

Habitats Regulations Assessment



Burghill Neighbourhood Area

December 2015

Burghill parish HRA

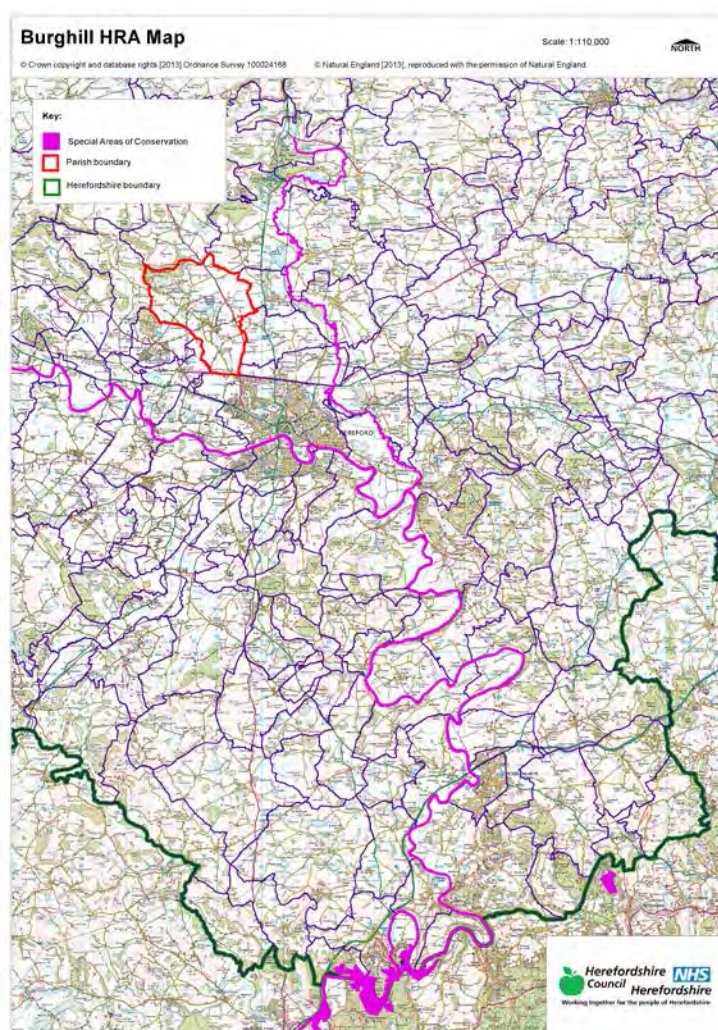
HRA Screening Assessment

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1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National planning Policy Framework. The screening stage involves assessing broadly whether the Draft Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Burghill Parish Council is producing a Neighbourhood Development Plan for Burghill 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 Burghill NDP January 2016.
- 1.3 The NDP is criteria based and allocates seven sites within settlement boundaries around the parish. 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 Burghill 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, Burghill 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 Methodology

- 3.1 As the Burghill 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 (September 2013) found that the Parish is within the catchment of the River Wye SAC therefore a full screening assessment is required.
- 4.2 For full details of the River Wye's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Burghill Initial Screening Report. The Initial Screening Report, September 2013, can be found in Appendix 3 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 Burghill 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, of the five options put forward the no NDP option was not considered viable for the Parish. The remaining four options proposed growth, however they would all be within the proportional growth targets of the Core strategy and are therefore unlikely to have a significant impact on the SAC.
- 4.4 As Burghill parish 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 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the Burghill Neighbourhood Development Plan

- 5.1 The Draft Burghill parish 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 Group Parish over the Plan period and 11 objectives of how this will be achieved. The objectives cover the following topics:

Mix of housing

Criteria of housing

Preserve and enhance the natural environment

Promote and support the local primary school

Support Local Assets

Preserve and enhance leisure facilities

Maintain separate identity from the city

Establish walking, cycling and driving routes through the parish

Encourage small businesses and promote tourism

Promote better internet provision

Provide better public transport and reduce car usage

- 5.3 The NDP also sets out 14 general policies on various topics based on the objective headings above and also for the village, these include:

Scale and type of new housing

Supporting existing small scale local employment

Supporting new small scale local employment

Rural enterprise and farm diversification
Supporting development of communications infrastructure
Education
Traffic management and transport improvements
Design of development in Burghill Parish
Protecting and enhancing local landscape character
Protection of local green spaces
Protection and enhancement of local community facilities
Community facilities and CIL
Flood Risk, water management and surface water run-off
Development of renewable energy

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

- 6.1 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.
- 6.2 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 substantial for the NDP.
- 6.3 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.

7 Assessment of the ‘likely significant effects’ of the Burghill NDP

- 7.1 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.
- 7.2 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 |

- 7.3 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 was also taking into consideration.
- 7.4 Mitigation of some of the identified potential effects could be achieved through implementation of the other policies within the NDP which require good practice measures during and after construction phases, such as more efficient use of water, reduction in waste and encouragement of recycling. The provision and

encouragement of use of more sustainable transport measures when improving the transport infrastructure, will also help to reduce car traffic around the parish and surrounding areas.

8 Conclusions from the Screening Matrix

- 8.1 None of the Draft Burghill NDP (January 2016) policies were concluded to be likely to have a significant effect on the River Wye SAC. Based on assumptions and information contained within the Burghill 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 SAC.
- 8.2 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.
- 8.3 The plan is very much criteria based, however it does allocate 7 possible sites for development, these sites are included within the settlement boundaries, other than the size of the site and potential capacity no further details have been given. However the inclusion of these sites are still within the level of growth proposed within the Core Strategy.
- 8.4 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is sufficient existing permitted headroom in the Eign Sewerage Treatment works to continue to treat the water from the amount of housing provided for in the Core Strategy policies. In addition, 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.
- 8.5 It is unlikely that the Burghill NDP 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 Housing Market Area in the Herefordshire Core Strategy and all of the proposed housing sites will be of a small scale.
- 8.6 It is therefore concluded that the Burghill NDP will not have a likely significant effect on the River Wye SAC.
- 8.7 Any further amendments to policies (post January 2016) will be rescreened if required and an addendum to this report will be produced.

Appendix 1

Burghill Parish options

- Do NDP / No NDP
- Criteria based policies
- Settlement boundaries for the main housing group.
- The designation of land for housing, employment and community use.
- The safeguarding or designation of land for recreation, public open space or amenity purposes

Appendix 2

Table 1: HRA Screening of Emerging Neighbourhood Development Plan Objectives, Options and Policies

Parish Council Name: Burghill Parish Council

NDP Title: Burghill Parish NDP

Date undertaken: December 2015

Core Strategy HRA version: Pre-submission Core Strategy (May 2014) and Proposed Modifications Addendum B (July 2015)

| NDP objectives, options policies | HRA Screening of Emerging NDP objectives, options and policies | | | | |
|----------------------------------|---|--|---|---|--|
| | Likely activities (operations) to result as a consequence of the objective/option/policy | Likely effect if objective/option/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites? (Yes/No, with reasons) <i>(If no, progress on to next objective/option/policy. If yes, progress on to next set of columns in row)</i> | European Sites potentially affected (Refer to Initial Screening) | Mitigation measures to be considered, as necessary, through redraft of objective/option/policy and to be considered as part of Appropriate Assessment | Could the policy have likely significant effects on European sites (taking mitigation into account?) |
| Options | | | | | |
| Option 1 a) Prepare a NDP | Producing a NDP would result in greater certainty and would meet the requirements of the Core Strategy. | Pre-submission Core Strategy HRA has examined the likely significant effects of the Core Strategy rural policies in May 2014 and concluded that there are no LSE but acknowledges the role of neighbourhood | River Wye SAC. | n/a | No; policy criteria can be added to any policy to mitigate. |

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| | | plans to provide additional certainty. | | | |
| b) Do nothing | <p>Not producing a neighbourhood plan would result in any future growth decisions within the parish being made based on the strategic policies within the Core Strategy.</p> <p>Proportional housing and employment growth in accordance with the Core Strategy.</p> | Pre-submission Core Strategy HRA has examined the likely significant effects of the Core Strategy rural policies in May 2014 and concluded that there are no LSE but acknowledges the role of neighbourhood plans to provide additional certainty. | River Wye SAC. | n/a | n/a |
| Option 2 Set out settlement boundaries for main housing group | The designation of a settlement boundary will give additional certainty and help define those areas considered as the built form and open countryside. This can aid the direction of further growth to maintain the quality of the landscape and surroundings. | Any settlement boundary would need to be designated to ensure that sufficient capacity was included to permit the proportional growth requirements within Policy RA2 of the Core Strategy. Criteria would need to be included within the policy to safeguard against any likely effects. | River Wye SAC | n/a | No; policy criteria can be added to any settlement boundary criteria policy to mitigate. |
| Option 3 Designate land for housing, employment and community use | Allocation of sites for housing or other uses would give certainty to future development. Specific environmental issues could be | Pursuing this option would give greater certainty over future development within the area particularly within the River Wye catchment. If | River Wye SAC | n/a | No; policy criteria can be added to any allocation policy to mitigate. |

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| | investigated during the site search and be positively addressed within the policy wording. | required mitigation criteria can be added to site allocations policies. | | | |
| Option 4 Safeguarding / designation of land for recreation/ public open space or amenity purposes | Protect, improve and develop green spaces | n/a | River Wye SAC | n/a | n/a |
| Option 5 Criteria only policies | Small scale proportionate growth where the location would be determined by criteria based policy. | Uncertain as to the impact on the European sites as dependant on the location of the development. | River Wye SAC | Criteria based housing policy would require to include reference to mitigation measures to avoid any non-disturbance effects on the River Wye | No, development in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects. Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage. |
| Objectives | | | | | |
| Objective 1 – mix of housing | Proportional growth in line with Policy RA2 of the Local Plan (Core | N/A | N/A | N/A | No, this objective will not lead to development; rather it acknowledges that |

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| | Strategy) | | | | proportional growth will occur across the neighbourhood area in line with the Local Plan (Core Strategy). |
| Objective 2 – establish criteria for new housing | Provide design criteria, for development in line with proportional growth figures form policy RA2. | N/A | N/A | N/A | No, this objective will not lead to development; rather it acknowledges that proportional growth will occur across the neighbourhood area in line with the Local Plan (Core Strategy). |
| Objective 3 – preserve and enhance the natural environment | Promote and encourage the protection of the natural environment | N/A | N/A | N/A | No this objective is unlikely to lead to development itself, and will help to mitigate against any adverse impact |
| Objective 4 – promote and support the local primary school | Promote retention of the school for future members of the community | N/A | N/A | N/A | No This objective will not seek to provide development but to protect the school that is currently in existence. |
| Objective 5 – support local assets for future benefit for community | Promote improvement of services and facilities for all members of the community | N/A | N/A | N/A | No This objective will not seek to provide development but more to enhance the facilities that are currently in existence. |

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| Objective 6 – preserve and enhance leisure facilities | Promote improvement of services and facilities for all members of the community | N/A | N/A | N/A | No This objective will not seek to provide development but more to enhance the facilities that are currently in existence. |
| Objective 7 – maintain separate identity from the city | N/A | N/A | N/A | N/A | No this objective is unlikely to lead to development itself, and will help to mitigate against any adverse impact |
| Objective 8 – establish safe walking, cycling and driving routes through the parish | Reduction in traffic around the parish, maintain and enhance the existing network of paths | N/A | N/A | N/A | No this objective is unlikely to lead to development itself, and will help to mitigate against any adverse impact by reducing traffic |
| Objective 9 – encourage small businesses in the parish and promote tourism | Business development and encourage existing businesses to remain in the parish Increased tourism could have the potential to increase in car use across the parish | There is enough emphasis within the related policies on limiting pollution from business activity/attracting non-polluting activity to avoid adverse impacts on the European sites. | River Wye SAC | N/A | No, potential damage to the interests of species using the SAC would be significantly reduced by the criteria within various policies. |
| Objective 10 – promote better internet provision | Improve communications which will help keep businesses in the area or allow people to work from home thereby reducing the need to | Reduction in the use of traffic long term so unlikely to have an significant effect, development of the infrastructure for | N/A | N/A | No, due to the possibility of reduction in traffic and mitigation available within the Core Strategy policies and criteria within the |

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| | travel | broadband may have some impact however mitigation methods can be in place within the policies | | | NDP. |
| Objective 11 – provide better public transport and reduce car usage | Promote measures to reduce car use through the village | Unlikely to have a likely significant effect on the SAC, due to the potential reduction of traffic through parish which could decrease air pollution | N/A | N/A | No as the overall aim of reducing traffic and thereby improving air pollution |
| Policies | | | | | |
| Policy B1 | Housing development Increased vehicle traffic Increased demand for water abstraction and sewage treatment | Uncertain as to the impact upon the River Wye SAC depending upon location of development | River Wye SAC | The measures set out in the Core Strategy policies and also the NDP policies should help to avoid adverse impacts upon the European site. Improved water efficiency measures, metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new development. | No. This policy highlights the number of houses to be developed within the village over the Plan period. This figure remains within the figure set out in the Core Strategy RA2 policy and therefore is not over and above the proposed. Although it is acknowledged that there will be an increase in the demand for water abstraction and sewage treatment the Core Strategy has identified that there is sufficient headroom |

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| | | | | | and capacity for the additional houses over the plan period. |
| Site 22 – Frontage adjacent to the Bell | <p>Approx 4 dwellings at a density of 10/12 per acre.</p> <p>The construction and occupancy of 4 new houses will involve use of timber, aggregates, metals and plastics. There would also be increased demand for water abstraction and sewage treatment.</p> <p>Construction waste will involve mainly inert and managed materials such as timber, aggregates, metals, bricks/blocks and plastics.</p> <p>Occupancy waste will generate mainly managed general rubbish for landfill, recyclates and sewerage;</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> | No: the scale of development proposed would not give rise to likely significant effects. | River Wye SAC | <p>There are sufficient safeguards within other policies to avoid any adverse impacts.</p> <p>In any event, the 2015 HRA Report confirms that the roll out of the NMP would continue to mitigate the effects of Policy RA2 of the Local Plan (Core Strategy), a policy upon which the proposed allocation of this site for housing is predicated. This site has been identified in direct response to the proportional growth target within that policy and its development, either in isolation or in tandem with the other proposed site allocations, would not exceed the Local Plan's requirements.</p> | No: the latest iteration of the HRA for the Local Plan (Core Strategy) confirms that NMP can mitigate the effects of 5,300 dwellings in rural areas and the proposed site allocation, in combination with the others, will not exceed the proportional growth target for the settlement. |

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| | <p>Housing will lead to increase in noise and light pollution than exists at present;</p> <p>The risk of accidents; as development is residential there are no large quantities of hazardous substances or technologies involved.</p> | | | | |
| <p>Site 2D – Tillington Road Frontage, Lower Burlton</p> | <p>Approx 10 dwellings at a density of 10/12 per acre.</p> <p>The construction and occupancy of 10 new houses will involve use of timber, aggregates, metals and plastics. There would also be increased demand for water abstraction and sewage treatment.</p> <p>Construction waste will involve mainly inert and managed materials such as timber, aggregates, metals, bricks/blocks and plastics.</p> <p>Occupancy waste will generate mainly managed general rubbish for landfill,</p> | <p>No: the scale of development proposed would not give rise to likely significant effects.</p> | <p>River Wye SAC</p> | <p>There are sufficient safeguards within other policies to avoid any adverse impacts.</p> <p>In any event, the 2015 HRA Report confirms that the roll out of the NMP would continue to mitigate the effects of Policy RA2 of the Local Plan (Core Strategy), a policy upon which the proposed allocation of this site for housing is predicated. This site has been identified in direct response to the proportional growth target within that policy and its development, either in isolation or in tandem with the other proposed site allocations, would not</p> | <p>No: the latest iteration of the HRA for the Local Plan (Core Strategy) confirms that NMP can mitigate the effects of 5,300 dwellings in rural areas and the proposed site allocation, in combination with the others, will not exceed the proportional growth target for the settlement.</p> |

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| | <p>recyclates and sewerage;</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p> <p>The risk of accidents; as development is residential there are no large quantities of hazardous substances or technologies involved.</p> | | | exceed the Local Plan's requirements. | |
| Site 25 – Cherry Orchard, Tillington | <p>Approx 10 dwellings at a density of 10/12 per acre.</p> <p>The construction and occupancy of 10 new houses will involve use of timber, aggregates, metals and plastics. There would also be increased demand for water abstraction and sewage treatment.</p> <p>Construction waste will involve mainly inert and managed materials such</p> | No: the scale of development proposed would not give rise to likely significant effects. | River Wye SAC | <p>There are sufficient safeguards within other policies to avoid any adverse impacts.</p> <p>In any event, the 2015 HRA Report confirms that the roll out of the NMP would continue to mitigate the effects of Policy RA2 of the Local Plan (Core Strategy), a policy upon which the proposed allocation of this site for housing is predicated. This site has been identified in direct</p> | No: the latest iteration of the HRA for the Local Plan (Core Strategy) confirms that NMP can mitigate the effects of 5,300 dwellings in rural areas and the proposed site allocation, in combination with the others, will not exceed the proportional growth target for the settlement. |

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| | <p>as timber, aggregates, metals, bricks/blocks and plastics.</p> <p>Occupancy waste will generate mainly managed general rubbish for landfill, recyclates and sewerage;</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p> <p>The risk of accidents; as development is residential there are no large quantities of hazardous substances or technologies involved.</p> | | | <p>response to the proportional growth target within that policy and its development, either in isolation or in tandem with the other proposed site allocations, would not exceed the Local Plan's requirements.</p> | |
| <p>Site 10 – Tillington business Park</p> | <p>Approx 10 dwellings at a density of 10/12 per acre.</p> <p>The construction and occupancy of 10 new houses will involve use of timber, aggregates, metals and plastics.</p> | <p>No: the scale of development proposed would not give rise to likely significant effects.</p> | <p>River Wye SAC</p> | <p>There are sufficient safeguards within other policies to avoid any adverse impacts.</p> <p>In any event, the 2015 HRA Report confirms that the roll out of the NMP would continue to</p> | <p>No: the latest iteration of the HRA for the Local Plan (Core Strategy) confirms that NMP can mitigate the effects of 5,300 dwellings in rural areas and the proposed site</p> |

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| | <p>There would also be increased demand for water abstraction and sewage treatment.</p> <p>Construction waste will involve mainly inert and managed materials such as timber, aggregates, metals, bricks/blocks and plastics.</p> <p>Occupancy waste will generate mainly managed general rubbish for landfill, recyclates and sewerage;</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p> <p>The risk of accidents; as development is residential there are no large quantities of hazardous substances or technologies involved.</p> | | | <p>mitigate the effects of Policy RA2 of the Local Plan (Core Strategy), a policy upon which the proposed allocation of this site for housing is predicated. This site has been identified in direct response to the proportional growth target within that policy and its development, either in isolation or in tandem with the other proposed site allocations, would not exceed the Local Plan's requirements.</p> | <p>allocation, in combination with the others, will not exceed the proportional growth target for the settlement.</p> |
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| <p>Site 2B – Lower Burlton, Near A4110</p> | <p>Approx 10 dwellings at a density of 10/12 per acre.</p> <p>The construction and occupancy of 10 new houses will involve use of timber, aggregates, metals and plastics. There would also be increased demand for water abstraction and sewage treatment.</p> <p>Construction waste will involve mainly inert and managed materials such as timber, aggregates, metals, bricks/blocks and plastics.</p> <p>Occupancy waste will generate mainly managed general rubbish for landfill, recyclates and sewerage;</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p> | <p>No: the scale of development proposed would not give rise to likely significant effects.</p> | <p>River Wye SAC</p> | <p>There are sufficient safeguards within other policies to avoid any adverse impacts.</p> <p>In any event, the 2015 HRA Report confirms that the roll out of the NMP would continue to mitigate the effects of Policy RA2 of the Local Plan (Core Strategy), a policy upon which the proposed allocation of this site for housing is predicated. This site has been identified in direct response to the proportional growth target within that policy and its development, either in isolation or in tandem with the other proposed site allocations, would not exceed the Local Plan's requirements.</p> | <p>No: the latest iteration of the HRA for the Local Plan (Core Strategy) confirms that NMP can mitigate the effects of 5,300 dwellings in rural areas and the proposed site allocation, in combination with the others, will not exceed the proportional growth target for the settlement.</p> |
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| | <p>The risk of accidents; as development is residential there are no large quantities of hazardous substances or technologies involved.</p> | | | | |
| <p>Within curtilage of White Roses, A41110</p> | <p>Approx 3 dwellings at a density of 10/12 per acre.</p> <p>The construction and occupancy of 3 new houses will involve use of timber, aggregates, metals and plastics. There would also be increased demand for water abstraction and sewage treatment.</p> <p>Construction waste will involve mainly inert and managed materials such as timber, aggregates, metals, bricks/blocks and plastics.</p> <p>Occupancy waste will generate mainly managed general rubbish for landfill, recyclates and sewerage;</p> <p>Pollution and nuisances:</p> | <p>No: the scale of development proposed would not give rise to likely significant effects.</p> | <p>River Wye SAC</p> | <p>There are sufficient safeguards within other policies to avoid any adverse impacts.</p> <p>In any event, the 2015 HRA Report confirms that the roll out of the NMP would continue to mitigate the effects of Policy RA2 of the Local Plan (Core Strategy), a policy upon which the proposed allocation of this site for housing is predicated. This site has been identified in direct response to the proportional growth target within that policy and its development, either in isolation or in tandem with the other proposed site allocations, would not exceed the Local Plan's requirements.</p> | <p>No: the latest iteration of the HRA for the Local Plan (Core Strategy) confirms that NMP can mitigate the effects of 5,300 dwellings in rural areas and the proposed site allocation, in combination with the others, will not exceed the proportional growth target for the settlement.</p> |

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| | <p>mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p> <p>The risk of accidents; as development is residential there are no large quantities of hazardous substances or technologies involved.</p> | | | | |
| Site 21 – Near Redstone on the corner | <p>Approx 12 dwellings at a density of 10/12 per acre.</p> <p>The construction and occupancy of 12 new houses will involve use of timber, aggregates, metals and plastics. There would also be increased demand for water abstraction and sewage treatment.</p> <p>Construction waste will involve mainly inert and managed materials such as timber, aggregates, metals, bricks/blocks and plastics.</p> | No: the scale of development proposed would not give rise to likely significant effects. | River Wye SAC | <p>There are sufficient safeguards within other policies to avoid any adverse impacts.</p> <p>In any event, the 2015 HRA Report confirms that the roll out of the NMP would continue to mitigate the effects of Policy RA2 of the Local Plan (Core Strategy), a policy upon which the proposed allocation of this site for housing is predicated. This site has been identified in direct response to the proportional growth target within that policy and its development,</p> | No: the latest iteration of the HRA for the Local Plan (Core Strategy) confirms that NMP can mitigate the effects of 5,300 dwellings in rural areas and the proposed site allocation, in combination with the others, will not exceed the proportional growth target for the settlement. |

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| | <p>Occupancy waste will generate mainly managed general rubbish for landfill, recyclates and sewerage;</p> <p>Pollution and nuisances: mainly from increased traffic, a potential exists from sewage arising.</p> <p>Housing will lead to increase in noise and light pollution than exists at present;</p> <p>The risk of accidents; as development is residential there are no large quantities of hazardous substances or technologies involved.</p> | | | <p>either in isolation or in tandem with the other proposed site allocations, would not exceed the Local Plan's requirements.</p> | |
| Policy B2 | <p>Small work premises</p> <p>Retaining existing employment sites</p> | <p>No significant effect on the River Wye SAC.</p> | n/a | <p>This policy should help to mitigate the potential impacts of other NDP policies in relation to increased traffic and developments due to reducing the extent to which people need to travel for work by retaining the employment within the parish.</p> | <p>No. Although this policy encourages some development it is of small scale and protects the existing employment sites. There are measures in other policies in the Plan that will help to mitigate against any negative impact the policy may have.</p> |

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| Policy B3 | Small work premises | No significant effect on the River Wye SAC. | n/a | This policy should help to mitigate the potential impacts of other NDP policies in relation to increased traffic and developments due to reducing the extent to which people need to travel for work as it allows people to work closer to home. | No. Although this policy encourages some development it is of small scale. There are measures in other policies in the Plan that will help to mitigate against any negative impact the policy may have. |
| Policy B4 | Small work premises Diversification and re-use of farm buildings | No significant effect on the River Wye SAC. | n/a | This policy should help to mitigate the potential impacts of other NDP policies in relation to increased traffic and developments due to reducing the extent to which people need to travel for work as it allows people to work closer to home. | No. Although this policy encourages some development it is of small scale and will mainly be for the conversion of existing premises. There are measures in other policies in the Plan that will help to mitigate against any negative impact the policy may have. |
| Policy B5 | New infrastructure for Broadband development | No significant effect on the River Wye SAC. | N/A | This policy should help to mitigate the potential impacts of other NDP policies in relation to increased traffic, and new business developments due to | No. Although this policy may lead to some new development this will be small scale to allow for the implementation of high speed |

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| | | | | reducing the extent to which people need to travel for work. | broadband across the Parish. This in turn can allow new types of businesses to occupy the Parish and also allow for home working, thereby reducing the need vehicle traffic travelling across the County. |
| Policy B6 | Retention of the local school Expansion of the local school Possible increase of traffic due to additional pupils | No significant effect on the River Wye SAC | N/A | Although this policy is allowing future expansion of the school it is to be of small scale and there are policy safeguards on place to protect the SAC. The increase in traffic will be offset by the traffic that would be generated leaving the parish to commute the children to a school outside of the Parish. | No. Although there will be some development it will be of a small scale at will help to reduce the overall traffic travelling around and through the Parish for the school runs. |
| Policy B7 | Improve footpaths / pavements Reduction in traffic Increase public transport / community transport | No likely significant effect on the River Wye SAC | N/A | N/A | No. This policy will not lead to new development; rather it aims to ensure improvements to traffic through the village, in particular encouraging walking and public transport use. |

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| Policy B8 | Housing development Increased vehicle traffic Increased demand for water abstraction and sewage treatment Increased energy efficiency measures and conservation measures Use of SUDS | No significant effect on the River Wye SAC. | River Wye SAC | The measures set out in the Core Strategy policies and also the NDP policies should help to avoid adverse impacts upon the European site. This policy should help to mitigate the potential effects of future development. | No. This policy is unlikely to lead to development, instead it relates to criteria for development |
| Policy B9 | n/a | n/a | n/a | The measures in this policy to conserve and enhance the landscape character across the Parish should help to provide mitigation against the potential adverse impacts of new developments | No. This policy will not lead to new development; rather it specifically aims to ensure that any development proposed will conserve, restore and enhance landscape character. As such this policy could help to provide mitigation against the potential of other NDP policies. |
| Policy B10 | n/a | n/a | n/a | n/a | No. This policy will not lead to new development; rather it specifically aims to protect existing local green space. |
| Policy B11 | Protection and development of social | No likely significant effect | n/a | The measures in this policy will help to ensure | No. This policy will not itself lead to |

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|------------|--------------------------|---|-----|--|--|
| | and community facilities | on the River Wye SAC | | that any potential adverse impact will be mitigated against. In addition the measures set out in other policies within the NDP will mitigate against any potential adverse impact. | development, instead it relates to the criteria for the protection of existing community facility or conversion to new community development, which ensures that mitigation methods are put in place for any adverse impacts that may arise. |
| Policy B12 | N/A | N/A | N/A | N/A | No. The policy will not itself lead to development, instead it relates to how CIL funding should be spent within the Parish, as a result of other policies. |
| Policy B13 | N/A | No Likely Significant effect on the River Wye SAC | N/A | N/A | No. This policy will not lead to new development; but rather it will ensure that any new development has no or little impact upon surface water flooding or fluvial flooding due to the mitigation methods encouraged. |

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| Policy B14 | Development of renewable energy infrastructure, inc site for solar farm | No likely significant effect on the River Wye SAC | N/A | This policy provides measures to mitigate against any adverse impact from the infrastructure of renewable energy schemes. In addition the Core Strategy Policies and other policies in the NDP will be policy safeguards. | No, most of this policy will not lead to development; rather it sets out criteria aiming to ensure that new development reduces Burghill parish's contribution to climate change. The policy could however result in the development of renewable energy infrastructure but this is unlikely to have a significant effect on the River Wye SAC. |
|------------|---|---|-----|---|---|

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)

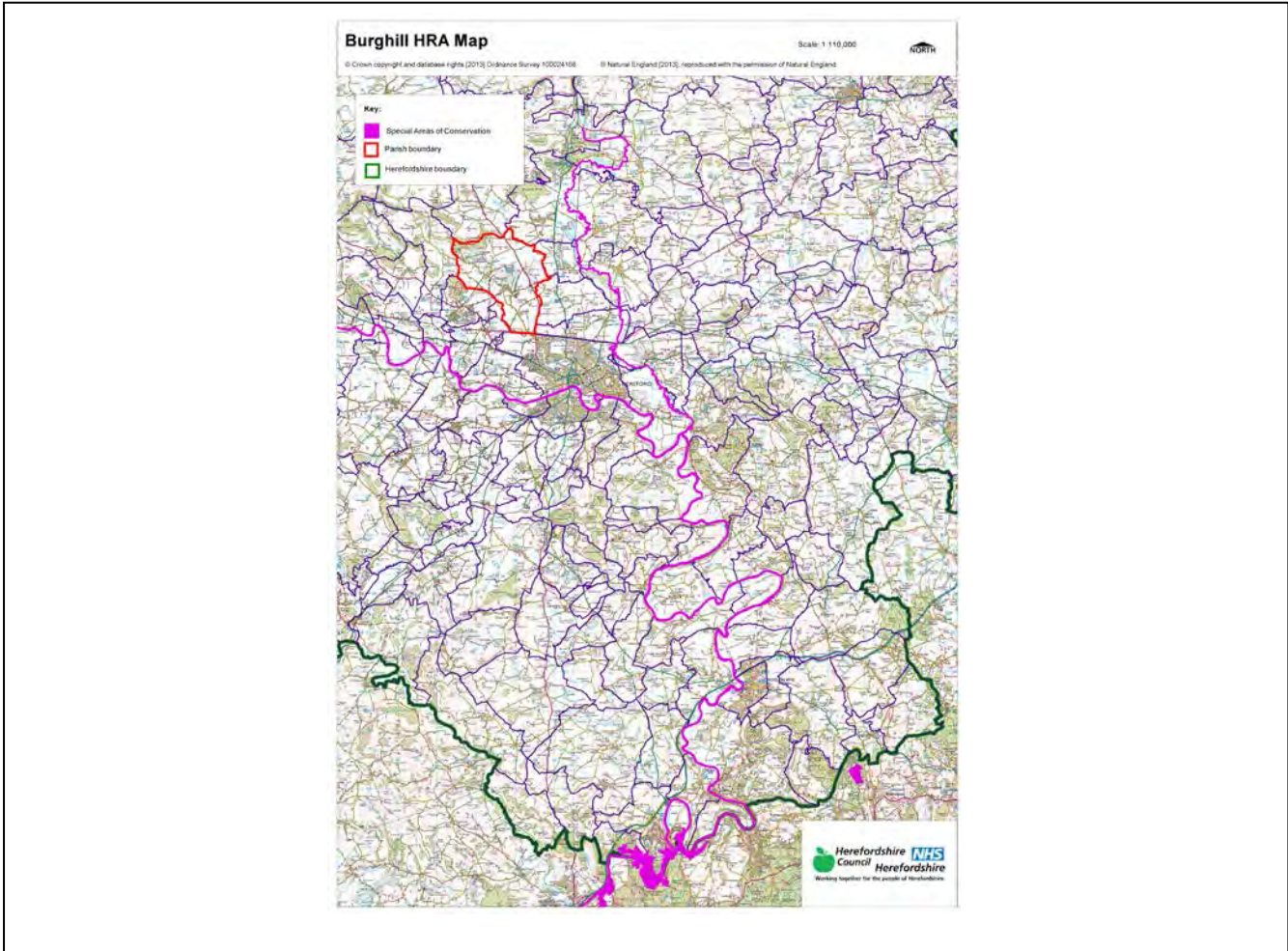
| | |
|---|---------------------------------|
| Neighbourhood Area: | Burghill Neighbourhood Area |
| Parish Council: | Burghill Parish Council |
| Neighbourhood Area Designation Date: | 11 th September 2013 |

Introduction

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

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

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



Initial HRA Screening

River Wye (including the River Lugg) SAC:

| | | |
|--|---|---|
| Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary? | N | The River Wye is 2.96km away from the Parish and the River Lugg is 1.7km 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 Wye |
| If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage? | Y | The Parish has mains drainage within Hereford |

Downton Gorge SAC:

| | | |
|---|---|--|
| Is the Neighbourhood Area within 10km of Downton Gorge SAC? | N | Downton Gorge is 25.6km 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 39km 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 | The Parish is 27.6km away from Wye Valley and Forest of Dean Bat Sites |
|--|---|--|

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 Parish is 28.87km away from the Wye Valley Woodlands |
|--|---|--|

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 Burghill 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 Burghill 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 | 0 | There are no AQMAs within the Parish | N |
| Ancient Woodland | 2 | Badnage Wood; Credenhill Park Wood (border) | Y |
| Areas of Archaeological Interest | 0 | There are no AAls within the Parish | N |
| Areas of Outstanding Natural Beauty | 0 | There are no AONBs within the Parish | N |
| Conservation Areas | 1 | Burghill village is a Conservation Area | Y |
| European Sites | 0 | There are no SACs within the Parish | N |
| Flood Areas | | Flood Zones 2 and 3 flow from Brookhouse Farm in the east of the parish to Haven. There are also Flood Zones along the south west borders of the Parish | Y |
| Listed Buildings | Numerous | There are numerous Listed Buildings scattered throughout the Parish | Y |
| Local Sites (SWS/SINCs/RIGS) | 1 (RIGS) 1 (SINC) 3 (SWS) | RIGS: Upper Lyde Quarry (border) SINC: Yazor Brook (border) SWS: Pond near Tillington Court; Woodlands and Golf Course around Nupton Hill; Credenhill Park Wood and Sally Coppice (border) | Y |
| Long distance footpaths/trails (e.g. Herefordshire Trail) | 1 | Three Rivers Ride | Y |
| Mineral Reserves | 4 | Portway; West and south of Portway, east of Burghill down Canon Pyon Road; Cot Barn (border); South of Roman Road to A438 and area between Wye and A438 | Y |
| National Nature Reserve | 0 | There are no NNRs within the Parish | N |
| Registered & Unregistered parks and gardens | 6 Unregistered | The Hermitage; Tillington Court; Burghill Court; Burghill Hospital; Brinsop Court (border); Credenhill Court (border) | Y |
| Scheduled Ancient Monuments | 4 | Churchyard Cross in St Mary the Virgin Churchyard; Credenhill camp (border); Moated site 200 yds (180m) south of Brinsop Court (border); Medieval bridge 870m north east of Stretton Court Farm | Y |
| Sites of Special Scientific Interest | 0 | There are no SSSIs within the Parish | N |

Decision Notification:

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

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

Assessment date: 08/08/2013

Assessed by: James Latham

Appendix 1: European Sites

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

| |
|---|
| 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

