

Habitats Regulations Assessment



Weston Beggard Neighbourhood Area

November 2015

Weston Beggard HRA Regulation 14 Consultation November 2015

Contents

1.0	Introduction	p 2
2.0	The requirement to undertake HRA of NDPs	p 3
3.0	Methodology	p 4
4.0	Results of the initial Screening Report	p 5
5.0	Description of the Weston Beggard NDP	p 6
6.0	Identification of other plans and policies which may have in-combination effects	p 8
7.0	Assessment of the likely significant effects of the Weston Beggard NDP	p 8
8.0	Timescales for adoption	p 9
9.0	Conclusions from the screening matrix	p 9

Appendix 1 – List of options assessed

Appendix 2 – Options assessment matrix

Appendix 3 – Full Screening Matrix

Appendix 4 – Initial Screening Report (July 2014)

1.0 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 Weston Beggard Parish Council is producing a Neighbourhood Development Plan for Weston Beggard 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 Weston Beggard Plan (November 2015, being assessed).
- 1.3 The NDP provided criteria based plan for the settlement areas of Weston Beggard and Shucknall. 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. Therefore this high level screening assessment should be read in combination with the Herefordshire 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 This high level screening assessment, which should be read in conjunction with the Adopted Herefordshire Local Plan (Core Strategy) published October 2015, together with the Habitat Regulations Assessment Report (published in April 2015), ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.5 The map below shows Weston Beggard Area with the European Site highlighted.



Figure 1- Weston Beggard HRA Map

2.0 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, Weston Beggard, Parish Council is required by law to carry out an assessment known as "Habitats Regulations Assessment". It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that:
Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive 'on the conservation of wild birds' (79/409/EEC; 'Birds Directive') for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
 - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.

3.0 Methodology

- 3.1 As the Weston Beggard, 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.

4.0 Results of the Initial Screening Report and options

- 4.1 The initial Screening report (August 2014) found that the River Wye SAC is located to the south west, and the river Lugg is 2.5km away from the Parish Neighbourhood Area and therefore a full screening assessment is required. The river Lugg falls into the hydrological catchment area of the river Wye SAC.
- 4.2 European sites can be sensitive to changes in water quantity and quality. As outlined within the Habitat Regulation Assessment to the Herefordshire Local Plan (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. In relation to water quality, the preparation of the Nutrient Management Plan for the River Wye SAC 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.
- 4.3 For full details of the River Wye's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Weston Beggard, Initial Screening Report. The Initial Screening Report, July 2014, can be found in Appendix 4 of this HRA report. This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of The Weston Beggard Neighbourhood Plan may affect site integrity.
- 4.3 The initial options for the NDP were assessed to determine their environmental impact that could affect the River Wye SAC. Overall the majority of the options proposing any growth appear to depend on location and scale in relation to environmental impact. Due to the proximity to the River Way and Lugg, it is unlikely that the options stated will have a significant detrimental effect on the River Wye SAC (Including Lugg). Overall the options proposed are on a small scale and are unlikely to have a significant impact on the SAC.
- 4.4 As Weston Beggard 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 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 assessed can be found in Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

**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:	Weston Beggard Neighbourhood Area
Parish Council:	Weston Beggard Parish Council
Neighbourhood Area Designation Date:	29/08/2014

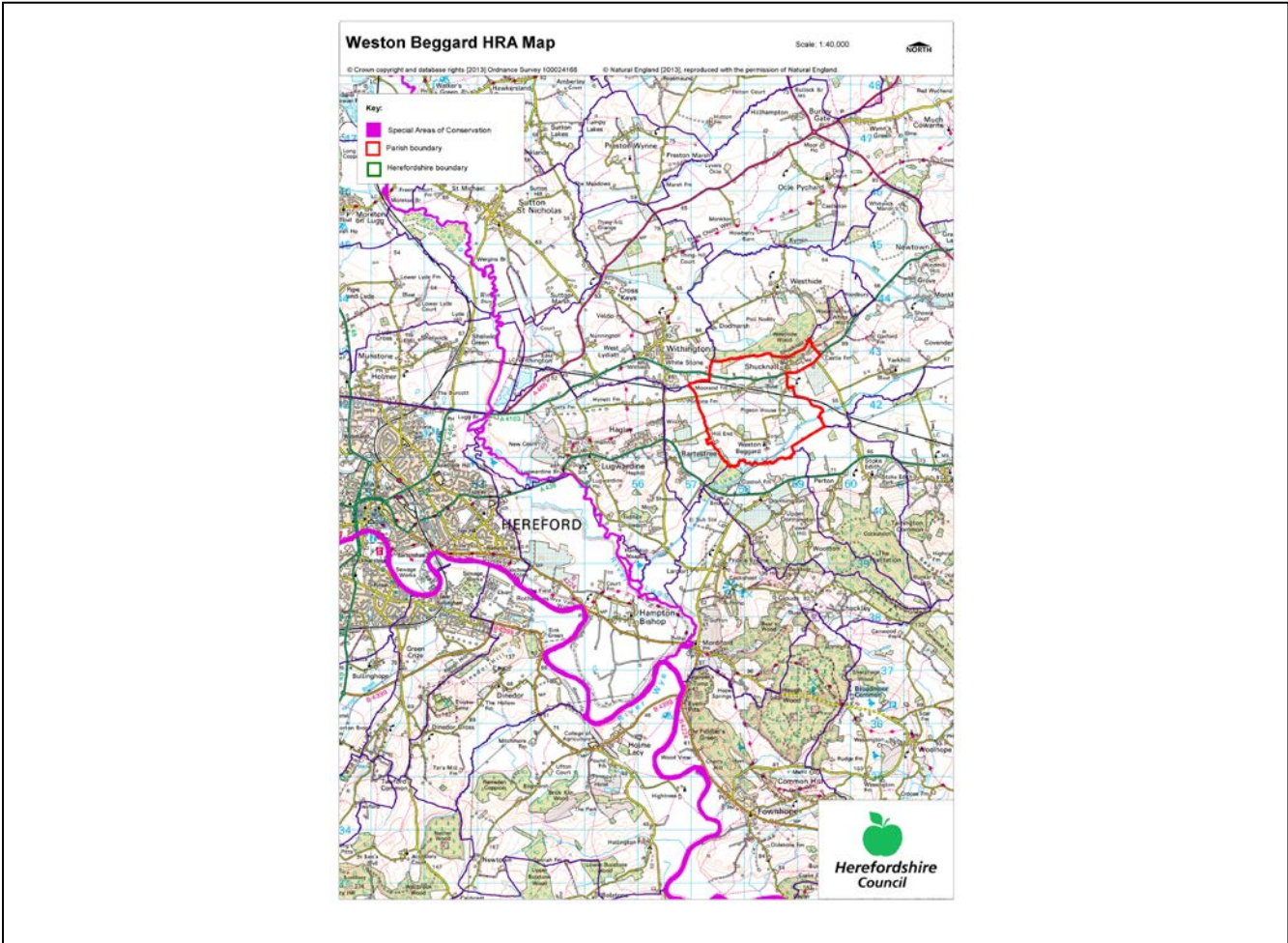
Introduction

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.

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

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



Initial HRA Screening

River Wye (including the River Lugg) SAC:

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	N	The River Lugg is 2.7km away from the Parish.
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 Frome (to the River Lugg).
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Weston Beggard.

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 33.5km away from the Parish.
---	---	---

River Clun SAC:

Does the Neighbourhood Area include: Border Group Parish Council or Leintwardine Group Parish Council?	N	River Clun does not border the Parish.
--	---	--

Usk Bat Sites SAC:

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 45.1km away from the Parish.
--	---	--

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 22km away from the Parish.
--	---	--

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 25km away from the Parish.
--	---	---

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

SEA features	Total	Explanation	SEA required
Air Quality Management Areas (AQMA)	0	There are no AQMAs within the Parish	N
Ancient Woodland	5	Westhide Wood; Tidnor Wood (border); Ash Coppice (border); Priors Court Wood (border); Dormington Wood (border)	Y
Areas of Archaeological Interest (AAI)	0	There are no AAIs within the Parish	N
Areas of Outstanding Natural Beauty (AONB)	0	There are no AONBs within the Parish	N
Conservation Areas	0	There are no Conservation Areas within the Parish	N
European Sites (SAC)	0	There are no SACs within the Parish	N
Flood Areas/Zones		There are Flood Zones running along River Frome in the south of the Parish	Y
Listed Buildings	Numerous	There are numerous listed buildings within the Parish	Y
Local Sites (SWS/SINCS/RIGS)	2 (RIGS) 9 (SWS)	RIGS: Bartestree Quarry (Lowes Hill) (border); Dormington Slip (border) SWS: River Frome; Woodland on Shucknall; Perton roadside section ad quarry (border); Backbury Hill (border); Checkley Common (border); Woodland along Seager Hill (border); Old Canal at Monkhide (border); Ash Coppice (border); Fields near Checkley Chapel (border)	Y
Long distance footpaths/trails	0	There are no long distance footpaths/trails within the Parish	N
Mineral Reserves Sites	7	River Lodon, Monkhide to Yarkhill to Bartestree; Shucknall Hill Common; Yarkhill Reservoir to Hillend Grove (border); Quarry south east of Westhide (border); North of Lugwardine and Bartestree (border); Perton Quarry to Sheepcote Hill to Woolhope Cockshoot (border); South of Prospect Farm to Broad Grove (border)	Y
National Nature Reserve (NNR)	0	There are no NNRs within the Parish	N
Registered & Unregistered Parks and Gardens	1 Registered 5 Unregistered	Registered: Stoke Edith (border) Unregistered: Bartestree Court (border); Hagley Park/Court (border); Longworth (border); Porch House	Y

		(border); Westhide Court (border)	
Scheduled Ancient Monuments (SAM)	2	Churchyard cross in St John the Baptist churchyard; Moated Site in Yarkhill Parish (border)	Y
Sites of Special Scientific Interest (SSSI)	1	Perton roadside section and quarry (Favourable) (border)	Y

Decision Notification:

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

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

Assessment date: 15/07/2014

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." (Source: EA website: http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf accessed 09/04/2013)

Usk Bat Site

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

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

Wye Valley and Forest of Dean Bat Sites

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

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

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

NDPs closest to the European Site will need to consider:

Woodland habitat buffer.

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

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

Wye Valley Woodlands

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

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

Appendix 2: Wye Catchment Map

