

Habitats Regulations Assessment

Report for:

Clehonger Neighbourhood Area

November 2019



Clehonger HRA

HRA Report Regulation 16

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Appendix 1 – List of options assessed

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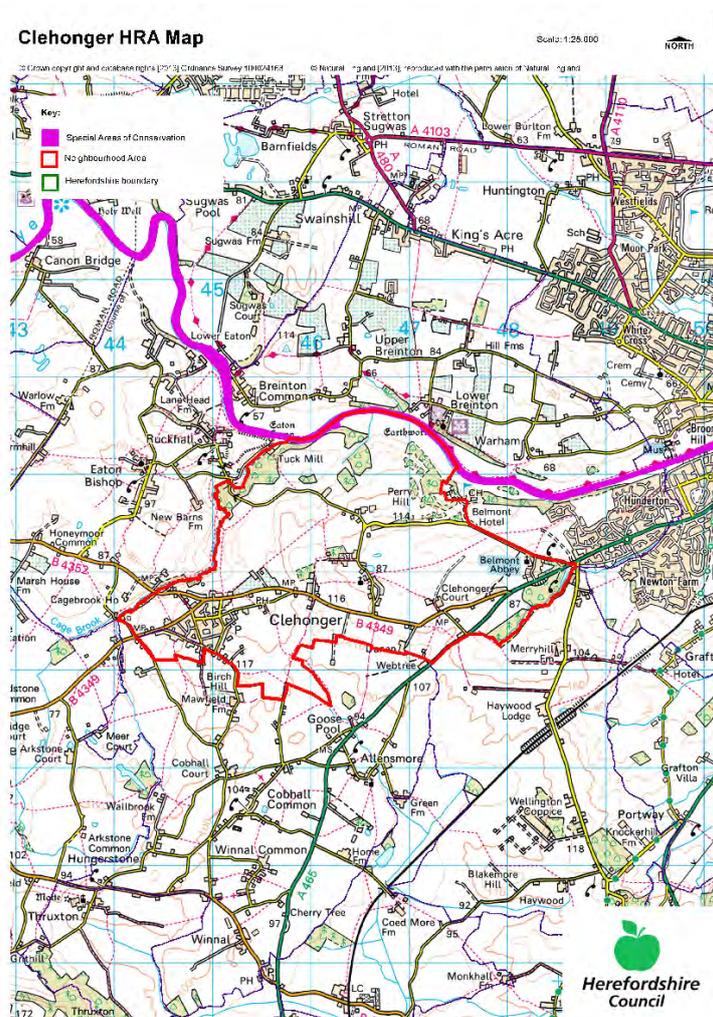
Appendix 3 – Initial Screening Report (**6 October 2014**)

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1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National planning Policy Framework. The screening stage involves assessing broadly whether the Draft Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Cleghonger Parish Council is producing a Neighbourhood Development Plan for Cleghonger Parish, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the Draft Cleghonger Neighbourhood Plan October 2019.
- 1.3 The NDP has 11 criteria based policies. It provides general policies that clarify and provide detail to the policies within the Herefordshire Core Strategy therefore it requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Herefordshire Core Strategy. This high level screening assessment should be read in combination with the Herefordshire Pre-submission publication of the Local Plan-Core Strategy Habitat Regulations Assessment Report (April 2014) and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Cleghonger neighbourhood Area with the European Site highlighted.



2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the “Habitats Regulations” published for England and Wales in July 2007 and updated in 2013. Therefore, when preparing its NDP, Clehonger 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.

3 Methodology

- 3.1 As the Clehonger NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site’s ‘qualifying features’ (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.

- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.
- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites (taking into account potential mitigation provided by other policies in the plan). For Neighbourhood Plans the outcome should demonstrate there are no likely effects upon the European sites. If any likely effects occur then there will need to be amendments to the NDP made and be re-screened until all likely effects have been mitigated.

4 Results of the Initial Screening Report and options

- 4.1 The initial Screening report (**6 October 2014**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC. Therefore a full screening assessment is required.
- 4.2 There is 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. There is also a duty under the EU Habitats Directive to ensure that proposals for growth do not adversely affect habitats and biodiversity. This directives promotes to maintain, restore and enhance natural habitats and wild species within the protected sites.

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. The addition of the Nutrient Management Plan for the River Wye SAC will support this policy.
- 4.6 For full details of the River Lugg and River Wye SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Cleghonger Parish Initial Screening Report. The Initial Screening Report (**6 October 2014**) can be found in Appendix 3 of this HRA report.
- 4.7 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 Clehonger Parish Neighbourhood Plan may affect site integrity.

- 4.8 The initial screening assessment indicated that a full screening assessment is required to assessment the likelihood of significant effects on the River Wye (including the River Lugg) SAC of the policies within the Clehonger Parish NDP.
- 4.9 The initial options for the NDP were assessed to determine their environmental Therefore a full HRA report is required at planning application stage when further details are known regarding new housing development and will be assessed on a case by case basis.
- 4.10 As the Clehonger Parish Plan progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the River Wye (including the River Lugg) SAC alongside taking forward the preferred options from the consultation from the community. If a majority of these options are taken forward either as standalone policies or in combination with other policies then the mitigation from these options will help to counter balance the effect of all new development within the Parish. A list of the options and site options assessed can be found in Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the Clehonger Neighbourhood Development Plan

- 5.1 The Draft Clehonger NDP presents detailed policies for development in the Neighbourhood Area, which is is all of Clehonger parish plus part of adjoining Allensmore parish, up to 2031. The first part of the Plan introduces the Plan and its preparation and discusses the background of the village.
- 5.2 The NDP then details the vision for the Parish over the Plan period and 5 objectives of how this will be achieved. The objectives are as follow:

Objective 1	Housing
Objective 2	Environment
Objective 3	Local Economy
Objective 4	Social and Community Infrastructure
Objective 5	Community Actions

- 5.3 The NDP also sets out 11 policies on various topics based on the objective headings above and also for the villages, these include:

Policy C1	Sustainable Development
Policy C2	Settlement Boundary
Policy C3	Housing Mix
Policy C4	Natural Environment
Policy C5	Historic Environment
Policy C6	Design

Policy C7	Business and Tourism
Policy C8	Agricultural Development
Policy C9	Community Facilities
Policy C10	Clehonger Playing Field
Policy C11	Hereford Bypass

6 Assessment of the 'likely significant effects' of the Clehonger NDP

- 6.1 As required under Regulation 102 of the Habitats Regulations 2010, a screening assessment has been undertaken to identify the 'likely significant effects' of the NDP. A screening matrix was prepared in order to identify whether any of the policies in the Plan would be likely to have a significant effect on the River Wye SAC.
- 6.2 The findings of the screening matrix can be found in the Screening Matrix in Appendix 2 of this report. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

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

Screening of the Draft Plan (Reg14)

- 6.3 The Screening matrix took the approach of screening each policy individually, which is consistent with current guidance documents. The results from the HRA report for the pre-submission version of the Herefordshire Core Strategy were also taken into consideration.
- 6.4 None of the Clehonger Parish NDP objectives and policies (October 2019) were concluded to be likely to have a significant effect on the European site. Clehonger parish falls within the hydrological catchment area of the River Wye (including Lugg) SAC with the river running to the northern boundary of the parish, however there is no development proposed within 100m of the river bank. Core Strategy policy SD3 and SD4 together with the Nutrient Management Plan will ensure that development can only occur if 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. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 6.6 It is unlikely that the Clehonger Parish 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 Hereford Housing Market Area in the Herefordshire Core Strategy.
- 6.7 Therefore it was concluded that the **Reg14 Clehonger Parish NDP would not have a likely significant effect on the River Wye (including Lugg) SAC.**

Assessment of the 'likely significant effects' of the submission Clehonger NDP (Reg16) October 2019.

- 6.8** The submission NDP rescreens the policies that have received significant changes post Reg14. Any changes were made in light of comments received at regulation 14 consultation and to ensure that the plan meets the Basic Conditions. The plan was not significantly changed, therefore, overall did not significantly affect the conclusions of the earlier HRA report, as they did not involve the introduction of new policies or change the overall aims and objectives of the existing planning policies. In general, these refinements relate to the composition of certain sentences and phrases, minor points of accuracy in relation to technical information and references to evidence base studies and other documentation.
- 6.9** Policy C10 received minor wording changes for the purposes of clarification and cross reference however it did not change the meaning or objective of the policy or objective and did not require rescreening.
- 6.10 The Reg 16 Clehonger submission NDP policies are therefore unlikely to result in significant effects on the European sites the River Wye (including the River Lugg) SAC.**

7 Conclusions from the Screening Matrix

- 7.1** None of the Draft Clehonger Neighbourhood Plan (May 2019) policies were concluded to be likely to have a significant effect on the River Wye SAC. Based on assumptions and information contained within the Clehonger NDP, Herefordshire Core Strategy and the Pre-submission version / proposed modifications addendum of the HRA for the Core Strategy all of the NDP policies were found to be unlikely to result in significant effects on the River Wye.
- 7.2** In many cases this is because the policies themselves would not result in development, i.e., it related instead to criteria for development. In a number of cases the policies also included measures to help support the natural environment, including biodiversity and therefore no significant effect conclusion could be reached. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 7.3** There is mains drainage in the Neighbourhood Area, however reinforcement works likely required. The impact of water abstraction and quality can be determined at planning application stage on a case by case basis. Policy SD4 of the Core Strategy and Policy C4 indicate that development would not permitted if wastewater treatment and water quality cannot be assured. The preparation of the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.
- 7.4** Dwr Cymru Welsh Water (DCWW) have stated for the Core Strategy that there is reinforcement works likely required in the area to continue to treat the water from the amount of housing provided for in the Core Strategy policies. Any new development will need to be in line with Core Strategy Policy SD4.
- 7.5** Policy SD4 of the Core Strategy of the NDP indicate that development would not permitted if wastewater treatment and water quality cannot be assured. 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.

- 7.6 No mitigation measures have been included within the screening of the policies of the NDP. Policies of the Core Strategy and the NDP will form part of the development plans. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 7.7 Policy SD4 of the Core Strategy of the NDP indicate that development would not be permitted if wastewater treatment and water quality cannot be assured.
- 7.8 Policy LD2 of the Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests. Clehonger NDP does not allocate sites so an AA is not required as the plan is criteria based consisting of mostly protective policies it is determined unlikely to have a significant impact on the SACs. However it is likely more information will be required at planning application stage to further determine the impact on the Wye.
- 7.9 This screening has found that the Clehonger draft plan is unlikely to result in significant effects **on the River Wye (including Lugg) SAC.**

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

- 8.1 Regulation 102 of the Habitats Regulations 2010 requires an appropriate assessment where a land use plan (not directly connected with or necessary to the management of the site) is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. In addition, in accordance with the Neighbourhood Planning Regulation 2012 a NDP cannot have a significant effect on any European Site whether alone or in combination with another Plan.
- 8.2 There are a number of potentially relevant plans and projects which may result in in-combination effects with the Core Strategy across Herefordshire, these plans have been reviewed and can be found in Appendix 2 of the pre-submission publication of the Herefordshire Local Plan – Core Strategy Habitats Regulations Assessment (May 2014). It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy this review will also be relevant for the NDP.
- 8.3 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy. Adjacent neighbourhood plans include Breinton (adopted), Eaton Bishop (adopted), Allensmore (Regulation 16) Callow and Haywood (adopted) and Belmont Rural (adopted). These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 8.4 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.
- 8.5 It is unlikely that the draft Clehonger 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 Herefordshire Housing Market Area in the Herefordshire Core Strategy.

9 Conclusion

- 9.1 The Clehonger NDP will not have a likely significant effect on the River Wye SAC (including Lugg).**

10 **Next steps**

- 10.1 This report will be published alongside the submission Clelonger NDP. This will be subject to a 6 week consultation (Regulation 16) prior to submission for examination.

Appendix 1

Appendix 1 – Clehonger HRA (Reg 14)
Options Considered
May 2019

Option 1: not to prepare a Neighbourhood Development Plan, relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD
Option 2: use a criteria-based Plan only
Option 3: allocate sites to address the minimum housing requirement
Option 4: define settlement boundary for Clehonger without allocating sites
Option 5: define settlement boundary for Clehonger and allocate sites

Appendix 2

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Clehonger****Date undertaken: May 2019**

NDP objectives and policies	HRA Screening of final NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if option implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment
Objective 1: Housing	To meet housing requirements by demonstrating delivery to meet the strategic requirements, defining the planned extent of Clehonger village, and requiring a mix of size and type of properties to meet community needs.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission.
Objective 2: Environment	To protect and enhance the local environment by ensuring that new development and road infrastructure is located and designed to respect	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	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development

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	its immediate context, the character of the landscape, wildlife and biodiversity and heritage assets.	criteria of Policy SD4.			itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission.
Objective 3: Local economy	To support the local economy by enabling development which is in scale and in keeping with the rural character of the Neighbourhood Area and appropriate to its location and setting.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission.
Objective 4: Social and community infrastructure	To protect, retain and improve infrastructure including community facilities, open space and land used for recreation.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4	River Wye (including River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to

					receive planning permission.
Objective 5: Community Actions	To identify those matters which fall outside the formal development and land-use scope of the Neighbourhood Development Plan, such as traffic and transport, as Community Actions for further consideration and action by Clehonger Parish Council.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4	River Wye (including River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission.
OPTIONS					
Option 1	Not to prepare an NDP	It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC.	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Option 2	Use a criteria-based Plan only	It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC.	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning

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					permission.
Option 3	<p>allocate sites to address the minimum housing requirement</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Allocation of sites for housing would give certainty to future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	River Wye (including River Lugg) SAC	No	<p>No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.</p>
Option 4	<p>define settlement boundary for Clehonger without allocating sites</p>	<p>It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	River Wye (including River Lugg) SAC.	No	<p>No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.</p>
Option 5	<p>define settlement boundary for Clehonger and allocate sites</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Allocation of sites for housing would give certainty to future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	River Wye (including River Lugg) SAC	No	<p>No, policy criteria exist within the NDP and Core Strategy policy SD4, will be required to be met for any further development to receive planning permission.</p>

POLICIES					
Policy C1	Sustainable Development	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective.
Policy C2	Settlement Boundary	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective which will guide the location of development within a settlement boundary.
Policy C3	Housing Mix	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1, H3 will be required to grant planning permission and this will ensure water quality issues are addressed.
Policy C4	Natural Environment	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. However implementation of

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					Core Strategy policy SD4 will be required to grant planning permission and this will ensure water quality issues are addressed.
Policy C5	Historic Environment	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies.
Policy C6	Design	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies
Policy C7	Business and Tourism	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	No	No, implementation of Core Strategy policy SD4, LD2, SD1, E1 and E4 to grant planning permission will ensure water

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		is not detrimentally effected.			quality issues are addressed as well as being in line with Core Strategy Policies
Policy C8	Agricultural Development	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1, RA5 and to grant planning permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies.
Policy C9	Community Facilities	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy C10	Clehonger Playing Field	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues

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		which seeks to ensure water quality of the SAC is not detrimentally effected.			are addressed.
Policy C11	Hereford Bypass	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.

Appendix 3

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

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

Conservation of Habitats and Species Regulations 2010 (d)

Neighbourhood Area:	Clehonger Neighbourhood Area
Parish Council:	Clehonger Parish Council
Neighbourhood Area Designation Date:	21/11/2014

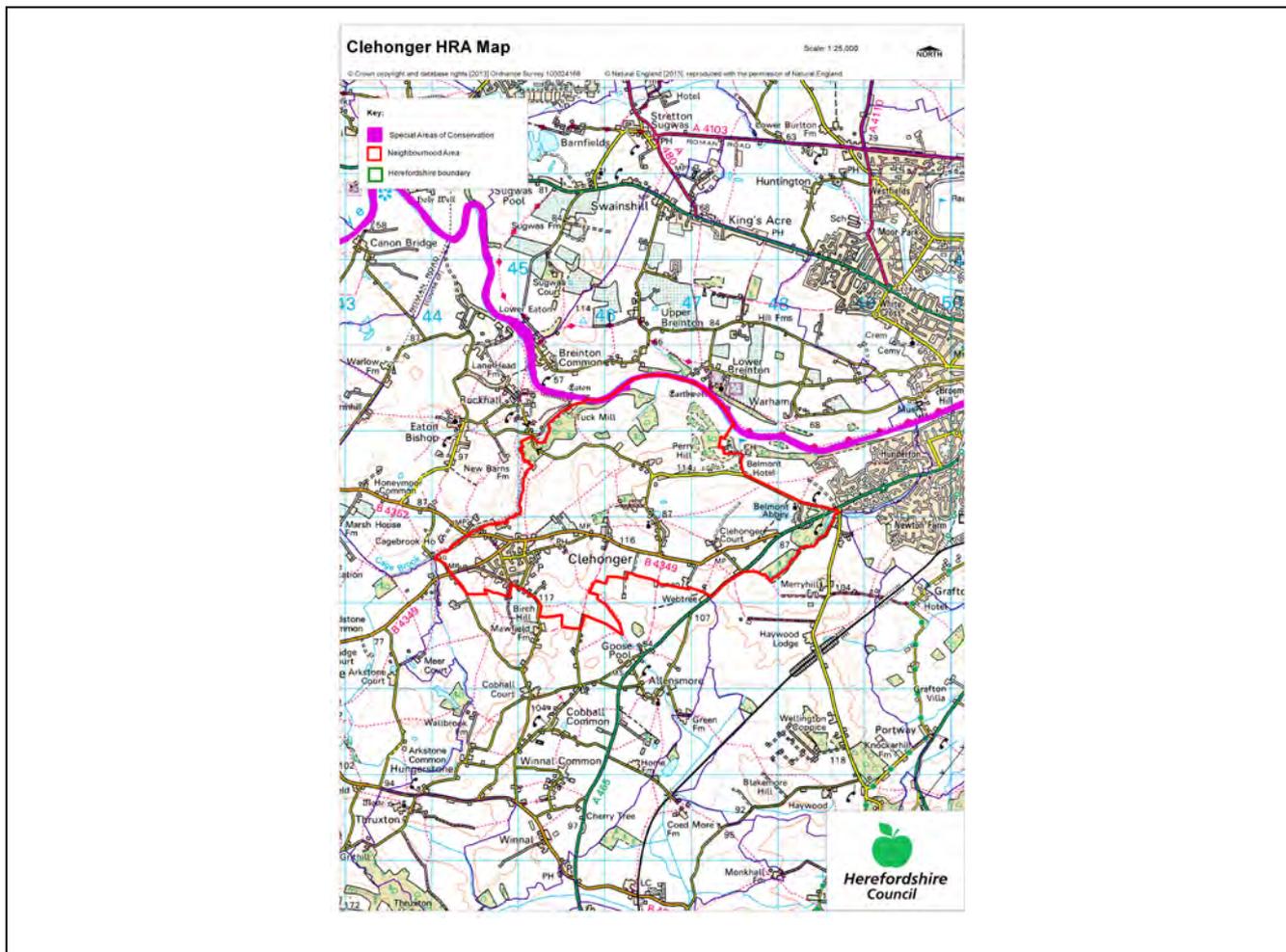
Introduction

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 Wye/Lugg SAC borders the Parish to the north.
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Parish is within the hydrological catchment of the River Wye.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage in Cleghonger

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 33.6km 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 24.3km 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 22.7km away from the Parish.
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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 Clehonger 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

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

The following environmental features are within or in general proximity to the Clehonger 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	4	Ruckhall Wood; Priors Shell Wood; Old Hill Coppice; Newton Coppice.	3	Wall Brook Wood; Veddoes Copse; Knockerhill Wood.
Areas of Outstanding Natural Beauty (AONB)	0	-	0	-
Conservation Areas	0	-	0	-
Flood Areas	Flood Zones 2 & 3 follow the River Wye and Cage Brook.			
Geoparks	0	-	0	-
Listed Buildings	There are numerous Listed Buildings throughout the Neighbourhood Area.			
Mineral Reserves	1	Hunderton Rough to Clehonger to Allensmore.	6	Courtlands Farm; Cobhall Farm; Cobhall Common; Whitehouse Kennels; Small area NW of Green Farm; Between Lower Breinton Farm & Court Farm.
National Nature Reserve (NNR)	0	-	0	-
Nature Trails	0	-	2	Wye Valley Walk; Violette Szabo.
Regionally Important Geological Sites (RIGS)	0	-	0	-

Registered Parks and Gardens	0	-	0	-		
Scheduled Ancient Monuments (SAM)	0	-	2	Eaton Camp; Moated site SW of the Church.		
Sites of Importance in Nature Conservation (SINCs)	0	-	0	-		
Special Areas of Conservation (SAC)	1	River Wye.	0	-		
Special Wildlife Sites (SWS)	4	River Wye; Cage Brook Valley & Woodlands; Clehonger Village Pond; Hayleasow Wood, Newton Coppice & Spring Grove.	7	Breinton Wood; Belmont Wood & Hunderton Rough; Field near Eaton Camp; Eaton Bishop Church; Littlemarsh Common; Honeymoon Common; Pond at Allensmore Court.		
Unregistered parks and gardens	2	Cagebrook House; Belmont House.	3	Wyeclyffe Court; Warham House; Allensmore Court.		
			SSSI Status			
Sites of Special Scientific Interest (SSSI)	2	River Wye; Cage Brook Valley.	Unfavourable Recovering; Favourable (part) Unfavourable No Change (part) Unfavourable Declining (part).	1	Littlemarsh Common.	Unfavourable Declining.

Decision Notification:

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

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

Assessment date: 06/10/2014

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 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: Clehonger

Neighbourhood Development Plan Name: Clehonger NDP

Details of consultation: *Regulation 14 Draft Plan consultation*

Consultation date: 17 June to 29 July 2019

Response Date	Consultee	Summary of Comments	Response to Comments
22/7/19	Natural England	Natural England notes the screening process applied to this Neighbourhood plan. We agree with the conclusion of the report of no likely significant effect upon the named European designated site: <input type="checkbox"/> River Wye (including the River Lugg) Special Area of Conservation (SAC) – Bordering the Neighbourhood Plan Area We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.	N/A

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Appendix 5

Table 3: HRA Screening of Significant Changes (Objectives, Options and Policies) following Draft Plan Consultation

Parish Council Name: Clehonger

NDP Title: Clehonger NDP

Date undertaken: November 2019

NDP objectives, options and policies significantly changed following Draft Plan Consultation	HRA Screening of significant changes (objectives, options and policies) following Draft Plan Consultation				
	Likely activities (operations) to result as a consequence of the significant change to the objective, option or policy	Likely effect if changed objective, option or policy is implemented. Could it have LSE on any European Site? (Yes/No, with reasons) <i>(If no, progress onto next objective/option/policy. If yes, progress onto next set of columns in row)</i>	European Sites potentially affected (Refer to Initial Screening)	Potential mitigation measures to be considered through redraft of changed objective, option or policy and as necessary, to be considered as part of Appropriate Assessment of these changes	If recommendations are implemented, would it be possible that the changes would result in no likely significant effect? (Yes/No, with reasons)
Policies					
N/A	N/A	N/A	N/A	N/A	N/A