

Habitats Regulations Assessment



Kingsland Neighbourhood Area

November 2014

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 Kingsland Neighbourhood Plan

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

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

Table 1 - Colour coding key for Matrix

8 Conclusions from the Screening Matrix

Appendix 1 – List of options assessed

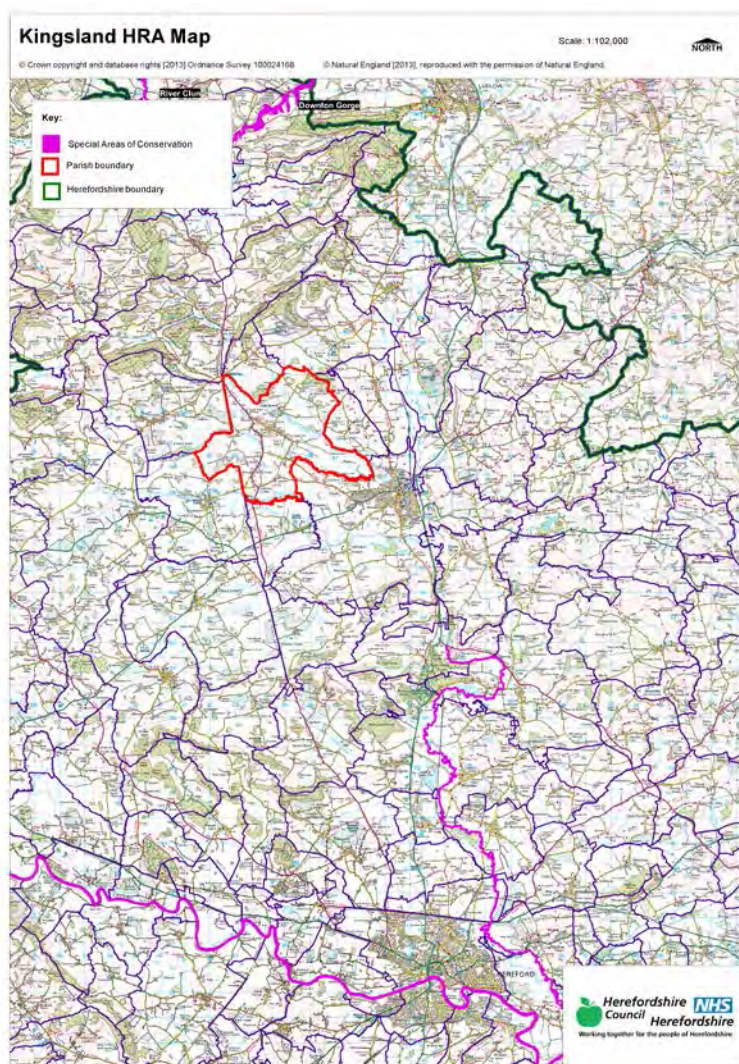
Appendix 2 – Options assessment matrix

Appendix 3 – Full Screening Matrix

Appendix 4 – Initial Screening Report (August 2013)

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 sites.
- 1.2 Kingsland Parish Council is producing a Neighbourhood Development Plan for Kingsland 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 Kingsland Plan November 2014.
- 1.3 The NDP allocates small scale sites and 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 (May 2014) and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Kingsland Neighbourhood Area with the European Sites 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, Kingsland 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 Kingsland Plan 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 (August 2013) found that the River Wye (inc River Lugg) SAC is located within the Neighbourhood Area, and Downton Gorge is within 10km of the Parish and therefore a full screening assessment is required.
- 4.2 For full details of the River Wye and Downton Gorge's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Kingsland Neighbourhood Plan Initial Screening Report. The Initial Screening Report, August 2013, 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 Kingsland 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 no settlement boundary appear to depend on location and scale in relation to environmental impact.
- 4.4 As Kingsland progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the River Wye (River Lugg) SAC and Downton Gorge SAC could be achieved, alongside taking forward the preferred options 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 Kingsland Neighbourhood Plan

- 5.1 The Draft Kingsland Neighbourhood Plan 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 along with a background to the Parish.
- 5.2 The NDP then details the vision for the Group Parish over the Plan period and objectives of how this will be achieved. The objectives cover the following topics:
- sustainability,
 - infrastructure,
 - environment,
 - housing,
 - businesses and the economy
- 5.3 The NDP also sets out 17 policies on various topics based on the objective headings above these include:
- Policy KNP1 – Promoting Sustainable Development
 - Policy KNP2 – Development Strategy
 - Policy KNP3 – Sustainable Design
 - Policy KNP4 – Retaining the rural character of Kingsland Parish
 - Policy KNP5 – Protecting Kingsland's Heritage Assets
 - Policy KNP6 – Retaining the character of the Conservation Area and Kingsland village
 - Policy KNP7 – Addressing flood risk
 - Policy KNP8 – Highways and transport infrastructure
 - Policy KNP9 – Kingsland Sewage treatment works

- Policy KNP10 – Community renewable energy
- Policy KNP11 – Infrastructure for broadband
- Policy KNP12 – Protection and enhancement of services and facilities for the community
- Policy KNP13 – Public open space and play areas
- Policy KNP14 – New homes in Kingsland
- Policy KNP15 – New homes in Shirlheath
- Policy KNP16 – Supporting local business
- Policy KNP17 – Agriculture, forestry and rural enterprises

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 Kingsland 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 (River Lugg) SAC or Downton Gorge SAC.
- 7.2 The findings of the screening matrix can be found in the Screening Matrix in Appendix 3 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 were 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 provision of energy and water conservation measures, reduction in waste and encouragement of recycling. The provision and encouragement of use of more sustainable transport measures 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 Kingsland Neighbourhood Plan (November 2014) policies were concluded to be likely to have a significant effect on either the River Wye (River Lugg) SAC and Downton Gorge SAC. Based on assumptions and information contained within the Kingsland Neighbourhood Plan, Herefordshire Core Strategy and the Pre-submission version 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 (River Lugg) SAC nor Downton Gorge 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.
- 8.4 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is not sufficient existing permitted headroom in the Sewerage Treatment works serving Leominster and parts of rural Herefordshire to continue to treat the water from all of the new housing provided for in the Core Strategy policies without affecting water quality in the River Wye SAC. However, this is in the main due to the large urban extension proposed in Leominster. The preparation of the Nutrient Management Plan for the River Wye SAC identifies measures that would enable the development to proceed. The evidence base and options appraisal for the Nutrient Management Plan modelled four scenarios with the aim to achieve the conservation objective's phosphate target. Therefore, it can now be concluded that where development is proposed at or around Leominster and in the rural areas, there would be no likely significant effect on the River Wye SAC.
- 8.5 It is unlikely that the Kingsland Neighbourhood Plan will have any in-combination effects with any Plans from neighbouring parish council due to the level of growth proposed is of the same that is proposed for the Leominster Housing Market Area in the Herefordshire Core Strategy.
- 8.6 It is therefore concluded that the Kingsland Neighbourhood Plan will not have a likely significant effect on the River Wye (River Lugg) SAC nor Downton Gorge SAC.
- 8.7 Any further amendments to policies (post December 2014) will be rescreened if required and an addendum to this report will be produced.

Appendix 1

Neighbourhood Plan Land Use for Kingsland Parish

Criteria for development

All options to include the following criteria: (mainly from parish plan)

- Ensure that new build housing is designed to be sympathetically in keeping with the area.
- To ensure that there is a mix of size and tenure types in all new housing to cater for residents differing and changing needs.
- Use local craftsmen and local and natural materials where possible and practical.
- Maximize the use of renewable energy, energy saving and environmentally friendly design to keep the carbon footprint to a minimum.
- Ensure that parking, flooding, sewerage, pavement and traffic issues, resulting from any new build, are fully and satisfactorily considered before planning is agreed.
- Seek to maximize community benefit from development
- Ensure requirements for permeable ground surfacing are strictly adhered to, so that surface water can soak away adequately.
- Ensure sewerage management is fully compliant with environmental requirements and does not cause overload of the main systems
- Use brownfield sites and conversion of redundant buildings where possible before building on green field sites.
- Prevent such extensive infill that the streetscape appears suburban rather than rural.
- Seek to protect identified sites and objects such as trees, which have been chosen to enhance the rural village experience.
- Prevent undue and additional pollution from lighting to compromise our enjoyment of dark skies.
- Ensure the protection of Grade 1 and 2 agricultural land.
- Ensure any development includes green spaces and corridors to protect and enhance the rural character and biodiversity of the parish.

Development Planning options: (leading from the Parish Plan)

Kingsland Village

Option 1.

- Retain the current settlement boundary so that any development takes place within it and ensure all development meets the criteria specified in the Neighbourhood Plan.

Option 2

- Redraw the current settlement boundary by choosing one of the following:
 - a. Either widening the middle
 - b. Or extending at its edges
 - c. A mix of both

Option 3

- Redraw the settlement boundary to protect important open spaces, views and areas of important character.

Option 4

- Have no settlement boundary and limit development to small projects in line with the agreed criteria.

Shirlheath

Option 1 – To allow small scale development, that meets the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.

Option 2 – To identify specific sites for small-scale development which must meet the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.

Appendix 2

Table 1: HRA Screening of Emerging Neighbourhood Development Plan Options

Parish Council Name: Kingsland

NDP Title: Kingsland Neighbourhood Development Plan

Date undertaken: October 2014

NDP options policies	HRA Screening of Emerging NDP options				
	Likely activities (operations) to result as a consequence of the option	Likely effect if option 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	Mitigation measures to be considered, as necessary, through redraft of objective/option/policy and to be considered as part of Appropriate Assessment	If recommendations are implemented, would it be possible that it would result in no LSE? (Yes/No with reasons)
Kingsland Option 1-Retain the current settlement boundary so that any development takes place within it and ensure all development meets the criteria specified in the Neighbourhood Plan.	Development of housing	No	N/A	N/A	N/A
Option 2-Redraw the current settlement boundary by choosing one of the following A- Either widening the	Development of housing Extending settlement boundaries	No	N/A	N/A	N/A

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

middle. B-Or extending at its edges. C-A mix of both					
Option 3-Redraw the settlement boundary to protect import open spaces, views and areas of important character.	Development of housing Extending settlement boundaries	No	N/A	N/A	N/A
Option 4-Have no settlement boundary and limit development to small projects in line with the agreed criteria.	Development of Housing	No	N/A	N/A	Impact would depend upon location and scale. Need to ensure sufficient safeguards are in place to prevent significant effect occurring.
Shirlheath Option 1-To allow small scale development, that meets the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.	Development of Housing	No	N/A	N/A	Scale and extent of such development is unlikely to be significant
Shirlheath Option2 -To identify specific sites for small scale development which must meet the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.	Development of Housing	No	N/A	N/A	Scale and extent of such development is unlikely to be significant Impact would depend upon location and scale. Need to ensure sufficient safeguards are in place to prevent significant effect occurring.

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

Appendix 3

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

Parish Council Name: Kingsland

NDP Title: Kingsland Draft Plan

Date undertaken: November 2014

Core Strategy HRA version: Pre-Submission version of the Core Strategy

NDP objectives and policies	HRA Screening of Emerging NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/policy	Likely effect if objective/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	Mitigation measures to be considered, as necessary, through redraft of objective/policy and to be considered as part of Appropriate Assessment	Could the policy have likely significant effects on European sites (taking mitigation into account?)
<i>Objective 1 – Provide sufficient housing to meet the future needs of the community, in terms of numbers and type, based upon robust evidence</i>	Ensuring that any new housing development does not impact upon the character of the village and meets the required needs of the community	N/A	N/A	N/A	No this objective will not seek to provide development but ensuring that all development is built to the requirements of the community.

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

<p><i>Objective 2 – Ensure that new and existing business and commerce, including tourism, beneficial to the economic health of the parish, can grow and is in scale with and sensitive to the rural character of the parish</i></p>	<p>Improve the existing facilities for businesses and encourage the community to work in the parish to help reduce travel</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>No this objective is not likely to lead to development but ensure that existing development is of the highest quality and to encourage those that live within the community to also work in the community thereby reducing the need to travel.</p>
<p><i>Objective 3 – Ensure all infrastructure including services, facilities and amenities are retained and developed in line with the current needs and future growth of the community</i></p>	<p>Promote improvement of services and facilities for all members of the community</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>No This objective will not seek to provide development but more to enhance the facilities that are currently in existence and to ensure services are in place for the future growth of the community</p>
<p><i>Objective 4 – Ensure that all development is based upon sound environmental sustainability principles including energy sourcing and conservation, water and sewerage management, waste minimization, wildlife conservation and habitat</i></p>	<p><i>Promoting sustainable development measures to be in place for all developments</i></p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>No. This will not lead to development but will ensure that new development coming forward under the NDP contributes to sustainable development.</p>

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

<i>protection.</i>					
<i>Objective 5: Ensure that the visual effect of all development preserves and enhances the traditional character of the Parish and protects our landscape and historic environment.</i>	Promoting measures to ensure the historic, cultural and ecological heritage of the Parish remains or is enhanced.	N/A	N/A	N/A	No this objective will not lead to development itself but will seek to improve the environment that currently exists within the Neighbourhood area.
<i>Policy KNP1 – Promoting a Sustainable community</i>	Promote sustainable development measures for all new development across the county	N/A	N/A	N/A	No. This policy will not lead to development; rather it aims to ensure that new development coming forward under the other NDP policies contributes to sustainable development across the Neighbourhood area.
<i>Policy KNP2 – Development Strategy</i>	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 The development will be of small scale and in line with the Core Strategy therefore there should be no adverse impact upon the Downton Gorge	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	No. This policy highlights the focus for houses to be developed within the Neighbourhood area over the Plan period. The growth remains within the requirements set out in the Core Strategy RA2 policy and therefore is not over and above the proposed. Although it is

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

				as a result of new development.	acknowledged that there will be an increase in the demand for water abstraction and sewage treatment the Core Strategy has identified that there will be sufficient headroom and capacity for the additional houses over the plan period following the Nutrient Management Plan.
<i>Policy KNP3 – Sustainable Design</i>	N/A	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	This policy should help to mitigate the potential effects of future development, by ensuring sustainable methods are used and waste and recycling are specifically handled.	No. This policy is unlikely to lead to development, instead it relates to criteria for development.
<i>Policy KNP4 – Retaining the rural character of Kingsland Parish</i>	N/A	N/A	N/A	The measures in this policy to conserve and enhance biodiversity and 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 habitats, natural green space, local ecological features and networks. As well as

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

					the historic landscape and archaeological sites. As such this policy could help to provide mitigation against the potential of other NDP policies.
<i>Policy KNP5 – Protecting Kingsland’s Heritage Assets</i>	N/A	No likely significant effect on the River Wye SAC or Downton Gorge	N/A	N/A	No. This policy will not lead to new development; rather it aims to ensure that any development proposed within the Neighbourhood Area will conserve and enhance the local Historic Assets and local distinctiveness.
<i>Policy KNP6 – Retaining the character of the Conservation Area and Kingsland Village</i>	Promoting measures to ensure the historic, cultural and ecological heritage of the Parish remains or is enhanced.	No likely significant effect on the River Wye SAC or Downton Gorge.	N/A	N/A	No. This policy will not lead to new development; rather it aims to ensure that any development proposed within the Neighbourhood Area will conserve and enhance the local Historic Assets and local distinctiveness of Kingsland village.
<i>Policy KNP7 – Addressing flood risk</i>	N/A	No Likely Significant effect on the River Wye SAC or Downton Gorge SAC	N/A	N/A	No. This policy will not lead to new development; but rather it will ensure that any

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

					new development has no or little impact upon surface water flooding due to the mitigation methods encouraged. This policy will also ensure that within areas likely to flood development should not be permitted.
<i>Policy KNP8 – Highways and transport infrastructure</i>	Development of transport infrastructure such as car park for Kingsland and encouraging sustainable transport methods	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	N/A	No. This policy is not likely to lead to development but rather it aims to provide sustainable traffic measures to reduce the effect of transport on the environment from development.
<i>Policy KNP9 – Kingsland Sewage treatment works</i>	N/A	N/A	N/A	This policy should help to mitigate potential adverse effects of future development within the Parish in relation to water quality and capacity at the sewerage works.	No. This policy will not itself lead to development instead it relates to criteria for new development. In addition, the proposal specifically aims to ensure that new development does not have an adverse impact upon the water treatment works and therefore the water

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

					quality.
<i>Policy KNP10 – Community Renewable energy</i>	Development of renewable energy infrastructure	No likely significant effect on the River Wye SAC or Downton Gorge	N/A	N/A	No, most of this policy will not lead to development; rather it sets out criteria aiming to ensure that new development reduces Kingsland 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 or Downton Gorge
<i>Policy KNP11 – Infrastructure for Broadband</i>	New infrastructure for Broadband development	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	This policy should help to mitigate the potential impacts of other NDP policies in relation to increased traffic, and new large scale business developments due to reducing the extent to which people need to travel for work.	No. Although this policy may lead to some new development this will be small scale to allow for the implementation of high speed 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

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

					County.
<i>Policy KNP12 – Protection and enhancement of services and facilities for the community</i>	Development of social and community facilities and infrastructure	No likely significant effect on the River Wye SAC or Downton Gorge		The measures in this policy will help to ensure 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.	No. The scale and extent of such development is not likely to be significant. In addition, this policy will not itself lead to policy, instead it relates to the criteria for any new community development, which ensures that mitigation methods are put in place for any adverse impacts that may arise.
<i>Policy KNP13 – Public open space and play areas</i>	N/A	N/A	N/A	The policy will help to provide additional open space / play areas within the Neighbourhood Area.	No. The policy would itself not necessarily lead to development; however the additional open space / play areas that could be provided from development will help to enhance the area and provide mitigation against the new development.
<i>Policy KNP14 – New Homes in Kingsland</i>	Housing development Increased vehicle traffic Increased demand for water abstraction and	Uncertain as to the impact upon the River Wye SAC depending upon location of development. Unlikely impact on Downton Gorge SAC due to the small	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.	No. This policy is providing criteria that any new development must adhere to. It is acknowledged that some impact could occur

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	scale of the development		<p>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.</p>	<p>due to the new development however the development is small scale and therefore the impact will not be great. This policy and others within the draft Plan also sets out measures to help reduce the impact through mitigation</p> <p>The additional pressure on water abstraction and treatment it has been confirmed by DCWW that there will be sufficient water resources to meet the increases in demand over the Plan period. Whilst there may be not currently sufficient capacity at the sewage treatment works serving the Leominster and the rural villages surrounding to accommodate this level of growth the Nutrient Management Plan being produced by Environment Agency and Natural England has concluded that measures can be implemented to</p>
--	------------------	--------------------------	--	---	---

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

					allow the level of growth proposed without compromising the achievement of phosphate targets in the River Wye.
<i>Policy K15 – New homes in Shirleath</i>	<p>Housing development</p> <p>Increased vehicle traffic</p> <p>Increased demand for water abstraction and sewage treatment</p>	<p>Uncertain as to the impact upon the River Wye SAC depending upon location of development.</p> <p>Unlikely impact on Downton Gorge SAC due to the small scale of the development</p>	River Wye SAC	<p>The measures set out in the Core Strategy policies and also the NDP policies should help to avoid adverse impacts upon the European site.</p> <p>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.</p>	<p>No. This policy is providing criteria that any new development must adhere to.</p> <p>It is acknowledged that some impact could occur due to the new development however the development is small scale and therefore the impact will not be great. This policy and others within the draft Plan also sets out measures to help reduce the impact through mitigation</p> <p>The additional pressure on water abstraction and treatment it has been confirmed by DCWW that there will be sufficient water resources to meet the increases in demand over the Plan period. Whilst there may be not</p>

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

					currently sufficient capacity at the sewage treatment works serving the Leominster and the rural villages surrounding to accommodate this level of growth the Nutrient Management Plan being produced by Environment Agency and Natural England has concluded that measures can be implemented to allow the level of growth proposed without compromising the achievement of phosphate targets in the River Wye.
<i>Policy KNP16 – Supporting local business</i>	<p>Retaining existing employment sites</p> <p>New light and general industry, office and business operations</p> <p>Some increase in vehicle traffic</p> <p>Increase in emissions from development</p>	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	<p>This policy should help to mitigate against the potential impacts of other policies as it is encouraging brownfield use, retaining existing sites and ensuring all schemes are sustainable, re using redundant buildings and reducing flood risk.</p> <p>There is a point in the policy that allows small extensions onto adjacent</p>	No. Although this policy leads to some development, and could result in an increase in vehicle movement as additional employment opportunities become more readily available. However, the policy itself encourages the retention of existing employment site, re use of redundant buildings and the use of

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

				greenfield sites, but this is to encourage the retention of businesses and therefore jobs in the area and the policy states that it must be environmentally acceptable.	sustainable proposals for any new development thereby mitigating against any negative impact. There are also other policies in the Plan that will help to mitigate against the proposals.
<i>Policy KNP17 – Agriculture, Forestry and Rural enterprises</i>	N/A	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A		No. This policy sets out criteria for the development of agricultural, forestry and rural enterprise dwellings in rural areas. Any resulting development would be on a very small scale as this policy refers to the development of individual buildings and is applying strict criteria for where this would be allowed.

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

Appendix 4

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)

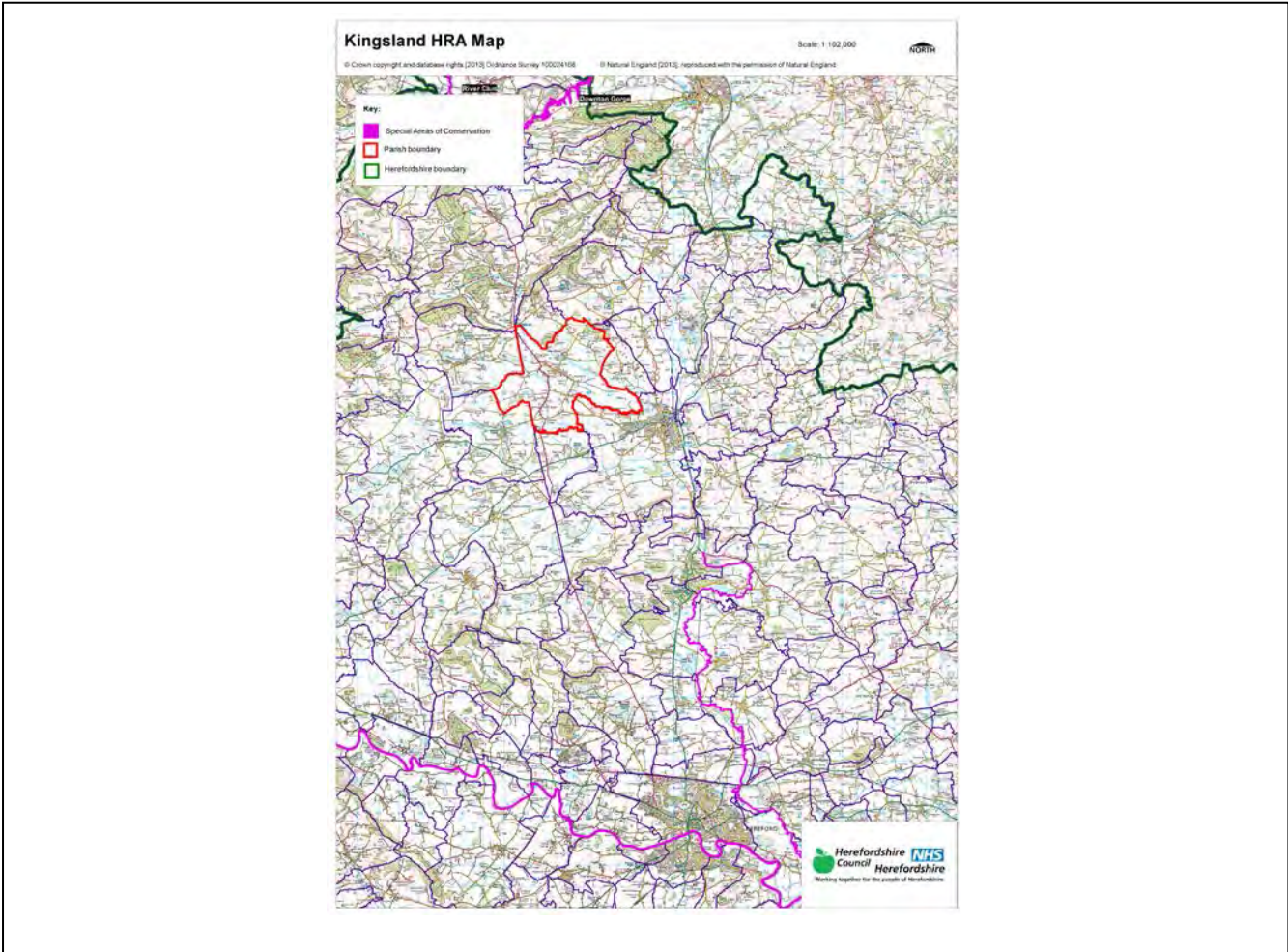
Neighbourhood Area:	Kingsland Neighbourhood Area
Parish Council:	Kingsland Parish Council
Neighbourhood Area Designation Date:	27/08/2013

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 and Lugg SAC is 7.5km 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 River Lugg hydrological catchment area
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Kingsland

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	Y	Downton Gorge is 9.42km 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 48.7km 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 43.5km 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 45.3km 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 Kingsland Neighbourhood Area and a Full HRA Screening will be required.

European Site

(List only those which are relevant from above)

River Wye (including the River Lugg) SAC

Downton Gorge SAC

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

The following environmental features are within or in general proximity to the Kingsland 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 AQMA's within the Parish	N
Ancient Woodland	8	Oaker Wood; Tylers Vallet (border); Tars Wood; Tars Coppice (border); Tank Wood; Chaff Wood (border); Church Wood (border); School Wood (border)	Y
Areas of Archaeological Interest	0	There are no AAIs within the Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONBs within the Parish	N
Conservation Areas	1	There is a Conservation Area around Kingsland village	Y
European Sites	0	There are no SACs within the Parish	N
Flood Areas		There are Flood Zones 2 and 3 along the Rivers Lugg and Arrow as well as Pinsley Brook and tributaries off these 3 watercourses	Y
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Parish	Y
Local Sites (SWS/SINCS/RIGS)	9 SWS	River Arrow; Pinsley Brook; Field north of Harbour Farm; River Lugg; Tars Wood; Oaker Wood (2); Marsh Covert (border); Eyeton Common (border); Tylers Vallet (border)	Y
Long distance footpaths/trails	0	There are no long distance footpaths/trails within the Parish	N
Mineral Reserves	2	West of Cholstrey Mill to B4360 (border); Cholstrey, east and west of village (border)	Y
National Nature Reserve	0	There are no NNRs within the Parish	N
Registered & Unregistered parks and gardens	2 Unregistered	Eyton Old Hall (border); Eyton Hall (border)	Y
Scheduled Ancient Monuments	2	Kingsland Castle; Water Mills and quarry at Mortimer's Cross (border)	Y
Sites of Special Scientific Interest	1	River Lugg Meanders (Favourable); River Lugg (Unfavourable Recovering)	Y

Decision Notification:

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

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

Assessment date: 10/07/2013

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

