

Habitats Regulations Assessment

Regulation 16 Report for:

Weobley Neighbourhood Area

October 2018



Weobley Neighbourhood Plan HRA

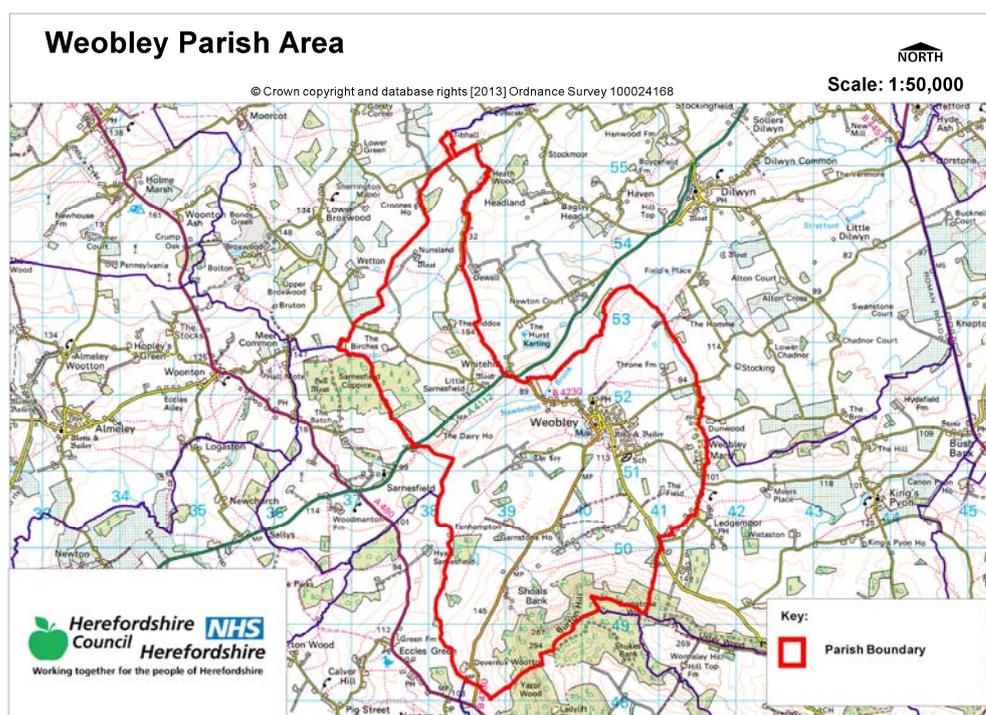
HRA Screening Assessment

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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 final Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Weobley Parish Council is producing a Neighbourhood Development Plan for Weobley Parish, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the Draft Weobley Plan June 2017.
- 1.3 The NDP has 23 criteria based policies, of which one allocates sites across the village. 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 Weobley 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, Weobley 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 August 2012 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 Reg 14 HRA Report (June 2017) and the addendum post Reg 14 (June 2018) and reviewed in terms of the implications of *Sweetman*.

3 Methodology

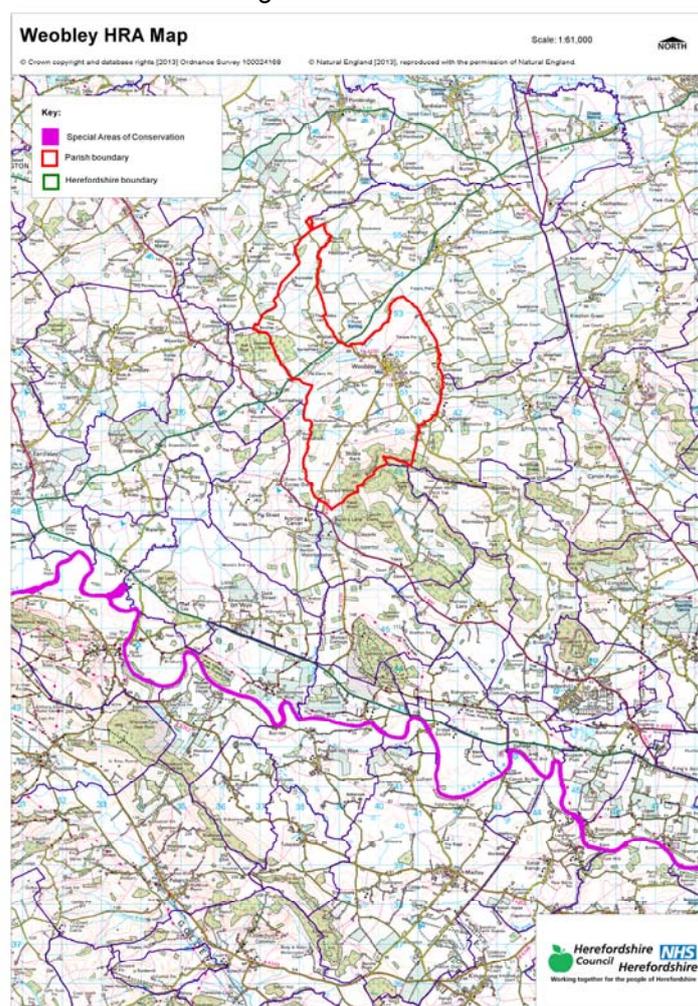
- 3.1 Although the Weobley NDP is not directly regarding the management of any European sites, it does include proposals for development which may affect European sites. Therefore, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant 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 (**08/07/2013**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC. Therefore a full screening assessment is required. Figure 2 below highlights the location of River Wye 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. DCWW assessment indicates that is available headroom at present and the growth proposed for Weobley can be accepted within current flow limits. The issue of phosphates will be considered as part of NMP actions and through AMP6/7 in planning to meet the requirements of the Water Framework Directive.
- 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 Weobley Initial Screening Report. The Initial Screening Report, August 2012, 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 Weobley Neighbourhood Plan may affect site integrity.
- 4.9 The initial screening assessment indicated that a full screening assessment is required to assessment the likelihood of significant effects on the River Wye (including the River Lugg) SAC of the policies within the Weobley NDP.

5 Description of the Weobley Neighbourhood Development Plan

- 5.1 The final Weobley 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;

" Weobley Parish will support a diverse and healthy community having the village at its heart providing a range of services and facilities for all its residents while protecting its natural and historical environment and maintaining a thriving local economy."

There are 5 objectives of how this will be achieved. The objectives cover the following topics:

1. Community Facilities:

- To maintain the current level of community facilities and amenities and enhance these to meet the needs of the increased population resulting from new housing that will be built.
- To protect public open space and local green spaces within the parish.
- To support local health provision, including through promoting a healthy lifestyle.
- To support local businesses that provide important community services such as public houses, shops and catering establishments.
- To improve communication and connectivity to parishioners to promote greater community involvement.

2. Local Environment:

- To safeguard Weobley Conservation Area and other historic features.
- To protect and enhance biodiversity.
- To preserve the landscape and associated features
- To ensure the capacity of the sewage treatment works is sufficient for the level of development.
- To protect development from flooding and pollution.

3. New Housing:

- To define a settlement boundary for the village that would enable individual/small infill plots to be found to meet the outstanding requirement.
- To meet a wide range of housing needs including starter homes for young people; family homes; retirement homes and easy access such as bungalows; homes for local people, people with local connections, homes linked to work location; and self-build homes.
- To achieve high quality building design and landscaping, including vernacular or contemporary buildings, but reflecting our unique local distinctiveness and incorporating sustainable design features.

4. Economic Development and Employment:

- To retain Whitehill Park Industrial Estate as employment land seeking some redevelopment of parts where this may enhance its use and enabling opportunities for this area to expand subject to environmental and other safeguards.
- To promote the conversion of rural buildings for employment use and enable business diversification, in particular in agricultural.
- To promote working from home and small craft-style workshops where residential amenity can be protected.
- To support the village's commercial centre through making it more pleasant for pedestrians through enhancements, tackling congestion and parking and improving pavements. Weobley Neighbourhood Plan –Submission Draft Plan September 2018 (V1) Page 20

5. Traffic and Roads:

- To reduce speed of traffic within the village.
- To reduce unnecessary on-street parking and improve off-street parking to serve the village centre and other facilities.
- To ensure pedestrian safety.
- To press for higher standards of highway maintenance and the avoidance of flooding of roads.

From these 5 objectives, 23 policies have been developed.

- 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. Of the four options put forward, Option 5, the 'no NDP / do nothing' option was not considered viable for the Parish.

The remaining three options of:

Option 1 – retaining those housing sites that currently have planning permission and providing for the limited outstanding requirement through windfall development within a settlement boundary, and through development outside of the village through Herefordshire Local Plan Core Strategy policy RA3.

Option 2 – retaining those housing sites that currently have planning permission and providing for the limited outstanding requirement through identifying a further small site.

Option 3 – providing for further housing development beyond the level of growth required by Herefordshire Local Plan Core Strategy through additional small developments.

Option 4 – providing for further housing development beyond the level of growth required by Herefordshire Local Plan Core Strategy through identifying land for a further relatively large site.

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 SAC.

5.4 As the Weobley 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 (April 2018) as well as the revised matrix May 2018.

5.5 The NDP also sets out 23 general policies on various topics based on the objective headings above and also for the parish, these include:

Policy WEO1: Promoting Sustainable Development

Policy WEO2: Protection and Enhancement of Community Facilities and Services

Policy WEO3: Protection of Local Green Space

Policy WEO4: Protection of Amenity Open Space, Sports and Recreation Facilities

Policy WEO5: Sewerage and Sewage Treatment Infrastructure

Policy WEO6: Contributions to Community Facilities

Policy WEO7: Protecting Heritage Assets

Policy WEO8: Development within Weobley Conservation Area

Policy WEO9: Conserving the Landscape and Scenic Beauty of the Parish

Policy WEO10: Enhancement of the Natural Environment

Policy WEO11: Storm Water Drainage

Policy WEO12: Sustainable Design

Policy WEO13 Design and Appearance - Buildings outside Weobley Conservation Area

Policy WEO14: Renewable and Low Carbon Energy

Policy WEO15: Housing Development in Weobley Village

Policy WEO16: Housing Sites in Weobley Village

Policy WEO17: Meeting Housing Needs

Policy WEO18: Affordable and Intermediate Homes

Policy WEO19: Whitehill Park Industrial Estate

Policy WEO20: Weobley Village Centre

Policy WEO21: Working from Home

Policy WEO22: Traffic Measures within the Parish

Policy WEO23: Highway Design Requirements

6.0 Assessments undertaken to date of the emerging Weobley 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 Weobley 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 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 Weobley NDP objectives and policies (April 2018) were concluded to be likely to have a significant effect on the European site. Weobley is in the hydraulic catchment of the River Wye SAC and is not in direct proximity to the river itself. Core Strategy policy 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 Weobley 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 Leominster Housing Market Area in the Herefordshire Core Strategy.

6.7 Therefore it was concluded that the **Reg14 Weobley NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC.**

Screening of modifications to NDP (Reg16)

6.8 The Submission NDP (September 2018) incorporates additional policy criteria or wording to add clarity and emphasis throughout the document. There were amendments to numerous policies the Draft Plan stage; these changes were necessitated by comments received during the consultation period. Policies WEO2, WEO4, WEO7, WEO9, WEO14, WEO15, WEO16 and WEO23 were amended in light of the consultation comments to add additional clarification on the criteria for local allocation of new development in accordance with Herefordshire Councils guidelines,

with Policies WEO14, WEO15 and WEO16 receiving substantial changes and these have been amended and rescreened for the Submission NDP following the Regulation 14 Draft Plan consultation. The amendments 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 Other modifications made to 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 site.

7 **Assessment of the 'likely significant effects' of the final Weobley Plan (September 2018)**

- 7.1 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.
- 7.2 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

- 7.3 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 at this 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 Weobley Neighbourhood Plan (September 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 8.2 Core Strategy policy SD3 and SD4 to ensure that development can only occur if these criteria are met.
- 8.3 The Weobley NDP is a mainly criteria based plan which allocates 2 sites for development. Many of the policies themselves would not result in development and in a number of cases the policies also included criteria to support the natural environment. Any future applications relating to site allocation must support policy SD04.
- 8.4 The 2 allocated sites are not directly on the river banks or adjacent to a watercourse that feeds into the River 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, i.e. that they were not likely to be significant.
- 8.4 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is available headroom at present. Policy SD4 of the Core Strategy indicate that development would not 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.

8.6 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 Weobley Plan will not have a likely significant effect on the River Wye 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 Dilwyn (currently at Reg 14), Pyons Group (Adopted), Foxley (preparing a plan), Kinnersley and District Group (not preparing a plan). 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 Weobley 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 Leominster 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 **Weobley NDP will not have a likely significant effect on the River Wye SAC** remains valid.

11.0 Next steps

11.1 This final Report will be published alongside the final Wyese NDP and the earlier HRA Report and its addendum. This will be subject to a consultation with the statutory bodies prior to the Regulation 16 of the Weobley 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)

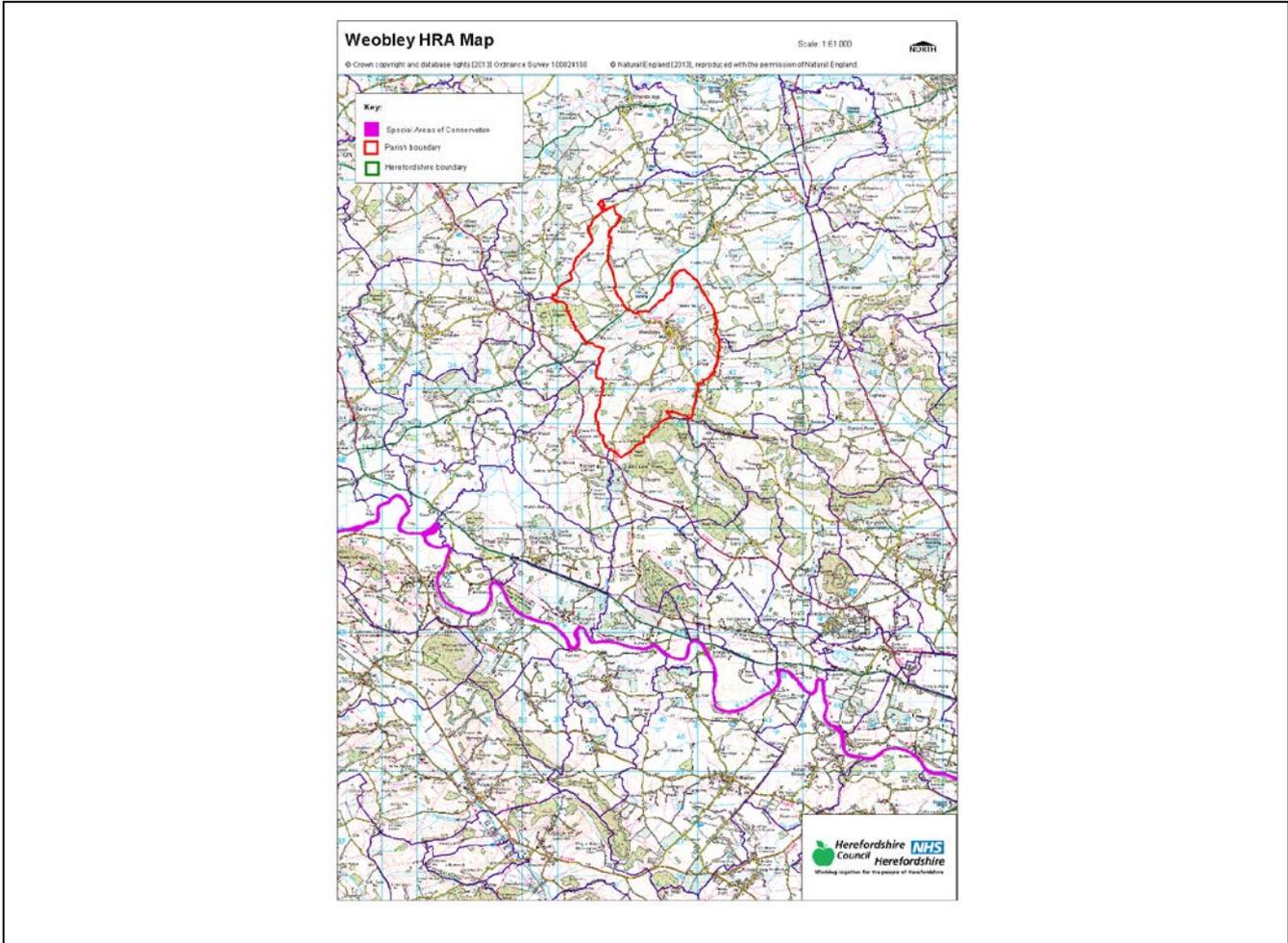
Neighbourhood Area:	Weobley Neighbourhood Area
Parish Council:	Weobley Parish Council
Neighbourhood Area Designation Date:	8 th August 2013

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 and Lugg SAC is 5.3km away from the Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Parish is within the River Arrow (to Lugg) hydrological catchment area
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Weobley

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 18.1km away from the 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 Parish
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Usk Bat Sites SAC:

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 37.1km away from the Parish
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Wye Valley & Forest of Dean Bat Sites SAC:

Is the Neighbourhood Area within 30km ¹ of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	The Parish is 38.2km 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?	N	The Parish is 37.3km 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 Weobley 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

¹ If the Parish is within 30km of Wye Valley & Forest of Dean Bat Sites then the Neighbourhood Plan needs to take account of Greater Horseshoe Bats. If the Parish is within 10km of Wye Valley and Forest of Dean Bat Sites then the Neighbourhood Plan needs to take account of Lesser Horseshoe Bats.

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

The following environmental features are within or in general proximity to the Weobley 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	0	There are no AQMA's within the Parish	N
Ancient Woodland	10	Sherrington Wood; Sarnesfield Coppice; The Birches (border); Moorhouse Coppice (border); Burfold Orls (border); Dark Hill Wood; Garnstone Wood; Lower Marsh Covert (border); Upper Marsh Covert (border); Stocking Wood (border)	Y
Areas of Archaeological Interest	0	There are no AAI's within the Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONB's within the Parish	N
Conservation Areas	1	There are a Conservation Area around Weobley village and the surrounding area	Y
European Sites	0	There are no SAC's within the Parish	N
Flood Areas		Flood Zones 2 and 3 run from east to west following the Newbridge Brook	Y
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Parish	Y
Local Sites (SWS/SINCS/RIGS)	9 SWS	Heath Wood; Sherrington Wood; Pool near Dairy House; Pool near Sarnesfield Court (border); Woods converging on Burton Hill; Field near Weobley Marsh Common (border); Weobley Marsh Common; Weobley Church; Land adjacent to Newbridge Brook, Lower Newton (border)	Y
Long distance footpaths/trails (e.g. Herefordshire Trail)	0	There are no long distance footpaths/trails within the Parish	N
Mineral Reserves	1	Newbridge Brook to Throne Farm, north east of Weobley	Y
National Nature Reserve	0	There are no NNR's within the Parish	N
Registered & Unregistered parks and gardens	2 Registered 2 Unregistered	Registered: Foxley; Broxwood Court (border) Unregistered: Garnstone Park; Sarnesfield (border)	Y
Scheduled Ancient Monuments	5	Moated site and associated fishponds 160m east of Little Sarnesfield; Churchyard Cross at St Peter and St Paul's Church; Kiln Site; Weobley Castle; Hell Moat (border)	Y
Sites of Special Scientific Interest	0	There are no SSSI's within the Parish	N

Decision Notification:

The initial screening highlights that the Neighbourhood Development Plan for the Weobley Neighbourhood Area:

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

Assessment date: 08/07/2013

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.

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.

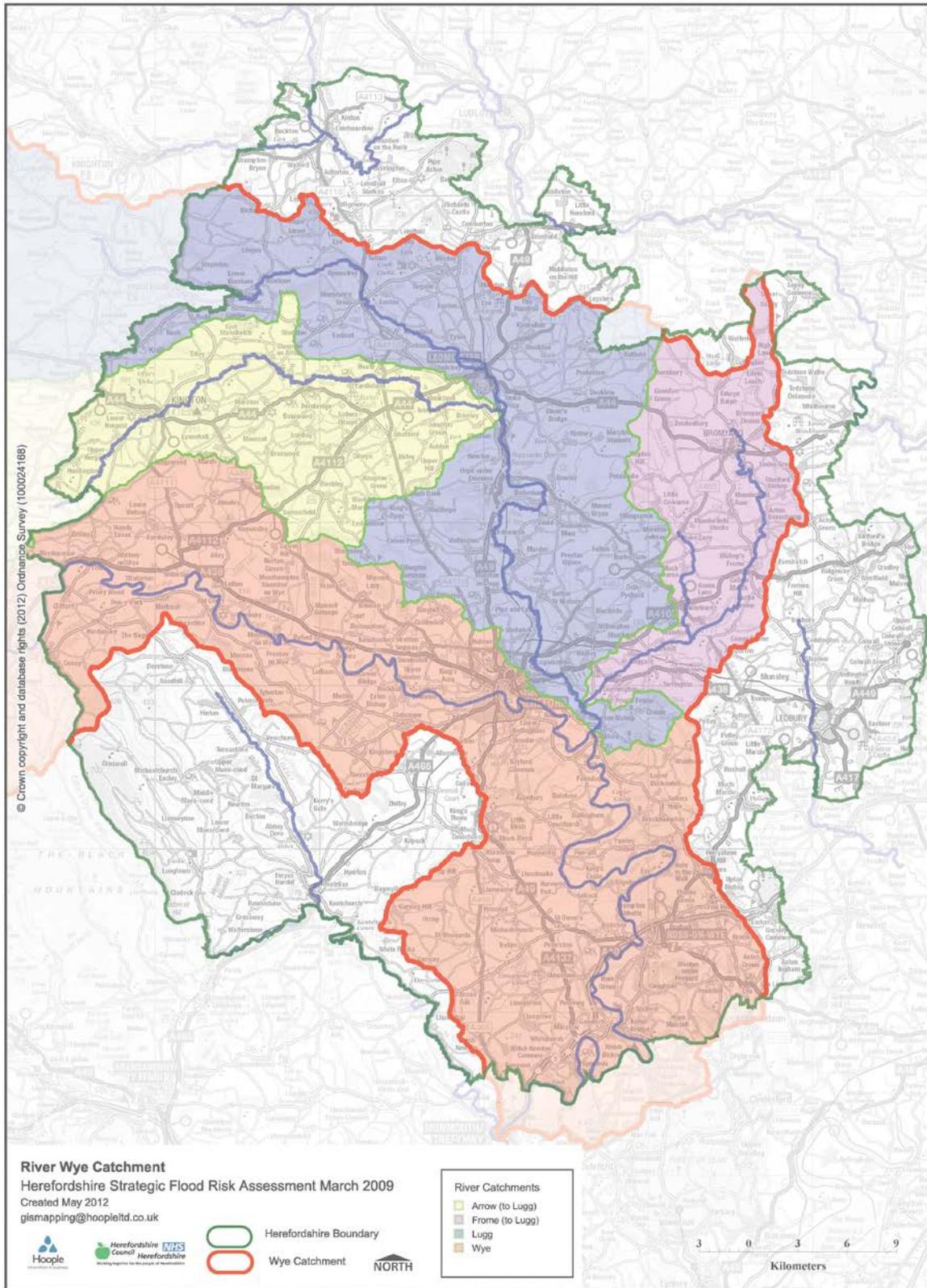
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation.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

Appendix 1 – Weobley HRA (Reg 16)

Options Considered

September 2018

<p>Option 1 – retaining those housing sites that currently have planning permission and providing for the limited outstanding requirement through windfall development within a settlement boundary, and through development outside of the village through Herefordshire Local Plan Core Strategy policy RA3.</p>
<p>Option 2 – retaining those housing sites that currently have planning permission and providing for the limited outstanding requirement through identifying a further small site.</p>
<p>Option 3 – providing for further housing development beyond the level of growth required by Herefordshire Local Plan Core Strategy through additional small developments.</p>
<p>Option 4 – providing for further housing development beyond the level of growth required by Herefordshire Local Plan Core Strategy through identifying land for a further relatively large site.</p>
<p>Option 5 - Not to prepare a NDP but to support developer led housing proposals until such a time as Herefordshire Council adopts its Rural Areas Site Allocations Development Plan Document.</p>

Appendix 3

HRA Screening of final Neighbourhood Development Plan Policies**Parish: Weobley****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
Objective 1	<p>To maintain the current level of community facilities and amenities and enhance these to meet the needs of the increased population resulting from new housing that will be built.</p> <ul style="list-style-type: none"> <input type="checkbox"/> To protect public open space and local green spaces within the parish. <input type="checkbox"/> To support local health provision, including through promoting a healthy lifestyle. <input type="checkbox"/> To support local businesses that provide important community services such public 	Local community and recreation facilities will be protected as community assets. 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	No	No: this objective is seeking to safeguard and or improve existing facilities. Policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.

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	<p>houses, shops and catering establishments.</p> <ul style="list-style-type: none"> <input type="checkbox"/> To improve communication and connectivity to parishioners to promote greater community involvement. Protection and management of the high-quality landscape, green space, biodiversity and geology of the Parish and the settings of its settlements. 				
<p>Objective 2</p>	<p>Environment:</p> <ul style="list-style-type: none"> <input type="checkbox"/> To safeguard Weobley Conservation Area and other historic features. <input type="checkbox"/> To protect and enhance biodiversity. <input type="checkbox"/> To preserve the landscape and associated features <input type="checkbox"/> To ensure the capacity of the sewage treatment works is sufficient for the level of development. <input type="checkbox"/> To protect development from flooding and pollution. 	<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>No</p>	<p>No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.</p>

Objective 3	<p>New Housing:</p> <ul style="list-style-type: none"> <input type="checkbox"/> To define a settlement boundary for the village that would enable individual/small infill plots to be found to meet the outstanding requirement. <input type="checkbox"/> To meet a wide range of housing needs including starter homes for young people; family homes; retirement homes and easy access such as bungalows; homes for local people, people with local connections, homes linked to work location; and self-build homes. <input type="checkbox"/> To achieve high quality building design and landscaping, including vernacular or contemporary buildings, but reflecting our unique local distinctiveness and incorporating sustainable design features. 	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	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Objective 4	Economic Development and	Unlikely that there will be any significant effects on	River Wye (including	No	No: Scale and extent of development is in

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	<p>Employment:</p> <ul style="list-style-type: none"> <input type="checkbox"/> To retain Whitehill Park Industrial Estate as employment land seeking some redevelopment of parts where this may enhance its use and enabling opportunities for this area to expand subject to environmental and other safeguards. <input type="checkbox"/> To promote the conversion of rural buildings for employment use and enable business diversification, in particular in agricultural. <input type="checkbox"/> To promote working from home and small craft-style workshops where residential amenity can be protected. <input type="checkbox"/> To support the village's commercial centre through making it more pleasant for pedestrians through enhancements, tackling congestion and parking and improving 	<p>the European Site. All developments are required to meet the criteria of Policy SD4.</p>	<p>River Lugg) SAC</p>		<p>line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.</p>
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	pavements.				
Objective 5	<p>Traffic and Roads:</p> <ul style="list-style-type: none"> <input type="checkbox"/> To reduce speed of traffic within the village. <input type="checkbox"/> To reduce unnecessary on-street parking and improve off-street parking to serve the village centre and other facilities. <input type="checkbox"/> To ensure pedestrian safety. <input type="checkbox"/> To press for higher standards of highway maintenance and the avoidance of flooding of roads. 	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	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
OPTIONS					
Option 1	Retaining those housing sites that currently have planning permission and providing for the limited outstanding requirement through windfall development within a settlement boundary, and through	Allocation of one or two larger sites for housing would give certainty to future development within the area particularly within the River Wye catchment. However the majority of the village where	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.

	<p>development outside of the village through Herefordshire Local Plan Core Strategy policy RA3.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>proportional growth and the settlement boundary are likely to be located are away from directly impacting the SAC. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>			
Option 2	<p>Retaining those housing sites that currently have planning permission and providing for the limited outstanding requirement through identifying a further small site.</p>	<p>Allocation sites and retention of commitment sites for housing would give certainty to future development. It unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	River Wye (including River Lugg) SAC	No	<p>No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.</p>
Option 3	<p>Providing for further housing development beyond the level of growth required by Herefordshire Local Plan Core Strategy through additional small developments.</p>	<p>It unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	River Wye (including River Lugg) SAC	No	<p>No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.</p>

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Option 4	Providing for further housing development beyond the level of growth required by Herefordshire Local Plan Core Strategy through identifying land for a further relatively large site.	It 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	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.
Option 5	<p>Not to prepare a Not to prepare a NDP but to support developer led housing proposals until such a time as Herefordshire Council adopts its Rural Areas Site Allocations Development Plan Document.</p> <p>Proportional housing and employment growth would be in accordance with the Core Strategy.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	It is 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.	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.
POLICIES					

Policy WEO1:	To deliver sustainable development across any housing on pre allocated sites and further windfall dwellings.	Unlikely that there will be any significant effects on the European Site. Policy seeks to support sustainable measures for schemes.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, however policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO2:	Protection and Enhancement of Community Facilities and Services	Local community facilities will be protected as community assets. No Likely significant impacts expected.	River Wye (including River Lugg) SAC	No	No: this policy is seeking to safeguard and or improve existing facilities. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO3:	Protection of Local Green Space	Unlikely that there will be any significant effects on the European Site. The policy wording requirements for development to meet regarding the River Wye SAC and priority species	River Wye (including River Lugg) SAC	No	No: this policy itself refers to the River Wye SAC and other priority species and habitats. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to

		and habitats.			receive planning permission.
Policy WEO4:	Protection of Amenity Open Space, Sports and Recreation Facilities	Unlikely that there will be any significant effects on the European Site. The policy wording requirements for development to meet regarding the River Wye SAC and priority species and habitats.	River Wye (including River Lugg) SAC	No	No: this policy itself refers to the River Wye SAC and other priority species and habitats. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO5:	Sewerage and Sewage Treatment Infrastructure	This is likely to have a positive effect on the baseline.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. Policy criteria exist within the NDP and Core Strategy (SD3 and SD4) required to be met for the development to receive planning permission.
Policy WEO6:	Contributions to Community Facilities	Local community facilities will be protected as community assets. No Likely significant impacts expected.	River Wye (including River Lugg) SAC	No	No: this policy is seeking to safeguard and or improve existing facilities. Policy criteria exist within the NDP and

					Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO7:	Protecting Heritage Assets	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. This policy safeguards heritage assets in Weobley. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO8:	Development within Weobley Conservation Area	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. This policy guides development in the conservation area in Weobley. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to

					receive planning permission.
Policy WEO9:	Conserving the Landscape and Scenic Beauty of the Parish	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. This policy guides development in the conservation area in Weobley.
Policy WEO10:	Enhancement of the Natural Environment	Unlikely that there will be any significant effects on the European Site. The policy wording requirements for development to meet regarding the River Wye SAC and priority species and habitats.	River Wye (including River Lugg) SAC	No	No: this policy itself refers to the River Wye SAC and other priority species and habitats. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO11:	Storm Water Drainage	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.

		effected.			
Policy WEO12:	Sustainable Design	Unlikely that there will be any significant effects on the European Site. Policy seeks to support sustainable measures for schemes.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, however policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO13	Design and Appearance - Buildings outside Weobley Conservation Area	Unlikely that there will be any significant effects on the European Site	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, however policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO14:	Renewable and Low Carbon Energy	Unlikely that there will be any significant effects on the European Site	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, however policy criteria

					exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy WEO15:	Housing Development in Weobley Village	Small scale development proposed. Unlikely that there will be any significant effects on the European Site. 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	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy WEO16:	Housing Sites in Weobley Village	Small scale development proposed. Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.

		effected.			
Policy WEO17:	Meeting Housing Needs	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself but address the housing needs issue in the parish, but Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy WEO18:	Affordable and Intermediate Homes	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: This policy itself will not lead to development but, scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself but address the housing issue in the parish regarding provision of affordable homes, but Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water

					quality issues are addressed.
Policy WEO19:	Whitehill Park Industrial Estate	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself, Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy WEO20:	Weobley Village Centre	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: This policy will not lead to development itself, Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy WEO21:	Working from Home	Unlikely that there will be any significant effects on the European Site. Criteria regarding priority habitats and species is contained within the policy which need to be met.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning

					permission.
Policy WEO22:	Traffic Measures within the Parish	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this objective itself will not lead to development, instead it relates to criteria based objective regarding the accommodation of increased traffic movements.
Policy WEO23:	Highway Design Requirements	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this objective itself will not lead to development, instead it relates to criteria based objective regarding the accommodation of increased traffic movements.