney NDP_EA response.rtf

Dear Alastair

Thank you for your emails about the Preliminary HRA Screening of the Lydney NDP, and I do apologise for the delay in providing our response. Unfortunately we've had a very busy time over these last few months with other statutory strategic planning consultations and we have not been fully resourced staff-wise during this time. As such we've not been able to prioritise this consultation as HRA generally is a matter Natural England lead on. Nevertheless we welcome that you have given us the opportunity to comment and I hope that the delay in our comments does not cause too much inconvenience. I have attached a formal response letter to this email, and you'll note from that that we have no objections to the work you have undertaken.

Kind regards,
Ruth.

Ms Ruth Clare MRTPI, AIEMA.
Planning Specialist
Sustainable Places
Environment Agency - Shropshire, Herefordshire, Worcestershire and Gloucestershire - Riversmeet House, Newtown Industrial Estate, Northway Lane,
Tewkesbury, Gloucestershire, GL20 8JG
direct telephone: 01684 864383
fax: 01684 293599
internal phone: 722 4383
ruth.clare@environment-agency.gov.uk

From: Alastair Chapman [mailto:Alastair.Chapman@fdean.gov.uk]
Sent: 24 February 2015 17:24
To: Clare, Ruth
Cc: ndp.assistant@lydneytowncouncil.co.uk
Subject: FW: Lydney Neighbourhood Development Plan - Habitats Regulations Screening Assessment 1 of 2

Dear Ruth,

Before Christmas, we consulted the Environment Agency on the Habitats Regulations Screening Assessment for the Lydney NDP, see below.

On the 23rd January, you responded requesting a little more time to review the documents and respond. We have received no response from the Environment Agency and therefore in the absence of any adverse comments we will advise Lydney NDP group that provided the amendments set out in the HRSA are incorporated there are no objections to the HRSA.

I would be grateful if you could confirm that is the position to the Steering Group (ndp.assistant@lydneytowncouncil.co.uk) and ourselves as commissioned consultant for the HRSA.

Yours sincerely

Alastair Chapman

Sustainability Team Leader
Sustainability Team
Forest of Dean District Council

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From: Alastair Chapman
Sent: 19 December 2014 12:02
To: 'Ruth Clare (ruth.clare@environment-agency.gov.uk)'
Subject: Lydney Neighbourhood Development Plan - Habitats Regulations Screening Assessment 1 of 2

Dear Ruth,

The Forest of Dean District Council have been commissioned by the Lydney NDP steering group to undertake a Habitats Regulations Screening Assessment (HRSA) for the Lydney NDP (attached). Whilst the Environment Agency is not the appropriate nature conservation body set out in reg 102, due to Lydney's location on the Severn Estuary we are extending the consultation to the agency. Natural England (Amanda Grundy), the appropriate nature conservation body, are being consulted.

An examiner draft of the NDP was produced in March 2014 (in a following email due to email size restrictions)

The draft HRSA makes several recommendations to change policies and text within the March 2014 version of the NDP. The NDP steering group have incorporated those changes into a revised draft which will be in a following email due to email size restrictions.

We would welcome your views on the HRA screening as whole or on specifics. For your information we will be consulting you further on the screening assessment for Strategic Environmental Assessment in connection with the NDP, however it is important to conclude the HRA in order that it can inform the final version of the SEA.

I realise that the Christmas break may delay your consideration however we would be grateful of your response by the **23rd January 2015**. In the meantime if you have any questions or would like to discuss it further please do not hesitate to get in touch.

Yours sincerely

Alastair Chapman
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Alastair Chapman
Forest Of Dean District Council
Planning Policy
Council Offices High Street
Coleford
Gloucestershire
GL16 8HG

Our ref: SV/2010/104029/OT-
02/PO1-L01

Your ref:

Date: 17 March 2015

Dear Alastair

Preliminary Screening: Habitat Regulations Assessment of The Lydney Neighbourhood Development Plan

Thank you for consulting us on the Habitats Regulations Assessment (HRA) process that has been undertaken by Forest of Dean District Council for the Lydney Neighbourhood Development Plan (NDP).

We have reviewed the following documents submitted:

- Preliminary Screening: Habitat Regulations Assessment of The Lydney Neighbourhood Development Plan 2014-2024 (December 2014)
- Appendix 1 – Likely Significant Effect Screening
- Appendix 2 – Policy Screening

Firstly we would note that Natural England is the lead statutory consultee for all Habitats Regulations matters. We may support that role when Designated Sites have a particular water-focus, as is the case with the Severn Estuary. Please note therefore we have focused our review on matters to do with the Severn Estuary and have not reviewed matters associated with the Wye Valley and Forest of Dean Bat Sites SAC. In all HRA cases we would advise you refer primarily to the comments of Natural England as the lead consultee.

Having reviewed the main report and its appendices, we consider that the relevant aspects have been included. We note that the Water Framework Directive (WFD) has not been specifically referenced within the documents, but consider this is not a significant omission as the environmental aspects addressed by the WFD such as flood risk, water quality and biodiversity are effectively covered and referenced within the documents, as well as the NDP itself.

We concur with the screening matrix set out in Appendix 1 and the screening decisions set out in the documents. We have no objections to the mitigation measures and changes recommended in part 7 of the main report, and detailed in Table B of Appendix 2.

I can confirm therefore that we agree with the conclusions and recommendations of the report and its appendices.

Yours sincerely

Ms Ruth Clare
Planning Specialist

Direct dial 01684 864383

Direct e-mail ruth.clare@environment-agency.gov.uk