

# Habitats Regulations Assessment



## Luston Group Neighbourhood Area

February 2016

# Luston Group HRA

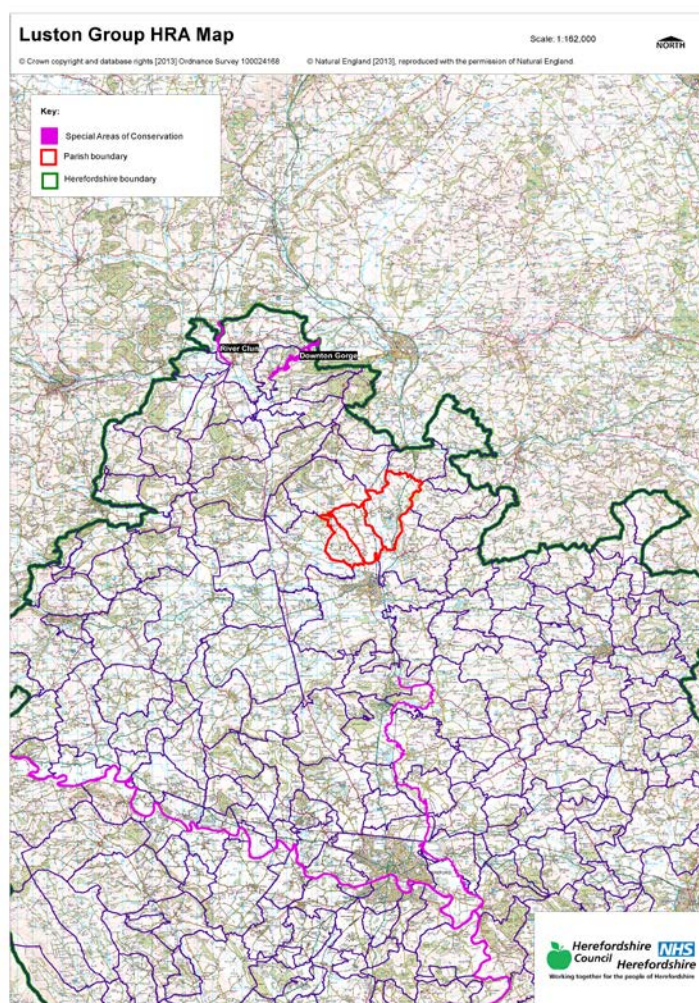
## HRA Screening Assessment

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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 Luston Group Parish Council is producing a Neighbourhood Development Plan for Luston Group 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 Luston Group Plan February 2015.
- 1.3 The NDP is criteria based and does not allocate any housing sites. 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 Luston Group 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, Luston Group 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 Luston Group 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 River Lugg part of the River Wye SAC is located within the parish of Luston and also Downton Gorge SAC is located within 10km to the north of the Parish therefore a full screening assessment is required.
- 4.2 For full details of the River Wye's and Downton Gorge's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Luston Group 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 Luston Group 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 (including the River Lugg) SAC and Downton Gorge SAC. Of the five options put forward the no NDP option was not considered viable for the Parish, therefore the first option of undertaking a NDP was taken forward and a steering group was set up in 2013. Two of the remaining three options proposed growth however they would both be within the proportional growth targets of the Core strategy and are therefore unlikely to have a significant impact on the SACs. The last option was to draw a settlement boundary around the larger village of Luston which would provide certainty as to where the development is to go during the plan period, this would still be within the proportional growth targets of the Core Strategy and therefore unlikely to have a significant impact on the SACs.
- 4.4 As Luston Group progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the River Wye SAC and Downton Gorge 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 Luston Group Neighbourhood Development Plan**

- 5.1 The Draft Luston Group 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 nine objectives of how this will be achieved. The objectives cover the following topics:
- Design, Natural and built environment
  - Housing
  - Traffic and Highways
  - Employment
  - Community facilities and infrastructure
- 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:
- General development principles

- Policy LG2: Design of development in Luston Group
- Policy LG3: Protecting and enhancing local landscape character and views
- Policy LG4: Flood Risk, water management and surface run-off
- Policy LG5: Dark Skies
- Policy LG6: Scale and type of new housing in Luston
- Policy LG7: Scale and type of new housing in Ashton, Eyton and Moreton
- Policy LG8: Traffic management and transport improvements
- Policy LG9: Sustainable transport measures
- Policy LG10: Supporting and enhancing existing small scale local employment
- Policy LG11: Protection of local green spaces
- Policy LG12: Protection of open spaces
- Policy LG13: Protection and enhancement of local community facilities
- Policy LG14: Community facilities and Community Infrastructure Levy

## **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 Luston Group 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 (including the River Lugg) 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 Luston Group NDP (February 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 Luston Group 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 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.

8.3 The plan is very much criteria based, and does not allocate sites for development.

8.4 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 Luston Group 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 Luston Group NDP will not have a likely significant effect on the River Wye SAC nor Downton Gorge SAC.

8.7 Any further amendments to policies (post February 2016) will be rescreened if required and an addendum to this report will be produced.

# Appendix 1



## **Luston Group options**

The GPC decided to have a NDP in 2013.

To have a settlement boundary around Luston

Allocating housing sites

Allow “organic growth” (i.e. infill etc.)

# Appendix 2

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

Parish Council Name: Luston Group

NDP Title: Luston Group NDP

Date undertaken: January 2016

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?)
<b>Options</b>					
Prepare NDP	NDP to provide certainty for the neighbourhood area.	Policies within the NDP will guide development for the Plan period.	River Wye (including the River Lugg) SAC  Downton Gorge SAC	Criteria based policies could include mitigation measures to protect against any significant effect on the SACs	No, as long as policies are in general conformity with the Local Plan (Core Strategy) and policy safeguards are written in then this should

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					avoid or mitigate any likely significant effects.
Do nothing	No NDP to determine planning applications.	Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	N/A	N/A	N/A
Define a Settlement Boundary for Luston	Small scale proportionate growth within a defined settlement boundary area.	Uncertain as to the impact on the European sites as dependant on the location of the development.	River Wye (including the River Lugg) SAC Downton Gorge SAC	Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur.  Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	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.
Allocate Housing Sites for development	Small scale proportionate growth on specific sites identified on a proposals map.	Greater degree of certainty over the impact of future development on the European sites, as the location of housing would be pre-determined and not left to market forces.	River Wye (including the River Lugg) SAC Downton Gorge SAC	Specific environmental issues could be investigated during the site search and be positively addressed within the policy wording.  Policy would need to	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

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				take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	significant effects. Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
Allow Organic Growth of housing	Small scale proportionate growth where the location would be determined by a criteria based policy.	Uncertain as to the impact on the European sites as dependant on the location of the development.	River Wye (including the River Lugg) SAC  Downton Gorge SAC	Criteria based housing policy would require to include reference to mitigation measures to avoid any non-disturbance effects on the River Wye via its catchment.  Policy would need to take account of the proportional growth requirements of the Core Strategy and potential headroom capacity at the local STW.	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.
<b>Objectives</b>					
1.To protect and preserve the size, form and character of the village and hamlets	Promoting measures to ensure the historic heritage and character of the Parish remains or is enhanced.	If objective is realised then the policies that deliver it could have a positive impact upon European sites.	N/A	N/A	No, the policies involved in delivering this objective would only have positive impacts upon the European sites if they are successfully

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					implemented.
2. To ensure that all future development is sustainable and does not increase risk of flooding	Encourage renewable energy schemes and promote energy efficient housing  Promote schemes to reduce the risk of flooding	N/A	River Wye (including the River Lugg) SAC  Downton Gorge SAC	There are additional policies in place within the Core strategy to ensure that schemes are not of a disproportionate scale.	No, the policies arising from this objective will seek to reduce the carbon footprint which will also help with air quality.
3. To protect open and green spaces	Promote and encourage the protection of the existing open and green spaces	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
4. To protect the local landscape and the setting of the village and hamlets	Promoting measures to ensure the historic, cultural and ecological heritage of the Parish remains or is enhanced.	If objective is realised then the policies that deliver it could have a positive impact upon European sites.	N/A	N/A	No, the policies involved in delivering this objective would only have positive impacts upon the European sites if they are successfully implemented.
5. To retain Luston village conservation status	Promoting measures to ensure the historic, heritage of the Parish remains or is enhanced.	If objective is realised then the policies that deliver it could have a positive impact upon European sites.	N/A	N/A	No, the policies involved in delivering this objective would only have positive impacts upon the European sites if they are successfully implemented.

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6. To ensure that new housing is provided of a size, type and tenure to accommodate local need	Proportional growth in line with Policy RA2 of the Local Plan (Core Strategy).	N/A	River Wye (including the River Lugg) SAC Downton Gorge SAC	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).
7. To reduce traffic problems and improve highway and pedestrian safety	Promote measures to slow traffic down through the village and improve highway safety and pedestrian access	Unlikely to have a likely significant effect on the SACs, due to minimal development and potential reduction of traffic through village which could decrease air pollution	N/A	N/A	No as the level of development is likely to only be small scale and should help with the overall aim of reducing traffic and thereby improving air pollution
8. To support home working and small businesses	Business development and encourage existing businesses to remain in the parish  Supporting home working will reduce traffic and therefore air pollution	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 (including the River Lugg) SAC Downton Gorge SAC	N/A	No, potential damage to the interests of species using the SAC would be significantly reduced by the criteria within various policies.
9. To protect and enhance community facilities	To protect and promote improvement of existing 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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<b>Policies</b>					
Policy LG1 General Development Principles	Encourages sustainable development and communities	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	N/A	No. The policy would itself not lead to development; instead it relates to criteria for encouraging sustainable development and sustainable communities.
Policy LG2 Design of development in Luston Group	N/A	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	This policy will help to mitigate the potential effects of any future development by encouraging sustainable design methods including reducing the carbon footprint of any development and protecting the identity and character of the area.	No. This policy will not lead to new development; rather it specifically aims to ensure that any development proposed will be sustainable. As such this policy could help to provide mitigation against the potential of other NDP policies.
Policy LG3 Protecting and enhancing local landscape character and views	N/A	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	This policy will help to mitigate the potential effects of any future development by encouraging sustainable construction methods and protecting the existing landscape.	No. This policy will not lead to new development; rather it specifically aims to ensure that any development proposed will protect the existing landscape, habitats and wildlife corridor. As such this policy could help to provide

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					mitigation against the potential of other NDP policies.
Policy LG4 Flood risk, water management and surface water run off	Seeks to reduce impacts of flooding within the parish	N/A	River Wye SAC	This policy should help to mitigate potential adverse effects of future development on designated areas by ensuring that development happens in sustainable non flood risk locations.	No, the policy itself will not lead to development, instead it relates to the criteria used for permitting development in suitable locations. The policy is aiming to reduce development in flood risk areas thus reducing the impact on the water environment.
Policy LG5 Dark Skies	Criteria to manage lighting associated with development	n/a	n/a	n/a	No; this is not a policy which would lead to development but one which would manage any lighting which accompanied the development.
Policy LG6 Scale and type of new housing in Luston	Housing development Increased vehicle traffic	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	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 remains within the requirements 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

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					demand for water abstraction and sewage treatment the Core Strategy has identified that there is sufficient headroom and capacity for the additional houses over the plan period.
Policy LG7 Scale and type of new housing in Ashton, Eyton and Moreton	Housing development Increased vehicle traffic	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	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 remains within the requirements 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 and capacity for the additional houses over the plan period.
Policy LG8 Traffic Management and transport improvements	Highway improvements	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; rather it aims to ensure improvements to traffic

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					and highways through the village.
Policy LG9 Sustainable transport measures	Sustainable transport improvements  Improving pedestrian and cycle routes	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; rather it aims to ensure improvements to sustainable transport through the village.
Policy LG10 Supporting and enhancing existing small scale local employment	Increase in home working  Small work premises  Reduced vehicle traffic  Retaining existing employment sites	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 due to reducing the extent to which people need to travel for work.	No. Although this policy encourages some development it is of small scale and encourages home working thereby reducing the need to travel in both instances. There are measures in other policies in the Plan that will help to mitigate against any negative impact the policy may have.
Policy LG11 Protection of local green spaces	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 spaces.
Policy LG12 Protection	n/a	n/a	n/a	n/a	No. This policy will not lead to new development; rather it

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of open spaces					specifically aims to protect existing open spaces.
Policy LG13 Protection and enhancement of local community facilities	Development of social and community facilities and infrastructure	No likely significant effect on the River Wye SAC or Downton Gorge SAC	N/A	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. It also relates to the criteria for the protection of existing community facility or any new community development, which ensures that mitigation methods are put in place for any adverse impacts that may arise.
Policy LG14 Community facilities and Community Infrastructure Levy	New infrastructure for footpath /cycleway development and improvements to road safety.	No 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 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 improvements to highway safety and footpaths/ cycleways.

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# Appendix 3

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**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)**

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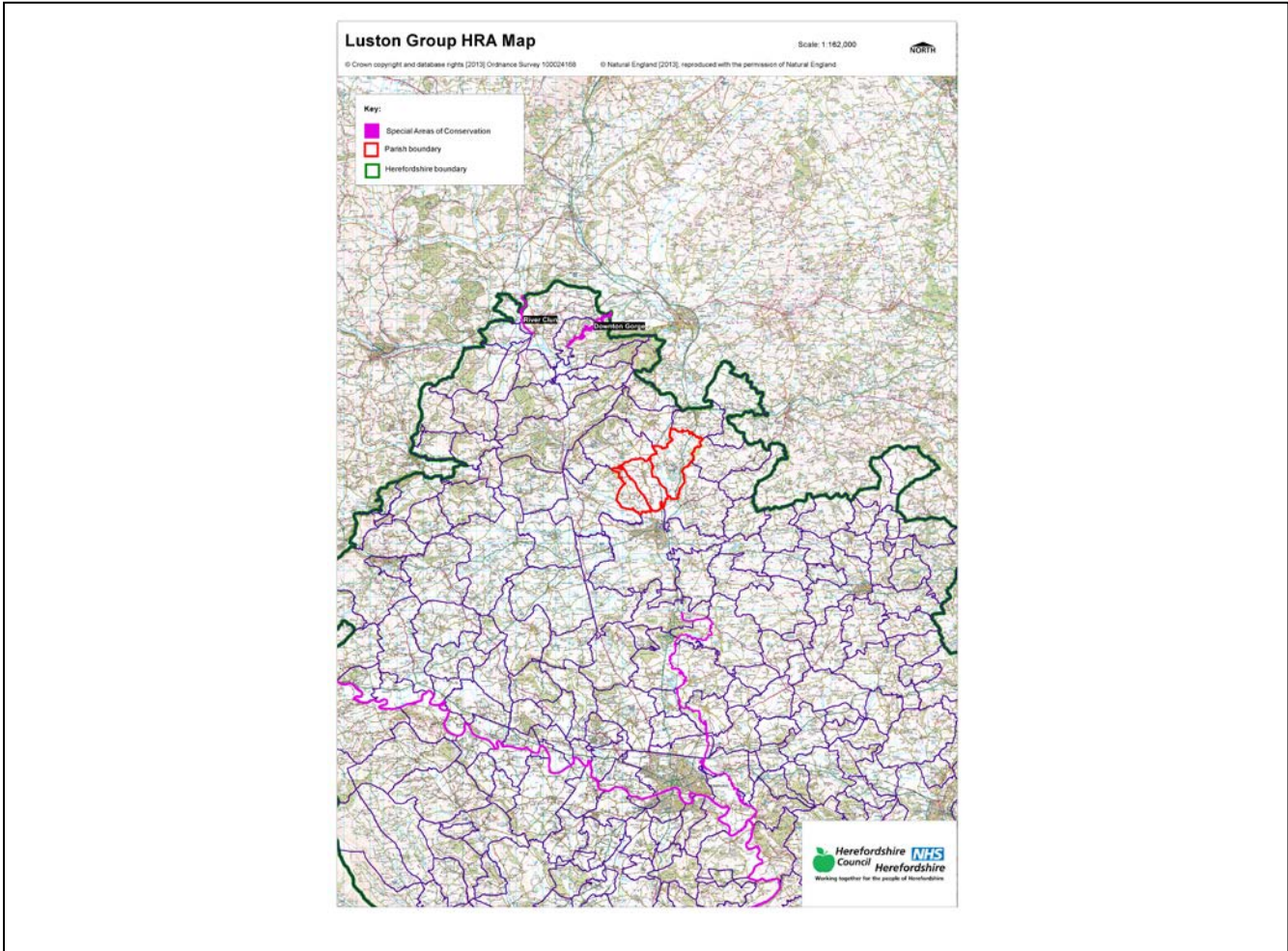
<b>Neighbourhood Area:</b>	Luston Group Neighbourhood Area
<b>Parish Council:</b>	Luston Group Parish Council
<b>Neighbourhood Area Designation Date:</b>	03/09/2013

### **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?	Y	The River Lugg (not part of the SAC) is within the Group Parish.
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Group 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 Luston & Yarpole

**Downton Gorge SAC:**

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	Y	Downton Gorge is 9.98km away from the Group Parish
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**River Clun SAC:**

Does the Neighbourhood Area include: Border Group Parish Council or Leintwardine Group Parish Council?	N	River Clun does not border the Group Parish
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**Usk Bat Sites SAC:**

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 52.4km away from the Group Parish
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**Wye Valley & Forest of Dean Bat Sites SAC:**

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	The Group Parish is 43.3km away from the Wye Valley and Forest of Dean Bat Sites
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**Wye Valley Woodlands SAC:**

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	N	The Group Parish is 46.6km away from the Wye Valley Woodlands
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**HRA Conclusion:**

The assessment above highlights that the following European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Luston Group 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 Luston Group 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.

<b>SEA features</b>	<b>Total</b>	<b>Explanation</b>	<b>SEA required</b>
Air Quality Management Areas	0	There are no AQMAs within the Group Parish	N
Ancient Woodland	9	Oaker Wood; Long Wood 1; Long Wood 2; Yells Wood; Nurton Wood (border); Park Wood; Bathurst Coppice; Tylers Vallet (border); Tars Wood (border)	Y
Areas of Archaeological Interest	0	There are no AAls within the Group Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONBs within the Group Parish	N
Conservation Areas	7	Luston village; Kingsland (border); Yarpole (border); Bircher (border); Orleton (border); Lucton (border); Leominster Bridge Street (border)	Y
Site of potential contamination	Numerous	There are numerous sites throughout the Group Parish	Y
European Sites	0	There are no SACs within the Group Parish	N
Flood Areas		Flood Zones 2 and 3 run along the River Lugg in the south of Eyton Parish. There are also Flood Zones running along the borders of Luston Parish and Eye, Moreton & Ashton Parish	Y
Geoparks	0	There are no Geoparks within the Group Parish	N
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Group Parish	Y
Local Nature Trails	1	Herefordshire Trail	Y
Local Sites (SWS/SINCS/RIGS)	13 (SWS)	Oaker Wood (2); Eyton Common; Fields east of Blackpole; Berrington Park; Long Wood and Stockton Ride; River Lugg; The Brooches and adjoining woodland; Land near Grove Farm (border); Brimfield Common (border); Land at Blakes bridge (border); Tylers Vallet (border); Tars Wood (border); Land at Eaton Hill (border)	Y
Long distance footpaths/trails (e.g. Herefordshire Trail)	1	Herefordshire Trail	Y
Mineral Reserves	0	There are no Minerals Reserves sites within the Group Parish	N
National Nature Reserve	0	There are no NNRs within the Group Parish	N
Registered & Unregistered	1 Registered	Registered: Berrington Hall	Y

parks and gardens	4 Unregistered	Unregistered: Eye Manor; Eyton Hall; Eyton Old Hall; Eaton hill (border)	
Scheduled Ancient Monuments	6	Earthworks south east of Lower Ashton Farm; Churchyard cross at St George's Churchyard (border); Dovecote at Stockton Bury (border); Leominster Priory (border); Forbury Chapel (border); Kingsland Castle (border)	Y
Sites of Special Scientific Interest	2	Berrington Pool (Favourable); River Lugg Meanders (Favourable)	Y

**Decision Notification:**

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

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

**Assessment date: 30/07/2013**

**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.

<b>Downton Gorge</b>
<b>Site Features:</b> <i>Tilio-Acerion</i> forests of slopes, screes and ravines
<b>Vulnerability data:</b> 10km for air quality associated with poultry units or other intensive agricultural practices.
<b>River Clun</b>
<b>Site Features:</b> Freshwater pearl mussel <i>Margaritifera margaritifera</i>
<b>Vulnerability data:</b> Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
<b>River Wye</b>
<b>Site Features:</b> Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. Transition mires and quaking bogs. White-clawed (or Atlantic Stream) crayfish <i>Austropotamobius pallipes</i> . Sea lamprey <i>Petromyzon marinus</i> . Brook lamprey <i>Lampetra planeri</i> . River lamprey <i>Lampetra fluviatilis</i> . Twaite shad <i>Alosa fallax</i> . Atlantic salmon <i>Salmo salar</i> . Bullhead <i>Cottus gobio</i> . Otter <i>Lutra lutra</i> . Allis shad <i>Alosa alosa</i>
<b>Vulnerability data:</b> Proximity: Developments should not be within 100m of the designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing site allocations. Water Quality: Within the whole catchment of the River Wye, which includes the River Lugg, mains drainage issues with regards to water quality are being resolved through the Core Strategy / Local Plan and development of a Nutrient Management Plan. Welsh Water should be consulted to ensure that the proposed growth will be within the limit of their consents. Otters: "An otter will occupy a 'home range', which on fresh waters usually includes a stretch of river as well as associated tributary streams, ditches, ponds, lakes and woodland. The size of a home range depends largely on the availability of food and shelter, and the presence of neighbouring otters. On rivers, a male's home range may be up to 40km or more of watercourse and associated areas; females have smaller ranges (roughly half the size) and favour quieter locations for breeding, such as tributary streams. Otters without an established home range are known as 'transients'. They are mostly juveniles looking for a territory of their own, or adults that have been pushed out of their territories. Transient otters may use an area for a short while, but they will move on if conditions are not suitable or if they are driven away by resident otters. Transients will have been important in extending the range of otters, but they are very difficult to identify from field signs. Within a home range an otter may use many resting sites. These include above-ground shelters, such as stands of scrub or areas of rank grass, and underground 'holts' – for example, cavities under tree roots and dry drainage pipes." (Source: EA website: <a href="http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf">http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf</a> 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

