

Habitats Regulations Assessment

Report for:

Aymestrey Neighbourhood Area

March 2019



Almeley Neighbourhood Plan HRA

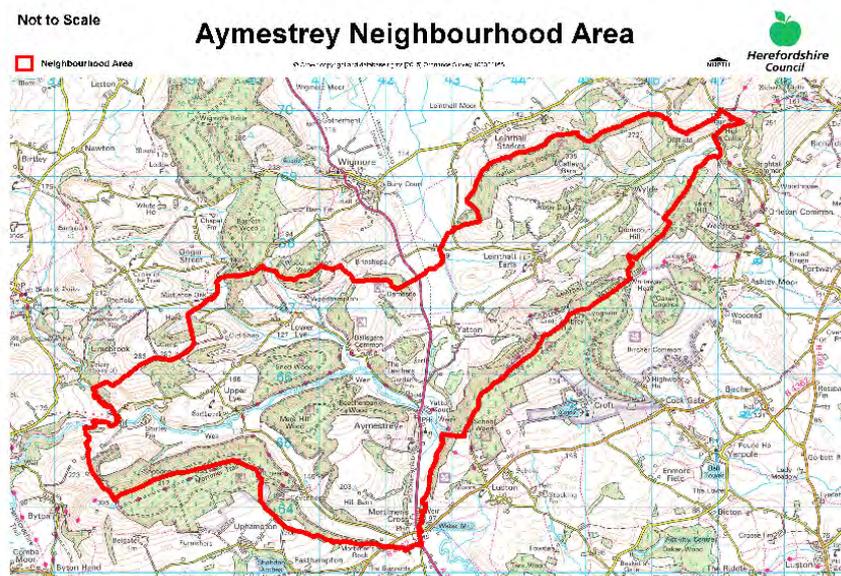
HRA Screening Assessment

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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 Aymestrey Parish Council has produced a Neighbourhood Development Plan for Aymestrey of parishes, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the final Aymestrey Plan (June 2018).
- 1.3 The NDP is made up of a set of criteria based policies and allocates two sites. Settlement boundaries have been designated in Aymestrey. The general criteria policies that clarify and give 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 Aymestrey 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, Aymestrey Parish Council is required by law to carry out an assessment known as “Habitats Regulations Assessment”. It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that:

Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive 'on the conservation of wild birds' (79/409/EEC; 'Birds Directive') for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
 - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.
- 2.5 Herefordshire Council is aware of the recent judgement (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage. The initial screening undertaken in May 2016 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The purpose of this final HRA Report is to detail the findings of the screening of proposed changes to policies and consider if they significantly affect the conclusions of the earlier HRA Report (January 2018 and June 2018) and reviewed in terms of the implications of *Sweetman*.

3 Methodology

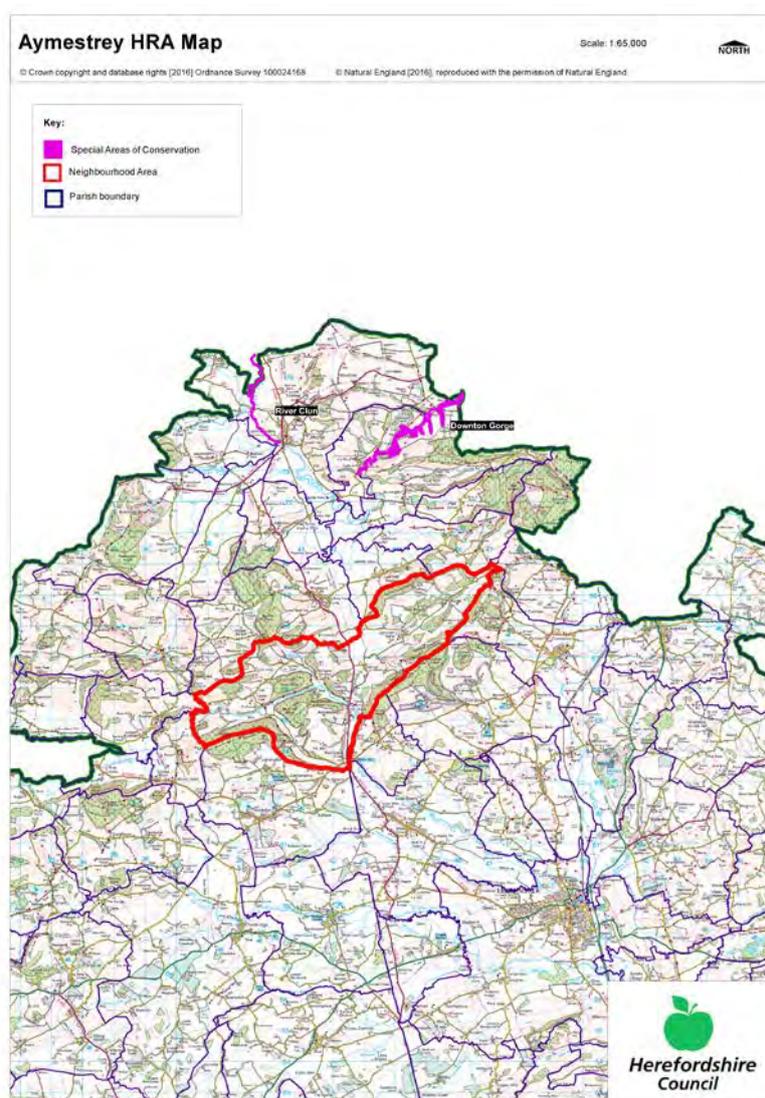
- 3.1
- 3.1 Although the Aymestrey NDP is not directly regarding the management of any European sites, it does include proposals for development which may affect European sites. Therefore, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant 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 (April 2016) found that Aymestrey Parish is within the River Wye (including the River Lugg) and the Group Parish is within the hydrological catchment of the River Wye. It is also within 10km of the Downton Gorge SAC (3.85km away). Figure 2 below highlights the location of River Wye SAC and Downton Gorge 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 states that there is no mains drainage at Aymestrey.
- 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 Aymestrey Initial Screening Report. The Initial Screening Report, April 2016, 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 Aymestrey Neighbourhood Plan may affect site integrity.

Site integrity of the Downton Gorge SAC

- 4.10 Downton Gorge is a narrow ravine with a distinctive microclimate and a variety of slopes and aspects. The vulnerability of the site is based on air quality associated within poultry units or other intensive agricultural practices within a 10km radius.
- 4.11 For full details of the Downton Gorge's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Aymestrey Initial Screening Report. The Initial Screening Report, April 2016, can be found in Appendix 1 of this HRA report.
- 4.12 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 Aymestrey Neighbourhood Plan may affect site integrity.
- 4.13 The initial screening assessment indicated that a full screening assessment is required to assessment the likelihood of significant effects on the hydrological catchment of the River Wye (including the River Lugg) SAC and the Downton Gorge SAC of the policies within the Aymestrey NDP.

5 Description of the Almeley Neighbourhood Development Plan

Description of the Aymestrey Neighbourhood Development Plan

5.1 The final Aymestrey NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The Plan begins by introducing its preparation and highlighting its issues.

5.2 The NDP then details the vision for the Group Parish over the Plan period:

"To have a flourishing community, cherishing our unique environment as a place to grow up, work, retire and enjoy."

There are 3 objectives of how this will be achieved. The objectives cover the following topics:

- (i) To protect and manage the high-quality landscape, green space, biodiversity and geology of the Parish and the settings of its settlements.
- (ii) To pay special regard to the River Lugg Site of Special Scientific Interest and its associated watercourses and habitats, both for its ecological interest and for the management of flooding within the Parish and downstream.
- (iii) To protect and manage the historic assets and their settings within the Parish, whether of national or local importance, the level of protection being in accordance with the importance of the asset.
- (iv) To conserve and enhance the area's distinctive historic environment, cultural heritage and nationally important geological sites, demonstrating how the inter-action of natural and historic factors has influenced the distinctive character of its landscape and settlement patterns, and use as a framework for sustainable development and habitat restoration and to maintain and promote the enjoyment of its high levels of tranquillity and landscape.
- (v) To contribute towards energy conservation and renewable energy.
- (vi) To promote business activity that is appropriate to the Parish, including working from home.
- (vii) To promote sustainable housing through controlled growth within defined settlement boundaries and on allocated sites, seeking small scale developments that achieve high design standards.
- (viii) To foster social and economic wellbeing.
- (ix) To respond to the demands for improved telecommunications
- (x) To retain and where appropriate improve existing public transport services
- (xi) To enhance access to the countryside
- (xii) To address community concerns about the volume and speed of traffic on the major roads and its impact and to improve safety (and perception of safety) for pedestrians and highway users including cyclists.
- (xiii) Promote sustainable travel either through cycle lanes, track ways or road user awareness.

- (xiv) To prevent development in areas at risk of flooding, improve land drainage, and avoid pollution, especially from waste water.

From these 13 objectives details have been included to further development the overall objectives into specific policies areas, 23 policies in total, one being a site allocation.

- 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 4 options put forward the 'no NDP / do nothing' (option 1) was not considered viable for the Parish.

The remaining 3 options were:

Option 2 – To allocate sufficient land to meet the required level of housing growth but not to define settlement boundaries, relying on settlement policies only: this approach would rely upon the ability to meet community and environmental objectives satisfactorily without defining a boundary within which most new housing development would be restricted.

***Option 3 – To allocate sufficient land to meet the required level of housing growth and defining settlement boundaries within which most new housing development would be restricted:** this approach, promoted through Herefordshire Local Plan Core Strategy, would define the extend of the built-up area of each settlement and any proposed extensions to it where housing development might take place.

Option4 – A mixture of allocating sufficient land to meet the required level of housing growth but with some settlements having settlement boundaries defined while others rely upon policies only: This is an option where each settlement would be assessed to determine whether either option 2 or option 3 might be most appropriate.

All of the remaining options 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. Option 3 was chosen.

- 5.4 As Aymestrey 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 and Downton Gorge SAC could be achieved, alongside taking forward the preferred option from the consultation from the community. A list of the options assessed can be found in previous HRA assessments, and the Assessment matrix for the options can be found HRA January 2018 version.
- 5.5 The NDP also sets out 22 general policies on various topics based on the objective headings above and also and one additional policy which allocates a site. These include:

Policy AYS1	Promoting sustainable development.
Policy AYS2	Development Strategy guiding development and compliance with Core Strategy Policies.
Policy AYEnv1	Maintaining and protecting the landscape and its features and development should contribute positively to the existing high quality landscape.

Policy AYEnv2	Biodiversity and Geodiversity, with any new development looking to maintain and reinforce the ecological network and enhance biodiversity.
Policy AYEnv3	Protecting Heritage Assets
Policy AYEnv4	Sustainable Construction, creating safe, sustainable, well integrated environments for the community.
Policy AYEnv5:	Addressing Climate Change
Policy AYEnv6:	Waste Water Treatment
Policy AYEnv7:	Protection of Local Green Space
Policy AYEnv7a:	Protection of Views and Vistas
Policy AYEnv8	Protection from Flood Risk
Policy AYMT1	Traffic Measures within the Parish
Policy AYT2:	Highway Design Requirements
Policy AYJE1:	Re-use of Employment Land at Mortimer Cross
Policy AYJE2:	Business, Farming and Employment
Policy AYJE3:	Tourism Development
Policy AYJE4:	Working from Home
Policy AYH2:	Settlement Boundaries
Policy AYH3:	Housing Development within Settlement Boundaries
Policy AYH4:	Exceptional Sites for Affordable Housing.
Policy AYH5:	Conversion of Rural Buildings to Residential Use

AYH6:	Affordable and Intermediate Homes
SITE	
Policy AYH1:	Land amounting to around 0.5 ha of land at Mortimers Cross for a maximum of 12 dwellings.

6.0 Assessments undertaken to date of the emerging Aymestrey 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 Aymestrey NDP would be likely to have a significant effect on the River Wye SAC or the Downton Gorge 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 Aymestrey NDP objectives and policies (March 2018) were concluded to be likely to have a significant effect on either of the European sites. Although the parish is within the River Wye SAC, Policy AYEnv6 and Policy AYEnv8 alongside 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 in several cases the policies also included measures to help support the natural environment including biodiversity.
- 6.6 It is unlikely that the Aymestrey 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 Aymestrey NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC or the Downton Gorge SAC.**

Screening of modifications to NDP (Reg16)

- 6.8 The Submission NDP (June 2018) incorporates additional policy criteria or wording to add clarity and emphasis throughout the document.
- 6.9 Modifications made to policies by the inclusion of additional criteria and amendments to Policy AYEnv5, AYEnv7a and AYEnv8 are not considered to affect the findings of

the previous HRA report. On the contrary; they strengthen the likelihood of there being no adverse impacts.

- 6.10 The revised NDP policies are therefore unlikely to result in significant effects on the European site.
- 6.11 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.
- 6.12 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 Assessment of the 'likely significant effects' of the Aymestrey NDP Rescreening following implications of *Sweetman* case

- 7.1 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 or the Downton Gorge SAC at this final screening stage. Any likely significant effects would require an Appropriate Assessment to be required.
- 7.2 None of the final Aymestrey Neighbourhood Plan (June 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 8.4 None of the final Aymestrey Neighbourhood Plan (June 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 8.5 Policies AYEnv6 and Policy AYEnv8 have been included within the Aymestrey NDP with sufficient policy criteria together with the Core Strategy policy SD3 and SD4 to ensure that development can only occur if these criteria are met.
- 8.6 The Aymestrey NDP has a set of criteria based policies within the plan and 1 site allocation. The majority of the policies themselves would not result in development, but include criteria to support the natural environment, including biodiversity and therefore no significant effect conclusion could be reached.
- 8.7 Dwr Cymru Welsh Water (DCWW) has no comment on this as there is no main drainage at Aymestrey.
- 8.8 Policy SD4 of the Core Strategy indicates that development would not permitted if wastewater treatment and water quality cannot be assured.
- 8.9 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.
- 8.10 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 additional 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 or the Downton Gorge SAC. ***It is therefore concluded that the Aymestrey Plan will not have a likely significant effect on the River Wye SAC.***

8 Conclusions from the Screening Matrix following the examination modifications

- 8.1 The Aymestrey NDP was subject of an independent examination by Ann Skippers. The examiner concluded that a number of modifications were required in order to meet the basic conditions.
- 8.2 The following NDP policies have been subject to modifications as a result of the examination: These included; AYS1, AYEnv2, AYEnv3, AYEnv5 (now AYEnv4), AYEnv7a (now AYEnv7), AYJE2 (now AYJE1), and AYH5. AYEnv2 and AYJE1 were deleted. Policies AYS2, AYEnv1, AYEnv7 (now AYEnv6), AYTM1, AYJE3 (now AYJE2), AYH1 (SITE), AYH3 and AYH4 received significant changes and have been rescreened.
- 8.3 Many of these changes are minor in nature to ensure that the policies are not overly restrictive or have clarity for the decision maker. As a result they have not changed the intention or the direction of the policies themselves. These were AYS1, AYEnv2, AYEnv3, AYEnv5 (now AYEnv4), AYEnv7a (now AYEnv7), AYJE2 (now AYJE1), and AYH5, these policies have not been rescreened.
- 8.4 With this in mind the rescreened matrix (AYS2, AYEnv1, AYEnv7 (now AYEnv6), AYTM1, AYJE3 (now AYJE2), AYH1 (SITE), AYH3 and AYH4) has demonstrated that the conclusions of the previously assessment has not changed.
- 8.5 None of the post examination Aymestrey Neighbourhood Plan policies are concluded to be likely to have a significant effect on the River Wye SAC.
- 8.6 Any amendments to policies 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.
- 8.7 ***It is therefore concluded that the Aymestrey 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 Stapleton Group (currently not preparing an NDP), Wigmore Group (who are at Reg 16), Orleton and Richards Castle and Yarpole (of which both have adopted their NDPs) and Shobdon (which is currently

at Reg 14). 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 Aymestrey 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 Kington 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 **Aymestrey 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 Aymestrey NDP and the earlier HRA Report and its addendum. This will now be subject to referendum and the final adoption/making of the Aymestrey NDP.

Appendix 1

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

**The Neighbourhood Planning (General) (Amendment) Regulations
2015 (Reg. 32)**

Conservation of Habitats and Species Regulations 2010 (d)

Neighbourhood Area:	Aymestrey Neighbourhood Area
Parish Council:	Aymestrey Parish Council
Neighbourhood Area Designation Date:	07/01/2016

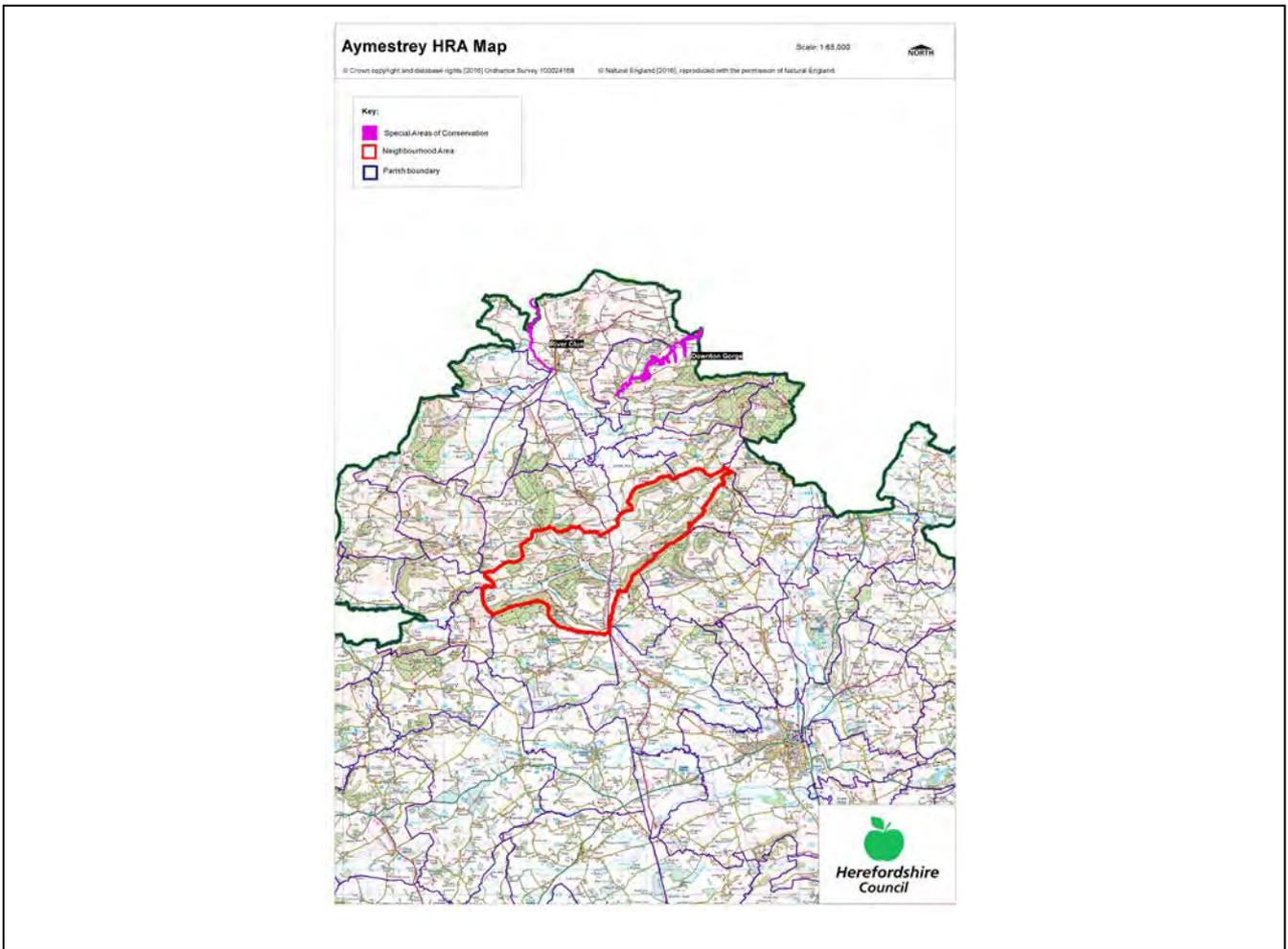
Introduction

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)



River Wye (including the River Lugg) Special Area of Conservation (SAC):

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	Y	The River Lugg (not part of the SAC) runs through the Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Group Parish is within the hydrological catchment of the River Lugg.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage at Aymestrey

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	Y	Downton Gorge is 3.85km away from the Parish.
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River Clun SAC:

Does the River Clun border the Neighbourhood Area	N	River Clun does not border 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	Wye Valley and Forest of Dean Bat Sites are 49km away from the Parish.
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Wye Valley Woodlands SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	N	Wye Valley Woodlands are 48.6km away from the Parish.
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HRA Conclusion:

The assessment above highlights that European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Aymestrey 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
Downton Gorge 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 Aymestrey 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	Within Neighbourhood Area		Bordering Neighbourhood Area	
	Total number	Name(s)	Total number	Name(s)
Ancient Woodland	16	Barnett Wood; Woodhampton Wood; Paysure Wood; Gatley Long Coppice; Unnamed at Dionscourt Hill; Fishpool Valley; School Wood; Chaff Wood; Church Wood; Pyon Wood; Garden House Wood; Sned Wood; Weir Rough; Grindell Wood; Prichards Hill Wood; Unnamed north of Upper Lye.	13	Park Wood; Stocking Wood 1; Stocking Wood 2; Oldcastle Wood 2; Silver Will; Petchfield Copse; Burrel Wood; Hall Wood; Brush Wood; Goggin Copse and Green Wood; Bircher Coppice; Tars Wood; Tars Coppice.
Areas of Outstanding Natural Beauty (AONB)	0	-	0	-
Conservation Areas	0	-	6	Wigmore; Lingen; Lucton; Yarpole; Bircher; Orleton.
Flood Areas	Flood Zones 2 and 3 follow the River Lugg and tributaries of this.			

Geoparks	0	-	0	-
Listed Buildings	There are numerous Listed Buildings throughout the Parish.			
Mineral Reserves	5	Upper Lye to Wigmore to Leinthall Starkses to Leintwardine; Woodhampton to Lower Lye to north of Sned Wood, Aymestrey; West of Aymestrey; Mortimers Cross to Croft; Leinthall Earls to Richards Castle.	2	West of Bircher Common; Yarpole to Orleton.
National Nature Reserve (NNR)	0	-	0	-
Nature Trails	1	Mortimer Trail.	1	Herefordshire Trail.
Regionally Important Geological Sites (RIGS)	2	Aymestrey Main Quarry; Shobdon Drumlins.	3	Wigmore Castle; Goggin Road Station; Deer Park Road Station.
Registered Parks and Gardens	2	Gatley Park; Croft Castle.	1	Shobdon.
Scheduled Ancient Monuments (SAM)	5	Bowl barrow east of Yatton Marsh Farm; Croft Ambrey (camp); Pyon Wood camp, a small multivallate hillfort 700m WSW of Yatton; Churchyard cross in St John the Baptist and ST Alkmunds Churchyard; Castle mound in Camp Wood.	9	Shobdon Arches; Shobdon Castle Mound; Round barrow 250m south of Shobdon Church; Limebrook Priory; Lingen Castle; Wigmore Castle; Aston Tump; Richards Castle: a motte and bailey with an enclosed settlement; Dovecote at Court House.
Sites of Importance in Nature Conservation (SINCs)	0	-	0	-
Special Areas of Conservation (SAC)	0	-	0	-
Special Wildlife Sites (SWS)	16	River Lugg;	23	Land at Killhorse Lane 1

		Woodlands along River Lugg; Land at Wheelbarrow Castle; Fields, woodland and verges at Limebrook; Land at Lyepole Bridge; Land near Haven Farm; Woodhampton and Barnett Woods; Ballsgate Common; Pyon Wood; Garden House Wood; Mere Hill Wood Track Sections; Pecketts Yeld Wood; Three ponds at Aymestrey; Woodlands and Commons centred on Croft Ambrey; Oaker Wood; Limekiln Coppice and Barn Coppice.		Land at Killhorse Lane 2 Richards Castle mound and churchyard; Land near Sunnyside; Land at Ryecroft; Land at Patrick's Hill; Tars Wood; Tylers Vallet; Shobdon Pools; Byton and Combe Moors; Woodlands on Coles Hill; Land at Limebrook; Land at Deerfold (2); Land at Lower Woodbatch; Land near Lower Woodbatch; Land at Chapel Farm; Wigmore Rolls; Green Hill Common; Land at Leinthall Starkses; Petchfield Copse and woodland to the north; Land at Elton; Kingacre and Hall Woods and Aston Copse; Land at Combe Moors.		
Unregistered parks and gardens	1	Yatton Court.	3	Kinsham Court; Elton Hall; Haye Park.		
			SSSI Status		SSSI Status	
Sites of Special Scientific Interest (SSSI)	2	Rockhall Quarry; River Lugg.	Favourable; Unfavourable Recovering.	3	Fishpool Valley; Elton Lane Cutting; Byton and Coombe Moors.	Favourable; Favourable; Unfavourable Recovering Unfavourable No Change.

Decision Notification:

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

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

Assessment date: 08/01/2016

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."

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

Option 1 - Not to prepare a NDP: this would mean that housing development within then parish would be developer led until such a time as Herefordshire Council adopts its Rural Areas Development Plan Document (DPD).

Option 2 – To allocate sufficient land to meet the required level of housing growth but not to define settlement boundaries, relying on settlement policies only: this approach would rely upon the ability to meet community and environmental objectives satisfactorily without defining a boundary within which most new housing development would be restricted.

Option 3 – To allocate sufficient land to meet the required level of housing growth and defining settlement boundaries within which most new housing development would be restricted: this approach, promoted through Herefordshire Local Plan Core Strategy, would define the extend of the built-up area of each settlement and any proposed extensions to it where housing development might take place.

Option4 – A mixture of allocating sufficient land to meet the required level of housing growth but with some settlements having settlement boundaries defined while others rely upon policies only: This is an option where each settlement would be assessed to determine whether either option 2 or option 3 might be most appropriate.

Appendix 3

HRA Screening of final Neighbourhood Development Plan Policies**Parish: Aymestrey****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
OBJECTIVES					
Objective 1	Protection and management of the high-quality landscape, green space, biodiversity and geology of the Parish and the settings of its settlements.	Maintaining the rural character of the parish and its hamlets would ensure that the landscape character, views and features of the parish would be preserved and open spaces are unlikely to have 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 Downton Gorge SAC	No	No: this objective itself will not lead to development, instead it relates to criteria based objective. This policy safeguards the natural landscape.

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		effected.			
Objective 2	To pay special regard to the River Lugg Site of Special Scientific Interest and its associated watercourses and habitats, both for its ecological interest and for the management of flooding within the Parish and downstream.	Unlikely that there will be any significant effects on the European Site, this objective directly aims to safeguard the SAC.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria taking regard of the SACs. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.
Objective 3	To protect and manage the historic assets and their settings within the Parish, whether of national or local importance, the level of protection being in accordance with the importance of the asset.	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Objective 4	To conserve and enhance the area's distinctive historic environment, cultural heritage and nationally important geological sites, demonstrating how the interaction of natural	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	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.

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	and historic factors has influenced the distinctive character of its landscape and settlement patterns, and use as a framework for sustainable development and habitat restoration and to maintain and promote the enjoyment of its high levels of tranquillity and landscape.	water quality of the SAC is not detrimentally effected.			
Objective 5	To contribute towards energy conservation and renewable energy.	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission and renewable energy schemes.
Objective 6	To promote business activity that is appropriate to the Parish, including working from home.	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	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, 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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		is not detrimentally effected.			
Objective 7	To promote sustainable housing through controlled growth within defined settlement boundaries and on allocated sites, seeking small scale developments that achieve high design standards.	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.
Objective 8	To foster social and economic wellbeing.	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 Downton Gorge SAC	No	No, this is a criteria based objective and policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.
Objective 9	To respond to the demands for improved telecommunications.	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	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.

		water quality of the SAC is not detrimentally effected.			
Objective 10	To retain existing public transport services.	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Objective 11	To enhance access to the countryside.	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Objective 12	To address community concerns about the volume and speed of traffic on the major roads and its impact and to improve safety (and perception of safety) for	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning

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	pedestrians and highway users.	which seeks to ensure water quality of the SAC is not detrimentally effected.			permission.
Objective 13	To prevent development in areas at risk of flooding, improve land drainage, and avoid pollution, especially from waste water.	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
OPTIONS					
Option 1	Not producing a neighbourhood plan would result in any future growth decisions within the parish being made based on the strategic policies within the Core Strategy. Proportional housing and employment growth would be in accordance with the Core Strategy.	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 Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Option 2	To allocate sufficient land to meet the required	The allocation of a settlement boundary	River Wye (including	No	No, policy criteria exist within the NDP and

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	level of housing growth but not to define settlement boundaries, relying on settlement policies only:	would give additional certainty and help define those areas considered as the built form and open countryside, however this option does not do this and only relies on policies to meet sufficient housing growth, and all developments are required to meet the criteria of Policy SD4. It unlikely that there will be any significant effects on the European Site.	River Lugg) SAC Downton Gorge SAC		Core Strategy (SD4) required to be meet for the development to receive planning permission.
Option 3	To allocate sufficient land to meet the required level of housing growth and defining settlement boundaries within which most new housing development would be restricted.	Defining settlement boundaries for settlements within Aymestrey will give additional certainty and help define those areas considered as the built form and open countryside. Allocation of 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	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.

		criteria of Policy SD4.			
Option 4	A mixture of allocating sufficient land to meet the required level of housing growth but with some settlements having settlement boundaries defined while others rely upon policies only:	The settlement boundary will give additional certainty and help define those areas considered as the built form and open countryside. Pursuing this option would give certainty over future development within the area particularly within the River Wye catchment. 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 Downton Gorge 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					
Policy AYS1	Promoting sustainable development.	Unlikely that there will be any significant effects on the European Site. Policy seeks to support sustainable measures for new development.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective but Core Strategy (SD4) required to be met for the development to receive planning permission.

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Policy AYS2	Development Strategy guiding development and compliance with Core Strategy Policies.	Development would be proposed, but it is unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv1	Maintaining and protecting the landscape and its features and development should contribute positively to the existing high quality landscape.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv2	Biodiversity and Geodiversity, with any new development looking to maintain and reinforce the ecological network and enhance biodiversity.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv3	Protecting Heritage Assets	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy. This policy safeguards

					heritage assets but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv4	Sustainable Construction, creating safe, sustainable, well integrated environments for the community.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv5:	Addressing Climate Change	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv6:	Waste Water Treatment	Development would be proposed, but it is unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy which directly addresses the issue of waste water

					treatment and in addition to the requirement of Core Strategy (SD4) to be met for any development to receive planning permission.
Policy AYEnv7:	Protection of Local Green Space	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv7a:	Protection of Views and Vistas	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv8	Protection from Flood Risk	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, but will guide the scale and extent of any development and ensure that any development that comes forward is in line with the Local Plan (Core Strategy)

					and Core Strategy (SD4, SD3 and LD1)) required to be met for any development to receive planning permission.
Policy AYMT1	Traffic Measures within the Parish	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYT2:	Highway Design Requirements	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYJE1:	Re-use of Employment Land at Mortimer Cross	Development would be proposed, but it is unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.

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Policy AYJE2:	Business, Farming and Employment	Development would be proposed, but it is unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission and no poultry units are directly proposed in regard to the Downton Gorge SAC.
Policy AYJE3:	Tourism Development	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYJE4:	Working from Home	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYH2:	Settlement Boundaries	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.

Policy AYH3:	Housing Development within Settlement Boundaries	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYH4:	Exceptional Sites for Affordable Housing.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYH5:	Conversion of Rural Buildings to Residential Use	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
AYH6:	Affordable and Intermediate Homes	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.

SITES					
Policy AYH1:	<p>Land amounting to around 0.5 ha of land at Mortimers Cross for a maximum of 12 dwellings.</p> <p>The construction new houses will involve use of timber, aggregates, metals and plastics.</p> <p>There would also be increased demand for water abstraction and sewage treatment.</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p>	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, but will guide the scale and extent of any development and ensure that any development that comes forward is in line with the Local Plan (Core Strategy) and Core Strategy (SD4, SD3 and LD1)) required to be meet for any development to receive planning permission.

Appendix 4

Appendix 2: HRA Consultation Feedback

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

Parish Council Name: Aymestrey

Neighbourhood Development Plan Name: Aymestrey NDP

Details of consultation: *Regulation 14 Draft Plan consultation*

Consultation date: 19 March 2018 – 12 May 2018

Response Date	Consultee	Summary of Comments	Response to Comments
9/5/18	Natural England	Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion of no likely significant effect upon the named European designated sites: <input type="checkbox"/> River Wye SAC <input type="checkbox"/> Downton Gorge SAC	N/A

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Appendix 5

Appendix 3: HRA Consultation Feedback Reg 16

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

Parish Council Name: Aymestrey Parish Council

Neighbourhood Development Plan Name: Aymestrey Neighbourhood Plan

Details of consultation: *Regulation 16*

Consultation date: 27 June 2018 to 22 August 2018

Consultation title: Regulation 16 Consultation

31/07/2018	Natural England	<p>We are aware that in light of the recent changes to the HRA process following the People Over Wind Ruling, Herefordshire Council will be reviewing the Habitat Regulations Assessment (HRA) for this Neighbourhood Plan.</p> <p>Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your Authority may decide to make.</p> <p>We welcome re-consultation on the Neighbourhood Plan and its updated HRA, and will provide any substantive comments at this point.</p>	N/A
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25 October 2018	Historic England	<p>Thank you for your consultation and the invitation to comment on the HRA Documents for the above Neighbourhood Plans.</p> <p>For the purposes of such consultations, Historic England confines its advice to the question, “Is it likely to have a significant effect on the environment?” in respect of our area of concern, cultural heritage.</p> <p>In this context and regarding HRA Historic England does not disagree with your conclusions but is happy to defer to the opinions of the other statutory consultees.</p> <p>I trust the above comments will be of help in taking forward the Neighbourhood Plans.</p>	
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Appendix 6

Appendix 6 Modifications Following Examination
 Aymestrey
 March 2019

Policy	Modification recommended	Justification
Modification 1 The plan	Update references made to the draft NPPF throughout the document to refer to the NPPF published in February 2019	To ensure the references are up to date
Modification 2 Issues and options	Change 'manoeuvres' in para 3.9 on page 14 of the plan to 'manoeuvres'	Correct typographical error
Modification 3 Policy AYS1	Delete the first paragraph of the policy Delete the word 'limited' from the (existing) third paragraph of the policy so that this paragraph begins 'New housing...' Delete the final paragraph of the policy Delete everything after 'This NDP will form part of the Local Development Framework and as such its policies will guide development ..' from paragraph 4.5 of the Plan. Change the first sentence in paragraph 4.7 to read: 'Consequently, for many forms of development within the Parish, a proportionate landscape assessment may be required when a planning application is submitted' Delete the sixth sentence of paragraph 4.7	To ensure that the policy reflects a positive approach to development and recognises where the NDP role in the development plan.
Modification 4 Policy AYS2	Delete the word 'including the restriction on housing numbers' from the first paragraph of the policy Delete the words ' in accordance with the NPPF paragraph 59' from paragraph 4.9 on page 21 of the plan.	To remove the restrictive cap on development To remove inappropriate reference to the NPPF
Modification 5 Policy AYEnv1	Change the word 'will' to 'may' in the second paragraph of the policy before points 1, 2 of the policy Change the word 'will' to 'may' in point 1 Delete point 2 Delete everything after the first sentence in paragraph 5.5	To remove the prescriptive elements of the policy regarding the AONB
Modification 6 Policy AYEnv2	Delete criterion g Delete paragraph 5.7 on page 24 of the plan	To remove references to the AONB

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<p>Modification 7 Policy AYEnv3</p>	<p>Change criterion a) to read: ‘Refusing development proposals that would lead to substantial harm or total loss of significance of any designated heritage asset unless it can be demonstrated that the development would offer substantial public benefits’</p> <p>Change criterion b) to read: Requiring robust evidence of the public benefits of any proposal that would result in less than substantial harm to the significance of a designated asset or its setting’</p> <p>Change criterion c) to read: Ensuring the conservation of Aymestrey’s Grade 1 listed church and the Grade II* listed church at Leinthall Earls and their settings. Development proposals should conserve the openness and character of the settings and preserve or enhance views to and from the Churches, which make an important contribution to their significance’</p> <p>Change criterion d) to read: Ensure the conservation of Scheduled Monuments and their settings. Development proposals shall conserve important ..and conserve their settings and character’</p> <p>Change criterion e) to read ‘Conserving Registered Parks and Gardens and their settings’</p> <p>Reword criterion j) to read: ‘Protecting ancient hedgerows and associated hedgerow patterns from loss or deterioration unless the public benefits of development clearly outweigh such loss or deterioration’</p>	<p>To reflect national policies</p> <p>To ensure the criterion take account of the NPPF</p> <p>To ensure precision</p>
<p>Modification 8 Policy AYEnv4</p>	<p>Delete Policy AYEnv4</p> <p>Consequential amendments to the supporting text on page 29 of the Plan will be required</p>	<p>The criterion are covered elsewhere within the plan</p>
<p>Modification 9 Policy AYEnv5</p>	<p>Change the word ‘should’ in the first sentence of the policy to ‘are encouraged to’</p> <p>Delete the words ‘where development does not comply with this a reasoned justification will be required’ from criteria a)</p> <p>Change the word ‘must’ in the last paragraph of the policy to ‘should’</p>	<p>To ensure compliance with the Ministerial Statement of 25 March 2015</p>
<p>Modification 10 Policy AYEnv7</p>	<p>Reword the first paragraph of the policy to read: ‘The following areas are designated Local Green Spaces. Development that would result in the loss of or significant harm to these sites will not be permitted. Proposals that enhance or extend the purpose or purposes for which they are designated will be permitted provided there are no significant adverse effects’ (retain existing points a) to b)</p>	<p>For clarification</p>
<p>Modification 11 Policy AYEn7a</p>	<p>Change the policy number to be consistent with the plan’s presentation for the final version of the plan</p> <p>Number the map on page 34 of the plan</p>	<p>To ensure that all views within the</p>

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	<p>Add view 7 (Leinthall Earls Church) on the map on page 34 of the plan</p> <p>Delete the words ' This is not intended as an exhaustive list of all the valued views within the parish as the nature of the parish lends itself to many other unspoilt views and vistas not listed here' from page 34 of the plan or any replacement map.</p> <p>Add photographs of view 6 (Views to Croft Ambrey and Yatton Hill) and 7 (Leinthall Earls Church) as provided in the answers to the examiners query on this matter to the plan</p> <p>Change criterion c) to read: 'Views from School Wood and Pokehouse Wood across Aymestrey valley (view 2)'</p> <p>Reword Policy AYEnv7a to read: 'The following views which are identified on Map x shall be protected. Any development or alteration to an area within the identified views must ensure that key features of the view can continue to be enjoyed including distant buildings, areas of landscape and the juxtaposition of village edges and countryside'</p> <p>(retain criteria a) to d) taking into account any other modifications relating to them)</p>	<p>policy are shown on the map</p> <p>To ensure consistency and completeness</p> <p>To ensure accuracy and clarity of wording</p>
<p>Modification 12</p> <p>Policy AYT1</p>	<p>Delete the word 'measures' from the policy title</p> <p>Change the policy to read: 'Development proposals will, where relevant, ensure that their impact on the road network is acceptable. This will include increasing transport choices through different modes of travel. Consideration should be given to (retain existing criteria c), f) and g) and renumber)</p> <p>Add to the supporting text a new section that reads: 'Aymestrey Parish Council will work with Herefordshire Council to introduce measures to improve the road network, in particular to ensure greater safety and reduce the impact of vehicles including through (retain existing criteria a), b), d), and e) renumbering them)</p>	<p>Ensure the policy related to development and land use and the non-planning elements are clear.</p>
<p>Modification 13</p> <p>Policy AYJE1</p>	<p>Delete policy AYJE1 and its supporting text set out in paragraph 7.2 on page 41 of the plan in its entirety</p>	<p>To remove duplication with other policies within the development plan</p>
<p>Modification 14</p> <p>Policy AYJE2</p>	<p>Add the words 'add other land based rural businesses' after 'farm diversification' in the first sentence of the policy</p> <p>Add the word 'and' at the end of criteria a)</p> <p>Change 'They' at the start of criteria b) to 'it'</p> <p>Add the word 'on' after 'no significant adverse effects' in criteria c)</p>	<p>To ensure clarity of wording and compliance with the Core Strategy</p>

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	Add the word 'that it' after 'there is safe access to the highway and' in criteria c)	
Modification 15 Policy AYJE3	Delete criteria c) in its entirety Delete criteria d) in its entirety Add the word 'and' at the end of criteria a)	No evidence provided to support ban on larger scale developments To ensure clarity
Modification 16 Policy AYH1	End the first sentence in paragraph 8.4 on page 44 of the plan at 'a call for sites was undertaken' Start a new sentence that reads: 'The results of the site analysis are available at (insert website)' and change Appendix 3 into a standalone document' Delete the words 'a maximum of' from the first sentence of the policy and insert the words 'for around' Change the reference to 'Housing Site Design Guide and Concept Statement' in the policy to 'Development Brief and Design Guide' Ensure that the references to Policies AYEnv6 and AYEnv8 remain correct.	To make reference to the site analysis work To remove the cap from the policy to ensure consistency with the Core Strategy To ensure consistency and clarification
Modification 17 Policy AYH3	Delete the word 'only' from the first sentence of the policy Add the words 'all of' after 'where it meets' in the first sentence of the policy Change the word 'preserve' in criteria a) of the policy to 'conserve' Delete the words 'rather than more recent and less sympathetic development' from criteria c) Change the words 'provided materials are carefully matched to nearby properties' to 'taking account of the local context' Delete criteria e) Delete criteria g) Add at the end of criteria f) 'and that local agricultural and commercial activity does not adversely affect the amenity of future occupants' Delete 'and this should be given significant weight' from the fourth sentence of paragraph 8,14 on page 48 of the plan Change the words 'must also be given significant weight' in the fifth sentence of paragraph 8.14 to 'must also be considered'	To ensure the policy is positively framed and gives certainty Remove inappropriate text regarding apportioning weight

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	Delete paragraph 8.29 and 8.20 on page 49 of the plan.	
Modification 18 Policy AYH4	<p>Change the title of the policy to 'Exception Sites for Affordable Housing'</p> <p>Change the second sentence of the policy to read: 'Such sites will not have an unacceptable adverse impact on any of the following (retain existing criteria a), b) and c))</p> <p>Create a new paragraph from existing fourth criteria (which is labelled as another c) retaining the existing wording but deleting the last sentence</p>	<p>To ensure compatibility with the Core Strategy</p> <p>To ensure clarity</p>
Modification 19 Policy AYH5	Change the first sentence of criteria a) to read: 'The building is of permanent and substantial construction capable of conversion without major or complete reconstruction'	To ensure compliance with the Core Strategy
Modification 20 Environmental Report	<p>Change 'complimentary' to 'complementary' on page 60 of the Plan</p> <p>Add reference to 'map x' in the first paragraph on page 66</p>	To correct minor errors
Modification 21 Appendix 1	<p>Delete the word 'detailed' from the second sentence of the first paragraph in section 1</p> <p>Delete the final sentence of the first paragraph in section 1</p> <p>Amend the first paragraph of section 2 to read: 'Allocation of this site for housing in Aymestrey Neighbourhood Development Plan means that any planning application should take account of this Development Brief and Design Guide'</p> <p>Change Section 2 to read as follows: 'Outline Stage</p> <p>Should applicants consider certain matters need to be determined in advance of fully detailed submission, an outline application could be submitted, but it should be recognised that this Development Brief and Design Guide sets out the local community's wishes for the site</p> <p>Detailed Stage Applicants should submit plans and particulars showing detailed proposals for the following aspects of development that may not have been submitted at an outline stage where relevant and when required by the local planning authority:</p> <p>i) A proportionate flood risk assessment indicating the extent of the allocated site that can be developed and any requirement for flood protection of properties, including those located off site affected by any schemes:</p> <p>ii) The layout, including position and width of roads and footways (if proposed) and the details of design and materials for paved areas:</p>	<p>To ensure clarity and remove reference to unnecessary text</p> <p>To make reference to the water meadow</p>

	<ul style="list-style-type: none"> iii) Layout of foul and surface water drainage, including sustainable drainage measures: iv) Landscaping and biodiversity protection and enhancement measures. An adjoining area comprises water meadow and appropriate ecological studies should inform measures to retain important features, enhance biodiversity and the arrangements for the permanent maintenance of landscaped areas: v) Means of access to building: vi) Siting and design: vii) Provision for parking of vehicles: viii) Sufficient information to demonstrate the effect of the development on the landscape and adjoining development is acceptable' <p>Delete the last sentence on page 77 of the plan which read: Development should also comply with all relevant policies within the Neighbourhood Development Plan'</p> <p>Replace the last paragraph under Section 4.1 on page 79 of the plan with a new paragraph that reads: 'The preservation of the water meadow and other biodiversity net gains may be achieved in association with any SUDs scheme provide under paragraph 4.1 above. This habitat creation may be achieved within an enlarged site incorporating land to the west as a local compensatory and net gain 'off site' measures'</p> <p>Change the words ' a maximum of between 10-12 and dwellings' in paragraph 4.3.4 on page 80 of the plan with 'appropriate 12 dwellings'</p> <p>Change the words 'which has been identified through a local housing needs survey' in paragraph 4.3.5 on page 80 of the plan with 'or as otherwise evidenced through up to date local housing needs data or survey'</p> <p>Delete criterion ix) on page 81 of the plan</p> <p>Delete the last sentence of the first criterion x) on page 81 which reads: 'To assist this, dwellings should provide appropriate space standards including provision for storage'</p> <p>Amend the second criterion x) on page 81 so the numbering is in sequence and change the word 'top' to 'to'</p> <p>Delete the last sentence of page 82 of the plan which reads: 'The housing needs survey carried out as part of the NDP process identified a need for smaller sized dwellings either as starter homes or offering downsizing options'</p>	
<p>Modification 22 Appendix 2</p>	<p>Move Appendix 2 to be after the Environment Report and rename appropriately with the Development Brief and Design Guide for the site subject of Policy AYH1 to appear as Appendix 1</p>	<p>To ensure the document reads logically</p>

Appendix 7

HRA Re Screening of final Neighbourhood Development Plan Policies post ExaminationDate undertaken: **March 2019**Core Strategy HRA version: **Adopted Core Strategy 2011-2031**

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
Policy AYS1	Promoting sustainable development.	Unlikely that there will be any significant effects on the European Site. Policy seeks to support sustainable measures for new development.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv1	Maintaining and protecting the landscape and its features and development should contribute positively to the existing high quality landscape.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYEnv7: (now AYEnv6)	Protection of Local Green Space	Unlikely that there will be any significant effects on	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the

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		the European Site.	Downton Gorge SAC		development to receive planning permission.
Policy AYMT1	Traffic Measures within the Parish	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based policy but Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYJE3: (now AYJE2)	Tourism Development	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYH3:	Housing Development within Settlement Boundaries	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy AYH4:	Exceptional Sites for Affordable Housing.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC Downton Gorge SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
SITE					

<p>Policy AYH1:</p>	<p>Land amounting to around 0.5 ha of land at Mortimers Cross for a maximum of 12 dwellings.</p> <p>The construction new houses will involve use of timber, aggregates, metals and plastics.</p> <p>There would also be increased demand for water abstraction and sewage treatment.</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p>	<p>Unlikely that there will be any significant effects on the European Site.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Downton Gorge SAC</p>	<p>No</p>	<p>No: this policy itself will not lead to development, but will guide the scale and extent of any development and ensure that any development that comes forward is in line with the Local Plan (Core Strategy) and Core Strategy (SD4, SD3 and LD1)) required to be meet for any development to receive planning permission.</p>
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