

# Habitats Regulations Assessment

Report for:

**Wigmore Group Neighbourhood Area**

**June 2019**



## Wigmore Neighbourhood Plan HRA

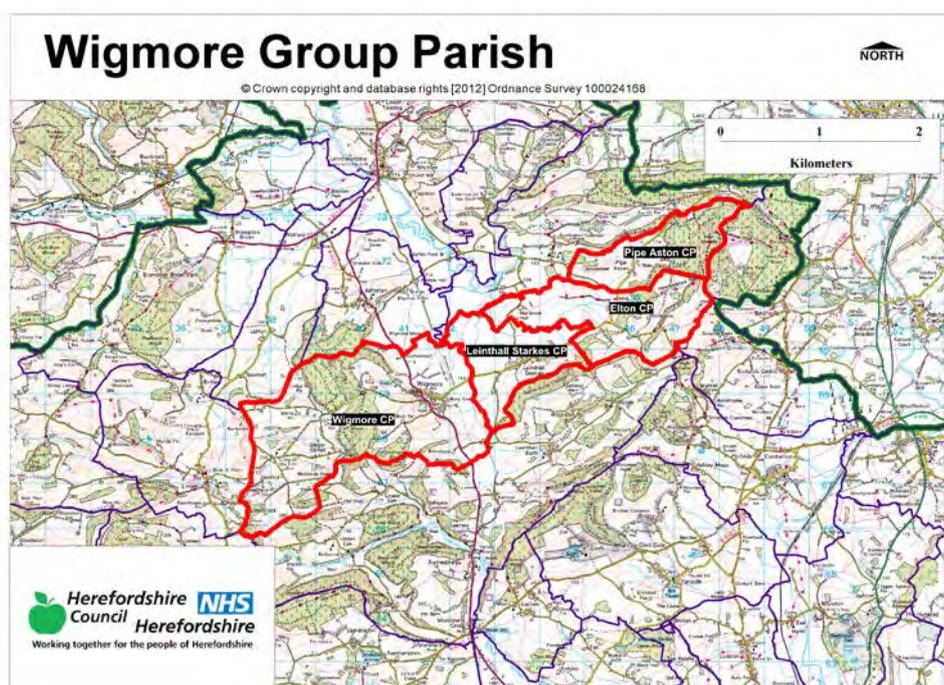
### HRA Screening Assessment

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## 7.12 Introduction

- 7.13 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 Wigmore Group Parish Council has produced a Neighbourhood Development Plan for Wigmore Group of parishes, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the examination Wigmore Plan (June 2019).
- 1.3 The NDP is criteria based but does allocate 3 sites in Wigmore and designates two settlement boundaries for Wigmore and Leinthall Starkes. It provides general criteria policies that clarify and given more detail to those within the Herefordshire Core Strategy.
- 1.4 This requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Core Strategy. It should be read in combination with the Core Strategy Habitat Regulations Assessment Report and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.5 The map below shows Wigmore Group Neighbourhood Area to which this assessment related.



## 2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the "Habitats Regulations" published for England and Wales in July 2007 and updated in 2013. Therefore, when preparing its NDP, Wigmore Group Parish Council is required by law to carry out an assessment known as "Habitats

Regulations Assessment". It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.

2.2 Article 6(3) of the EU Habitats Directive provides that:  
*Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):

- **SPAs** are classified under the European Council Directive 'on the conservation of wild birds' (79/409/EEC; 'Birds Directive') for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
- **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.

7.14 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.

2.5 Herefordshire Council is aware of the recent judgement (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage. The initial screening undertaken in May 2013 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.

7.15 The purpose of this HRA Report is to detail the findings of the screening of proposed minor changes to policies following the revisions after the Reg16 consultation and consider if they significantly affect the conclusions of the earlier HRA Report (September 2016, November 2017, August 2018 and January 2019).

## 7.16 Methodology

3.1 Although the Wigmore 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

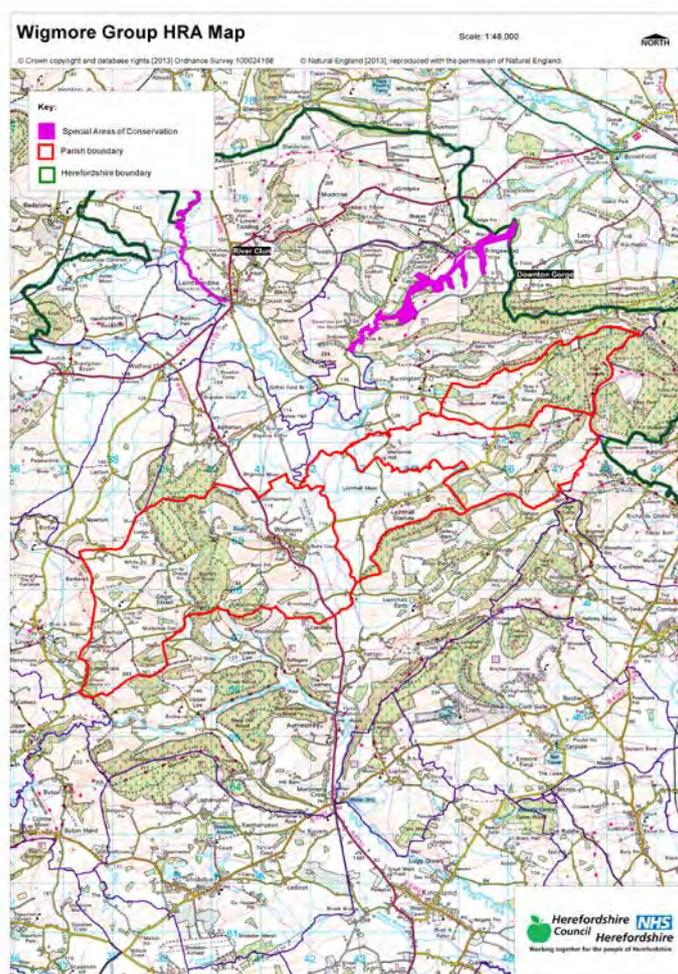
the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives 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.

#### **7.17 Results of the Initial Screening Report and qualifying features of the European Sites**

- 4.1 The initial Screening report (May 2013) found that there are no Special Areas of Conservation within the neighbourhood area. However, the western edge is contained within the hydrological catchment of the River Lugg which flows into the River Wye (including the River Lugg) SAC. Downton Gorge SAC is 0.47km away from the northern border of the neighbourhood area. Therefore a full screening assessment is required.

Figure 2 below highlights the location of River Wye SAC and the 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. Severn Trent states that there is limited headroom at present within the works serving the Wigmore area. However, they have made no comments to either of the draft plans regarding capacity.
- 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 Wigmore Initial Screening Report. The Initial Screening Report, May 2013, can be found in Appendix 1 of this HRA report.

#### **Site integrity of the Downton Gorge SAC**

- 4.8 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.
- 4.9 For full details of the River Wye and Downton Gorge's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Wigmore Group Initial Screening Report. The Initial Screening Report, May 2013, can be found in Appendix 1 of this HRA report.
- 4.10 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 Wigmore Group Neighbourhood Plan may affect site integrity.
- 4.11 The initial screening assessment indicated that a full screening assessment is required to assess the likelihood of significant effects on the River Wye (including the River Lugg) SAC and Downton Gorge SAC of the policies within the Wigmore Group NDP.

### **5 Description of the Wigmore Group Neighbourhood Development Plan**

- 5.1 The submission Wigmore 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 aims for the Group Parish over the Plan period and six objectives of how this will be achieved. The objectives cover the following topics:
- Proportionate growth in Wigmore village
  - Tenure, type, size of new housing
  - Protection of character and existing facilities and services
  - Building styles and design
  - Local employment and tourism
  - Sustainable development and environmental assets
- 5.3 The initial options for the NDP (refer to appendix 2) were assessed to determine their environmental impact that could affect the River Wye SAC and Downton Gorge SAC. Of the five options put forward the 'no NDP / do nothing' option was not considered viable for the Parish.

The remaining options of

- Allocate sites for housing
- Manage future housing using a settlement boundary
- Allocate sites and identify a settlement boundary

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

- 5.4 As Wigmore Group 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 or the 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 earlier version.
- 5.5 The NDP also sets out 11 general policies on various topics based on the objective headings above and also for group parish, these include:

Policy WG1	Protecting and enhancing local landscape character
Policy WG2	Dark Skies
Policy WG3	New housing in Wigmore
Policy WG4	New housing development in Leinthall Starkes
Policy WG5	Range of tenure, type and size
Policy WG6	Wigmore village
Policy WG7	Wigmore School
Policy WG8	Design and development in Wigmore Group parish
Policy WG9	Design and development in Wigmore Conservation area
Policy WG10	Promoting local employment and tourism
Policy WG11	New community technologies

## 6.0 Assessments undertaken to date of the emerging Wigmore 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 Wigmore Group NDP would be likely to have a significant effect on the River Wye SAC and 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 reviews 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 Wigmore Group NDP objectives and policies (September 2016) were concluded to be likely to have a significant effect on the European site. 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 With regards to Downton Gorge SAC, the plan does not propose any developments, such as intensive livestock or poultry unit, which are likely to have an effect on the air quality.
- 6.6 With regards to the River Wye SAC, only a small rural part of the neighbourhood area is within the River Lugg hydrological catchments. The policies within the plan mainly target development to the village of Wigmore and Leinthall Starks which are both outside the catchment.
- 6.7 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development and the SAC itself is not within the parish. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 6.8 It is unlikely that the Wigmore Group 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
- 6.9 Therefore it was concluded that the **Reg14 Wigmore Group NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC or Downton Gorge SAC**

#### **Screening of modifications to NDP (Revised Reg14)**

- 6.10 The proposed amendments to the draft NDP following the first regulation 14 consultation are screened to consider if they are likely to significantly affect the findings of the previous HRA report.
- 6.11 Five policies have been amended since the original Reg14 draft and three sites were added within the Wigmore settlement boundary. The alterations to the policies are considered to be minor in nature in terms of the HRA assessment.
- 6.12 The proportional growth requirement for Wigmore Group is approximately 52 dwellings. The amendments to the plan have included the allocation of housing sites in order to demonstrate delivery of this requirement. Four sites were considered for allocation and were assessed. Three of these have become site allocations within the revised reg14 NDP. The fourth was rejected due to highways issues rather than any specific outcome from the HRA assessment.
- 6.13 With regards to the River Wye SAC, only a small rural part of the neighbourhood area is within the River Lugg hydrological catchment. The policies within the plan mainly target development to the villages of Wigmore and Leinthall Starks which are both outside of the catchment.
- 6.14 No poultry units or intensive agricultural practices are promoted within the plan, therefore the NDP will not have a likely significant effect on the Downton Gorge SAC.
- 6.15 Therefore, it was concluded that the amendments to policies WG1, WG2, WG4, WG6 and WG7 were not considered to have an effect on the findings of the previous HRA report. The three sites included were also not considered to have a significant effect on the River Wye SAC as they are outside of the river catchment area.
- 6.16 Therefore, the earlier consultation that the **Wigmore Group NDP will not have a likely significant effect on the River Wye SAC and Downton Gorge SAC remain valid.**

## 7 Assessment of the 'likely significant effects' of the submission Wigmore NDP (August 2018) and implications of *Sweetman* case

- 7.1 In light of the *Sweetman* case all policies have been reviewed to ensure compliance with the ruling. The finding can be found in appendix 3.
- 7.2 The findings of the screening matrix can be found in the Screening Matrix in the appendix. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

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

- 7.5 Following the recent *Sweetman* judgement, it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on the River Wye SAC and Downton Gorge SAC at this final screening stage. Any likely significant effects would require an Appropriate Assessment to be required.
- 7.6 None of the submission Wigmore Group Neighbourhood Plan (August 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC or Downton Gorge SAC.
- 7.7 The River Wye itself does not flow through the Group parish and only the western area is within the hydrological catchment of the river. The main villages of Wigmore and Leinthall Starks, where the housing development will be concentrated, are outside of the hydrological catchment of the SAC.
- 7.18 The Wigmore Group NDP contains three site allocations and two settlement boundaries with a number of criteria based policies. Therefore the policies themselves would not result in development. In a number of cases the policies also included criteria to support the natural environment including biodiversity and therefore no significant effect conclusion could be reached.
- 7.9 Severn Trent have indicated that there is currently limited capacity with regards to permitted headroom in the Sewerage Treatment works serving the Wigmore Group area to continue to treat the water from the amount of housing provided for in the Core Strategy policies. Continuing work is required with DCWW to ensure that sufficient headroom can be provided through improvements and a potential feasibility study may be required to assess any further upgrade requirements. Policy SD4 of the Core Strategy indicates that development would not be permitted if wastewater treatment and water quality cannot be assured.
- 7.10 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.
- 7.19 No poultry units or intensive agricultural practices are promoted within the plan, therefore the NDP will not have a likely significant effect on the Downton Gorge SAC.
- 7.20 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.
- 7.21 This review and rescreening in addition to the revisions to the policies from the examination, have been found to be unlikely to result in significant effects on the River Wye SAC and Downton Gorge SAC. ***It is therefore concluded that the Wigmore Plan***

**will not have a likely significant effect on the River Wye SAC and Downton Gorge SAC.**

## **8 Conclusions from the Screening Matrix from the resubmission policies (January 2019)**

- 8.1 Following the review by the parish council, five policies have had minor wording amendments. These have not changed the stance of the policies but have added additional detail regarding local characteristics.
- 8.2 None of the resubmission policies are considered to have change the original conclusions of the Environmental Report.
- 8.3 This review have been found to be unlikely to result in significant effects on the River Wye SAC and Downton Gorge SAC. It is therefore concluded that the **Wigmore Plan will not have a likely significant effect on the River Wye SAC and Downton Gorge SAC.**

## **9 Conclusion from the Screen Matrix from the examination policies (June 2019)**

- 9.1 The Wigmore Group NDP was subject to an independent examination by Deborah McCann. The examiner concluded that a small number of modifications were required in order to meet the Basic Conditions.
- 9.2 The following NDP policies have been subject to modifications as a result of the examination:
- WG1
  - WG1a
  - WG3
  - WG4
  - WG6
  - WG8
  - WG9
- 9.3 Many of these changes are minor in nature to ensure that the policies are clear for the decision makers. As a result they have not changes the intention or the direction of the policies themselves
- 9.4 With this in mind the rescreening matrix demonstrated that the conclusions of the previous assessment has not changed.
- 9.5 None of the post examination Wigmore Group NDP policies were concluded to be likely to have a significant effect on the River Wye SAC and Downton Gorge SAC.
- 9.3 This review have been found to be unlikely to result in significant effects on the River Wye SAC and Downton Gorge SAC. It is therefore concluded that the **Wigmore Plan will not have a likely significant effect on the River Wye SAC and Downton Gorge SAC.**

## **10 Identification of other plans and projects which may have 'in-combination' effects**

- 10.1 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).

- 9.1 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy.
- 9.2 Adjacent neighbourhood plans include Leintwardine Group; Orleton and Richards Castle have been adopted. Border Group has reached examination and Aymestrey are at Reg16. 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 Wigmore Group 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 Golden 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 **Wigmore Group NDP will not have a likely significant effect on the River Wye SAC or Downton Gorge SAC** remains valid.

## 11.0 Next steps

- 11.1 This final Report will be published alongside the final Wigmore Group NDP prior to the referendum.

# Appendix 1

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

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

**Conservation of Habitats and Species Regulations 2010 (d)**

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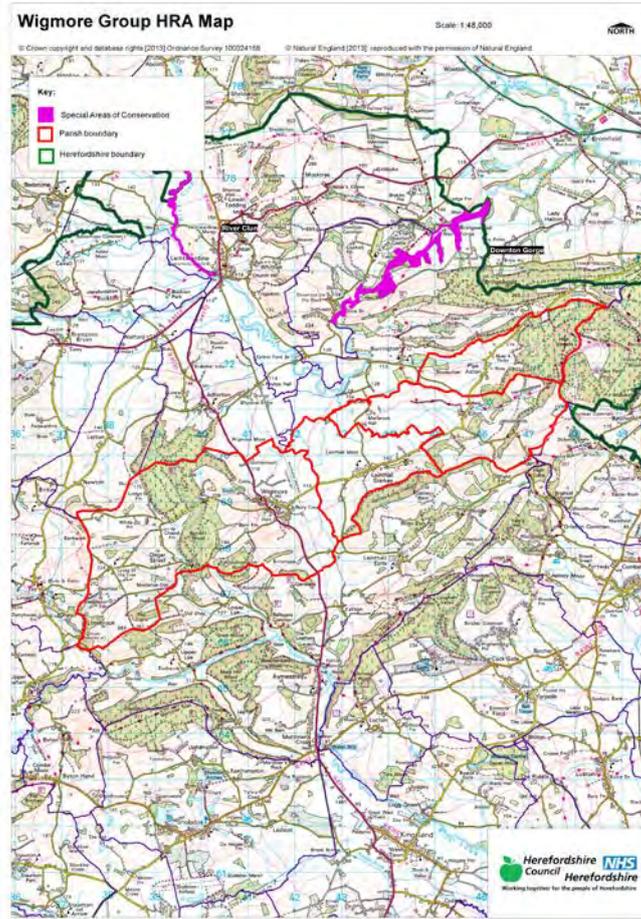
<b>Neighbourhood Area:</b>	Wigmore Group Neighbourhood Area
<b>Parish Council:</b>	Wigmore Group Parish Council
<b>Neighbourhood Area Designation Date:</b>	28/01/2013

### **Introduction**

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

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

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



**Initial HRA Screening**

**River Wye (including the River Lugg) SAC:**

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	Y	The River Lugg (not part of the SAC) is 0.47km away from the Group Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The western tip of Wigmore Parish is within the River Lugg hydrological catchment area
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage within the Group Parish

**Downton Gorge SAC:**

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	Y	Downton Gorge is 1.78km away from the Group Parish
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**River Clun SAC:**

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

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 52.93km away from the Group Parish
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**Wye Valley & Forest of Dean Bat Sites SAC:**

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	The Group Parish is 52.8km away from Wye Valley and Forest of dean Bat Sites
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**Wye Valley Woodlands SAC:**

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	N	The Group Parish is 57.9km 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 Wigmore Group Neighbourhood Area and a Full HRA Screening will be required.

**European Site**

*(List only those which are relevant from above)*

River Wye (including the River Lugg) SAC

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 Wigmore Group Neighbourhood Area and would need to be taken into account within a Strategic Environmental Assessment. In addition, the NDP will also need to consider the other SEA topics set out in Guidance Note 9a to ensure that the plan does not cause adverse impacts.

<b>SEA features</b>	<b>Total</b>	<b>Explanation</b>	<b>SEA required</b>
Air Quality Management Areas	0	There are no AQMA's within the Group Parish	N
Ancient Woodland	13	Prichards Hill Wood; Old Castle Wood (border); Barnett Wood; Woodhampton Wood; Silver Will; Paysure Wood; Gatley Long Coppice; Petchfield Copse; Burrel Wood; Brush Wood; Hall Wood; Well Wood; Whitcliffe Wood	Y
Areas of Archaeological Interest	0	There are no AAI's within the Group Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONB's within the Group Parish	N
Conservation Areas	1	There is a Conservation Area at Wigmore village	Y
European Sites	0	There are no SACs within the Group Parish	N
Flood Areas		There are Flood Zones in the north east of Wigmore Parish, and also in the north of Leinthall Starkses Parish. This also flows into Elton Parish south of Marlbrook Hall and runs along the border of Pipe Aston Parish. There are also Flood Zones that run along the border of Wigmore/Leinthall Starkses Parishes.	Y
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Group Parish	Y
Local Sites (SWS/SINCS/RIGS)	19 (SWS) 3 (RIGS)	SWS: Land at Limebrook; Fields, woodlands and verges near Limebrook; Woodbatch Plantation; Land at Lower Woodbatch; Land near Lower Woodbatch; Land at Chapel Farm; Wigmore Rolls; Land at Dickendale; Woodhampton and Barnett Woods; Greenhill Common; Land at Leinthall Starkses; Petchfield Copse and Woodland to the north; Land at Elton; Land adjoining Killhorse Lane x2; Burrington Meadow (border); Field at Bowburnet; King Acre and Hall Woods and Aston Copse; Land adjacent to Pitch Coppice. RIGS: Wigmore Castle; Goggin Road Section; Shobdon Drumlins (border)	Y
Long distance footpaths/trails	2	Mortimer Trail; Herefordshire Trail	Y
Mineral Reserves	3	3 sites that run along the southern edge	Y

		of the Group Parish boundary and go north at Pipe Aston Parish	
National Nature Reserve	0	There are no NNR's within the Group Parish	N
Registered & unregistered parks and gardens	2 Unregistered	Elton Hall; Haye Park (border)	Y
Scheduled Ancient Monuments	3	Limebrook Priory (border); Wigmore Castle; Aston Tump	Y
Sites of Special Scientific Interest	6	Burrington Meadow (Unfavourable Recovering) (border); Elton Lane Cutting (Favourable); Mortimer Forest (Favourable); Burrington Sections (Favourable) (border); Burrington Farm Stream Sections (Favourable) (border); River Teme (Unfavourable No Change) (border)	Y

**Decision Notification:**

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

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

**Assessment date: 22/05/2013**

**Assessed by: James Latham**

## Appendix 1: European Sites

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

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

### Usk Bat Site

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

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

### Wye Valley and Forest of Dean Bat Sites

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

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

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

NDPs closest to the European Site will need to consider:

Woodland habitat buffer.

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

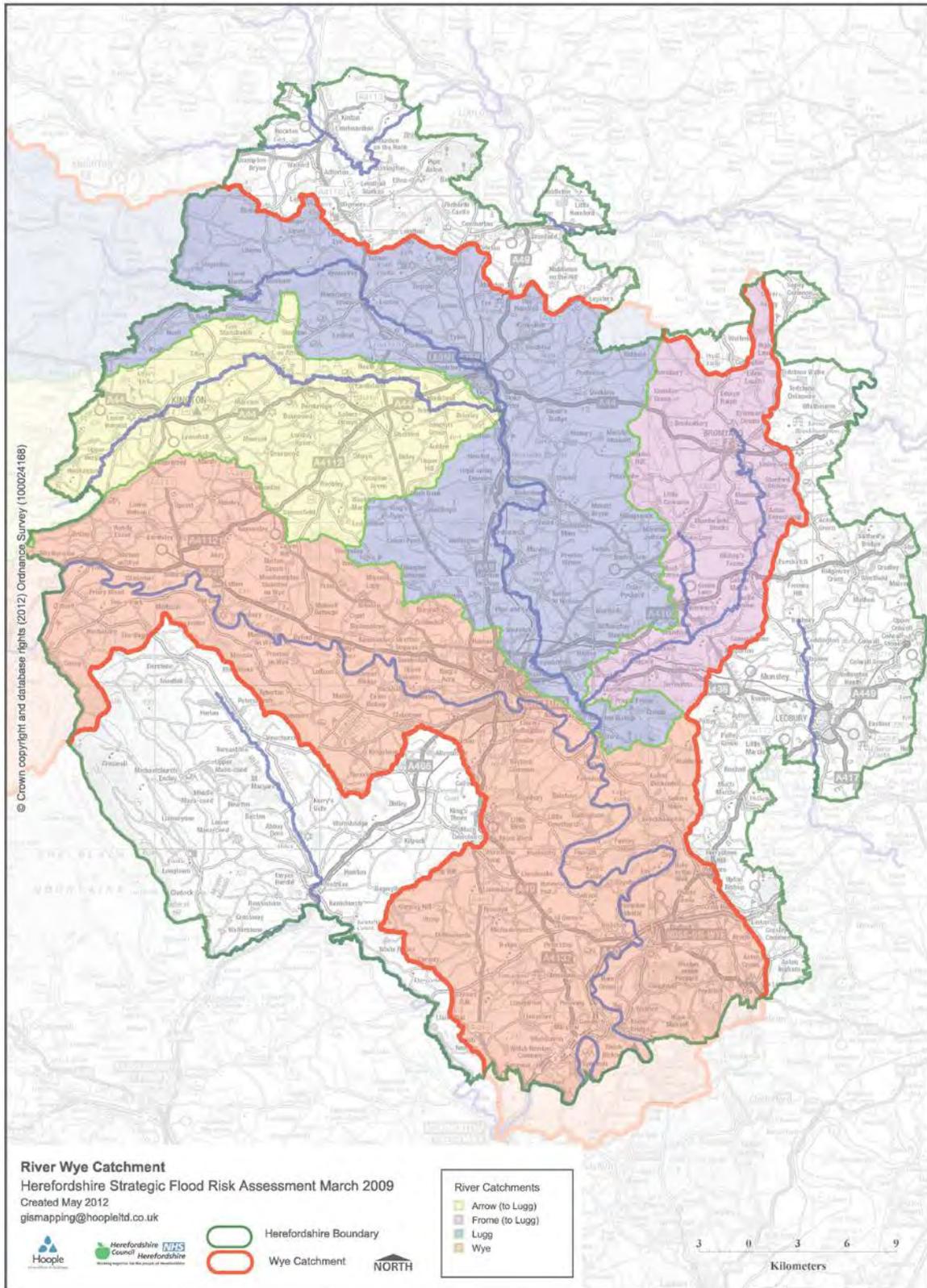
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation.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

### Wye Valley Woodlands

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

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

## Appendix 2: Wye Catchment Map



# Appendix 2

## Wigmore Neighbourhood Development Plan

### Options considered

Option 1 Do nothing
Option 2 Allocate sites for housing
Option 3 Manage future housing using a settlement boundary
Option 4 Allocate sites and identify a settlement boundary.

# Appendix 3

NDP policies	HRA Screening of Emerging NDP policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if objective/option/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment.
<b>Policy WG1</b> Protecting and enhancing local landscape character	Seeks to ensure all development protects landscape of the group parish	n/a	n/a	No	No: this objective will not lead to new development rather it aims to ensure that all development proposed will conserve and enhance the landscape, environment, heritage and habitats.
<b>Policy WG2</b> Dark Skies	Reduction in the use of lighting within the group parish	n/a	n/a	n/a	No, although this will have a positive effect on many species, particularly those who are nocturnal
<b>Policy WG3</b> New Housing development in Wigmore	Small scale proportionate growth within or adjacent to the settlement boundary of Wigmore.	The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological catchment of the River Lugg. The village of	n/a	n/a	No: this policy will allow for the small scale sustainable growth of Wigmore village in line with Core Strategy policy RA1/RA2. Wigmore village is outside of the

		<p>Wigmore to which this policy is targeted is outside this area.</p> <p>This policy does not contain uses will not affect the air quality associated with Downton Gorge.</p>			hydrological catchment of the River Lugg.
<p><b>Site 1</b> Perry Field</p>	<p>Small scale proportionate growth within the settlement boundary of Wigmore for approximately 22 dwellings.</p>	<p>The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological catchment of the River Lugg. The village of Wigmore to which this policy is targeted is outside this area.</p> <p>This policy does not contain uses will not affect the air quality associated with Downton Gorge.</p>	n/a	n/a	<p>No: this policy will allow for the small scale sustainable growth of Wigmore village in line with Core Strategy policy RA1/RA2. Wigmore village is outside of the hydrological catchment of the River Lugg.</p>
<p><b>Site 2</b> Land at Moorview</p>	<p>Small scale proportionate growth within the settlement boundary of Wigmore for approximately 4 to 6</p>	<p>The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological</p>	n/a	n/a	<p>No: this policy will allow for the small scale sustainable growth of Wigmore village in line with Core Strategy policy</p>

	<p>dwelling.</p>	<p>catchment of the River Lugg. The village of Wigmore to which this policy is targeted is outside this area.</p> <p>This policy does not contain uses will not affect the air quality associated with Downton Gorge</p>			<p>RA1/RA2. Wigmore village is outside of the hydrological catchment of the River Lugg.</p>
<p><b>Site 3</b> Land at Ford Street</p>	<p>Small scale proportionate growth within the settlement boundary of Wigmore for approximately 10 dwellings.</p>	<p>The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological catchment of the River Lugg. The village of Wigmore to which this policy is targeted is outside this area.</p> <p>This policy does not contain uses will not affect the air quality associated with Downton Gorge</p>	n/a	n/a	<p>No: this policy will allow for the small scale sustainable growth of Wigmore village in line with Core Strategy policy RA1/RA2. Wigmore village is outside of the hydrological catchment of the River Lugg.</p>
<p><b>Policy WG4</b> New Housing development in</p>	<p>Small scale local connection housing within the village of</p>	<p>Outside of the River Lugg catchment and not proposing any uses effecting air quality in the</p>	n/a	n/a	<p>No; this policy will allow for very small scale sustainable growth in line with</p>

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Leinthall Starkes	Leinthall Starkes	Downton Gorge.			Policy RA2 in an area not effected by either SAC
<b>Policy WG5</b> Ensuring an appropriate range of tenures, types and sizes of houses	Promotes suitable range of housing for all local need	n/a	n/a	n/a	No; this policy in itself would not lead to development but promote range and max criteria.
<b>Policy WG6</b> Wigmore Village	Protecting existing services. Criteria for new retail, commercial and community facilities.	The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological catchment of the River Lugg. The village of Wigmore to which this policy is targeted is outside this area.  This policy does not contain uses will not affect the air quality associated with Downton Gorge.	n/a	n/a	No; this policy would only lead to small scale village retail, commercial or community facilities and potential within areas outside of the hydrological catchment of the River Lugg and Wye.
<b>Policy WG7</b> Wigmore School	Additional school buildings.  Increased hard standing and potential surface runoff.	The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological catchment of the River	n/a	No	No; the proposals are not within the hydrological catchment of the River Wye or for uses which would affect the air quality of Downton

	Additional playing pitches and footpaths, increase recreational	Lugg. The village of Wigmore to which this policy is targeted is outside this area.  This policy does not contain uses will not affect the air quality associated with Downton Gorge.			Gorge.
<b>Policy WG8</b>  Design of development in Wigmore Group parish	Promotion of design principle in new developments	n/a	n/a	n/a	No; this policy in itself would not lead to development but promote design principles.
<b>Policy WG9</b>  Design of development in Wigmore Conservation Area	Promotion of design principle in the conservation area	n/a	n/a	n/a	No; this policy in itself would not lead to development but promote design principles.
<b>Policy WG10</b>  Promoting local employment and tourism	Additional visitor numbers, increase traffic, increased abstraction and demand for water use.	The River Wye does not flow through the parish but an area to the western part of the neighbourhood area is within the hydrological catchment of the River Lugg.  Employment and infrastructure development.	River Wye (including River Lugg) SAC  Downton Gorge SAC		No; but the addition of a reference to the River Lugg catchment area within criteria d strengthen the policy in relation to the River Wye (including River Lugg) SAC.  Adequate policy criteria exist within the Core Strategy policy

		<p>Possible vehicular movements and demand for water abstraction and treatment.</p> <p>Intensive livestock and poultry units would have an effect on air quality.</p>			<p>SD3 and SD4 which are required to be met for the development to received planning permission</p>
<p><b>Policy WG11</b></p> <p>New communications technologies</p>	<p>Encouragement of broadband</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	<p>No, this would only lead to very small scale technological installations</p>

# Appendix 4

**Consultation date: 12 December 2016 to 30 January 2017**

**Consultation title:** Wigmore Group Neighbourhood Plan Regulation 14

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

Consultee	Summary of Comments	Response to Comments
Natural England	Agree with the conclusions that the Wigmore NDP is unlikely to have significant effect on the River Wye SAC	Noted
Heritage England	Comments received but nothing specific regarding the HRA	
Environment Agency	Comments received but nothing specific regarding the HRA	
Natural Resources Wales	No comments received	

# Appendix 5

**Consultation date: 11 December 2017 to 29 January 2018**

**Consultation title:** Wigmore Group Neighbourhood Plan Revised Regulation 14

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

Consultee	Summary of Comments	Response to Comments
Natural England	Agree with the earlier conclusions that the Wigmore NDP is unlikely to have significant effect on the River Wye SAC	Noted
Heritage England	Comments received but nothing specific regarding the HRA	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

# Appendix 6

**Consultation date: 14 August to 9 October 2018**

**Consultation title:** Wigmore Group Neighbourhood Plan Revised Regulation 16

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

Consultee	Summary of Comments	Response to Comments
Natural England	No comments received	
Heritage England	Comments received but nothing specific regarding the HRA	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

# Appendix 7

NDP policies	HRA Screening of Emerging NDP policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if objective/option/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment.
<b>Policy WG1</b> Protecting and enhancing local landscape character	Seeks to ensure all development protects landscape of the group parish	n/a	n/a	No	No: this objective will not lead to new development rather it aims to ensure that all development proposed will conserve and enhance the landscape, environment, heritage and habitats.
<b>Policy WG2</b> Dark Skies	Reduction in the use of lighting within the group parish	n/a	n/a	n/a	No, although this will have a positive effect on many species, particularly those who are nocturnal
<b>Policy WG6</b> Wigmore Village	Protecting existing services. Criteria for new retail, commercial and community facilities.	The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological catchment of the River Lugg. The village of	n/a	n/a	No; this policy would only lead to small scale village retail, commercial or community facilities and potential within areas outside of the hydrological

		<p>Wigmore to which this policy is targeted is outside this area.</p> <p>This policy does not contain uses will not affect the air quality associated with Downton Gorge.</p>			<p>catchment of the River Lugg and Wye.</p>
<p><b>Policy WG8</b></p> <p>Design of development in Wigmore Group parish</p>	<p>Promotion of design principle in new developments</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	<p>No; this policy in itself would not lead to development but promote design principles.</p>
<p><b>Policy WG10</b></p> <p>Promoting local employment and tourism</p>	<p>Additional visitor numbers, increase traffic, increased abstraction and demand for water use.</p>	<p>The River Wye does not flow through the parish but an area to the western part of the neighbourhood area is within the hydrological catchment of the River Lugg.</p> <p>Employment and infrastructure development.</p> <p>Possible vehicular movements and demand for water abstraction and treatment.</p> <p>Intensive livestock and poultry units would have</p>	<p>River Wye (including River Lugg) SAC</p> <p>Downton Gorge SAC</p>		<p>No; but the addition of a reference to the River Lugg catchment area within criteria d strengthen the policy in relation to the River Wye (including River Lugg) SAC.</p> <p>Adequate policy criteria exist within the Core Strategy policy SD3 and SD4 which are required to be met for the development to received planning permission</p>

		an effect on air quality.			
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# Appendix 8

**Consultation date:** 16 January and 27 February 2019

**Consultation title:** Wigmore Group Neighbourhood Plan Revised Regulation 16a

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

Consultee	Summary of Comments	Response to Comments
Natural England	No comments received	
Heritage England	Comments received but nothing specific regarding the HRA	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

# Appendix 9

Policy	Modification recommended	Justification
<p>Modification 1 Policy WG1</p>	<p>Review policy introduction to read:</p> <p>WG1 – Conserving and Enhancing the Natural Environment and Local Landscape Character</p> <p>The historic landscape setting and natural environment of Wigmore Group villages should be conserved and enhanced for future generations.</p> <p>Delete criteria a to c</p> <p>Amend sentence to read: ‘Development proposals will only be supported where they...’</p> <p>Amend criteria a to read: The locally significant views identified on map 6 and 7 should be retained. Development proposals should be supported by an appropriate level of landscape impact assessment.</p> <p>Add ‘and conserve’ after Enhance in criteria b</p> <p>Replace ‘incorporate’ with ‘Retain’ in criteria e</p> <p>Replace ‘Preserve’ with ‘Conserve’ within criteria f</p> <p>Add ‘Where appropriate development proposals should include details for the provision of high quality...’ at the beginning of criteria g and delete ‘design and deliver’</p>	
<p>Modification 2  Policy WG1a</p>	<p>Add new policy</p> <p>Policy WG1a – Sustaining and enhancing Heritage Assets and their settings</p> <p>Development affecting a designated or non-designated heritage asset or its setting in the Wigmore Group Neighbourhood Plan Area must be in conformity with National Policy and the Development Plan. Great weight will be given to the conservation of the asset.</p>	
<p>Modification 3  Policy WG3</p>	<p>Amend title to read:</p> <p>Policy WG3 ‘Settlement boundary and New housing development in Wigmore’</p> <p>Add the following to the start of the policy ‘This policy establishes a new settlement boundary for Wigmore Village’</p> <p>Delete criteria b and renumber accordingly</p>	

	Add 'including provision for pedestrians and cyclists' to the end of criteria h	
Modification 4 Policy WG4	<p>Amend the title to read: 'Settlement boundary and new housing development in Leinthall Starkes'</p> <p>Add the following to the start of the policy 'This policy establishes a new settlement boundary for Leinthall Starkes.'</p> <p>Replace 'considered' with 'supported'</p> <p>Delete criteria b and renumber accordingly</p> <p>Add the following to the end of criteria c 'including provision for pedestrians and cyclists'</p>	
Modification 5 Policy WG6	Delete the second sentence of the policy 'The proposed reuse of local community facilities will only be permitted for other health, education or community type uses.'	
Modification 6 Policy WG8	<p>Delete criteria e and renumber accordingly</p> <p>Add 'where appropriate' after (SUDs)</p> <p>Reword criteria g to read 'Landscaping schemes include plans species native to Herefordshire'</p>	
Modification 7 Policy WG9	<p>Amend the policy title to read: Wigmore Conservation Area</p> <p>Amend the opening statement of the policy to read: Within the Wigmore Conservation Area development will only be supported where it is in conformity with National Policy and the Development Plan. In addition to the criteria of Policy WG8 and where planning permission is required. New development within the Conservation Area should..;'</p> <p>Replace 'maintains' with 'reflects' in criteria a</p> <p>Add 'where possible' to the end of criteria e</p>	

# Appendix 10

NDP policies	HRA Screening of final NDP policies				
	Likely activities (operations) to result as a consequence of the policy	Likely effect if objective/option/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment.
<b>Policy WG1</b> Conserving and enhancing natural environment and local landscape character	Seeks to ensure all development protects landscape of the group parish	n/a	n/a	No	No: this objective will not lead to new development rather it aims to ensure that all development proposed will conserve and enhance the landscape, environment, heritage and habitats.
<b>Policy WG1a</b> Sustainable and enhancing heritage assets and their settings	Seeks to ensure all development protects landscape of the group parish	n/a	n/a	No	No: this objective will not lead to new development rather it aims to ensure that all development proposed will conserve and enhance the landscape, environment, heritage and habitats.
<b>Policy WG3</b> Settlement boundary	Small scale local connection housing within the village of	Outside of the River Lugg catchment and not proposing any uses	n/a	n/a	No; this policy will allow for very small scale sustainable

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and New Housing development in Wigmore	Wigmore	effecting air quality in the Downton Gorge.			growth in line with Policy RA2 in an area not effected by either SAC
<b>Policy WG4</b> Settlement boundary and New Housing development in Leinthall Starkes	Small scale local connection housing within the village of Leinthall Starkes	Outside of the River Lugg catchment and not proposing any uses effecting air quality in the Downton Gorge.	n/a	n/a	No; this policy will allow for very small scale sustainable growth in line with Policy RA2 in an area not effected by either SAC
<b>Policy WG6</b> Wigmore Village	Protecting existing services. Criteria for new retail, commercial and community facilities.	The River Wye does not flow near the parish but the western part of the neighbourhood area is within the hydrological catchment of the River Lugg. The village of Wigmore to which this policy is targeted is outside this area.  This policy does not contain uses will not affect the air quality associated with Downton Gorge.	n/a	n/a	No; this policy would only lead to small scale village retail, commercial or community facilities and potential within areas outside of the hydrological catchment of the River Lugg and Wye.
<b>Policy WG8</b> Design of development in Wigmore Group	Promotion of design principle in new developments	n/a	n/a	n/a	No; this policy in itself would not lead to development but promote design

parish					principles.
<b>Policy WG9</b> Wigmore Conservation Area	Promotion of design principle in the conservation area	n/a	n/a	n/a	No; this policy in itself would not lead to development but promote design principles.