

Habitats Regulations Assessment

Final Report for:

Hope under Dinmore Group Neighbourhood Area
July 2018



Hope under Dinmore Neighbourhood Plan HRA

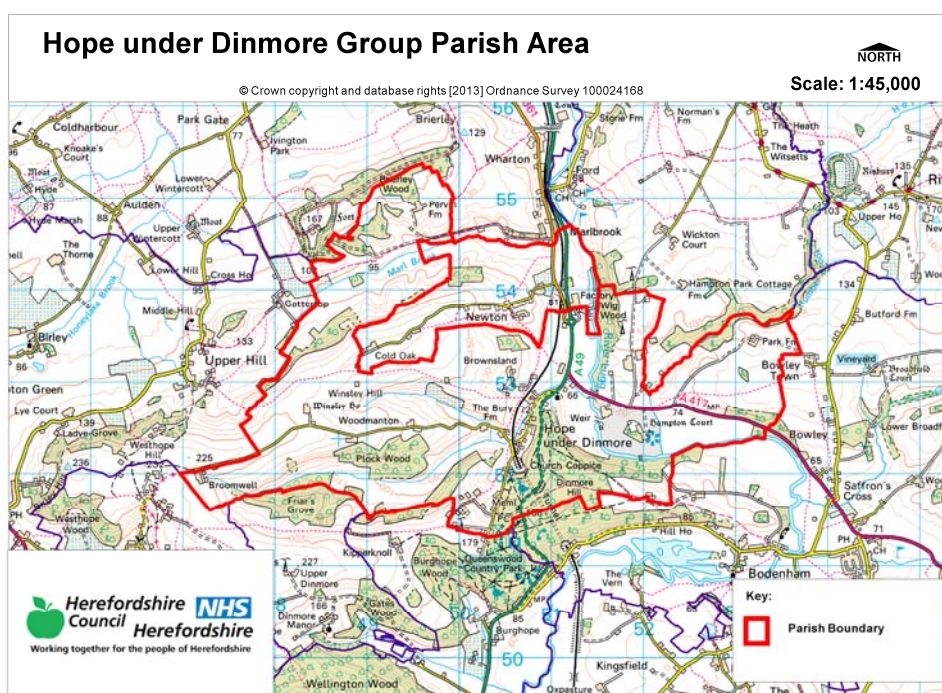
HRA Screening Assessment

Contents

- 1 Introduction**
Map of the Neighbourhood Area with European sites shown
- 2 The requirement to undertake Habitats Regulations Assessment of Neighbourhood Plans – Legislative background**
- 3 Methodology - HRA Stages**
- 4 Results of the Initial Scoping Report and qualifying features of European sites**
- 5 Description of the Hope under Dinmore Neighbourhood Plan**
- 6 Screening Assessments of the NDP at Reg14, Reg16, 2nd Reg16**
- 7 Assessment of the ‘likely significant effects’ of the final Hope under Dinmore NDP policies**
Table 1 - Colour coding key for Matrix
- 8 Conclusions from the Screening Matrix and if any ‘likely significant effects’**
- 9 Identification of other plans and projects which may have ‘in-combination’ effects**
- 10 Conclusion**
- 11 Next steps**
Appendix 1 – Initial Screening Report (October 2014)
Appendix 2 – List of options assessed
Appendix 3 – Full Screening matrix of final policies
Appendix 4 – Feedback on Habitat Regulation Assessment Report consultation (April 2016)
Appendix 5 – Feedback on Habitat Regulation Assessment Report consultation (October 2017)
Appendix 6 – Feedback on the Habitat Regulation Assessment Report consultation (July 2018)

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 final Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Hope under Dinmore Parish Council has produced a Neighbourhood Development Plan for Hope under Dinmore 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 final Hope under Dinmore Plan (July 2018).
- 1.3 The NDP is criteria based and does not allocate sites, however does designated a settlement boundary for Hope under Dinmore settlement. It provides general criteria policies that clarify and given more detail to those within the Herefordshire Core Strategy.
- 1.4 This requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Core Strategy. It should be read in combination with the Core Strategy Habitat Regulations Assessment Report and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.5 The map below shows Hope under Dinmore Neighbourhood Area to which this assessment related.



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, Hope under Dinmore Parish Council is required by law to carry out an assessment known as "Habitats

Regulations Assessment". It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.

- 2.2 Article 6(3) of the EU Habitats Directive provides that:
Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive 'on the conservation of wild birds' (79/409/EEC; 'Birds Directive') for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
 - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.
- 2.5 Herefordshire Council is aware of the recent judgement (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage. The initial screening undertaken in October 2014 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The purpose of this final HRA Report is to detail the findings of the screening of proposed changes to policies and consider if they significantly affect the conclusions of the earlier HRA Report (October 2015, April 2016, October 2017 and May 2018) and reviewed in terms of the implications of *Sweetman*.

3 Methodology

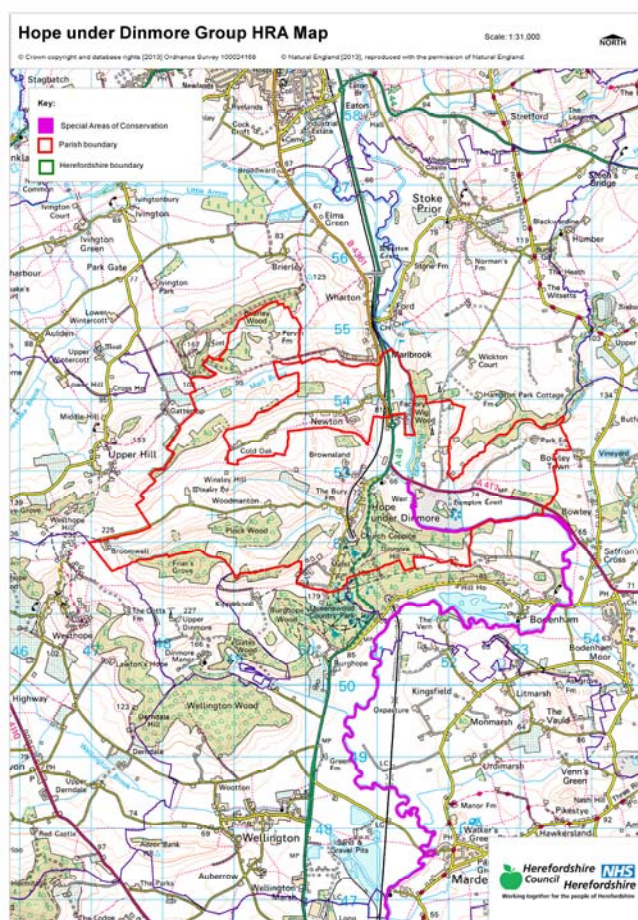
- 3.1 Although the Hope under Dinmore NDP is not directly regarding the management of any European sites, it does include proposals for development which may affect European sites. Therefore, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely 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. 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 addressed.

4 Results of the Initial Screening Report and qualifying features of the European Sites

- 4.1 The initial Screening report (October 2015) found that a small section of the River Wye (including the River Lugg) SAC borders the parish to the west. Figure 2 below highlights the location of River Wye SAC in relation to the neighbourhood area.



- 4.2 There is also a duty under the Water Framework Directive to ensure that proposals for growth do not adversely affect the river water quality and this included the associated watercourses flowing into the rivers.

Site integrity of the River Wye (including the River Lugg) SAC

- 4.3 The issues associated with maintaining the sites integrity include water levels and flow, water quality, eutrophication (nitrogen enrichment), sedimentation, disturbance and species maintenance.
- 4.4 The River Wye SAC can be sensitive to changes in water quantity and quality. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, the water supply in this area comes from Dwr Cymru Welsh Water (DCWW) and no likely significant effects on European sites as a result of changes in water quality are expected in relation to the proportional growth outlined with the Herefordshire Core Strategy.
- 4.5 In relation to water quality, Policy SD4 of the Herefordshire Core Strategy indicates that any development should not undermine the achievement of water quality targets within the county's rivers. This should ensure that developments within the area can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC. This position is confirmed within the HRA of the Core Strategy in April 2015.
- 4.6 The addition of the Nutrient Management Plan for the River Wye SAC will support this policy. No issues have been raised regarding the capacity of the Sewerage treatment works (STW) or any require further works to increase capacity in order to accommodate the specific growth required within the Hope under Dinmore Neighbourhood Plan.
- 4.7 For full details of the River Wye's attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Hope under Dinmore Initial Screening Report. The Initial Screening Report, October 2014, can be found in Appendix 1 of this HRA report.
- 4.8 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 Hope under Dinmore Neighbourhood Plan may affect site integrity.
- 4.9 The initial screening assessment indicated that a full screening assessment is required to assessment the likelihood of significant effects on the River Wye (including the River Lugg) SAC of the policies within the Hope under Dinmore NDP.

5 Description of the Hope under Dinmore Neighbourhood Development Plan

- 5.1 The final Hope under Dinmore NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The Plan begins by introducing its preparation and highlighting its issues.
- 5.2 The NDP then details the vision for the Group Parish over the Plan period and five objectives of how this will be achieved. The objectives cover the following topics:
- Social and community
 - Environment and heritage
 - Economy and employment
- 5.3 The initial options for the NDP were assessed to determine their environmental impact that could affect the River Wye SAC. Overall the majority of the options proposing any growth appear to depend on location and scale in relation to

environmental impact. However the majority of options listed are all on a small scale and are unlikely to have a significant impact on the SAC. Option 2c could have an impact due to the scale and size but will be dependent upon location, however a larger housing site could bring more potential mitigation in terms of flooding and protection to the environment.

The eight options were;

Option 1 – Plan production

- Prepare a neighbourhood plan
- Do nothing

Option 2 – Size of housing development

- Individual new homes within areas of existing dwellings
- Smaller developments of 3-5 houses in more than one place
- Single development of 10-15 houses

Option 3 – Village boundary

- Use a settlement boundary to manage development
- Do not use a settlement boundary

Option 4 – Housing delivery

- Allocate sites for housing
- Deliver housing through managed windfall with no allocations

Option 5 – Type of village boundary

- Restrictive boundary
- Permissive boundary

Option 6 – Employment development

- Allocate land for employment
- Not to allocate land for employment

Option 7 – Renewable Energy

- Wind turbines
- Solar power
- Ground heat pumps
- Biomass

Option 8 – Leisure and recreational facilities

- Make provision for recreational open space
- Make provision for a children's' play area

All of which indicated towards growth however all the options would be seeking to provide proportional growth in line with the Core strategy and are therefore unlikely to have a significant impact on the SAC

5.4 As the Hope under Dinmore Neighbourhood Plan progressed from options to draft NDP policies, the Plan needed to identify ways in which the least effect on the River Wye SAC could be achieved, alongside taking forward the preferred option from the consultation from the community. A list of the options assessed can be found in previous HRA assessments, and the Assessment matrix for the options can be found HRA October 2015 version.

5.5 The NDP also sets out 11 general policies on various topics based on the objective headings above and also for group parish, these include:

Policy HUD1	Housing Strategy
Policy HUD2	Settlement boundary

Policy HUD3	Criteria for new housing development
Policy HUD4	Flood Risk
Policy HUD5	Community Facilities
Policy HUD6	Landscape Character
Policy HUD7	Biodiversity
Policy HUD8	Heritage Assets
Policy HUD 9	Renewable Energy
Policy HUD10	Employment Development
Policy HUD 11	Communications infrastructure

6.0 Assessments undertaken to date of the emerging Hope under Dinmore NDP policies

- 6.1 Regulation 102 of the Habitats Regulations 2010 requires that a Screening Assessment be undertaken, in order to identify the 'likely significant effects' of an NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies within the Hope under Dinmore NDP would be likely to have a significant effect on the River Wye SAC. This has been repeated at each statutory stage of the NDP consultation process.
- 6.2 The findings of those screening matrix can be found within the previous versions of the HRA report and its addendum. This final report aims to bring together these assessments and review in light of the final examination modifications and the implications of the *Sweetman* case.

Screening of the draft plan (Reg14)

- 6.3 The screening matrix took the approach of screening each policy and objective individually, which is consistent with current guidance. The results from the HRA reports for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 6.4 None of the Hope under Dinmore NDP objectives and policies (October 2015) were concluded to be likely to have a significant effect on the European site. Although the River Wye SAC borders a small part of the parish, no areas targeted for growth are in close proximity to the river itself. Core Strategy policy SD3 and SD4 together with the Nutrient Management Plan will ensure that development can only occur if these policy requirements are met.
- 6.5 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development and the SAC itself is not within the parish. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 6.6 It is unlikely that the Hope under Dinmore 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
- 6.7 Therefore it was concluded that the **Reg14 Hope under Dinmore NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC.**

Screening of modifications to NDP (Reg16)

- 6.8 The Submission NDP (April 2016) incorporated suggestions made by consultees during the Regulation 14 Draft Plan consultation, by adding clarity and emphasis throughout the document. There was only been one addition to the criteria in policy HUD3, which is protecting the residential amenity on new developments, this criterion

is unlikely to have an adverse impact upon the River Wye (including the River Lugg) SAC.

- 6.9 Policies HUD1, HUD2 and HUD8 were also had amendments made to the sentence construction to aid clarity and therefore were not considered to have changed in meaning and alter the aims and objectives of the policy for the purposes of the HRA.
- 6.10 The revised NDP policies are therefore unlikely to result in significant effects on the European site.

Screening following 1st examination (November 2016) and resubmission (October 2017)

- 6.11 An independent examination of the Hope under Dinmore NDP was undertaken in September / November 2016. The Examiner's report suggested a number of modifications to policies which included the removal of a local green space and some wording amendments to other policies.
- 6.12 The parish council decided to withdrawn their plan in November 2016 in order to review the examiner's modifications as they considered some not to be compatible with the community aspirations practically relating to the removal of the local green space.
- 6.13 An additional consultation was undertaken in June/July 2017 regarding the local green space and amendments to the settlement boundary.
- 6.14 The following policies have been amended and therefore rescreened. The rescreening did not alter the original conclusions from the previous HRA reports.
- HUD1
 - HUD3
 - HUD3
 - HUD5
 - HUD6
 - HUD8
 - HUD9 (new policy)
 - HUD10 (was HUD9)
 - HUD 11 (was HUD10)
 - HUD 12 (was HUD11)
- 6.15 The resubmission NDP policies were assessed as unlikely to result in significant effects on the European site.

7 Assessment of the 'likely significant effects' of the final Hope under Dinmore NDP (May 2018) - Rescreening following 2nd examination (April 2018) and implications of *Sweetman* case

- 7.1 The final NDP incorporates the modifications that the second examiner has recommended within the examiner's report. These changes are to ensure that the plan meets the Basic Conditions.
- 7.2 The second examiner's report suggested only one modification; to delete policy HUD7 and the local green space allocation from the policies map. The
- 7.3 In light of the *Sweetman* case all policies have been reviewed to ensure compliance with the ruling. The finding can be found in appendix 3.

- 7.4 The findings of the screening matrix can be found in the Screening Matrix in the appendix. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

Red	There are likely to be significant effects
Green	Significant effects are unlikely

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

8 Conclusions from the Screening Matrix

- 8.1 None of the final Hope under Dinmore Neighbourhood Plan (July 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 8.2 Policy HUD3 has been included within the Hope under Dinmore NDP together with sufficient policy criteria within Core Strategy policy SD3 and SD4 to ensure that development can only occur if these criteria are met.
- 8.3 The Hope under Dinmore NDP is primarily a criteria based plan and therefore the policies themselves would not result in development. In a number of cases the policies also included criteria to support the natural environment (HUD3, HUD7), including biodiversity and therefore no significant effect conclusion could be reached.
- 8.4 There are no allocated sites for development but a settlement boundary exists for the settlement of Hope under Dinmore. Due to the location of these potential sites, i.e. not directly on the river banks and at the scale of growth that is required by the Herefordshire Core Strategy, these would not have an appreciable effect on the River Wye SAC, i.e. that they were not likely to be significant.
- 8.4 No capacity issues within the Sewerage Treatment works serving the Hope under Dinmore area have been highlighted by the water company to continue to treat the water from the amount of housing provided for in the Core Strategy policies. Policy SD4 of the Core Strategy indicate that development would not permitted if wastewater treatment and water quality cannot be assured
- 8.5 In addition, 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.
- 8.6 No mitigation measures have been included within the screening of the policies of the NDP. Policies of the Core Strategy and the NDP will form part of the development plans. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 8.6 This review and rescreening in addition to the revisions to the policies from the examination, have been found to be unlikely to result in significant effects on the River Wye SAC. ***It is therefore concluded that the Hope under Dinmore Plan will not have a likely significant effect on the River Wye SAC.***

9 Identification of other plans and projects which may have 'in-combination' effects

- 1.1 There are a number of potentially relevant plans and projects which may result in in-combination effects with the Core Strategy across Herefordshire, these plans have

been reviewed and can be found in Appendix 2 of the publication of the Herefordshire Local Plan Core Strategy Habitats Regulations Assessment (Oct 2015).

- 1.2 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy.
- 1.3 Adjacent neighbourhood plans include Humber, Ford and Stoke Prior; Pyons Group and Wellington have all been adopted; Bodenham is awaiting adoption; Leominster has reached examination. These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 9.4 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.
- 9.5 It is unlikely that the Hope under Dinmore 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 Golden Housing Market Area in the Herefordshire Core Strategy.

10.0 Conclusion

- 10.1 With reference to sections 6 to 9 above, the modifications to the NDP are not considered to affect the findings of the previous HRA report. Equally the review in light of the *Sweetman* case are also not considered to affect the previous findings.
- 10.2 Therefore the earlier conclusions that the **Hope under Dinmore NDP will not have a likely significant effect on the River Wye SAC** remains valid.

11.0 Next steps

- 11.1 This final Report will be published alongside the final Hope under Dinmore NDP and the earlier HRA Report and its addendum. This will be subject to a consultation with the statutory bodies prior to the final adoption/making of the Hope under Dinmore NDP.

Appendix 1

**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)

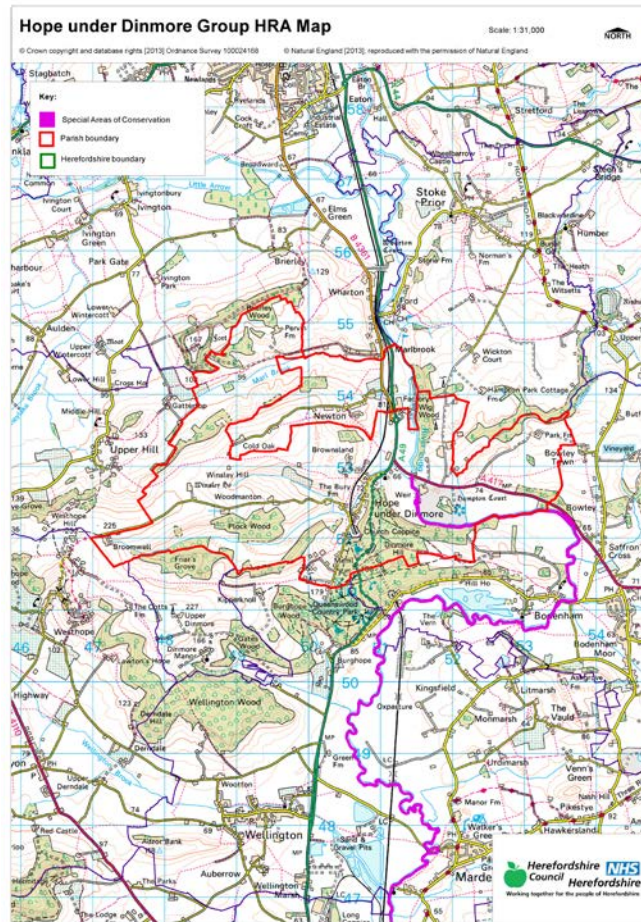
Neighbourhood Area:	Hope under Dinmore Group Neighbourhood Area
Parish Council:	Hope under Dinmore Group Parish Council
Neighbourhood Area Designation Date:	29/08/2013

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?	Y	The River Lugg 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?	N	There is no mains drainage at Hope under Dinmore

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 18.8km 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 45.3km 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 34.6km away from 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 37.6km 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 Hope under Dinmore 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

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

The following environmental features are within or in general proximity to the Hope under Dinmore 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.

SEA features	Total	Explanation	SEA required
Air Quality Management Areas	0	There are no AQMA's within the Group Parish	N
Ancient Woodland	10	Friars Grove (border); Old Nash Coppice; Plock Wood; Dinmore Hill Wood; The Rookery (border); Hill Hole Dingle; Lower Mile's Rough; Titterstone Plantation; Marl Brook Wood; Draycott Wood	Y
Areas of Archaeological Interest	0	There are no AAI's within the Group Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONB's within the Group Parish	N
Conservation Areas	0	There are no Conservation Areas within the Group Parish	N
European Sites	1	River Lugg	Y
Flood Areas		There are Flood Zones 2 and 3 around the River Lugg and Marl Brook	Y
Listed Buildings	Numerous	There are numerous Listed Buildings within the Group Parish	Y
Local Sites (SWS/SINCs/RIGS)	11 (SWS)	Titterstone Plantation, Woodfield and Lime Kiln Copse; Woodland near Hope under Dinmore; Westhope Hill and surrounding woodlands; Land at Oxpasture; Land at Plock Wood; Dinmore Hill and adjoining Woodland; Land adjacent to Church Hill Coppice; Field near Bury of Hope; Lower Mile's Rough; Wig Wood, Lewis' Plantation and Kennel Gorse; Hill Hole Dingle (3)	Y
Long distance footpaths/trails	0	There are no long distance footpaths/trails within the Group Parish	N
Mineral Reserves	1	Area around Wellington constrained by 200m zone and area to north of Wellington outside 200m zone	Y
National Nature Reserve	0	There are no NNR's within the Group Parish	N
Registered & Unregistered parks and gardens	1 Unregistered	Hampton Court	Y
Scheduled Ancient Monuments	1	Ivington Camp multivallate hill fort (border)	Y
Sites of Special Scientific Interest	4	The Bury Farm (Favourable); Dinmore Hill Wood (Favourable (part) Unfavourable Recovering (part)); River Lugg (Unfavourable Recovering); Hill	Y

Decision Notification:

The initial screening highlights that the Neighbourhood Development Plan for the Hope under Dinmore Group Neighbourhood Area:

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

Assessment date: 25/07/2013

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.

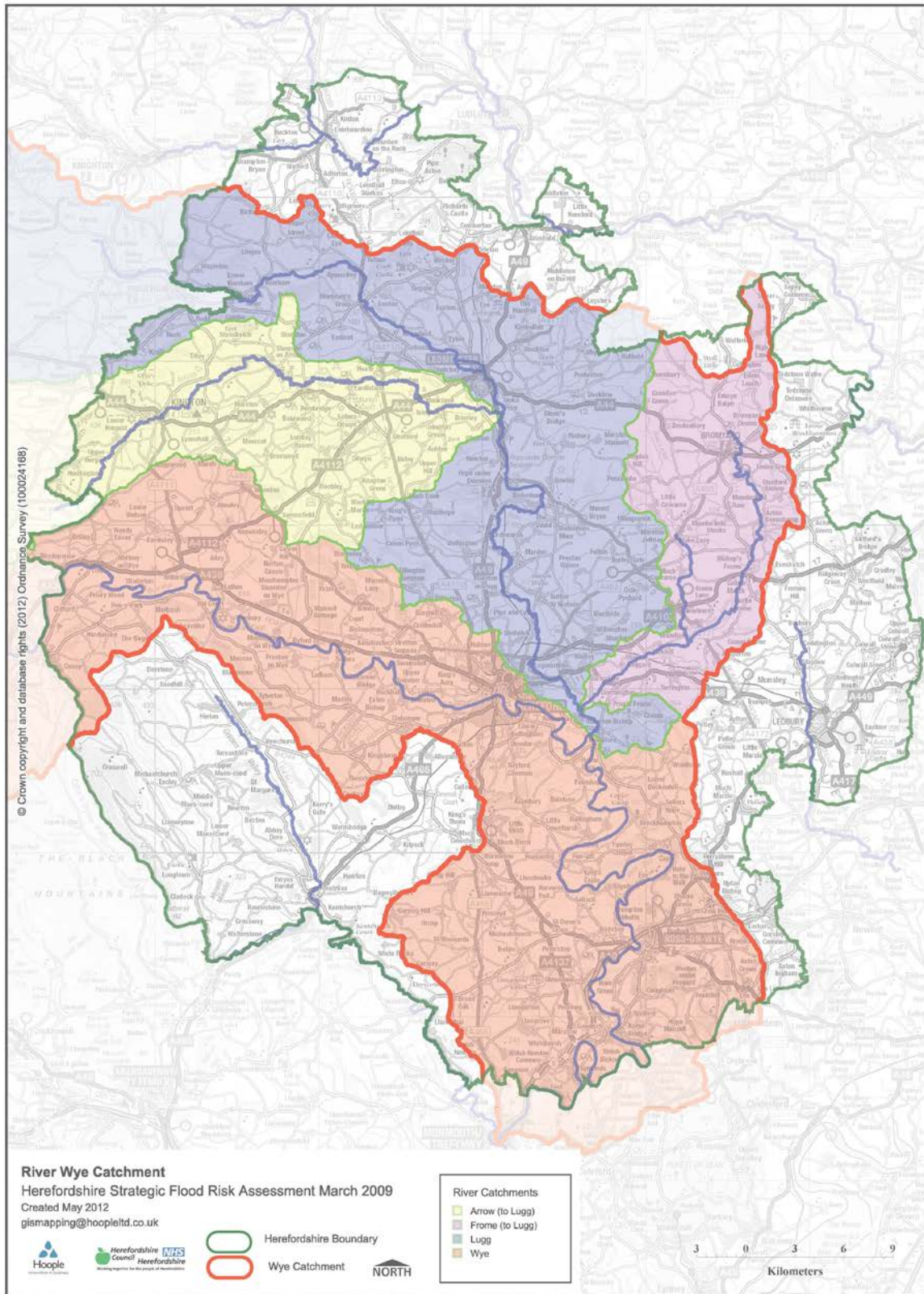
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation. 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



Appendix 2

Hope-under-Dinmore NDP • Note on options considered in formulating the draft Plan

Option area	Options considered	Evidence	Conclusion	Plan ref.
1: NDP preparation	A. Prepare a NDP. B. Do nothing.	Parish Council minutes.	The view of the Parish Council was that the opportunity to prepare an element of the statutory development plan for the area should be taken, to help deliver greater local control over development and enhance ability to address local flooding and environmental protection concerns. Selected option: 1A.	1.2
2: Size of housing developments	A. Individual new homes within areas of existing dwellings. B. Smaller developments of 3-5 houses in more than one place. C. Single development of 10-15 houses.	Survey Q3.	Evidence shows single dwellings and smaller developments are favoured. Smaller schemes are considered to better support local character and distinctiveness. Selected options: 2A and 2B.	Policy HUD3
3: Village boundary	A. Use a settlement boundary to manage development at Hope-under-Dinmore. B. Do not use a settlement boundary to manage village development.	Survey Q7, Core Strategy Modification MM038.	Evidence and strategic policy strongly favour definition of a settlement boundary for the village. Selected option: 3A.	Policy HUD2
4: Housing delivery	A. Allocating land for housing, as part of overall approach to managing delivery. B. Deliver housing through managed windfall development, with no site allocation.	Survey Q3, Q4, Housing Site Assessment	The outcome of the Housing Site Assessment was that no sites could be demonstrated to be suitable for allocation in the Plan. Selected option: 4B.	Policy HUD1

Option area	Options considered	Evidence	Conclusion	Plan ref.
5: Type of village boundary	<p>A. Restrictive boundary, limiting development to that identified in the Plan.</p> <p>B. Permissive boundary, including areas of open land for possible later development.</p>	Survey Q8, Housing Site Assessment, SEA Scoping Report.	<p>A mixed survey response to these options has been assessed in the light of the HSA and the SEA scoping reports. The proposed settlement boundary reflects these evidence-based environmental and other constraints, notably access and severance, biodiversity and flooding.</p> <p>Selected option: refined option to define a boundary taking into account evidence-based constraints.</p>	Policy HUD2
6: Employment development	<p>A. Allocating land for employment, as part of the overall approach to economic development.</p> <p>B. Not to allocate land for employment development.</p>	Survey Q11 and Q12, Local Plan Core Strategy policy RA6 and E1.	<p>The survey showed limited support for new light industry or manufacturing within the Plan, or for new land allocations. Strategic policy directs such growth to larger centres, such as nearby Leominster Enterprise Park. Policy HUD10 supports small-scale employment development through building conversion and home working, and protects existing employment sites.</p> <p>Selected option: 6B.</p>	Policy HUD10.
7: Renewable energy	<p>To encourage the following ways of producing local renewable energy:</p> <p>A. Wind turbines.</p> <p>B. Solar power.</p> <p>C. Ground heat pumps.</p> <p>D. Biomass units.</p>	Survey Q18.	<p>Survey responses did not favour wind turbines. On this basis, and taking account of environmental constraints, the Plan does not identify sites/areas as suitable for wind energy development. The Plan includes a balanced policy supporting local renewable energy whilst taking heed of associated impacts.</p> <p>Selected options: 7B, 7C and 7D.</p>	Policy HUD9.
8: Leisure and recreational facilities	<p>A. Make provision for recreational open space.</p> <p>B. Make provision for a children's play area.</p>	Survey Q21.	<p>Survey support for both options was equivocal. Given this and uncertainties about the arrangements for site provision, funding and ongoing maintenance, particularly given the relatively low levels of residential development likely to be taking place within the Plan area, neither option is included in the draft Plan. Over the Plan period, land identified as local green space may, subject to access and funding, offer potential opportunity for recreational uses.</p>	Policy HUD7

Appendix 3

HRA - Hope under Dinmore NDP

HRA Screening of the final Hope under Dinmore Neighbourhood Development Plan policies.

Date undertaken - July 2018

NDP policies	HRA Screening of NDP policies				
	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?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment
Policy HUD1 : Housing Strategy	Housing development Increased vehicle traffic Increased demand for water abstraction and sewage treatment	No significant effect upon the River Wye. Much of the proportional growth development was committed via planning permission in April 2017.	River Wye (including the River Lugg) SAC	No	No. This policy highlights the number of houses to be developed within the village over the Plan period. This figure remains within the figure set out in the Core Strategy RA2 policy and therefore is not over and above the proposed. Much of the development was committed via planning permission in April 2017.
Policy HUD2 : Settlement Boundary	Highlights the boundary for the village core of where development	No significant effect upon the River Wye. The development	River Wye (including the River Lugg) SAC	No	No. The policy would itself not lead to development; instead it relates to criteria for

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Date undertaken - July 2018

	would be acceptable	boundary is relatively tight, therefore limited development is able to take place.			where the village core is and therefore where development is demonstrated as acceptable.
Policy HUD3: Criteria for new housing development	Housing development Increased vehicle traffic Increased demand for water abstraction and sewage treatment The submission version has added criterion regarding residential amenity	No significant effect on the River Wye (including the River Lugg) SAC.	River Wye (including the River Lugg) SAC	No	No. This policy is unlikely to lead to development, instead it relates to criteria for development. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Policy HUD5: Community facilities	Development of social and community facilities and infrastructure	No likely significant effect on the River Wye SAC	n/a	No.	No. This policy will not itself lead to development, instead it relates to the criteria for the protection of existing community facility or any new community development.
Policy HUD6: Landscape Character	n/a	n/a	n/a	No	No. This policy will not lead to new development; rather it specifically aims to

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					ensure that any development proposed will conserve, restore and enhance landscape character.
Policy HUD7: Biodiversity	n/a	n/a	n/a	No	No. This policy will not lead to new development; rather it specifically aims to ensure that any development proposed will conserve, restore and enhance biodiversity and geodiversity.
Policy HUD8: Heritage assets	n/a	n/a	n/a	No	No. This policy will not lead to new development; rather it specifically aims to ensure that any development proposed will conserve, restore and enhance heritage assets
Policy HUD9: Renewable energy	Development of renewable energy infrastructure	No significant effect on the River Wye (including the River Lugg) SAC	N/A	No	No, although this policy could result in the development of renewable energy infrastructure, it is likely to be small

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HRA - Hope under Dinmore NDP

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Date undertaken - July 2018

					scale. The implementation of Core Strategy policy SD4, LD2 and SD1 to grant planning permission will ensure water quality issues are addressed.
Policy HUD10: Employment Development	Increase in home working Small work premises Reduced vehicle traffic Retaining existing employment sites	No significant effect on the River Wye (including the River Lugg) SAC.	n/a	No	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.
Policy HUD11: Communications infrastructure	New infrastructure for Broadband development	No significant effect on the River Wye (including the River Lugg) SAC.	N/A	No	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

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HRA - Hope under Dinmore NDP

HRA Screening of the final Hope under Dinmore Neighbourhood Development Plan policies.

Date undertaken - July 2018

					working, thereby reducing the need vehicle traffic travelling across the County.
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Appendix 4

HRA Consultation Feedback

This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan

Parish Council Name: Hope-under-Dinmore

Consultation title: Hope-under-Dinmore Regulation 14 Draft Plan consultation

Response Date	Consultee	Summary of Comments
29/01/2016	Natural England	Natural England notes and agrees with the HRA screening conclusion i.e. that as the draft neighbourhood plan conforms with the adopted local plan for Herefordshire and does not allocate sites no significant effects are likely to arise.

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Appendix 5

Consultation date: 1 June to 13 July 2016

Consultation title: Hope under Dinmore Neighbourhood Plan Regulation 16

*N.B. This consultation feedback is **only** for comments received on the HRA of the draft Neighbourhood Development Plan*

Consultee	Summary of Comments
Natural England	No comments received
English Heritage / Heritage England	No comments received
Environment Agency	No comments received to HRA
Natural Resources Wales	No comments received

Appendix 6

Consultation date:

Consultation title: Hope under Dinmore Neighbourhood Plan Re-Submission Regulation 16

*N.B. This consultation feedback is **only** for comments received on the HRA of the draft Neighbourhood Development Plan*

Consultee	Summary of Comments
Natural England	No comments received to HRA
English Heritage / Heritage England	No comments received to HRA
Environment Agency	No comments received to HRA
Natural Resources Wales	No comments received