

Habitats Regulations Assessment

Final Report for:

Ballingham, Bolstone & Hentland Group Neighbourhood Area

September 2018



Ballingham, Bolstone and Hentland Neighbourhood Plan HRA

HRA Screening Assessment

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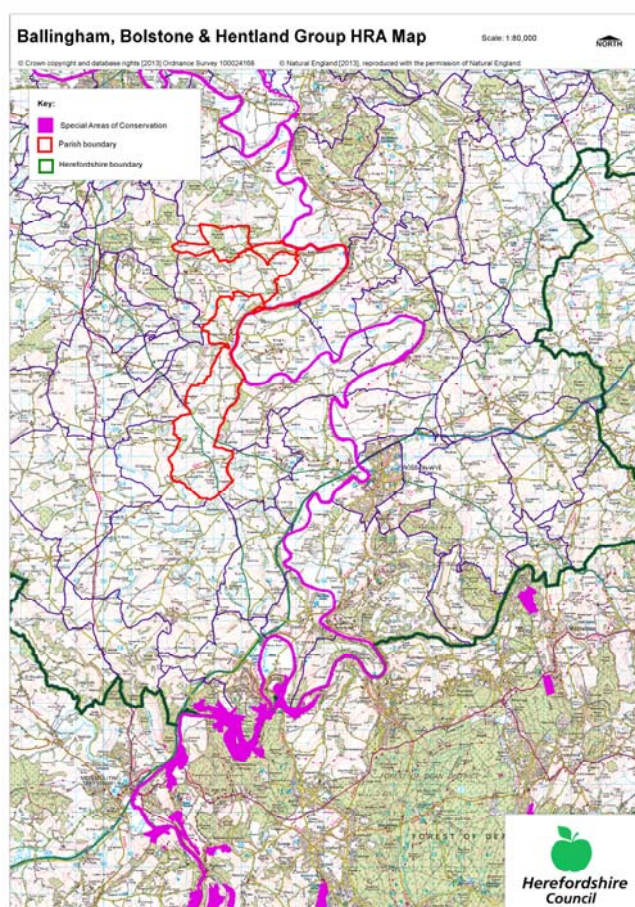
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1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National Planning Policy Framework. The screening stage involves assessing broadly whether the final Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Ballingham, Bolstone and Hentland Group Parish Council have produced a Neighbourhood Development Plan for Ballingham, Bolstone and Hentland Group of parishes, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the submission Ballingham, Bolstone and Hentland Plan (September 2018).
- 1.3 The NDP is criteria based and does not allocate sites within the Ballingham, Bolstone and Hentland Group of settlements. The plan allocates a settlement boundary for Hoarwithy and St Owens Cross. It provides general criteria policies that clarify and given more detail to those within the Herefordshire Core Strategy.
- 1.4 This requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Core Strategy. It should be read in combination with the Core Strategy Habitat Regulations Assessment Report and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.5 The map below shows Ballingham, Bolstone and Hentland Group Neighbourhood Area to which this assessment related.

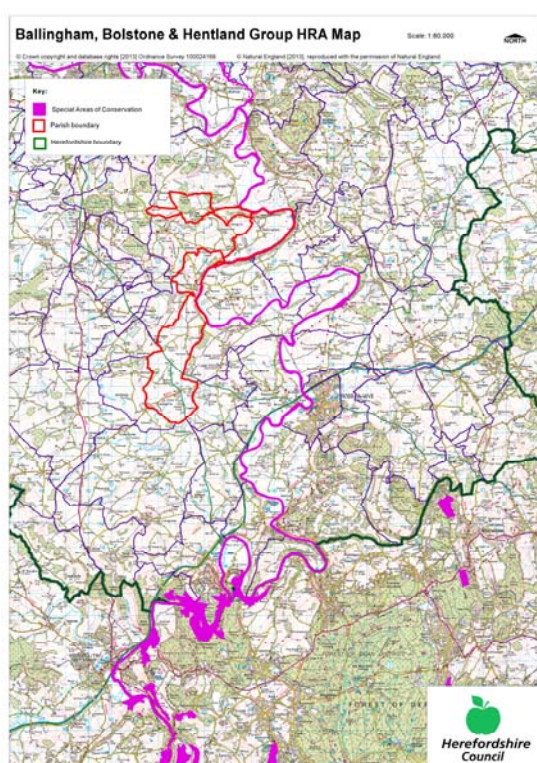


2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the “Habitats Regulations” published for England and Wales in July 2007 and updated in 2013. Therefore, when preparing its NDP, Ballingham, Bolstone and Hentland Group Parish Council is required by law to carry out an assessment known as “Habitats Regulations Assessment”. It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that:
Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive ‘on the conservation of wild birds’ (79/409/EEC; ‘Birds Directive’) for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
 - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.
- 2.5 Herefordshire Council is aware of the recent judgement (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage. The initial screening undertaken in February 2014 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The purpose of this final HRA 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 (January 2017 and March 2018) and reviewed in terms of the implications of *Sweetman*.

3 Methodology

- 3.1 Although the Ballingham, Bolstone and Hentland NDP is not directly regarding the management of any European sites, it does include proposals for development which may affect European sites. Therefore, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.
- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.
- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites. For Neighbourhood Plans the outcome should demonstrate there are no likely effects upon the European sites. If any likely effects occur then there will need to be amendments to the NDP made and be re-screened until all likely effects have been addressed.



4 Results of the Initial Screening Report and qualifying features of the European Sites

- 4.1 The initial Screening report (February 2014) found that the River Wye (including the River Lugg) SAC borders along the eastern edge of all three parishes. Figure 2 below highlights the location of River Wye SAC in relation to the neighbourhood area. The parish falls within 10km of the Wye Valley Woodlands, the parishes is 7.5km away from the Wye Valley Woodlands.
- 4.2 There is a duty under the Water Framework Directive to ensure that proposals for growth do not adversely affect the river water quality and this included the associated watercourses flowing into the rivers. There is also a duty under the EU Habitats Directive to ensure that proposals for growth do not adversely affect habitats and biodiversity. This directives promotes to maintain, restore and enhance natural habitats and wild species within the protected sites.

Site integrity of the River Wye (including the River Lugg) SAC

- 4.3 The issues associated with maintaining the sites integrity include water levels and flow, water quality, eutrophication (nitrogen enrichment), sedimentation, disturbance and species maintenance.
- 4.4 The River Wye SAC can be sensitive to changes in water quantity and quality. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, the water supply in this area comes from Dwr Cymru Welsh Water (DCWW) and no likely significant effects on European sites as a result of changes in water quality are expected in relation to the proportional growth outlined with the Herefordshire Core Strategy.
- 4.5 In relation to water quality, Policy SD4 of the Herefordshire Core Strategy indicates that any development should not undermine the achievement of water quality targets within the county's rivers. This should ensure that developments within the area can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC. This position is confirmed within the HRA of the Core Strategy in April 2015.
- 4.6 The addition of the Nutrient Management Plan for the River Wye SAC will support this policy. There is no Welsh Water sewerage infrastructure within the settlement of Hoarwithy, as such alternative drainage methods such as septic tanks will be required in line with policy SD4 of the Herefordshire Core Strategy. In terms of water supply, there ought to be no issue in accommodating the level of growth, though some level of off-site mains may be required dependant on the location of the sites. There is mains drainage for the group parish at St Owens Cross. DCWW states that a limited capacity in St Owens Cross for water capacity, but it should be able to accommodate the "proportionate" housing growth proposed. Dependiant on the location of development, some level of off-site sewers may be required. In terms of water supply, there ought to be no issue in accommodating the level of growth, though some level of off-site mains may be required dependant on the location of the sites.
- 4.7 For full details of the River Wye's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Ballingham, Bolstone and Hentland Initial Screening Report. The Initial Screening Report, February 2014, can be found in Appendix 1 of this HRA report.
- 4.8 This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Ballingham, Bolstone and Hentland Neighbourhood Plan may affect site integrity.

- 4.9 The initial screening assessment indicated that a full screening assessment is required to assess the likelihood of significant effects on the River Wye (including the River Lugg) SAC and Wye Valley Woodlands SAC of the policies within the Ballingham, Bolstone and Hentland NDP.

Wye Valley Woodlands SAC

- 4.10 The Greater Horseshoe Bat and Lesser Horseshoe bat feature within the Wye Valley Woodlands and acts as a habitat buffer for bats. The Greater Horseshoe Bat are known to migrate between 20-30km between their summer and winter roosts whereas the Lesser Horseshoe migrate 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance, noise and vibration, light pollution and habitat loss. NDPs sites within 10 km of the Wye Valley Woodlands will need to consider development impact to these species and their habitats. NDPs closest to the SAC will need to consider: Woodland habitat buffer. Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.
- 4.11 The issues associated with maintaining the sites integrity include impact of development result in changes in landscape and townscape. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, impact on European Sites is dependent on scale and proximity to the European sites.
- 4.12 In relation to impact on biodiversity and important species, Policy LD2 of the Herefordshire Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests.
- 4.13 For full details of the Wye Valley Woodlands Sites attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Ballingham, Bolstone and Hentland Initial Screening Report. The Initial Screening Report, February 2014, can be found in Appendix 1 of this HRA report.
- 4.14 This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Ballingham, Bolstone and Hentland Neighbourhood Plan may affect site integrity.
- 4.15 The initial screening assessment indicated that a full screening assessment is required to assess the likelihood of significant effects on the Wye Valley Woodlands of the policies within the Ballingham, Bolstone and Hentland NDP. For full details of the Wye Valley Woodlands SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the BBH Plan Initial Screening Report. The Initial Screening Report, February 2014, can be found in Appendix 4 of this HRA report. This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Ballingham, Bolstone and Hentland Neighbourhood Plan may affect site integrity.

- 4.16 The initial options for the NDP were assessed to determine their environmental impact that could affect the Wye Valley Woodlands SAC. Overall the majority of the options proposing any growth appear to depend on location and scale in relation to environmental impact. The BBH NDP does not allocate sites or settlement boundaries within the plan. The group parish is 7.5 km away from the Wye Valley Woodlands SAC. Therefore a full HRA report is required at planning application stage when further details are known regarding new housing development and will be assessed on a case by case basis.
- 4.17 As the BBH Plan progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the Wye Valley Woodlands SAC could be achieved, alongside taking forward the preferred options from the consultation from the community. If a majority of these options are taken forward either as standalone policies or in combination with other policies then the mitigation from these options will help to counter balance the effect of all new development within the Parish. A list of the options and site options assessed can be found in Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the Ballingham, Bolstone and Hentland Neighbourhood Development Plan

- 5.1 The final Ballingham, Bolstone and Hentland NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The Plan begins by introducing its preparation and highlighting its issues.
- 5.2 The NDP then details the vision for the Group Parish over the Plan period; 'To be home to strong and thriving communities, working together to maintain and celebrate our history, preserve our beautiful rural setting and unique character while embracing sustainable development'. There are nine objectives of how this will be achieved. The objectives cover the following topics:
- Objective 1 - To encourage phased growth appropriate to the area's different settlements to maintain the area's vitality and community.
 - Objective 2 - To encourage improvements in public transport, road safety, traffic, footpaths, cycleways and bridleways.
 - Objective 3 - To encourage outdoor tourist activity and improvements in recreation and leisure facilities.
 - Objective 4 - To support business growth and access to job opportunities.
 - Objective 5 - To improve communications infrastructure.
 - Objective 6 - To protect and enhance the area's landscape.
 - Objective 7 - To conserve and enhance the area's natural heritage and historic assets.
 - Objective 8 - To protect and enhance community facilities.
 - Objective 9 - To address the needs of the area's different age groups.
- 5.3 The initial options for the NDP (refer to appendix 2) were assessed to determine their environmental impact that could affect the River Wye SAC and Wye Valley Woodlands SAC. Of the nine options put forward the 'no NDP / do nothing' option was not considered viable for the Parish.

The remaining four options of

Option 1- Not prepare and NDP and let HC use the Core Strategy and Allocations Plan.
Option 2- Use a criteria based policy for allocating sites - as in the informal consultation draft.
Option 3- Allocate sites
Option 4- Define settlement boundaries as in the current version of the plan.

All of which indicated towards growth however all the options would be seeking to provide proportional growth in line with the Core strategy and are therefore unlikely to have a significant impact on the SACs.

- 5.4 As Ballingham, Bolstone and Hentland Neighbourhood Plan progressed from options to draft NDP policies, the Plan needed to identify ways in which the least effect on the River Wye SAC could be achieved, alongside taking forward the preferred option from the consultation from the community. A list of the options assessed can be found in previous HRA assessments, and the Assessment matrix for the options can be found HRA January 2017 and March 2018 version.
- 5.5 The NDP also sets out 12 general policies on various topics based on the objective headings above and also for group parish, these include:
- BBH1-promoting new housing development in the settlement of Hoarwithy and St Owen's Cross.
 - BBH2-Public Transport
 - BBH3-Traffic and Road Safety
 - BBH4-Footpaths, cycleways and bridleways
 - BBH5-Promoting outdoor tourism, leisure and recreation
 - BBH6-Employment growth and jobs.
 - BBH7- New development to improve communications infrastructure
 - BBH8- Protecting and enhancing landscape character
 - BBH9- High quality design
 - BBH10- Protecting local landscape and local heritage assets
 - BBH11- Protecting community facilities, shops and pubs
 - BBH12- A vibrant and thriving community

6.0 Assessments undertaken to date of the emerging Ballingham, Bolstone and Hentland NDP policies

- 6.1 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 Ballingham, Bolstone and Hentland NDP would be likely to have a significant effect on the River Wye SAC and Wye Valley Woodlands SAC. This has been repeated at each statutory stage of the NDP consultation process.
- 6.2 The findings of those screening matrix can be found within the previous versions of the HRA report and its addendum. This final report aims to bring together these assessments and review in light of the final examination modifications and the implications of the *Sweetman* case.

Screening of the draft plan (Reg14)

- 6.3 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.
- 6.4 None of the Ballingham, Bolstone and Hentland NDP objectives and policies (September 2018) were concluded to be likely to have a significant effect on the European site. Although three of the parishes making up the Ballingham, Bolstone and Hentland Group border the River Wye SAC, only Hoarwithy and Ballingham villages are in close proximity to the river itself. Core Strategy policies SD3 and SD4 together with the Nutrient Management Plan will ensure that development can only occur if these policy requirements are met.

- 6.5 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development and the SAC itself is not within the parish. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 6.6 It is unlikely that the Ballingham, Bolstone and Hentland 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 Ross on Wye Housing Market Area in the Herefordshire Core Strategy
- 6.7 Therefore it was concluded that the **Reg14 Ballingham, Bolstone and Hentland NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC and Wye Valley Woodlands SAC.**

Screening of modifications to NDP (Reg16)

- 6.8 The submission NDP incorporates additional policy criteria or wording to add clarity and emphasis throughout the document. The additional criteria added to policies ENV1 and BBH1 and BBH5 added further safeguarding to the natural and built environment. 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. This will give criteria for future applications to meet to support policy SD4 and ensure that the delivery of the Nutrient Management Plan is not compromised.
- 6.9 Modifications made to sever other policies of the plan are considered to be minor and would not have a significant effect on the results previously assessed. These were points of clarity and minor word changes.
- 6.10 The revised NDP policies are therefore unlikely to result in significant effects on the European sites.

7 Assessment of the 'likely significant effects' of the submission Ballingham, Bolstone and Hentland NDP (September 2018) – Following reg 16 and implications and implications of the Sweetman over Wind case

- 7.1 The submission NDP incorporates the modifications that the second examiner has recommended within the examiner's report. These changes are to ensure that the plan meets the Basic Conditions.
- 7.2 No new policies have been introduced into the final NDP following the examination; however there have been some minor word changes to the policies. The main changes have occurred to policies BBH1 and BBH5, this has added in extra criteria to protect the natural environment.
- 7.3 In light of the *Sweetman* case all policies have been reviewed to ensure compliance with the ruling. The finding can be found in appendix 3.
- 7.4 The findings of the screening matrix can be found in the Screening Matrix in the appendix. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

Red	There are likely to be significant effects
Green	Significant effects are unlikely

- 7.5 Following the recent *Sweetman* judgement, it is not permissible to take account of measure intended to avoid or reduce the harmful effects of the plan on the River Wye SAC and Wye Valley Woodlands are at the final screening stage. Any likely significant effects would require an Appropriate Assessment to be required.

8 Conclusions from the Screening Matrix

- 8.1 None of the final Ballingham, Bolstone and Hentland Neighbourhood Plan (Sept 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC or Wye Valley Woodlands SAC. Although three of the parishes making up the Ballingham, Bolstone and Hentland Group border the River Wye SAC, only two villages are in close proximity to the river itself.
- 8.2 This is partly down to scale and extent of plan also the Ballingham, Bolstone and Hentland Plan does not allocate sites and has mostly protective policies safeguarding the natural and built environment. For the policies contained in the plan there is sufficient policy criteria in Core Strategy policies LD2, SD3 and SD4 to ensure that development can only occur if these criteria are met.
- 8.3 The Ballingham, Bolstone and Hentland NDP is primarily a criteria based plan and therefore the policies themselves would not result in development. In a number of cases the policies also included criteria to support the natural environment therefore no significant effect conclusion could be reached.
- 8.4 There are no allocated sites for development, just a highlighted development strategy of contiguous growth. There are settlement boundaries designated in Hoarwithy, Ballingham and St Owens Cross. Hoarwithy and Ballingham are in close proximity to the River Wye SAC, but intend growth within these boundaries to be in line with the Core Strategy proportionate growth, as of April 2017 there is a residual figure of 8 for the whole of the group parish.
- 8.5 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is currently limited capacity with regards to permitted headroom in the Sewerage Treatment works serving the Ballingham, Bolstone and Hentland Group area to continue to treat the water from the amount of housing provided for in the Core Strategy policies. Continuing work is required with DCWW to ensure that sufficient headroom can be provided through improvements and a potential feasibility study may be required to assess any further upgrade requirements. Policy SD4 of the Core Strategy indicate that development would not be permitted if wastewater treatment and water quality cannot be assured.
- 8.6 In addition, the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.
- 8.7 No mitigation measures have been included within the screening of the policies of the NDP. Policies of the Core Strategy and the NDP will form part of the development plans. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 8.8 This review and rescreening in addition to the revisions to the policies from the examination, have been found to be unlikely to result in significant effects on the River Wye SAC and Wye Valley Woodlands SAC. ***It is therefore concluded that the Ballingham, Bolstone and Hentland Plan will not have a likely significant effect on the River Wye SAC and Wye Valley Woodlands SAC.***

9 Identification of other plans and projects which may have 'in-combination' effects

- 9.1 There are a number of potentially relevant plans and projects which may result in in-combination effects with the Core Strategy across Herefordshire, these plans have been reviewed and can be found in Appendix 2 of the publication of the Herefordshire Local Plan Core Strategy Habitats Regulations Assessment (Oct 2015).

- 9.2 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy.
- 9.3 Adjacent neighbourhood plans include Little Dewchurch, Kings Caple, Fownhope have all been adopted. Holme Lacy, Brockhampton and Much Fawley and Llanwarne and District group will feature in the Rural Areas DPD Llangarron are in the process of drafting their reg 16 plan and Peterstow at examination stage. These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 9.4 The HRA for the Core Strategy also identifies that both the Water Cycle Study for Herefordshire, which indicates the potential for planned water abstraction requirements combined with pressures on European Sites from the Core Strategy policies, and the work on the Nutrient Management Plan, to ensure the favourable conservation status of the SAC in respect of phosphate levels as soon as possible and at the latest by 2027, have both been considered as part of the in-combination assessment.
- 9.5 It is unlikely that the Ballingham, Bolstone and Hentland Plan will have any in-combination effects with any plans from neighbouring parish councils as the level of growth proposed is the same as that proposed for the Ross on Wye housing Market Area in the Herefordshire Core Strategy.

10.0 Conclusion

- 10.1 With reference to sections 6 to 9 above, the modifications to the NDP are not considered to affect the findings of the previous HRA report. Equally the review in light of the *Sweetman* case are also not considered to affect the previous findings.
- 10.2 Therefore the earlier conclusions that the **Ballingham, Bolstone and Hentland NDP will not have a likely significant effect on the River Wye SAC and Wye Valley Woodlands SAC** remains valid.

11.0 Next steps

- 11.1 This final Report will be published alongside the final Ballingham, Bolstone and Hentland NDP and the earlier HRA Report and its addendum. This will be subject to a consultation with the statutory bodies prior to the examination of the Ballingham, Bolstone and Hentland NDP.

Appendix 1

**Initial Habitat Regulations Assessment and Strategic Environmental
Assessment Screening Notification**

The Neighbourhood Planning (General) Regulation 2012 (Reg. 32)

Conservation of Habitats and Species Regulations 2010 (d)

Neighbourhood Area:	Ballingham, Bolstone & Hentland Neighbourhood Area
Parish Council:	Ballingham, Bolstone & Hentland Group Parish Council
Neighbourhood Area Designation Date:	14/04/2014

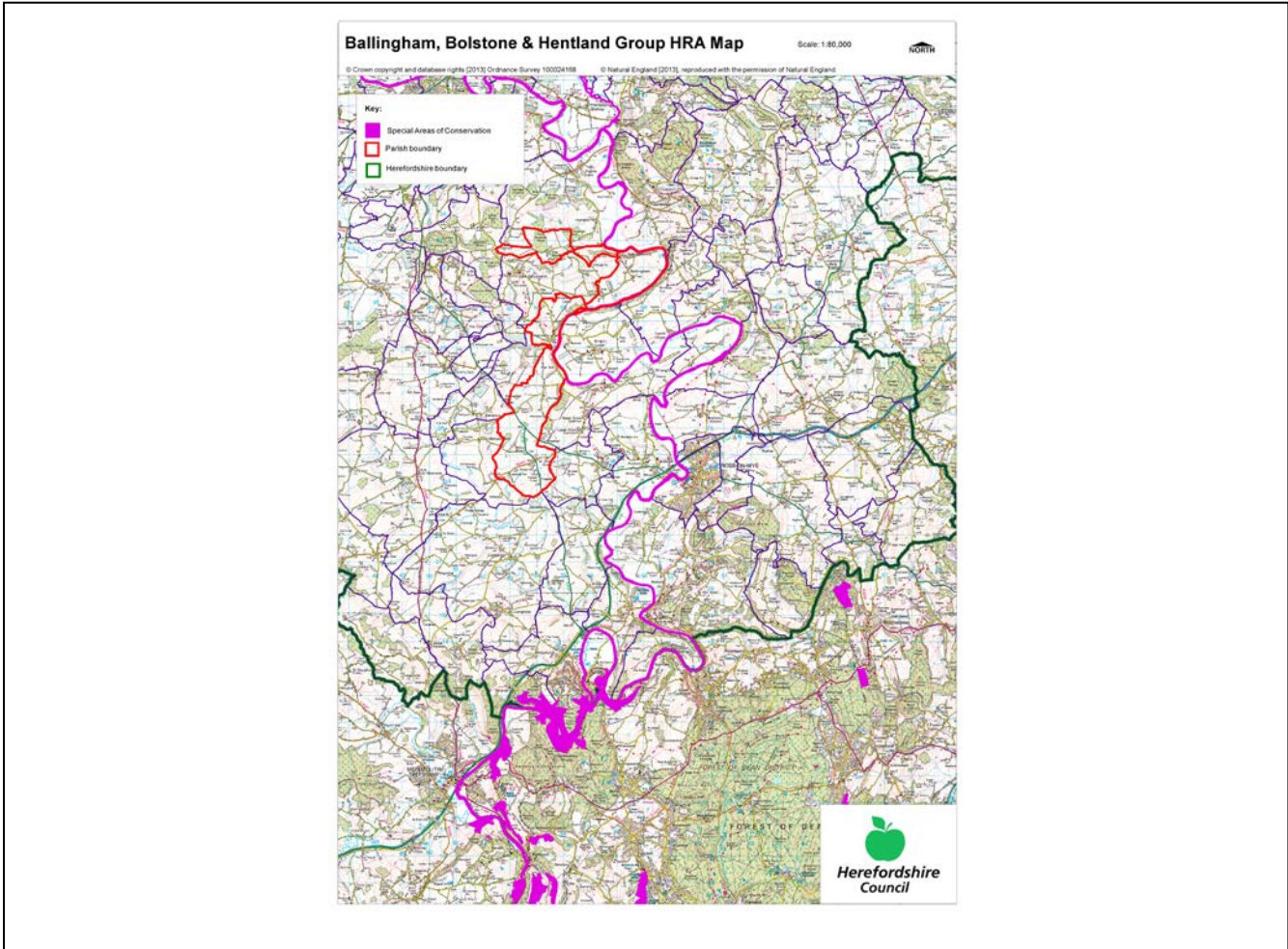
Introduction

This Initial Habitat Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) Screening has been undertaken to assess whether any European Sites exist within or in proximity to the Neighbourhood Area which could be affected by any future proposals or policies.

Through continual engagement the outcomes of any required assessments will help to ensure that proposed developments will not lead to Likely Significant Effects upon a European Site or cause adverse impacts upon other environmental assets, such as the built historic or local natural environment.

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**HRA Initial Screening: Map showing relationship of Neighbourhood Area with European Sites
(not to scale)**



Initial HRA Screening

River Wye (including the River Lugg) SAC:

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	Y	The River Wye SAC runs along the borders of all 3 Parishes.
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Group Parish is within the hydrological catchment of the River Wye.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage in St Owens Cross.

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 41.1km away from the Group Parish.
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River Clun SAC:

Does the Neighbourhood Area include: Border Group Parish Council or Leintwardine Group Parish Council?	N	River Clun does not border the Group Parish.
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Usk Bat Sites SAC:

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 34.6km away from the Group Parish.
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Wye Valley & Forest of Dean Bat Sites SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	Wye Valley and Forest of Dean Bat Sites are 11.4km away from the Group Parish.
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Wye Valley Woodlands SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	Y	Wye Valley Woodlands are 7.5km away from the Group Parish.
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HRA Conclusion:

The assessment above highlights that the following European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Ballingham, Bolstone & Hentland Group Neighbourhood Area and a Full HRA Screening will be required.

European Site

(List only those which are relevant from above)

River Wye (including the River Lugg) SAC

Wye Valley Woodlands SAC

Strategic Environmental Assessment Initial Screening for nature conservation landscape and heritage features

The following environmental features are within or in general proximity to the Ballingham, Bolstone & Hentland Group Neighbourhood Area and would need to be taken into account within a Strategic Environmental Assessment. In addition, the NDP will also need to consider the other SEA topics set out in Guidance Note 9a to ensure that the plan does not cause adverse impacts.

SEA features	Total	Explanation	SEA required
Air Quality Management Areas (AQMA)	0	There are no AQMAs within the Group Parish	N
Ancient Woodland	21	Nether Wood (border); Lady Coppice (border); Fox Wood (border); Ballis Wood (border); Trilloes Court Wood; Upper Bolstone Wood; Lower Bolstone Wood; Widows Wood (border); Brick Kiln Wood (border); 1 unlabelled site at Kidley Hill; 1 unlabelled site at Ballingham Hill; Carey & Capler Woods (border); Armastone Wood (border); Weaven Wood; Gwatkins Grove; Elvaston Wood (border); Riggs Wood (border); Pengethley Grove (border); Tuft Wood; 1 x unlabelled site between Dason Court and Harewood End Public House; Lower Heath Wood	Y
Areas of Archaeological Interest (AAI)	0	There are no AAIs within the Group Parish	N
Areas of Outstanding Natural Beauty (AONB)	1	Wye Valley AONB runs through part of the Group Parish	Y
Conservation Areas	1	Hoarwithy	Y
European Sites (SAC)	1	River Wye	Y
Flood Areas/Zones		Flood Zones follow the River Wye	Y
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Group Parish	Y
Local Sites (SWS/SINCS/RIGS)	25 (SWS) 1 (RIGS)	SWS: Athelstans and Rough Hill Woods & The Crickets (border); Ballis Wood (border); Trilloes Court Wood; Upper Bolstone Wood & The Belt; Lower Bolstone Wood; Woodlands on Aconbury Hill (border); Williams Wood (border); Brick Kiln Wood (border); Ponds at Holme Lacy (border); River Wye; Kidley Hill Wood; Ballingham Wood; Woods along the Wye from Capler Camp (border); Ballingham Railway Tunnel; Fields north of Carey; Fawley Railway Tunnel (border); Although Wood; Margin of Wriggle Brook near Tresseck; redbrook Meadow, Gwatkins grove & Grandoos Coppice (border); Riggs Wood (border); Castle Meadow Wood (border); Pengethley Grove (border); The Moors; Upper Heath & Lower Heath Woods (border); Wilson Farm	Y

		Ponds (border)	
Long distance footpaths/trails	1	Herefordshire Trail	Y
Mineral Reserves	0	There are no Minerals Reserve Sites within the Group Parish	N
National Nature Reserve (NNR)	0	There are no NNRs within the Group Parish	N
Registered & Unregistered Parks and Gardens	1 Registered 7 Unregistered	Registered: Holme Lacy (border) Unregistered: Harewood Park (border); Pengethley Park; Caradoc Court (border); Pennoxstone (border); Armastone (border); Fawley Court (border); Brockhampton, by Ross (border)	Y
Scheduled Ancient Monuments (SAM)	5	Moated site, Trilloes Court Wood; Capler Camp (border); Churchyard cross at St Davids churchyard (border); Caple Tump, a motte castle 175m south west of Caple Court (border); Churchyard cross at St Dubricius' churchyard	Y
Sites of Special Scientific Interest (SSSI)	5	River Wye (Unfavourable Recovering); Capler Wood (Favourable) (border); Birch Wood (Favourable) (border); Lea & Pagets Wood (Favourable (part) Unfavourable recovering (part) Unfavourable Declining Part (part) (border)); Common Hill (Favourable (part) Unfavourable Recovering (part) Unfavourable Declining (part)) (border)	Y

Decision Notification:

The initial screening highlights that the Neighbourhood Development Plan for the Ballingham, Bolstone & Hentland Group Neighbourhood Area:

- a) Will require further environmental assessment for Habitat Regulations Assessment and Strategic Environmental Assessment.

Assessment date: 11/02/2014

Assessed by: James Latham

Appendix 1: European Sites

The table below provides the name of each European Site, which has been screened in for the purposes of neighbourhood planning in Herefordshire; includes their site features of integrity; and vulnerability data. This is based on the sites individual features of integrity and their vulnerabilities, which could include distance criteria. This has been used in identifying which parishes are likely to require a full HRA Screening of their future Neighbourhood Development Plan, to establish if their plan might have Likely Significant Effects on a European Site.

Downton Gorge
Site Features: <i>Tilio-Acerion</i> forests of slopes, screes and ravines
Vulnerability data: 10km for air quality associated with poultry units or other intensive agricultural practices.
River Clun
Site Features: Freshwater pearl mussel <i>Margaritifera margaritifera</i>
Vulnerability data: Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
River Wye
Site Features: Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. Transition mires and quaking bogs. White-clawed (or Atlantic Stream) crayfish <i>Austropotamobius pallipes</i> . Sea lamprey <i>Petromyzon marinus</i> . Brook lamprey <i>Lampetra planeri</i> . River lamprey <i>Lampetra fluviatilis</i> . Twaite shad <i>Alosa fallax</i> . Atlantic salmon <i>Salmo salar</i> . Bullhead <i>Cottus gobio</i> . Otter <i>Lutra lutra</i> . Allis shad <i>Alosa alosa</i>
Vulnerability data: Proximity: Developments should not be within 100m of the designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing site allocations. Water Quality: Within the whole catchment of the River Wye, which includes the River Lugg, mains drainage issues with regards to water quality are being resolved through the Core Strategy / Local Plan and development of a Nutrient Management Plan. Welsh Water should be consulted to ensure that the proposed growth will be within the limit of their consents. Otters: "An otter will occupy a 'home range', which on fresh waters usually includes a stretch of river as well as associated tributary streams, ditches, ponds, lakes and woodland. The size of a home range depends largely on the availability of food and shelter, and the presence of neighbouring otters. On rivers, a male's home range may be up to 40km or more of watercourse and associated areas; females have smaller ranges (roughly half the size) and favour quieter locations for breeding, such as tributary streams. Otters without an established home range are known as 'transients'. They are mostly juveniles looking for a territory of their own, or adults that have been pushed out of their territories. Transient otters may use an area for a short while, but they will move on if conditions are not suitable or if they are driven away by resident otters. Transients will have been important in extending the range of otters, but they are very difficult to identify from field signs. Within a home range an otter may use many resting sites. These include above-ground shelters, such as stands of scrub or areas of rank grass, and underground 'holts' – for example, cavities under tree roots and dry drainage pipes." (Source: EA website: http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf accessed 09/04/2013)

Usk Bat Site

Site Features: Annex I habitats present as a qualifying feature, but not a primary reason for site selection: European dry heaths, Degraded raised bogs still capable of natural regeneration, Blanket bogs, Calcareous rocky slopes with chasmophytic vegetation, Caves not open to the public, *Tilio-Acerion* forests of slopes, screes and ravines. Annex II species of primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*, UK population 5%, although it is suggested this is an underestimate.

Vulnerability data: Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues.

Wye Valley and Forest of Dean Bat Sites

Site Features: Annex II species that are a primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*. Greater horseshoe bat *Rhinolophus ferrumequinum*

Vulnerability data: Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues.

Greater Horseshoe bats are known to migrate between 20-30km between their summer and winter roosts.

NDPs closest to the European Site will need to consider:
Woodland habitat buffer.

Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.

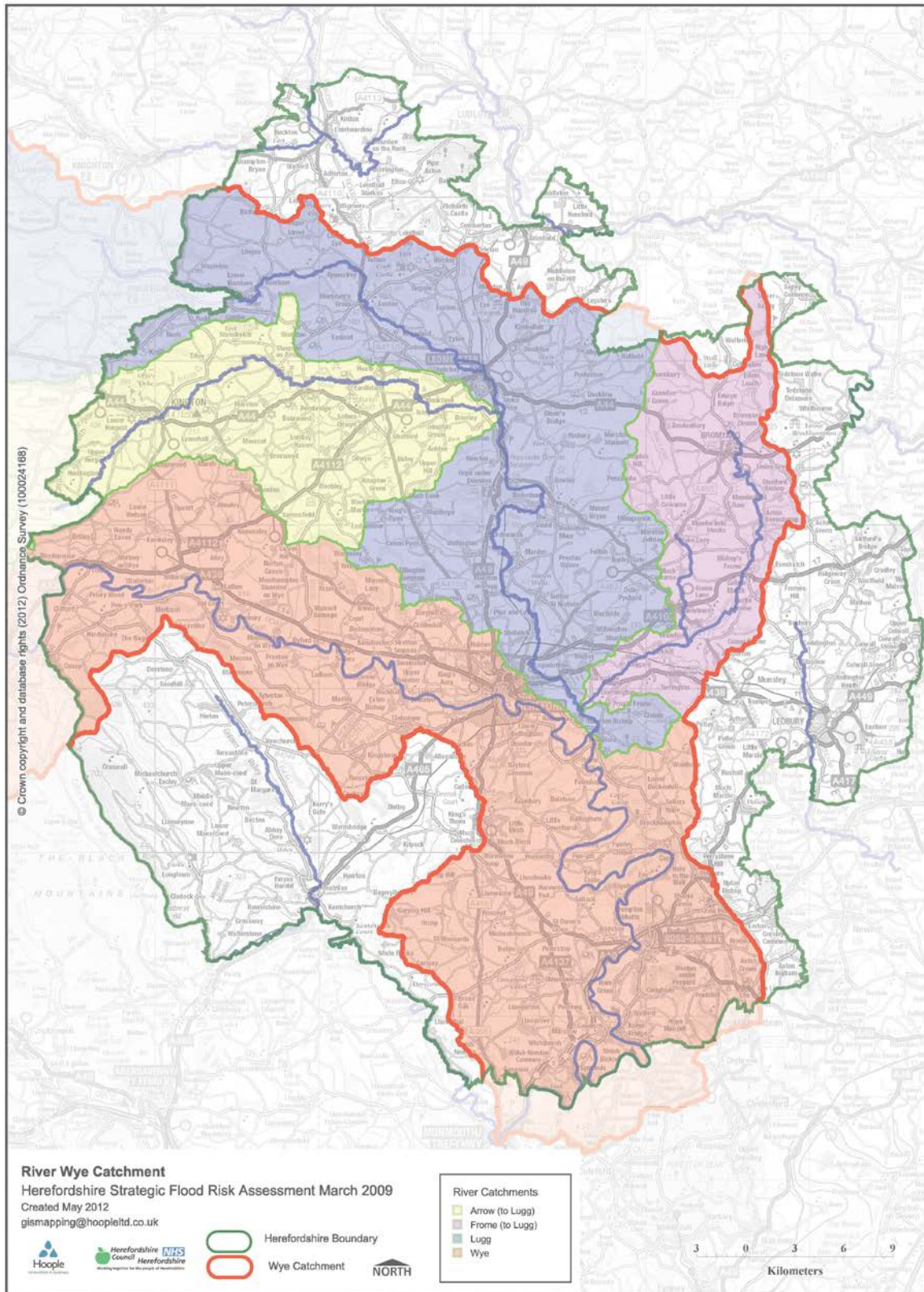
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation. A system/series of sites required. Vulnerable to loss of insect food supply, due to insecticide use, changing farming practices and loss of broad-leaved tree-cover and loss / disturbance of underground roosts sites.

Wye Valley Woodlands

Site Features: Annex I habitats that are a primary reason for site selection: Beech forests *Asperulo-Fagetum*, *Tilio-Acerion* forests of slopes, screes and ravines, *Taxus baccata* woods of the British Isles. Annex II species present as a qualifying feature, but not a primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*, 51-100 residents

Vulnerability data: Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues. NDPs closest to the European Site will need to consider: Woodland habitat buffer. Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.

Appendix 2: Wye Catchment Map



Appendix 2

Ballingham Bolstone and Hentland Options

Option 1- Not prepare and NDP and let HC use the Core Strategy and Allocations Plan.
Option 2- Use a criteria based policy for allocating sites - as in the informal consultation draft.
Option 3-Allocate sites
Option 4- Define settlement boundaries as in the current version of the plan.

Appendix 3

HRA Screening of final Neighbourhood Development Plan Policies

Date undertaken: September 2018

NDP objectives and policies	HRA Screening of final NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if option implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment
BBH1-promoting new housing development the settlement of Hoarwithy and St Owen's Cross.	Promotion of achieving housing target. Increased vehicle traffic Increased demand for water abstraction and sewage treatment.	All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No, policy criteria exist within the NDP and Core Strategy (LD2 and SD4) required to be meet for the development to receive planning permission.
BBH2- Public Transport	Improvement of public transport. Create sustainable transport links.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective to ensure new development to be in reasonable proximity to local transport network.

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BBH3- Traffic and Road Safety	<p>Promotion of sustainable methods of transport.</p> <p>Promotion of cycle and pedestrian provision.</p> <p>Promotion of access for all.</p> <p>Increase in walking and cycling.</p> <p>Decrease in traffic accidents.</p> <p>Development of transport infrastructure</p> <p>Traffic Calming measures</p> <p>Improvement of road safety</p>	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective to ensure any new development will not have a detrimental impact on road safety.
BBH4- Footpaths, cycleways and bridleways	<p>Increase in walking, riding and cycling.</p> <p>Decrease in traffic accidents.</p> <p>Development of transport infrastructure</p> <p>Improvement of road safety</p>	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective to protect and enhance the network of footpaths, cycleways and bridleways in the group parish.

BBH5- Promoting outdoor tourism, leisure and recreation	Promote outdoor and tourist activities within BBH. Increase in vehicle traffic. Increase in recreation activities.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective to
BBH6- Employment growth and jobs.	Growth of local jobs Increase in traffic Increase in water abstraction and sewage treatment	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No, policy criteria exist within the NDP and Core Strategy (LD2 and SD4) required to be met for the development to receive planning permission.
BBH7- New development to improve communications infrastructure	Improvement to communications infrastructure.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No, policy criteria exist within the NDP and Core Strategy (LD2 and SD4) required to be met for the development to receive planning permission.
BBH8- Protecting and enhancing landscape character	Safeguard existing landscape against inappropriate development. Encouragement of sustainable development which preserves and protects	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. This policy safeguards and criteria to enhance the natural landscape character of Ballingham, Bolstone and

	the landscape, environment and habitats.				Hentland Group.
BBH9- High quality design	Safeguard existing landscape against inappropriate development. Encouragement of sustainable development which preserves and protects the landscape, environment and habitats.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No this policy will not lead to development but contains the criteria to design adjudge applications against.
BBH10- Protecting local landscape and local heritage assets	Safeguard existing landscape against inappropriate development. Encouragement of sustainable development which preserves and protects the landscape, environment and habitats.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. This policy safeguards natural and local heritage assets of Ballingham, Bolstone and Hentland Group.
BBH11- Protecting community facilities, shops and pubs.	Community facility development. Community benefit. Increase in recreation and community events. Support and upkeep of	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No this policy will not lead to development but contains the criteria to retain existing community facilities, shops and pubs.

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	<p>existing local community facilities.</p> <p>Promote new development of community facilities.</p> <p>Increase in vehicular movements.</p>				
BBH12- A vibrant and thriving community		<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC</p>	No	<p>No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p>

Appendix 4

HRA Consultation Feedback

This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan

Parish Council Name: Ballingham, Bolsotne and Hentland Group Parish Council

Neighbourhood Development Plan Name: Ballingham, Bolstone and Hentland Group Neighbourhood Plan

Details of consultation: Regulation 14

Consultation date: 6 March- 18 April 2017

Consultation title: Regulation 14

Natural England 27/03/17

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion of no likely significant effect upon the named European designated sites:

- River Wye SAC
- Wye Valley Woodlands SAC.

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Appendix 5

HRA Consultation Feedback

This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan

Parish Council Name: Ballingham, Bolstone and Hentland Group Parish Council

Neighbourhood Development Plan Name: Ballingham, Bolstone and Hentland Group Neighbourhood Plan

Details of consultation: Regulation 16

Consultation date: 19 April 2018 to 31 May 2018.

Consultation title: Regulation 16

No comments were made in regards to the regulation 16 consultation.