

# Habitats Regulations Assessment

Report for:

Allensmore Neighbourhood Area

March 2020



# **Allensmore HRA**

## **HRA Screening Assessment**

### **Contents**

- 1. Introduction**  
Map of the Neighbourhood Area with European sites shown
- 2. The requirement to undertake Habitats Regulations Assessment of Neighbourhood Plans**
- 3. Methodology**
- 4. Results of the Initial Screening Report and options**
- 5. Description of the Allensmore Neighbourhood Plan**
- 6. Identification of other plans and projects which may have ‘in-combination’ effects**
- 7. Assessment of the ‘likely significant effects’ of the Allensmore NDP**  
Table 1 - Colour coding key for Matrix
- 8. Conclusions from the Screening Matrix**

**Appendix 1 – Initial Screening Report (26 July 2017)**

**Appendix 2 – List of options assessed**

**Appendix 3 – Options Assessment and Full Screening matrix**

**Appendix 4 – Consultation Response on Reg14 HRA report**

**Appendix 5 – Matrix of amended policies**

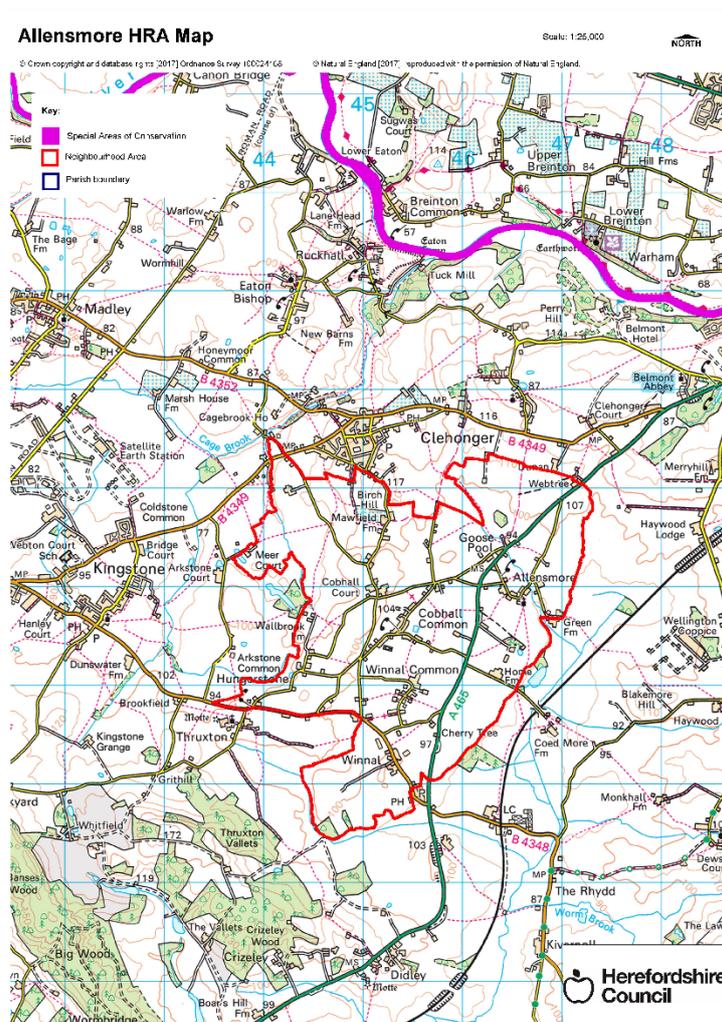
**Appendix 6 – Consultation Response on Reg16 HRA report**

**Appendix 7 – Modifications following examination**

**Appendix 8 – Matrix of post examination policies**

**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 Submission Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Allensmore Parish Council is producing a Neighbourhood Development Plan for Allensmore parish, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the submission Allensmore Neighbourhood Plan post examination in March 2020.
- 1.3 The NDP has 8 criteria based policies with one policy with site allocations. 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 Core Strategy Habitat Regulations Assessment Report and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Allensmore 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, Allensmore 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 judgment (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitat Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that 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 was undertaken in July 2017 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The Co-operation Mobilisation (The Dutch case) ruling will also have an impact on Herefordshire in the areas within the catchment of the River Lugg. This will be covered in section 4.
- 2.6 The purpose of this HRA report is to detail the findings of the screening of the proposed minor changes to policies following the revisions after the Reg14 consultations. It will also take into account the implications of Sweetman and the Dutch Case on the NDP.

## 3 Methodology

- 3.1 Although the Allensmore 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 (26 July 2017) 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. The west of the Parish is in the hydrological catchment.

Figure 2 below highlights the location of the River Wye SAC in relation to the Allensmore 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 water quality and this includes 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 Sections of the River Wye SAC where the water quality targets are already exceeding are subject to measure to reduce nutrients in line with the targets. In light of the interpretation of the Dutch Case where a European Site is falling its water quality objectives and is classified as unfavourable condition, there is limited scope for the approval of additional damaging effects and measures that can't be relied or are uncertain.
- 4.5 In relation to this water quality issue, 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 Although at present the Nutrient Management Plan for the River Wye SAC cannot be relied upon in light of the Dutch Case, DCWW have indicated that there is a growth scheme within AMP6 and AMP7 capital programme for completion by 2020 to accommodate growth within the Core Strategy. Although, located within the hydrological catchment of the River Wye, the levels of phosphate is not an issues which is causing concern in this location at present.
- 4.7 For full details of the SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Allensmore Initial Screening Report. The Initial Screening Report, July 2017, can be found in Appendix 1 of this HRA report
- 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 Allensmore NDP.

## **5 Description of the Allensmore Neighbourhood Development Plan**

- 5.1 The Draft Allensmore NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The first part of the Plan introduces the Plan and its preparation and discusses the background of the village.

- 5.2 The NDP then details the vision for the Parish over the Plan period and 4 objectives of how this will be achieved. The objectives are as follow:

Objective 1	Housing
Objective 2	The Environment
Objective 3	Farming and Other Businesses
Objective 4	Community Facilities and Infrastructure

- 5.3 The initial options for the NDP were assessed to determine their environmental impact that could affect the River Wye SAC. Of the 2 options put forward the no NDP option was not considered viable for the Parish. The remaining option proposed growth through site allocations, however any additional infill would all be within the proportional growth targets of the Core strategy and are therefore unlikely to have a significant impact on the SAC.
- 5.4 As Allensmore progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the River Wye SAC could be achieved, alongside taking forward the preferred option from the consultation from the community. A list of the options assessed can be found in Appendix 2, and the Assessment matrix for the options can be found Appendix 2 of the draft HRA report.
- 5.6 The NDP also sets out 8 policies on various topics based on the objective headings above and also for the villages, these include:

Policy A1	Protecting and Enhancing Local Landscape Character
Policy A2	Protecting and Enhancing Local Wildlife
Policy A3	Proposed Site Allocations
Policy A4	Criteria for Development in Settlement Boundaries
Policy A5	Housing Mix
Policy A6	Conversion of Former Agricultural Buildings
Policy A7	Drainage, Flooding and Sewage
Policy A8	Protecting the Church and Village Hall and Supporting Investment in Improved Facilities

### Submission Allensmore NDP

- 5.7 Some minor amendments have been made to the following policies
- A4 Criteria for development in Settlement boundaries  
A6 Conversion of Former Agricultural buildings
- 5.8 These amendments have been to include a criteria within both policies to reflect the need to consider any potential contamination caused by previous uses. These amendments have not material changed the direction or stance of the policies themselves.

### Post examination modified Allensmore NDP

- 5.7 The plan was independently examined during February 2020 and as a result some minor modifications were made to a number of policies:

- Policy A1
- Policy A2
- Policy A3
- Policy A4
- Policy A5
- Policy A6
- Policy A7

5.8 The amendment to these policies can be seen within the Appendix 7 and modified policies have been reassessed.

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

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 Allensmore NDP 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 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

6.4 Following the recent *Sweetman* judgement, it is not permissible to take account of measure intended to avoid or reduce the harmful effects of the plan on the River Wye SAC. Any likely significant effects would require an Appropriate Assessment to be required.

6.5 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. The outcomes of the recent Dutch Nitrate case will also need to be considered here.

## 7 Conclusions of the screen matrix pre-examination - Assessment of the ‘likely significant effects’ of the Allensmore NDP

7.1 None of the Draft Allensmore Neighbourhood Plan (May 2019) policies were concluded to be likely to have a significant effect on the River Wye SAC.

7.2 In many cases this is because the policy itself would not result in development, i.e., it related instead to criteria for development. In a number of cases the policies also included measures to help support the natural environment, including biodiversity and therefore no significant effect conclusion could be reached. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies.

7.3 The plan is mainly criteria based plan, however, Policy A3 includes 7 site allocations.

- 7.4 There is no mains drainage in the Neighbourhood Area. 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 indicate that development would not be permitted if wastewater treatment and water quality cannot be assured.
- 7.5 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
- 7.6 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 This review has concluded that the submission policies are unlikely to result in significant effects on the River Wye SAC. ***It is therefore concluded that the Allensmore Plan will not have a likely significant effect on the aforementioned European Site.***

#### **Screening of the post examination modifications (March 2020)**

- 7.8 Many of the policy modifications made have been to ensure wording clarity rather than changing the emphasis or direction of the policy. With this in mind, the review and assessment of the policies have not altered from the initial assessment.
- 7.9 The legal opinion obtained following the Sweetman and the Dutch Case judgments is still relevant and SD4 would apply. The Allensmore neighbourhood area is not within the River Lugg catchment area.
- 7.8 This review and rescreening have been found to be unlikely to result in significant effects on the River Wye SAC. It is therefore concluded that the modifications made have not resulted in any policy changes that would mean that the Allensmore NDP would not have a likely significant effect on the aforementioned European site.

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

- 8.1 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).
- 8.2 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy.
- 8.3 Adjacent neighbourhood plans Kingstone and Thruxton and Callow and Haywood which are adopted, Clehonger NDP is currently at examination and Kilpeck Group are currently drafting. These plans have not gone over and beyond the requirements set out within the Core Strategy for their area. The neighbouring parish of Much Dewchurch is not producing a neighbourhood plan.
- 8.4 It is unlikely that the Allensmore 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 Ross-on-Wye Housing Market Area in the Herefordshire Core Strategy and all of the proposed housing sites will be of a small scale and in line with the proportional growth specified in the Core Strategy.

## **9 Conclusion**

- 9.1 With reference to sections 6 to 9 above, it is concluded that the submission Allensmore Parish NDP **will not have a likely significant effect on the River Wye (including the River Lugg) SAC.**

## **10 Next steps**

- 10.1 This report will be published alongside the final Allensmore NDP.

# Appendix 1

---

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

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

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

---

<b>Neighbourhood Area:</b>	Allensmore Neighbourhood Area
<b>Parish Council:</b>	Allensmore Parish Council
<b>Neighbourhood Area Designation Date:</b>	26 May 2017

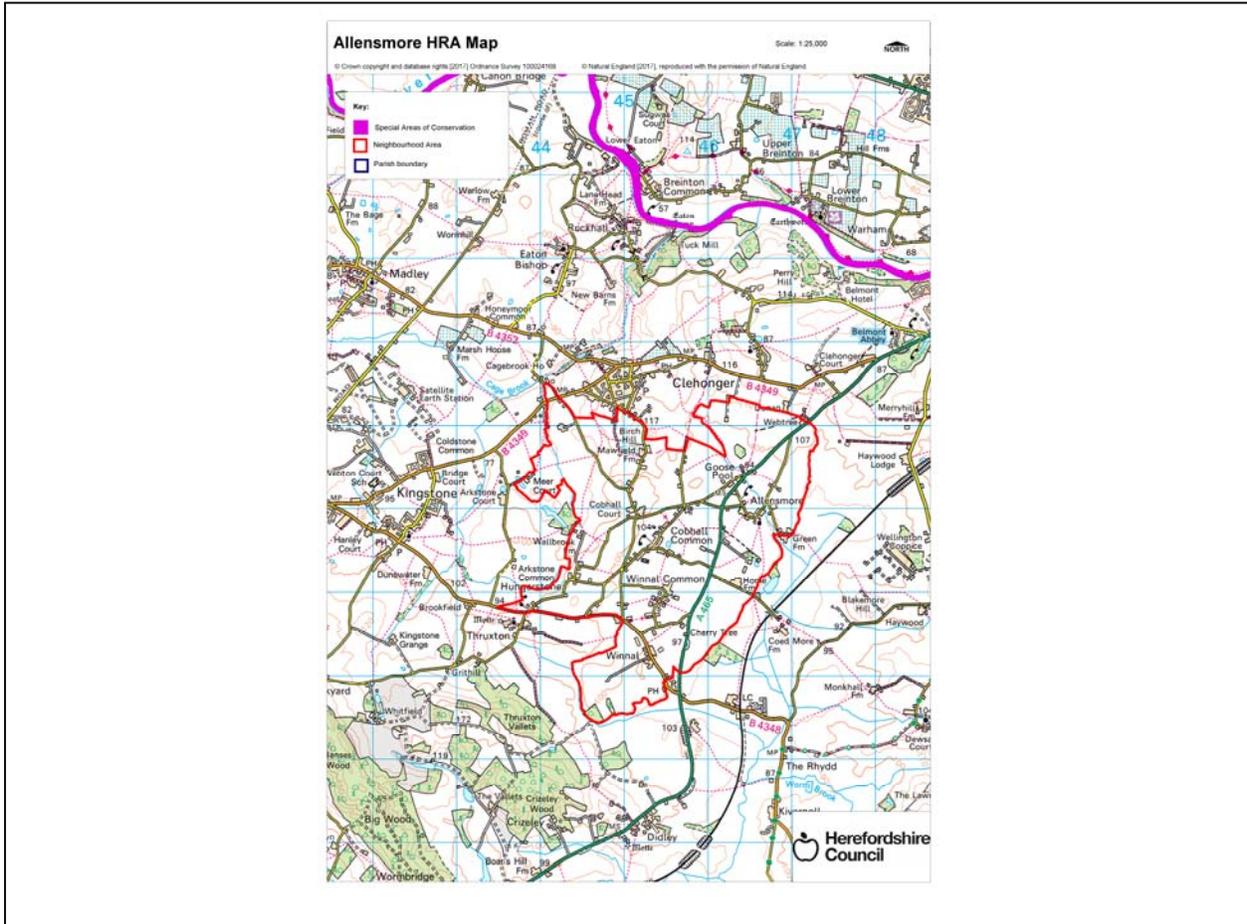
### **Introduction**

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?	N	The River Wye is approx. 2km away from the neighbourhood area
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The western part of the neighbourhood area is within the hydrological catchment of the River Wye
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage in the neighbourhood area.

### Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 35km away from neighbourhood area
---	---	--

**River Clun SAC:**

Does the River Clun border the Neighbourhood Area	N	The River Clun does not border the neighbourhood area
---	---	---

**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 Wye Valley & Forest of Dean Bat Sites are 24km away from the neighbourhood area
--	---	---

**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 Wye Valley Woodlands are 20km away from the neighbourhood area
--	---	--

**HRA Conclusion:**

The assessment above highlights that European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Allensmore Neighbourhood Area and a Full HRA Screening will be required.

**European Site**

*(List only those which are relevant)*

River Wye (including the River Lugg) Special Area of Conservation (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 Allensmore 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	1	Bullocks Wood.	12	Wallbrook Wood; Ruckhall Wood; Priors Shell Wood; Old Hill Wood; Newton Coppice; Veddoes Copse; Knockerhill Wood; Callow Plantation; Square Wood; Vallets Wood; Thruyton Vallets; Heirons Wood.
Areas of Outstanding Natural Beauty (AONB)	0	-	0	-
Conservation Areas	0	-	0	-
Flood Areas	Flood Zones 2 and 3 are not within the neighbourhood area.			
Geoparks	0	-	0	-
Listed Buildings	There are numerous listed buildings within the neighbourhood area.			
Local Geological Sites (LGS)	0	-	0	-
Local Wildlife Sites (LWS)	1	Pond at Allensmore Court.	11	Pond at Allensmore Court; Littlemarsh Common; Honeymoon Common;

				Cagebrook Valley and Woodlands; Clehonger village pond; Hayleasow Wood, Newton Coppice & Spring Grove; Knockerhill Wood and adjoining Woodland; Arkstone Common; Whitfield; Kingstone Common; Cage Brook.	
Mineral Reserves	7	Hunderton Rough to Clehonger to Allensmore; Courtlands Farm; Cobhall Farm; Cobhall Common; Whitehouse Kennels; Small area north west of Green Farm; Home Farm.	0	-	
National Nature Reserve (NNR)	0	-	0	-	
Nature Trails	0	-	0	-	
Registered Parks and Gardens	0	-	1	Whitfield.	
Scheduled Ancient Monuments (SAM)	0	-	1	Thruyton Tump, a motte castle at Thruyton Court.	
Sites of Importance in Nature Conservation (SINC)	0	-	0	-	
Special Areas of Conservation (SAC)	0	-	0	-	
Unregistered parks and gardens	1	Allensmore Court.	2	Belmont House; Cagebrook House.	
			<b>SSSI Status</b>		<b>SSSI Status</b>
Sites of Special Scientific Interest (SSSI)	0	-	-	2 Littlemarsh Common; Cagebrook Valley.	Unfavourable Declining; Favourable;

						Unfavourable No Change; Unfavourable Declining.
--	--	--	--	--	--	--

**Decision Notification:**

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

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

**Assessment date: 26 July 2017**

**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. 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."

### 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

Appendix 1 – Allensmore HRA (Reg 14)

Options Considered

April 2019

Option 1 - Accommodating the level of housing growth required through settlement boundaries and allocations
Option 2 - Not to prepare an NDP

# Appendix 3

**HRA Screening of Draft Neighbourhood Development Plan Policies****Parish: Allensmore****Date undertaken: April 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
<b>Objective 1 – Housing</b>	To develop policies, within the framework of Herefordshire's Core Strategy, which deliver proportionate growth, and which ensure that new housing development preserves and enhances aspects that people value, and makes optimum use of sustainable technologies whilst meeting the current and future needs of both residents and businesses.	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.
<b>Objective 2 – The Environment</b>	To ensure that all housing and business development preserves, and, where possible,	Unlikely that there will be any significant effects on the European Site. All developments are	River Wye (including River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy)

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

	enriches the character of the parish and protects the landscape, so that its impact on the environment is minimised, with particular reference to water, sewage and soil management, as well as energy and water conservation.	required to meet the criteria of Policy SD4.			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.
<b>Objective 3 – Farming and Other Business</b>	To encourage new business initiatives which promote the economic well-being of the parish provided that they are in scale with, and sensitive to, the rural character of the locality and any adverse effect on residents' wellbeing or the environment is minimal.	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.
<b>Objective 4 – Community Facilities and Infrastructure</b>	To sustain and enhance existing community facilities whilst supporting investment in safe and appropriate new infrastructure as needed and desired by residents and businesses.	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 meet for any development to receive planning permission.
<b>OPTIONS</b>					
Option 1	Accommodating the level of housing growth required through settlement boundaries and allocations  Increase in vehicle traffic.  Increased demand for water abstraction and sewage treatment.	Allocation of small 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.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.
Option 2	Not to prepare an NDP	It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC.	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be meet for the development to receive planning permission.
<b>POLICIES</b>					
Policy A1	Protecting and Enhancing Local Landscape Character	Unlikely that there will be any significant effects on	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

		the European Site.			it relates to criteria based objective.
Policy A2	Protecting and Enhancing Local Wildlife	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 A4	Criteria for Development in Settlement Boundaries	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 A5	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 A6	Conversion of Former Agricultural Buildings	Unlikely that there will be any significant effects on the European Site. All developments are	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

		required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.			permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies.
Policy A7	Drainage, Flooding and Sewage	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: this policy itself refers to the River Wye SAC and other priority species and habitats. 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 A8	Protecting the Church and Village Hall and Supporting Investment in Improved 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.

SITES					
Policy A3 – Proposed Site Allocations					
Site 1	<p>Cats Whiskers Boarding Cattery, Winnal, 0.07 ha, proposed 1 dwelling</p> <p>Increased demand for water abstraction and sewage treatment.</p> <p>Increase in vehicle traffic.</p>	<p>Allocation of a site 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, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.</p>
Site 4	<p>Willoughby Cottage Garden, Winnal, 0.25ha, 1 proposed dwelling</p> <p>Increased demand for water abstraction and sewage treatment.</p> <p>Increase in vehicle traffic.</p>	<p>Allocation of a site 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, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.</p>
Site 6	<p>Church Road, Allensmore. 0.25 ha, proposed two dwellings.</p> <p>Increased demand for water abstraction and</p>	<p>Allocation of a small site for housing would give certainty to future development. It is unlikely that there will be any significant effects on the European Site. All</p>	River Wye (including River Lugg) SAC	No	<p>No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues</p>

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

	sewage treatment. Increase in vehicle traffic.	developments are required to meet the criteria of Policy SD4.			are addressed.
Site 14	South of Winnal Farm, Winnal. 1.48ha, 13 proposed dwellings.  Increased demand for water abstraction and sewage treatment.  Increase in vehicle traffic.	Allocation of a site 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.	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.
Site 15	Cobhall Lane, Cobhall Common, 0.56ha, 5 proposed dwellings.  Increased demand for water abstraction and sewage treatment.  Increase in vehicle traffic.	Allocation of a site 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.	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.
Site 20	Cobhall Common, 1.07 ha, proposed 9 dwellings  Increased demand for	Allocation of a site for housing would give certainty to future development. It is	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

	<p>water abstraction and sewage treatment.</p> <p>Increase in vehicle traffic.</p>	<p>unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>			<p>permission will ensure water quality issues are addressed.</p>
Site 16	<p>Court Plocks – Barn Conversion, 0.05ha, 1 conversion</p> <p>Increased demand for water abstraction and sewage treatment.</p> <p>Increase in vehicle traffic.</p>	<p>Allocation of a site 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, implementation of Core Strategy policy SD4, LD2, SD1, RA3 and to grant planning permission will ensure water quality issues are addressed.</p>

# Appendix 4

**Consultation date: 27 May to 12 July 2019**

**Consultation title:** Allensmore 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	noted
Historic England	No comments received	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

# Appendix 5

**HRA Screening of Submission Neighbourhood Development Plan amended policies****Parish: Allensmore****Date undertaken: September 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
<b>POLICIES</b>					
Policy A4	Criteria for Development in Settlement Boundaries	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 A6	Conversion of Former Agricultural Buildings	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC	River Wye (including River Lugg) SAC	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

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

		is not detrimentally effected.			Core Strategy Policies.
--	--	--------------------------------	--	--	-------------------------

# Appendix 6

**Consultation date: 7 October to 19 November 2019**

**Consultation title:** Allensmore 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	Comments received but no specific to the HRA	
Historic England	Comments received but not specific to the HRA	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

# Appendix 7

Policy	Modification recommended	Justification
Modification 1 Plan cover	Change the date on the front cover of the plan from '2019 -2031' to '2011-2031'	To ensure the plan period is reflected accurately
Modification 2 Policy A1	Add after 'Development proposals will be required' the words 'to provide a proportional statement and/or plan' at the end of the first sentence of the policy	To ensure clarity
Modification 3 Policy A2	<p>Reword the first paragraph of the policy to read:</p> <p>'New development should avoid harmful impacts on biodiversity and provide net gains for biodiversity. Where significant harm to biodiversity cannot be avoided, then mitigation or compensation should be considered in exceptional circumstances. When this cannot satisfactorily occur, permission should be refused'.</p> <p>Change the third paragraph of the policy (Landscaping) to: 'Landscaping schemes should include wildlife enhancement to provide a net gain for biodiversity, for example...' (retain remainder of paragraph as existing)</p> <p>Change the fourth paragraph of the policy (Buildings) to read; 'Development must protect and encourage ..' (retain remainder of paragraph as existing)</p>	To ensure the policy is robust and in conformity with national guidelines
Modification 4 5.2 Housing section	<p>Change the sentence which begins 'Residents should note' in paragraph 5.2.12 on page 22 of the plan to;</p> <p>'Residents should note that 30 dwellings per hectare is commonly used and accepted as a benchmark for density across England'</p> <p>Delete the words 'standard national formula' from the last sentence in paragraph 5.2.13 on page 22 and replace with 'notional benchmark'</p>	To ensure clarity
Modification 5 Policy A3	<p>Delete the word 'Proposed' in the policy title</p> <p>Delete the words 'as preferred options' from the first paragraph of the policy</p> <p>Delete the words 'up to' in relation to site 6</p> <p>Change criterion 2 in relation to site 6 to read:</p> <p>'Development proposals provide effective surface water drainage measures that ensure that the surface water drainage onsite is satisfactorily dealt with and the development does not result in increasing the risk of flooding onsite or elsewhere. Sustainable</p>	To ensure clarity for the decision maker

	<p>drainage systems (SuDs) should be implemented in accordance with the SuDs hierarchy unless deemed inappropriate'</p> <p>Change the words 'for 13 dwellings' in relation to site 14 to 'approximately 13 dwellings'</p> <p>Replace the words 'up to 4 dwellings' in relation to site 15 to '7 dwellings'</p> <p>Replace the words 'up to' in relation to site 20 with 'approximately'</p> <p>Delete '(below 30 dwellings per hectare)' from criteria 1 in relation to site 20</p>	
Modification 6 Policy A4	<p>Include the site known as 'Land behind Murrayfield, Cobhall Common' as shown on the commitment sites map and indicated as 182938 in the Cobhall Cobhall settlement boundary</p> <p>Include the site known as 'Church Road, Allensmore' as shown on the commitment map and indicated as 190650 in the Allensmore settlement boundary</p> <p>Revise criterion 1 of the policy to read:</p> <p>'Development is small is scale on infill sites of single depth (that is, not behind other houses) and where the occupiers of new housing developments will not be adversely affected by existing agricultural or commercial activities'</p> <p>Revise criterion 2 to read:</p> <p>'Properties and extensions reflect the character of the settlements with housing set back in large plots (appropriate to the size of the dwelling) and interspersed amongst green spaces. Considerations include size, scale, density, height, layout and landscaping'</p> <p>Delete 'and suitable measures should be proposed to encourage appropriate traffic speeds' from criteria 6</p>	<p>To reflect planning commitments</p> <p>To ensure policy is worded appropriately</p> <p>To reflect the NPPF</p>
Modification 7 Policy A5	<p>Add the words 'Neighbourhood Plan area' at the end of the first paragraph of the policy</p> <p>Add at the end of the first sentence in the second paragraph of the policy;</p> <p>'or to other local needs if up to date housing needs information demonstrates a different mix is required'</p> <p>Change the second sentence in the second paragraph of the policy to read:</p> <p>'Whilst plot size should have regard to the prevailing plot size and density of the area in which the development is situated, any development should be designed according to the type and size of</p>	<p>To ensure clarity</p> <p>To ensure policy meet the NPPF</p>

	dwelling being proposed, so as to balance the need for efficient use of available plots.'	
Modification 8 Policy A6	<p>Change the first paragraph to read;          'The sensitive re-use of redundant or disused former agricultural or other rural buildings, including farmsteads, for residential or small scale business use such as workshops, offices and studios will be supported where it does not lead to unacceptable impacts on local residents or on existing agricultural or commercial activities. The operation of existing agricultural or other commercial practices such as dairy/poultry farming, muck spreading etc should not be adversely affected by new residential development and schemes should be designed to ensure that suitable mitigation is in place before first occupation'</p> <p>Delete '(see also Policy A4, Criteria for development)' form the third paragraph of the policy</p>	To ensure local expression conforms with national policy
Modification 9 Policy A7	<p>Add a sentence to Map 6 and 7 on page 43 of the plan that read:          'Users of the plan are encouraged to seek the most up to date information from the Environment Agency or other reliable sources of information'</p>	To ensure up to date information is used
Modification 10 Appendices	<p>Add a sentence to Appendix II that reads:          'The information in this appendix is correct at the time of writing the plan. Up to date information on heritage assets should always be sought from Historic England or other reliable sources of information.'</p> <p>Delete Appendix III</p> <p>Ensure references to other documents and part of the plan in Appendix V are correct</p> <p>Consequential amendments will be necessary</p>	<p>To future proof the plan</p> <p>To ensure the plan does not date quickly</p> <p>To ensure all references reflect the updated text</p>

# Appendix 8

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
<b>POLICIES</b>					
Policy A1	Protecting and Enhancing Local Landscape Character	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 A2	Protecting and Enhancing Local Wildlife	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 A3	Site allocations	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
Policy A4	Criteria for Development in Settlement Boundaries	Unlikely that there will be any significant effects on	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

		the European Site.			grant planning permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies.
Policy A5	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 A6	Conversion of Former Agricultural Buildings	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 A7	Drainage, Flooding and Sewage	Unlikely that there will be any significant effects on the European Site. All developments are	River Wye (including River Lugg) SAC	No	No: this policy itself refers to the River Wye SAC and other priority species and

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

		<p>required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>			<p>habitats. 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</p>
--	--	--	--	--	--