

# Habitats Regulations Assessment

Regulation 16 Report for:

Welsh Newton & Llanrothal Neighbourhood Area

October 2018



# Welsh Newton and Llanrothal Neighbourhood Plan HRA

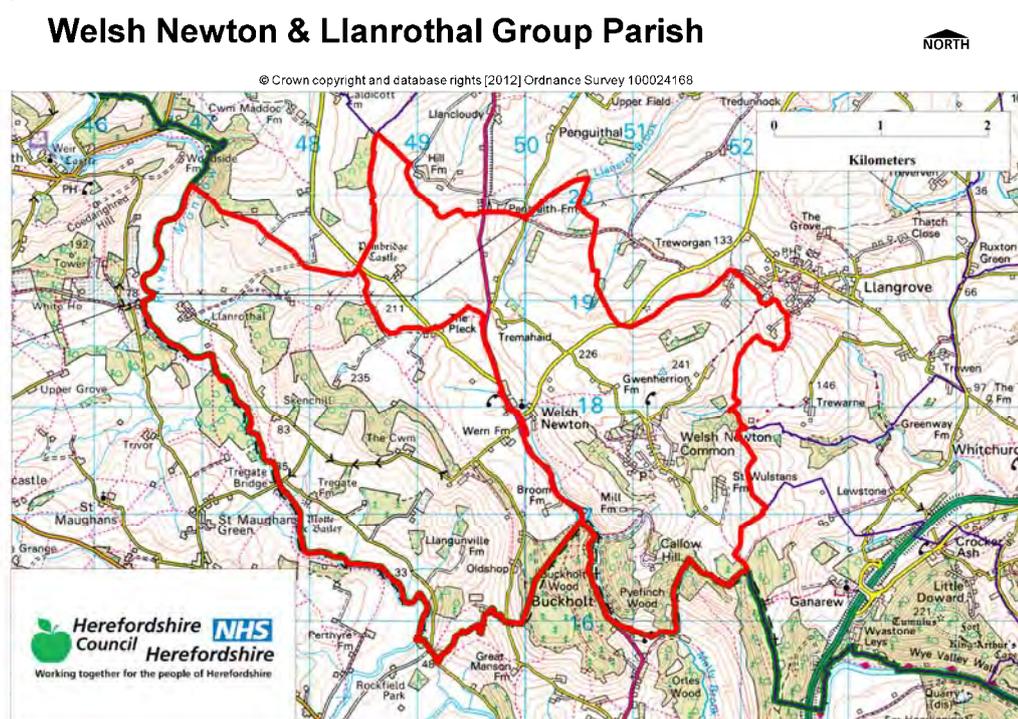
## HRA Screening Assessment

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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 submission Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Welsh Newton and Llanrothal Group Parish Council have produced a Neighbourhood Development Plan for Welsh Newton and Llanrothal Parish in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the re submission Welsh Newton and Llanrothal Neighbourhood Plan (October 2018).
- 1.3 The NDP is mostly criteria based and has one allocated site the former garage in Welsh Newton. The plan also designates a settlement boundary for Welsh Newton Common. 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 Welsh Newton and Llanrothal 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, Welsh Newton and Llanrothal and 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 May 2013 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The purpose of this submission 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 October 2015 and the amended report in September 2016 reviewed in terms of the implications of *Sweetman*.

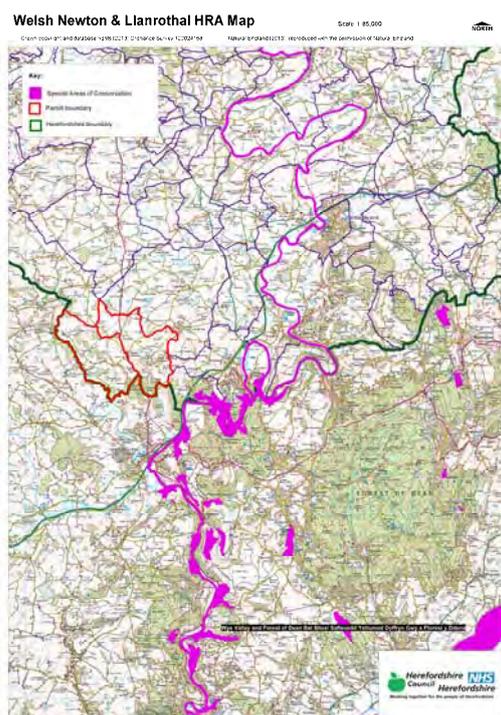
### 3 Methodology

- 3.1 Although the Welsh Newton and Llanrothal and 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 (May 2013) found that the River Wye (including the River Lugg) SAC is 1.3KM outside the parish and Wye Valley Woodlands is 3.5km. But Welsh Newton and Llanrothal and falls within the hydrological catchment area of the SAC. Figure 2 below highlights the location of River Wye SAC and Wye Valley Woodlands SAC in relation to the neighbourhood area.



- 4.2 There is also 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. **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 Neighbourhood area of Welsh Newton and Llanrothal. Therefore any new development will require alternative foul drainage under the provisions of 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.
- 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 Welsh Newton and Llanrothal Initial Screening Report. The Initial Screening Report, May 2013, 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 Welsh Newton and Llanrothal 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 Welsh Newton and Llanrothal 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 Welsh Newton and Llanrothal Initial Screening Report. The Initial Screening Report, May 2013, 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 Welsh Newton and Llanrothal Neighbourhood Plan may affect site integrity.
- 4.15 The initial screening assessment indicated that a full screening assessment is required to assessment the likelihood of significant effects on the Wye Valley Woodlands of the policies within the Welsh Newton and Llanrothal 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 Welsh Newton and Llanrothal Plan Initial Screening Report. The Initial Screening Report, May 2013, can be found in Appendix 1 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 Welsh Newton and Llanrothal Neighbourhood Plan may affect site integrity.

### **Options Considered**

- 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 Welsh Newton and Llanrothal NDP allocates 1 site and settlement boundary within the plan. The group parish is 3.5 km away from the Wye Valley Woodlands SAC and River Wye is 1.5km away. 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 Welsh Newton and Llanrothal 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.
- 4.18 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. The general options have been rescreened in light of sweetman case, the settlement boundary options were not screened at regulation 14 and 16 stage. Therefore they have been screened, and overall finding that most of the options are unlikely to have a significant effect to the SACs. Due to the nature of development and location of potential development within the settlement boundary.

## 5 Description of the Welsh Newton and Llanrothal and Neighbourhood Development Plan

- 5.1 The re submission Welsh Newton and Llanrothal and 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 ensure that the special characteristics of the villages within the five parishes that residents know and love, including their rural feel, historic buildings and relationship with the surrounding countryside, are enhanced and protected'. There are three objectives of how this will be achieved. The objectives cover the following topics:
- The Environment
  - Housing
  - Roads, Road Safety and Public Transport options
  - Children and Young People
  - Community Assets, Local Resources and Energy
- 5.3 : The Neighbourhood Plan also sets out 15 policies on themes based on the twenty objectives listed below.

### *Overall Objectives*

G01-To support appropriate business and rural economic development.

G02- To promote access to the open countryside.

G03- To protect and enhance the natural and built environment to benefit local wildlife.

### *Welsh Newton Common Objectives*

WNC1-To meet the need for affordable, local needs housing.

WNC2-To ensure development is appropriate in scale to rural setting.

WNC3- To promote development which is sustainably designed and uses local materials.

WNC4-To support temporary workers accommodation.

WNC5- To support sensitive conversions of existing rural buildings.

WNC6-To protect and enhance the natural environment.

WNC7-To promote local sustainability and community energy schemes.

WNC8-To protect and enhance local distinctiveness and the special characteristics of the area.

### *Welsh Newton Objectives*

WN1-To limit housing to exception housing in line with emerging core strategy policy RA3.

WN2-To promote sustainable design and local materials.

WN3-To support accessibility and promote local facilities.

WN4-To protect and enhance local distinctiveness and the special characteristics of the area.

### *Llanrothal Objectives*

L1-To limit housing to "Exception Housing" in line with Emerging Core Strategy Policy RA3.

L2-To promote sustainable design and local materials.

L3-To protect and enhance local distinctiveness and the special characteristics in the area.

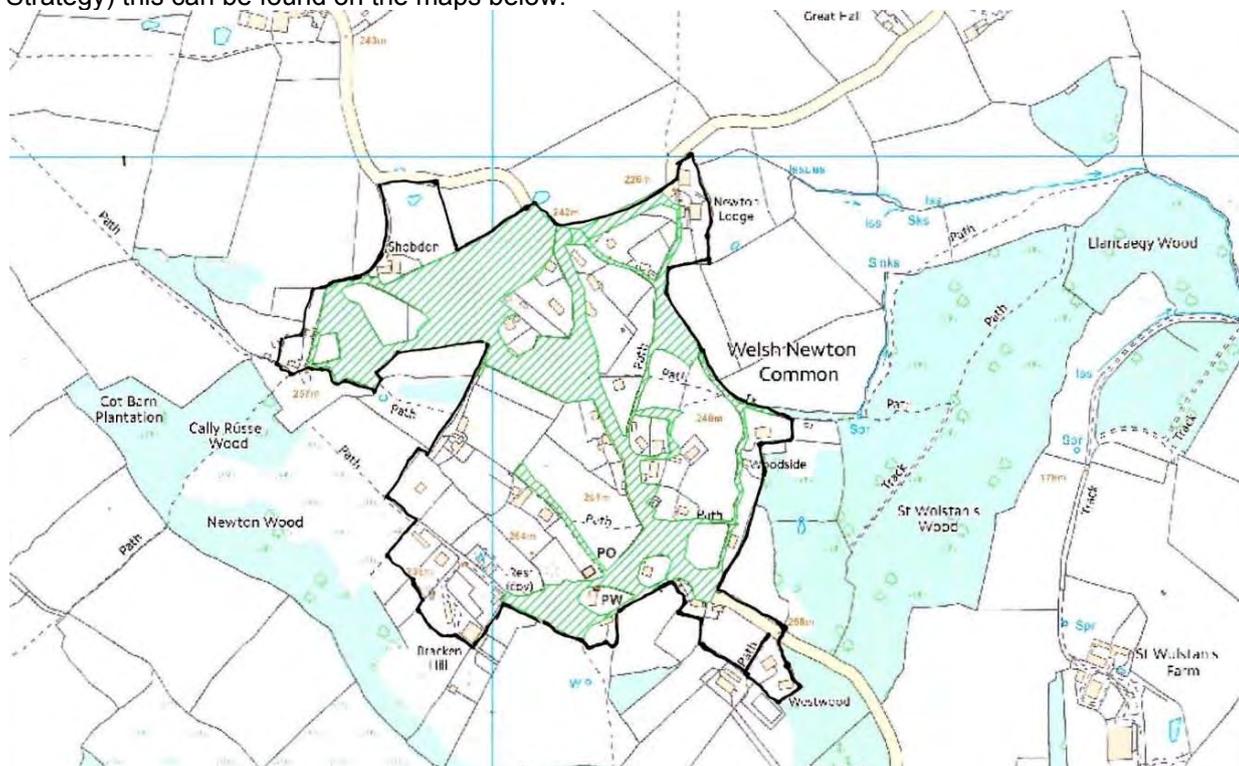
L4- To improve traffic management on local roads.

L5-To protect the historic environment.

- 5.4 As Welsh Newton and Llanrothal and 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 version.

### Settlement Boundary for Welsh Newton and Llanrothal.

- 5.5 As an 4.16 identified settlement Welsh Newton Common has been allocated a settlement boundary, Welsh Newton and Llanrothal have not been allocated a settlement boundary. The NDP proposes that the sites can be found for housing in the vacant sites within the settlement boundaries of Welsh Newton and Llanrothal in order to facilitate the proportional growth envisaged by Policy RA1 and RA2 of the Local Plan (Core Strategy) this can be found on the maps below.



- 5.6 The NDP also sets out 16 general policies on various topics based on the objective headings above and also for parish and meeting, these include:

- Policy WNL1- Protecting and Enhancing Local Landscape Character
- Policy WNL2- Green Infrastructure
- Policy WNL3- Protecting and Enhancing Local Wildlife and Habitats
- Policy WNL4- Local Greenspace Protection
- Policy WNL5- Building Design Principles
- Policy WNL6- Welsh Newton Common Settlement Boundary and New Housing
- Policy WNL7- Policy WNL7 Rural Exception Housing
- Policy WNL8- Extensions to Houses and Residential Conversions of Former Agricultural Buildings
- Policy WNL9- Site Allocation – Former Garage Site, Welsh Newton
- Policy WNL10- New business development in former agricultural buildings
- Policy WNL11- Poly tunnels
- Policy WNL12- Supporting New Communications Technologies and Broadband
- Policy WNL13- Supporting Community-Led Low Carbon Energy Schemes
- Policy WNL14- Renewable Energy Schemes
- Policy WNL15- Improving Local Footpaths, Bridleways, Cycleways and other Public Rights of Way
- Policy WNL16- Provision and Protection Of Local Community Facilities

### **Assessments undertaken to date of the emerging Welsh Newton and Llanrothal and 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 Welsh Newton and Llanrothal and NDP would be likely to have a significant effect on the River Wye 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 submission report aims to bring together these assessments and review in light of the regulation 14 comments, regulation 16 comments and the implications of the *Sweetman* case. The regulation 14 and 16 HRA reports can be found on the Herefordshire Council website in the neighbourhood planning sections.

### **Screening of the draft plan Regulation 14 (October 2015)**

- 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 Welsh Newton and Llanrothal and NDP objectives and policies (October 2015) were concluded to be likely to have a significant effect on the European sites. The River Wye does not flow directly in the neighbourhood area and is only within the hydrological catchment area and the Wye Valley Woodlands is 3.5km away from the parish. Core Strategy policy LD2, 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 Welsh Newton and Llanrothal and 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 Welsh Newton and Llanrothal NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC or Wye Valley Woodlands SAC.

### **Assessment of the 'likely significant effects' of the submission Welsh Newton and Llanrothal and NDP (September 2016) screening the regulation 16 draft**

- 6.8 The submission draft NDP rescreens all of the policies post reg 14 amendments. The changes were in light of comments received at regulation 14 consultation and to ensure that the plan meets the Basic Conditions. In response to Natural England's comments all of the options, objectives and policies have been rescreened to take into account Wye Valley Woodlands SAC, which the previous screening did not cover and additional policy of WNL2. Overall the rescreening did not 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. In general, these refinements relate to the composition of certain sentences and phrases, minor points of accuracy in relation to technical information and references to evidence base studies and other documentation.

- 6.9 One new policy WNL2 was introduced into the submission NDP following the reg 14; however there have been some minor word changes to the policies. WN3 was rescreened as additional criteria were added. Amendments to these criteria can help safeguard biodiversity. The mixed use site allocation for the former garage site in Welsh Newton is unlikely to have a significant impact on both European sites, due to scale and location of the site. Development within Welsh Newton and Llanrothal
- 6.10 The reg 16 submission NDP policies are therefore unlikely to result in significant effects on the European sites the River Wye (including the River Lugg) SAC or Wye Valley Woodlands SAC.

## 7 Assessment of the 'likely significant effects' of the submission Welsh Newton and Llanrothal and NDP (May 2018) screening the regulation 16 draft

- 7.1 Following the issuing of the first examiner's report, the Welsh Newton and Llanrothal Group Parish Council decided to withdraw their plan as there were concerns regarding how the modifications reflected the community aspirations.
- 7.2 The resubmission NDP incorporates most of the modifications that the examiner has recommended within the Examiner's report along with the environmental report and habitat regulations assessment. These changes are to ensure that the plan meets the Basic Conditions.
- 7.3 No new policies have been added following the examination, this has not added any new information that but has amalgamated a number of criteria deleted from other policies. Most of the amendments to all of the policies except for policy WNL1 have involved wording changes for clarity rather than emphasis or direction. The major changes occurred to policy WNL6, WNL8, WNL9, WNL11 and WNL12.
- 7.4 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.
- 7.5 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

- 7.6 Following the recent *Sweetman* judgement, it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on the River Wye SAC at this submission 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 submission Welsh Newton and Llanrothal and Neighbourhood Plan (May 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC. This is due to the scale and location of potential development on the one site allocated. The settlement of Welsh Newton Common is not in close proximity to the River Wye SAC.
- 8.2 All of the policies in the plan except for WNL1 have been amended and clarified in response to comments received from the Examiners Report. Welsh Newton and Llanrothal and NDP with sufficient policy criteria together with the Core Strategy policy LD2, SD3 and SD4 to ensure that development can only occur if these criteria are met.

- 8.3 The Welsh Newton and Llanrothal plan allocates settlement boundary for development within Welsh Newton Common. The settlement area appears to be enough capacity within the identified areas to meet the target housing growth.  
There is one site allocation in the plan which is located on a brownfield site, the plan supports mixed development. Due to the location of these areas, i.e. not directly on the river banks or adjacent to a watercourse that feeds into the River, and due to the scale of the sites for homes and businesses being small (no larger than 3 dwellings per plot and retail development under 80sq metres) and at the scale of growth that is required by the Herefordshire Core Strategy, these would not have an appreciable effect on the River Wye SAC and The Wye Valley Woodlands i.e. that they were not likely to be significant.
- 8.4 Welsh Newton and Llanrothal and have no mains drainage in the parish, impact of water abstraction and quality can be determined at planning application stage on a case by case basis. Policy SD4 of the Core Strategy and Policy indicate that development would not be permitted if wastewater treatment and water quality cannot be assured
- 8.5 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.
- 8.6 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.
- 8.7 Policy LD2 of the 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. The NDP allocates 1 mixed use site, therefore an AA is likely to be required at planning application stage, when further details of the proposed schemes are known. The Welsh Newton and Llanrothal plan mostly consists of mostly protective policies it is determined unlikely to have a significant impact on the SACs.
- 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. ***It is therefore concluded that the Welsh Newton and Llanrothal and Neighbourhood 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 Llangarron and Whitchurch and Ganarew, they are both progressing with their NDP and are at reg 16 stage. St Weonards will be included within the RASADPD, and Garway are in the early stages of producing an NDP. These plans have not gone over and beyond the requirements set out within the Core Strategy for their area. Welsh Newton and Llanrothal borders with Monmouthshire, they do not partake on Neighbourhood Plans.

- 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 Welsh Newton and Llanrothal 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 **Welsh Newton and Llanrothal and 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 re submission Report will be published alongside the submission Welsh Newton and Llanrothal and NDP and the earlier HRA Report. This will be subject to a 6 week consultation with the statutory bodies prior to submitting the Welsh Newton and Llanrothal and plan for re examination.

# Appendix 1

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**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)**

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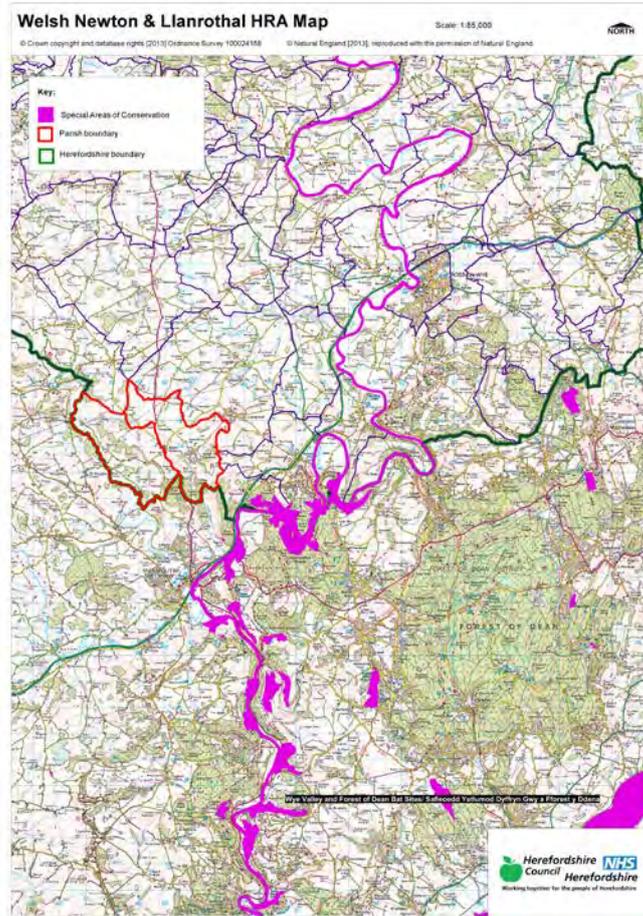
<b>Neighbourhood Area:</b>	Welsh Newton & Llanrothal Neighbourhood Area
<b>Parish Council:</b>	Welsh Newton & Llanrothal Group Parish Council
<b>Neighbourhood Area Designation Date:</b>	29/01/2013

### **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.

**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?	N	The River Wye 1.3km away from the Group Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The east of the Group Parish is within the River Wye hydrological catchment area.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage within the Group Parish

**Downton Gorge SAC:**

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 53.1km 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 28.3km 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	The Group Parish is 12.7km away from Wye Valley and Forest of Dean Bat Sites
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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	The Group Parish is 3.5km away from the Wye Valley Woodlands
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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 Welsh Newton & Llanrothal 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 Welsh Newton & Llanrothal 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.

<b>SEA features</b>	<b>Total</b>	<b>Explanation</b>	<b>SEA required</b>
Air Quality Management Areas	0	There are no AQMA's within the Group Parish	N
Ancient Woodland	11	Daren Wood; Nantywain Wood (border); Graiglywelyn Wood; Skenchill and Cwm Woods; Spout Wood; Tregate Warren; Newton Wood; Buckholt Wood; St Wolstans Wood; Pyefinch Wood; Hazel Wood	Y
Areas of Archaeological Interest	0	There are no AAI's within the Group Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONB's within the Group Parish	N
Conservation Areas	0	There are no Conservation Areas within the Group Parish	N
European Sites	0	There are no SAC's within the Group Parish	N
Flood Areas		The western boundary of the Group Parish is affected by Flood Zones 2 and 3	Y
Listed Buildings	Numerous	There are numerous Listed Buildings scattered all around the Group Parish	Y
Local Sites (SWS/SINCS/RIGS)	5 (SWS)	Daren Wood; Nantywain Wood (border); Skenchill Wood and adjoining woodlands; Tump Wood; Woodland at Welsh Newton & Callow Hill	Y
Long distance footpaths/trails	0	There are no long distance footpaths within the Group Parish	N
Mineral Reserves	0	There are no Minerals Reserves Sites within the Group Parish	N
National Nature Reserve	0	There are no NNR's within the Group Parish	N
Registered & unregistered parks and gardens	0	There are no Registered or Unregistered Parks and Gardens within the Group Parish	N
Scheduled Ancient Monuments	2	Pembridge Castle (uninhabited parts); Motte at Tegate Castle Farm	Y
Sites of Special Scientific Interest	0	There are no SSSI's within the Group Parish	N

**Decision Notification:**

The initial screening highlights that the Neighbourhood Development Plan for the Welsh Newton & Llanrothal Group Neighbourhood Area:

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

**Assessment date: 31/05/2013**

**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.

<b>Downton Gorge</b>
<b>Site Features:</b> <i>Tilio-Acerion</i> forests of slopes, screes and ravines
<b>Vulnerability data:</b> 10km for air quality associated with poultry units or other intensive agricultural practices.
<b>River Clun</b>
<b>Site Features:</b> Freshwater pearl mussel <i>Margaritifera margaritifera</i>
<b>Vulnerability data:</b> Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
<b>River Wye</b>
<b>Site Features:</b> 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>
<b>Vulnerability data:</b> 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: <a href="http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf">http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf</a> 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.

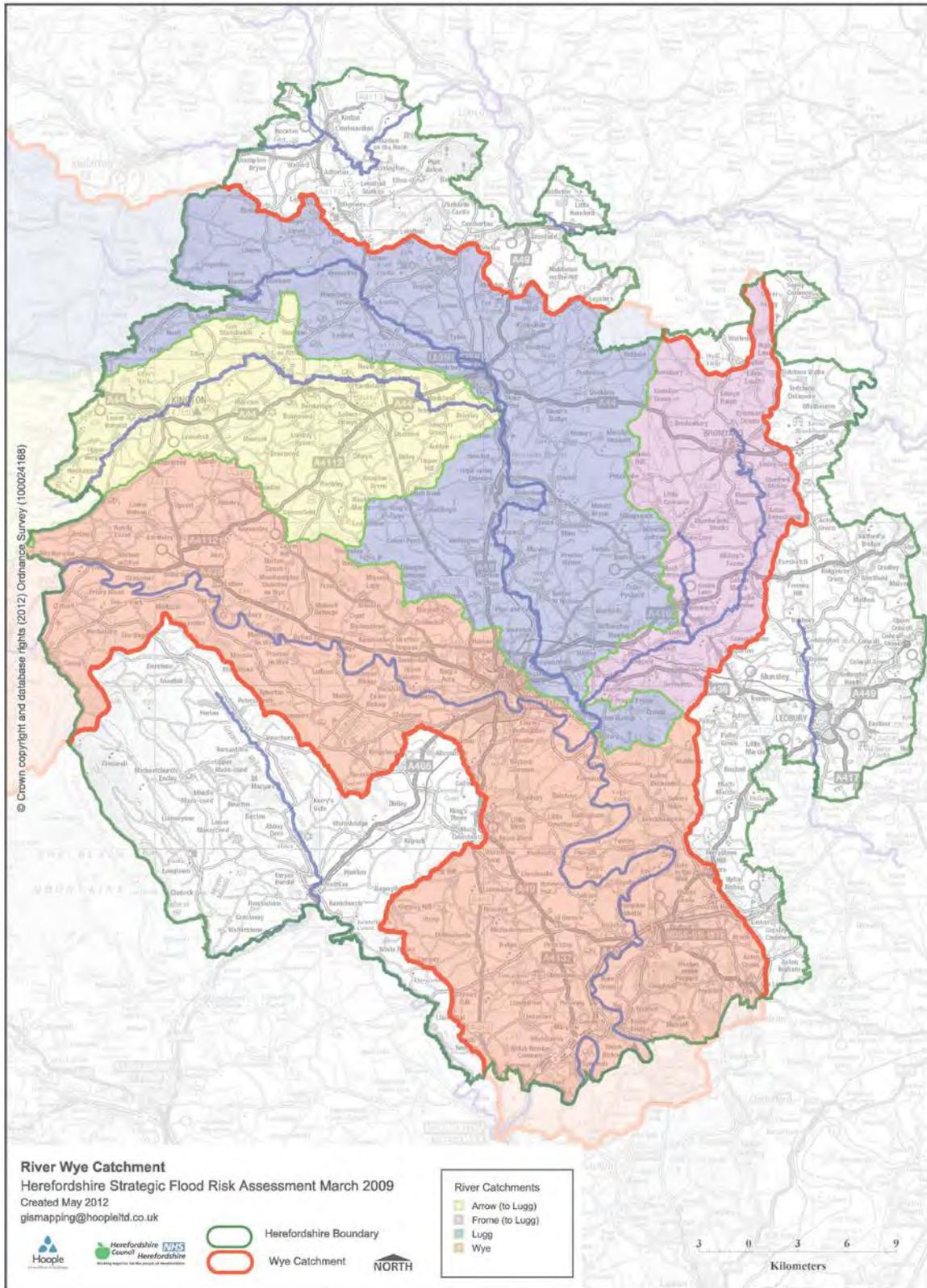
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation. 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

**Table 1: HRA Screening of Emerging Neighbourhood Development Plan Options**

Parish Council Names: Welsh Newton and Llanrothal

NDP Title: Welsh Newton and Llanrothal Neighbourhood Development Plan

Date undertaken: October 2018

Core Strategy HRA version: October 2015

NDP objectives, options policies	HRA Screening of Emerging NDP objectives, options 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
<b>Options</b>					
<b>Option 1</b> Do nothing.	No NDP to determine planning applications.	Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	N/A	No	No.
<b>Option 2</b> Allocate sites for housing.	Small scale proportionate growth on specific sites identified on a proposals map.	Greater degree of certainty over the impact of future development on the European sites, as the location of housing would be pre-determined and not left to market forces.	River Wye SAC Wye Valley Woodlands SAC	Specific environmental issues could be investigated during the site search and be positively addressed within the policy wording.  Policy would need to take account of the proportional growth requirements of the Core	No, The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.

				Strategy and potential headroom capacity at the local STW.	Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
<b>Option 3</b> Manage future housing using a settlement boundary.	Small scale proportionate growth within a defined settlement boundary area.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur.  Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	No, The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.  Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
<b>Option 4 (Preferred option)</b> Allocate sites and identify a settlement boundary.	Small scale proportionate growth on specific sites identified on a proposals map and within a defined settlement boundary area.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	Specific environmental issues could be investigated during the site search and be positively addressed within the policy wording.  Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur.  Policy would need to	No, The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.  Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.

				take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	
<b>Option 5</b> Manage future housing through a development management policy.	Small scale proportionate growth where the location would be determined by a criteria based policy.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	Criteria based housing policy would require to include reference to mitigation measures to avoid any non-disturbance effects on the River Wye via its catchment.  Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	No, The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.  Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
<b>Settlement Boundary Options</b>					
No settlement boundary	Small scale proportionate growth where the location would be determined by a criteria based policy.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur.  Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the	No, The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.  Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft

				local STW.	policy stage.
Draw tightly around of properties	<p>Small scale proportionate growth within a defined tightly drawn settlement boundary area.</p> <p>Potentially restricted growth within the settlement boundary.</p>	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur.</p> <p>Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.</p>	<p>No, The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p> <p>Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.</p>
<p>Draw boundary around curtilages of properties (i.e garden plots included)</p> <p>(Preferred Option)</p>	Small scale proportionate growth within a defined tightly drawn settlement boundary area.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur.</p> <p>Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.</p>	<p>No, The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p> <p>Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.</p>

# Appendix 3

**HRA Screening of final Neighbourhood Development Plan Objective and Policies**

Date undertaken: October 2018

<b>NDP objectives and policies</b>	<b>HRA Screening of final NDP objectives and policies</b>				
	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
<b>General Objectives</b>					
<b>Objective G01</b>	Objective to promote the use of existing buildings for rural businesses that do not detract from the tranquillity and beauty of the area.	Businesses that do not detract from the local tranquillity and beauty will be encouraged to use existing buildings instead of building new ones. No Likely Significant Impact expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective G02</b>	To promote access to open countryside. This strives to improve access to existing paths and reinstate lost footpaths	Residents will have greater access to the countryside via the improved and reinstated footpaths. No Likely Significant Impact expected	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

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<b>Objective G03</b>	To protect and enhance the natural and built environment to benefit wildlife. Objective to protect important and protected species and habitats, and to increase connectivity between them.	Important species and habitats will be maintained and improved via increased connectivity. New buildings will include space for bats and specific species of birds that nest in Buildings. No Likely Significant Impacts Expected.	River Wye SAC  Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Welsh Newton Common Objectives</b>					
<b>Objective WNC1:</b>	Objective to ensure that affordable and local needs housing are addressed and met.	No this objective would not directly lead to development, instead it is an objective supporting affordable housing. No likely significant impacts expected.	River Wye SAC  Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective WNC2:</b>	Objective to ensure that Welsh Newton Common's Housing growth is small scale and 'organic'	The Common area would be spared any major development. No likely significant impacts expected.	River Wye SAC  Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective WNC3:</b>	Objective to support the use of eco-building principles and the use of local and traditional	More properties in the parishes would have a lower carbon footprint as a result of this objective.	River Wye SAC  Wye Valley	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC

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	materials	No likely significant impacts expected.	Woodlands SAC		or the River Wye SAC.
<b>Objective WNC4:</b>	Objective to support the use of temporary, more sustainable forms of accommodation, such as log cabins, where there is a temporary need identified	Temporary workers would be accommodated in more sustainable temporary accommodation which wouldn't threaten the character of the parishes. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective WNC5:</b>	Objective to support the use of suitably converted existing properties wherever possible to meet the housing need	Otherwise redundant buildings capable of conversion would be brought into use. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective WNC6:</b>	Objective to support the protection and enhancement of biodiversity and environmental features within the Common area.	The development process will be used to enhance biodiversity and the connections between habitats in the Common area. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective WNC7:</b>	Objective to protect an area of land with a significant average wind-speed from residential development.	Residents would have the option to develop a community-owned wind energy scheme within the protected area. No likely significant impacts	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

		expected.			
<b>Objective WNC8:</b>	Objective to protect and enhance local views, woodland, tranquillity and footpaths	Specific views and tree cover will be maintained. Commercial development, rural business or diversification that benefits from tranquillity will be encouraged, and those that threaten it resisted. Lost footpaths and bridleways would be reinstated. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Welsh Newton Objectives</b>					
<b>Objective WN1:</b>	Objective to ensure that new housing is limited in the first instance to exception housing in line with Core Strategy Policy RA3	Redundant or unoccupied buildings, or buildings that could be converted into residential dwellings would be used before creating new houses that may lie unoccupied for a long time. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

<b>Objective WN2:</b>	Objective to support the use of eco-building principles and the use of local and traditional materials	More properties in the parishes would have a lower carbon footprint as a result of this objective. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective WN3:</b>	Objective to support the accessibility to, and the promotion of, local facilities where they exist.	The plan seeks to support any existing or new facilities that are, or would be, provided to enable the population to meet more of their needs locally. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective WN4:</b>	Objective to protect and enhance tranquillity, historic and natural environment, and the village boundary	Commercial development, rural business or diversification that benefits from tranquillity will be encouraged, and those that threaten it resisted. Historic and natural features of the settlement will be protected and enhanced. And development should be limited to within a virtual settlement boundary. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

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Llanrothal Objectives					
<b>Objective L1:</b>	Objective to ensure that new housing is limited in the first instance to exception housing in line with Core Strategy Policy RA3	Redundant or unoccupied buildings, or buildings that could be converted into residential dwellings would be used before creating new houses that may lie unoccupied for a long time. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective L2:</b>	Objective to support the use of eco-building principles and the use of local and traditional materials	More properties in the parishes would have a lower carbon footprint as a result of this objective. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective L3:</b>	Objective to protect and enhance the features that contribute towards local distinctiveness and the areas special characteristics.	Features such as the tranquillity, environmental quality, (including water quality), important views and veteran trees will be protected and enhanced. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective L4:</b>	Objective to improve traffic management on the roads	Damage to roadsides, verges, bridges and road surfaces	River Wye SAC Wye Valley	None identified.	No, this objective will not produce any impacts upon

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	within the area.	themselves would be avoided. No likely significant impacts expected.	Woodlands SAC		Wye Valley Woodlands SAC or the River Wye SAC.
<b>Objective L5:</b>	Objective to protect the historic assets of the Llanrothal area.	Historic assets such as listed buildings and traditionally built properties will be protected. No likely significant impacts expected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
<b>Policies</b>					
<b>Policy WNL1:</b>	Policy to ensure that important elements of the local landscapes character are enhanced and protected.  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 LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets out criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.
<b>Policy WNL2:</b>	Policy will promote green infrastructure as part of development proposals.  Ecological enhancements  Re naturalising of	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which	River Wye SAC Wye Valley Woodlands SAC	None identified.	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets out criteria to promote green infrastructure. This is likely to have a positive impact on an

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	watercourses Promotion of green design	seeks to ensure water quality of the SAC is not detrimentally effected.			environmental context.
<b>Policy WNL3:</b>	Policy to ensure developers put in place measures to protect and enhance local wildlife and habitats.  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 LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC  Wye Valley Woodlands SAC	None identified.	No, this policy aims to safeguard and sustain local habitats and biodiversity. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
<b>Policy WNL4:</b>	Safeguard important green space.  Identified green spaces safeguarded.  Potential increase of recreation and outdoor activities.  Beneficial to local wildlife, biodiversity, flora and fauna	Unlikely that there will be any significant effects on the European Site. Policy seeks to protect local greenspace and therefore unlikely to have any significant effect on the baseline objective.	River Wye SAC  Wye Valley Woodlands SAC	None identified.	No: this policy itself will not lead to development, instead it relates to criteria based objective to safeguard important local greenspace.
<b>Policy WNL5:</b>	Policy to support the use of design principles that take their lead from existing historical and architectural forms or the traditional materials used locally. This includes sustainable building	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and	River Wye SAC  Wye Valley Woodlands SAC	None identified.	No: this policy itself will not lead to development, instead it relates to criteria based objective, which sets out design criteria for new

	techniques	wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.			development to adhere to.  The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
<b>Policy WNL6:</b>	Policy to support proposals within the settlement boundary of WN Common and as exception sites in line with Core Strategy policies RA3, RA4 and H2.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye SAC  Wye Valley Woodlands SAC	Small scale development will take place in Welsh Newton Common. The scale and location of development is unlikely to cause a significant effect on the SACs.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of potential schemes are known.
<b>Policy WNL7:</b>	Policy that will accept proposals in the wider countryside according to the criteria set out in Core Strategy policies RA3, RA4, RA5 and H2, but places further conditions on the proposals	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye SAC  Wye Valley Woodlands SAC	Minor scale development will take place in Welsh Newton and Llanrothal. The scale and location of development is unlikely to cause a significant effect on the SACs.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of potential schemes are known.

<b>Policy WNL8:</b>	Policy to ensure that appropriate conversions or renovations are considered before new build wherever possible. It also specifies the design and sustainability principles for their consideration.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye SAC Wye Valley Woodlands SAC	Minor scale development will take place in Welsh Newton and Llanrothal. The scale and nature of development is unlikely to cause a significant effect on the SACs.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of particular schemes are known.
<b>Policy WNL9:</b>	Policy to determine the nature of proposals for a particular site of former garage in Welsh Newton.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye SAC Wye Valley Woodlands SAC	The small scale, location and nature of the site is unlikely to have any likely significant effect on the on the SACs.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known.
<b>Policy WNL10:</b>	Policy to support in principle proposals for small scale and appropriate conversion of former agricultural buildings to offices, workshops and other business uses where they are part of agricultural diversification and contribute to local economic development.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and	River Wye SAC Wye Valley Woodlands SAC	None identified.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.

		SD4.			
<b>Policy WNL11:</b>	<p>Policy to determine the conditions under which poly tunnel development would be permitted or supported.</p> <p>Appropriate poly tunnel development in WNL</p> <p>Rural business development</p> <p>Noise, odour and smell minimised.</p> <p>Unobtrusive lighting on new schemes.</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>Impact on the SAC is dependent on scale and location of the proposed development. Criteria contained in this policy ensures that poly tunnel development will be in keeping with its surroundings.</p>	<p>No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known.</p>
<b>Policy WNL12:</b>	<p>Policy to support proposals for creating or improving the broadband infrastructure along with necessary conditions.</p> <p>Promotion of high speed broadband and mobile infrastructure.</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>Impact on the SAC is dependent on scale and location of the proposed development.</p>	<p>No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known.</p>
<b>Policy WNL13:</b>	<p>Policy in support of small scale, community led low carbon energy schemes where they are able to meet the</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are</p>	<p>River Wye SAC</p> <p>Wye Valley</p>	<p>Impact on the SAC is dependent on scale and location of the proposed</p>	<p>No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water</p>

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	needs of local communities within the Parish	required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	Woodlands SAC	development.	quality issues are addressed.
<b>Policy WNL14:</b>	Policy in support of proposals for renewable energy schemes providing they meet certain criteria	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye SAC Wye Valley Woodlands SAC	Impact on the SAC is dependent on scale and location of the proposed development.	No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
<b>Policy WNL15:</b>	Policy in support of proposals that promote improvement or extension to existing rights of way will be supported	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	None identified.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
<b>Policy WNL16:</b>	Policy in support of proposals for new, or improvements to existing, facilities will be supported in principle. Criteria	Any developments near the River Wye will need to take account of the water quality and flooding	River Wye SAC Wye Valley Woodlands SAC	None identified.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water

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	for change of use will also apply.	issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.			quality issues are addressed.
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# Appendix 4

## Template 2: HRA Consultation Feedback

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

**Parish Council Name:** Welsh Newton and Llanrothal

**Neighbourhood Development Plan Name:** Welsh Newton and Llanrothal Neighbourhood Plan

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

**Consultation date:** 26 October to 7 December 2015

**Consultation title:** Welsh Newton and Llanrothal Reg14 consultation

<b>Response Date</b>	<b>Consultee</b>	<b>Summary of Comments</b>	<b>Response to Comments</b>
3 <sup>rd</sup> November 2015	Natural England	<b>Habitat Regulations Assessment (Nov 2015)</b> The HRA Initial screening report identified two Special Area of Conservation (SAC), the River Wye and Wye Valley Woodlands SAC, which needed to be included in the HRA. The assessment of impacts on the River Wye SAC is out of date as the Herefordshire Core Strategy has now been adopted and the HRA should be amended to reflect this change. We note that only The River Wye SAC has been considered. The HRA will need to be changed to include an assessment of the impacts on the Wye Valley Woodlands SAC. Please updated the HRA before re-consulting us.	Comments noted and HRA amended.

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# Appendix 5

## Template 2: HRA Consultation Feedback

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

**Parish Council Name:** Welsh Newton and Llanrothal

**Neighbourhood Development Plan Name:** Welsh Newton and Llanrothal Neighbourhood Plan

**Details of consultation:** *Regulation 16*

**Consultation date:** 7 November to 19 December 2016

**Consultation title:** Welsh Newton and Llanrothal Reg16 consultation

No comments direct comments to the HRA have been received by consultees at regulation 16 stage. However previous comments were made to the HRA at regulation 14, please find comments below.

<b>Response Date</b>	<b>Consultee</b>	<b>Summary of Comments</b>	<b>Response to Comments</b>
3 <sup>rd</sup> November 2015	Natural England	<b>Habitat Regulations Assessment (Nov 2015)</b> The HRA Initial screening report identified two Special Area of Conservation (SAC), the River Wye and Wye Valley Woodlands SAC, which needed to be included in the HRA. The assessment of impacts on the River Wye SAC is out of date as the Herefordshire Core Strategy has now been adopted and the HRA should be amended to reflect this change. We note that only The River Wye SAC has been considered. The HRA will need to be changed to include an assessment of the impacts on the Wye Valley Woodlands SAC. Please updated the HRA before re-consulting us.	Comments noted and HRA amended.

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