

Habitats Regulations Assessment

Regulation 14 Report for:

Garway Neighbourhood Area

November 2018



Garway HRA

HRA Screening Assessment

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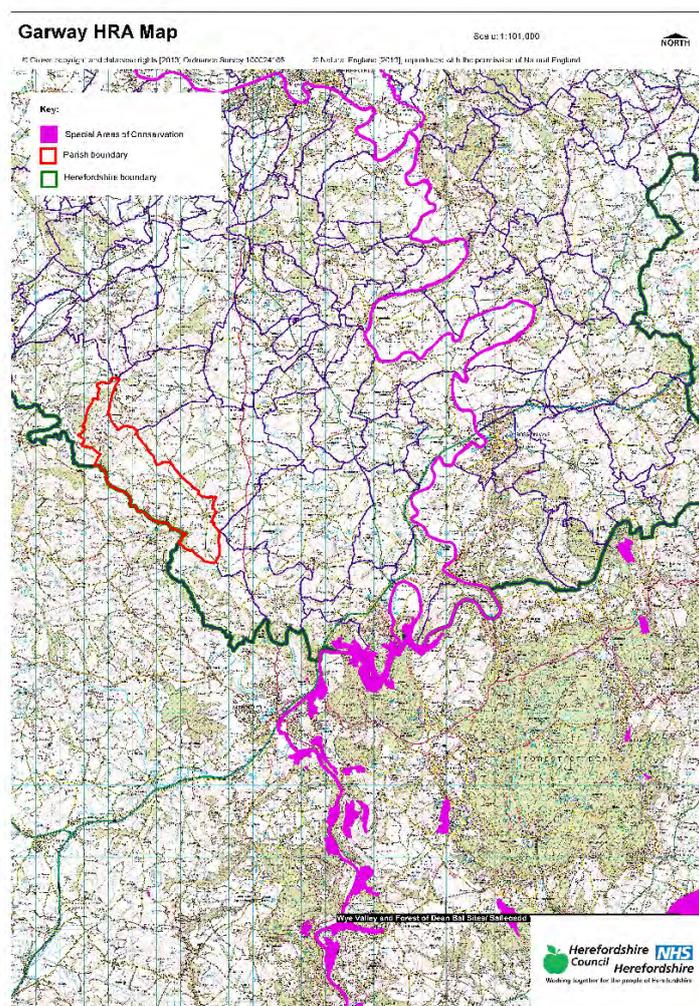
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1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National planning Policy Framework. The screening stage involves assessing broadly whether the Draft Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Garway Parish Council is producing a Neighbourhood Development Plan for Garway 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 Garway Neighbourhood Plan May 2018.
- 1.3 The NDP has 10 criteria based policies. It provides general policies that clarify and provide detail to the policies within the Herefordshire Core Strategy therefore it requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Herefordshire Core Strategy. This high level screening assessment should be read in combination with the Herefordshire Pre-submission publication of the Local Plan-Core Strategy Habitat Regulations Assessment Report (April 2014) and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Garway neighbourhood Area with the European Site highlighted.



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, Garway 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.

3 Methodology

- 3.1 As the Garway NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, 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 (taking into account potential mitigation provided by other policies in the plan). 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 mitigated.

4 Results of the Initial Screening Report and options

- 4.1 The initial Screening report (**October 2014**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC and is 8.26km (within 10km) of the Wye Valley Woodlands SAC. Therefore a full screening assessment is required.
- 4.2 For full details of the River Lugg and River Wye SAC and Wye Valley Woodlands attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Garway Initial Screening Report. The Initial Screening Report, (**October 2014**), can be found in Appendix 3 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 Garway Neighbourhood Plan may affect site integrity.
- 4.3 The initial options for the NDP were assessed to determine their environmental impact that could affect the River Wye SAC and the Wye Valley Woodlands SAC. Of the 2 options put forward the no NDP option was not considered viable for the Parish. The remaining option didn't directly oppose growth through site allocations, however any additional infill would all be within the proportional growth targets of the Core strategy and are therefore unlikely to have a significant impact on the SAC.
- 4.4 As Garway progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the River Wye SAC and the Wye Valley Woodlands 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 Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the Garway Neighbourhood Development Plan

- 5.1 The Draft Garway NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the parish boundary, up to 2031. The first part of the Plan introduces the Plan and its preparation and discusses the background of the village.
- 5.2 The NDP then details the vision for the Parish over the Plan period and 10 objectives of how this will be achieved. The objectives are as follows:
1. The Neighbourhood Development Plan defines the Settlement Boundaries where development will be supported.
 2. The rural character of both village and countryside will be conserved and enhanced by new development.
 3. New development will be integrated into its setting, whether at the heart of the villages, or in the more rural areas.
 4. All development will be designed to ensure it has minimal impact on the area's distinctive character and environment.
 5. All development will maintain the layout of the villages, taking into account features such as ribbon development and ensuring significant views are protected.

6. Important issues such as access and road safety are taken into account.
7. Rainwater and sewage drainage systems are fit for purpose avoiding risks to health and safety.
8. Distinctive features such as landscape and dark skies are preserved.
9. All development is essential to support the needs of the local community, including affordable housing.
10. Community facilities are protected (such as pubs, school, community centre etc.)

- 5.3 The NDP also sets out 10 policies on various topics based on the objective headings above and also for the villages, these include:

Policy GAR1: New Housing Development in Garway Village and Broad Oak

Policy GAR2: Design in Garway Parish

Policy GAR3 – Flooding and Drainage

Policy GAR4 - Protecting Local Landscape Character

Policy GAR5 - Dark Skies

Policy GAR6 – Rural Environment and Tranquillity

Policy GAR7- Protecting and Improving Community Facilities

Policy GAR8 – Tourism in Garway Parish

Policy GAR9 – Rural Businesses and Homeworking

Policy GAR10– Highways and Transport

6 Identification of other plans and projects which may have ‘in-combination’ effects

- 6.1 Regulation 102 of the Habitats Regulations 2010 requires an appropriate assessment where a land use plan (not directly connected with or necessary to the management of the site) is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. In addition, in accordance with the Neighbourhood Planning Regulation 2012 a NDP cannot have a significant effect on any European Site whether alone or in combination with another Plan.
- 6.2 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 pre-submission publication of the Herefordshire Local Plan – Core Strategy Habitats Regulations Assessment (May 2014). It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy this review will also be substantial for the NDP.
- 6.3 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.

7 Assessment of the ‘likely significant effects’ of the Garway NDP

- 7.1 As required under Regulation 102 of the Habitats Regulations 2010, a screening assessment has been undertaken to identify the ‘likely significant effects’ of the NDP. A screening matrix was prepared in order to identify whether any of the policies in the Plan would be likely to have a significant effect on the River Wye SAC the Wye Valley Woodlands SAC.

- 7.2 The findings of the screening matrix can be found in the Screening Matrix in Appendix 2 of this report. 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 The Screening matrix took the approach of screening each policy individually, which is consistent with current guidance documents. The results from the HRA report for the pre-submission version of the Herefordshire Core Strategy were also taken into consideration.
- 7.4 Identified potential effects could be achieved through implementation of the other policies within the NDP such as more efficient use of water, reduction in waste and encouragement of recycling. The provision and encouragement of use of more sustainable transport measures when improving the transport infrastructure have been clearly identified and will also help to reduce car traffic around the parish and surrounding areas.

8 Conclusions from the Screening Matrix

- 8.1 None of the Draft Garway Neighbourhood Plan (October 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC. Based on assumptions and information contained within the Garway Parish Plan, Herefordshire Core Strategy and the Pre-submission version / proposed modifications addendum of the HRA for the Core Strategy all of the NDP policies were found to be unlikely to result in significant effects on the River Wye or the Wye Valley Woodlands SAC.
- 8.2 In many cases this is because the policy itself would not result in development, i.e., it related instead to criteria for development. In a number of cases the policies also included measures to help support the natural environment, including biodiversity and therefore no significant effect conclusion could be reached. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 8.3 The plan is a criteria based plan and does not allocate any sites.
- 8.4 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that a feasibility study would be required to identify if any improvements were required. Preparation of 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.
- 8.5 It is unlikely that the Garway 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 Housing Market Area in the Herefordshire Core Strategy and all of the proposed housing sites will be of a small scale and in line with the proportional growth specified in the Core Strategy.
- 8.6 It is therefore concluded that the Garway Parish NDP will not have a likely significant effect on the River Wye SAC and the Wye Valley Woodlands SAC and Parish Councillors will welcome the conclusion as to no likely significant effect.
- 8.7 Any further amendments to policies (post October 2018) will be rescreened if required and an addendum to this report will be produced.

Appendix 1

Appendix 1 –Garway HRA (Reg 14)
Options Considered
October 2018

Option 1 – Prepare an NDP.
Option 2 – Not to prepare an NDP.

Appendix 2

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Garway****Date undertaken: October 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 –	This objective would see the Neighbourhood Development Plan Defining Settlement Boundaries where development will be supported.	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. Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 2 –	Objective for new development to conserve and enhance the rural character of both village and Countryside.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 3 –	Objective to ensure that new development will be integrated into its setting, whether at the	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands

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	heart of the villages, or in the more rural areas		Woodlands SAC		SAC or the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
Objective 4 –	Objective to make sure that all development will be designed to ensure it has minimal impact on the area's distinctive character and environment.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 5 –	Objective outlining that all development will maintain the layout of the villages, taking into account features such as ribbon development and ensuring significant views are protected.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 6 -	Objective detailing that important issues such as access and road safety are taken into account.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye

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					SAC.
Objective 7 -	Rainwater and sewage drainage systems are fit for purpose avoiding risks to health and safety.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
Objective 8 -	Distinctive features such as landscape and dark skies are preserved.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 9 -	All development is essential to support the needs of the local community, including affordable housing.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 10 -	Community facilities are protected (such as pubs, school, community centre etc.)	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

OPTIONS					
Option 1	To produce an NDP. Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	Producing an NDP would give a level of certainty to future development. 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 Wye Valley Woodlands SAC	Developments should not be within 100m a 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.	No; policy criteria can be added to any allocation policy to mitigate. The majority of the village, where likely proportionate growth and settlement boundary would be located is outside of the catchment area for the River Wye, however policy SD4 applies to any development.
Option 2	Not to prepare an NDP	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. Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
POLICIES					
GAR1	New Housing Development in Garway Village and Broad Oak.	Small scale development proposed. Unlikely that	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to

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	<p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>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>Wye Valley Woodlands SAC</p>		<p>grant planning permission will ensure water quality issues are addressed.</p>
GAR2	<p>Design in Garway Parish</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 Wye Valley Woodlands SAC</p>	<p>No.</p>	<p>No: this policy itself will not lead to development, instead it relates to criteria based objective, which sets out design criteria for new development to adhere to.</p> <p>The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p>
GAR3	<p>Flooding and Drainage</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the</p>	<p>River Wye (including River Lugg) SAC Wye Valley Woodlands SAC</p>	<p>No</p>	<p>No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to</p>

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		criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.			safeguard the natural and built environment maintaining the character of the neighbourhood area. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
GAR4	Protecting Local Landscape Character.	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	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.
GAR5	Dark Skies	Unlikely that there will be any significant effects on the European Site. . All developments are required to meet the	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that

		criteria of Policy LD2 to protect biodiversity and wildlife.			sets outs criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.
GAR6	Rural Environment and Tranquillity	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	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the environment and retain the tranquillity of the area in regard to noise and tourism.
GAR7	Protecting and Improving Community Facilities Increased demand for water abstraction and sewage treatment.	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	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.

GAR8	<p>Tourism in Garway Parish.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>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.</p>	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	No	<p>No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p>
GAR9	<p>Rural Businesses and Homeworking.</p> <p>Increased demand for water abstraction and sewage treatment.</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>	Impact on the SAC is dependent on scale and location of the proposed development.	<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>
GAR10	Highways and Transport	<p>Unlikely that there will be any significant effects on the European Site.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC</p>	No	<p>No: this policy itself will not lead to development, instead it relates to criteria based objectives relating to the management of traffic</p>

					in the parish, that sets out criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area with any new development.
SITES					
Site 16 - Land adjacent to old School Garway. Located between village hall and Old School House. Capacity 2 dwellings 0.04ha.	New Housing Development in Garway Village and Broad Oak. Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	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 LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Site 17 - Land at Little Newlands, Garway. Site is located at on the	New Housing Development in Garway Village and Broad Oak.	Small scale development proposed. Unlikely that there will be any	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to

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<p>approach to the village from Broad Oak. Prominent on the approach. Capacity 5 dwellings, 0.25ha</p>	<p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>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>Wye Valley Woodlands SAC</p>		<p>grant planning permission will ensure water quality issues are addressed.</p>
<p>Site 18 - Site is located between the new community centre and the main road through Garway. To the east is Garway School. Capacity for 2 dwellings 0.19ha</p>	<p>New Housing Development in Garway Village and Broad Oak.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>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 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 (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>No</p>	<p>No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.</p>

Appendix 3

**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)

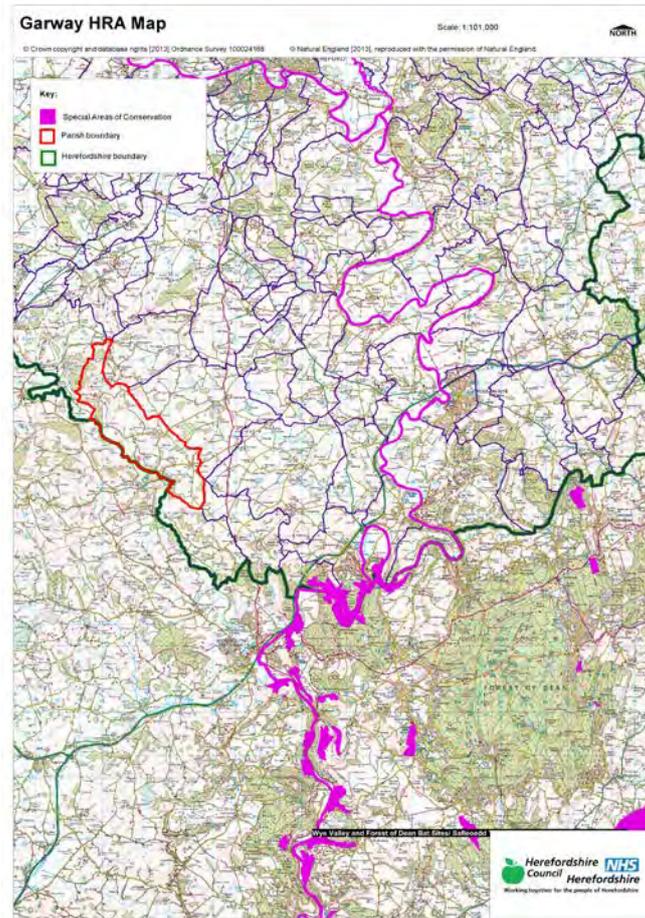
Neighbourhood Area:	Garway Neighbourhood Area
Parish Council:	Garway Parish Council
Neighbourhood Area Designation Date:	22/11/2012

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 is 8km away from the Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The east of the Parish is within River Wye hydrological catchment area.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Garway

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 44.6km 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 25.8km away from the 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 16.4km 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 Parish is 8.26km 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 Garway 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 Garway 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 Group Parish	N
Ancient Woodland	10	Burnt House Wood; Charity Oris Wood; Copse Wood; Little Corras Wood; Castlefield Wood; Oldfield Coppice; Cockshoot Wood; Newhouse Wood; Daren Wood; Nantywain Wood	Y
Areas of Archaeological Interest	0	There are no AAI's within the Parish	N
Areas of Outstanding Natural Beauty	0	There is no AONB's within the Parish	N
Conservation Areas	0	There are no Conservation Areas within the Parish	N
European Sites	0	There are no SAC's within the Parish	N
Flood Areas		Flood Zones follow the River Monnow along the eastern border of the Parish	Y
Listed Buildings	Numerous	There are numerous Listed Buildings scattered throughout the Parish	Y
Local Sites (SWS/SINCS/RIGS)	8 (SWS)	Burnt House Wood; Garway Hill Common; Castlefields and Little Corras Wood; Garway Common; Cockshoot Wood; Daren Brook; Daren Wood; Nantywain Wood	Y
Long distance footpaths/trails	1	Herefordshire Trail	Y
Mineral Reserves	0	There are no Minerals Reserves Sites within the Parish	N
National Nature Reserve	0	There are no NNR's within the Parish	N
Registered & Unregistered parks and gardens	1 Registered 1 Unregistered	Registered: Kentchurch Court Unregistered: Glenmorrow	Y
Scheduled Ancient Monuments	1	Garway Dovecote	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 Garway Neighbourhood Area:

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

Assessment date: 05/06/2013

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

