

Habitats Regulations Assessment

Final Report for:

How Caple, Sollars Hope & Yatton Neighbourhood Area

August 2018



How Caple Sollers Hope and Yatton Neighbourhood Plan HRA

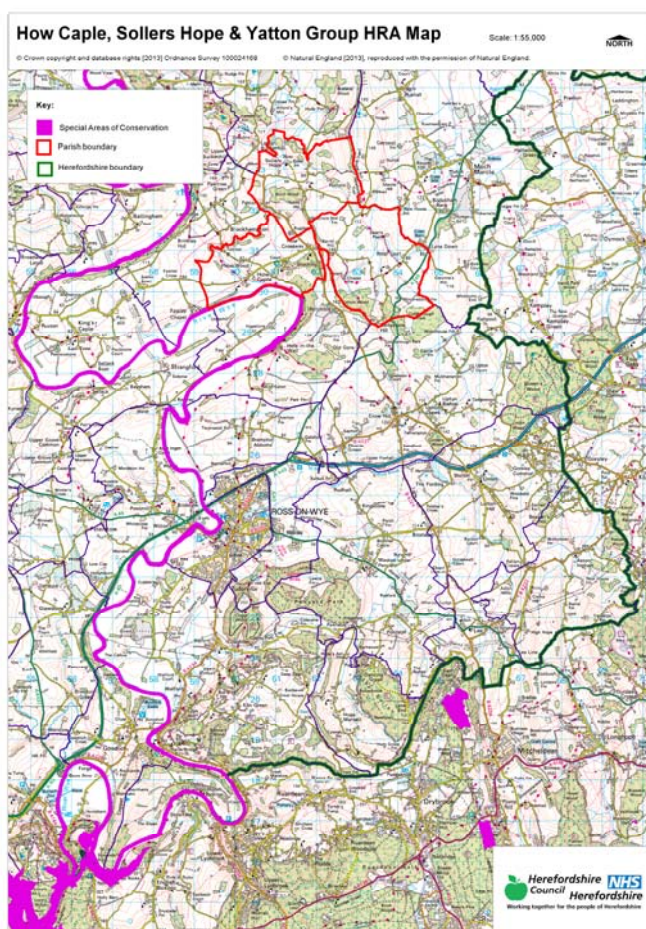
HRA Screening Assessment

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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 final Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 How Caple Sollers Hope and Yatton Group Parish Council has produced a Neighbourhood Development Plan for How Caple Sollers Hope and Yatton Group of parishes, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the final How Caple Sollers Hope and Yatton Plan (HCSHY) (August 2018).
- 1.3 The NDP is criteria based and does not allocate sites or designated any settlement boundaries within the How Caple Sollers Hope and Yatton Group of 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 How Caple Sollers Hope and Yatton Group 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, How Caple Sollers Hope and Yatton 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.
- 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 August 2013 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 (July 2017 and December 2017) and reviewed in terms of the implications of *Sweetman*.

3 Methodology

- 3.1 Although the How Caple Sollers Hope and Yatton NDP are 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 (August 2013) found that the River Wye (including the River Lugg) SAC borders along the south west of the group parish. Wye Valley and Forest of Dean Bat sites SAC is several km south of the group parish. Figure 2 below highlights the location of the River Wye SAC and Wye Valley and Forest of Dean Bat sites SAC in relation to the neighbourhood area.



- 4.2 There is 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. There is also a duty under the EU Habitats Directive to ensure that proposals for growth do not adversely affect habitats and biodiversity. This directives promotes to maintain, restore and enhance natural habitats and wild species within the protected sites.

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. DCWW have commented at regulation 14 the only wastewater treatment works (WwTW) in the group area is in How Caple Crossways (WwTW), this small facility and unlikely to accommodate further fowl flows. However as How Caple, Sollers Hope and Yatton expect limited housing growth within the plan period. If connection to the How Caple Crossways WwTW is not feasible, then the provisions of Policy SD 4 of the Herefordshire Core Strategy will need to be adhered to with regard to private foul drainage (e.g. septic tanks).
- 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 How Caple Sollers Hope and Yatton Initial Screening Report. The Initial Screening Report, August 2013, 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 How Caple Sollers Hope and Yatton 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 How Caple Sollers Hope and Yatton NDP.

Wye Valley and Forest of Dean Bat Sites SAC

- 4.10 The Greater Horseshoe Bat and Lesser Horseshoe bat feature within the Wye Valley and Forest of Dean Bat Sites. The Greater Horseshoe Bat are known to migrate between 20-30km between their summer and winter roosts whereas the Lesser Horseshoe migrate 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance, noise and vibration, light pollution and habitat lost. NDPs sites within 10 km of the Wye Valley and Forest of Dean Bat Sites will need to consider development impact to these species and their habitats. NDPs closest to the sac 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.
- 4.11 The issues associated with maintaining the sites integrity include impact of development result in changes in landscape and townscape. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, impact on European Sites is dependent on scale and proximity to the European sites.
- 4.12 In relation to impact on biodiversity and important species, Policy LD2 of the Herefordshire Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests.
- 4.13 For full details of the Wye Valley and Forest of Dean Bat Sites attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the HCSHY Initial Screening Report. The Initial Screening Report, August 2013, can be found in Appendix 1 of this HRA report.
- 4.14 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 HCSHY Neighbourhood Plan may affect site integrity.
- 4.15 The initial screening assessment indicated that a full screening assessment is required to assessment the likelihood of significant effects on the Wye Valley and Forest of Dean Bat Sites of the policies within the HCSHY NDP. For full details of the Wye Valley & Forest of Dean Bat Sites SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the HCSHY Plan Initial Screening Report. The Initial Screening Report, August 2013, can be found in Appendix 4 of this HRA report. This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the HCSHY Neighbourhood Plan may affect site integrity.
- 4.16 The initial options for the NDP were assessed to determine their environmental impact that could affect the Wye Valley & Forest of Dean Bat Sites SAC. Overall the majority of the options proposing any growth appear to depend on location and scale in relation to environmental impact. The HCSHY NDP does not allocate sites or settlement boundaries within the plan. The group parish is 9.4km away from the Wye Valley and Forest of Dean Bat Sites. Therefore a full HRA report is required at planning application stage when further details are known regarding new housing development and will be assessed on a case by case basis.

- 4.17 As the HCSHY Plan progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the Wye Valley & Forest of Dean Bat Sites SAC could be achieved, alongside taking forward the preferred options from the consultation from the community. If a majority of these options are taken forward either as standalone policies or in combination with other policies then the mitigation from these options will help to counter balance the effect of all new development within the Parish. A list of the options and site options assessed can be found in Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the How Caple Sollers Hope and Yatton Neighbourhood Development Plan

- 5.1 The final How Caple Sollers Hope and Yatton 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; 'We will enjoy a thriving and prosperous community supported by a resilient economy, serving the needs of residents of all ages. This will be achieved through the sustainable use of resources whilst maintaining the unique character and heritage of these three parishes'. There are six objectives of how this will be achieved. The objectives cover the following topics:
- Efficient communication
 - Support small scale business development and farming
 - Support tourism without adversely affecting the environment
 - Support sustainable housing development
 - Maintain unique character and heritage of the three parishes
 - Ensure traffic and congestion does not damage the environment
- 5.3 The initial options for the NDP (refer to appendix 2) were assessed to determine their environmental impact that could affect the River Wye SAC and Wye Valley and Forest of Dean Bat sites SAC. Of the two options put forward the 'no NDP / do nothing' option was not considered viable for the Parish. The alternative option was to proceed with a neighbourhood plan using a criteria base policy. As none of the settlements within the group parish have been identified as a settlement for propionate growth, therefore settlements within the group parish will be treated as open countryside in line with Core Strategy policy RA3. This option 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 How Caple Sollers Hope and Yatton 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 August 2013 version.
- 5.5 The NDP also sets out 5 general policies on various topics based on the objective headings above and also for group parish, these include:
- ENV1-Environment
 - HSG1-Housing
 - ECON1-Economy
 - CF1- Community Facilities
 - INF1- Infrastructure

The policies contained within the NDP are mostly protective and preventative and the nature and scale of proposed development will be of a limited scale

6.0 Assessments undertaken to date of the emerging How Caple Sollers Hope and Yatton 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 How Caple Sollers Hope and Yatton NDP would be likely to have a significant effect on the River Wye SAC and Wye valley and Forest of Dean Bat sites. 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 How Caple Sollers Hope and Yatton NDP objectives and policies (July 2018) were concluded to be likely to have a significant effect on the European sites. This is due to the small scale nature of the plan, having criteria based policies that are mostly protective and preventative. 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 How Caple Sollers Hope and Yatton 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 Market Area in the Herefordshire Core Strategy
- 6.7 Therefore it was concluded that the **Reg14 How Caple Sollers Hope and Yatton NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC and Wye Valley and Forest of Dean Bat sites SAC**

Screening of modifications to NDP (Reg16)

- 6.8 The submission NDP (January 2018) incorporates additional policy criteria or wording to add clarity and emphasis throughout the document. The additional criteria added to policies ENV1 and CF1 added further safeguarding to the natural and built environment. Therefore are not considered to affect the findings of the previous HRA report. On the contrary; they strengthen the likelihood of there being no adverse impacts. This will give criteria for future applications to meet to support policy SD4 and ensure that the delivery of the Nutrient Management Plan is not compromised.

- 6.10 The revised NDP policies are therefore unlikely to result in significant effects on the European site.

7 Assessment of the 'likely significant effects' of the final How Caple Sollers Hope and Yatton NDP (2018) – Following reg 16 and implications of *Sweetman* case

- 7.1 The submission NDP incorporates the changes made before regulation 16.
- 7.2 No new policies have been introduced into the submission NDP following reg 16; however there have been some minor word changes to the policies. The main changes have occurred to Policy ENV1 and CF1.
- 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 and Wye Valley and Forest of Dean Bat sites 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 How Caple Sollers Hope and Yatton Neighbourhood Plan (July 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC or Wye Valley and Forest of Dean Bat sites SAC.
- 8.2 This is partly down to scale and extent of plan also the HCSHY Plan does not allocate sites and has mostly protective policies safeguarding the natural and built environment. For the policies contained in the plan there is sufficient policy criteria in Core Strategy policies LD2, SD3 and SD4 to ensure that development can only occur if these criteria are met.
- 8.3 The How Caple Sollers Hope and Yatton 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 ENV1 therefore no significant effect conclusion could be reached.
- 8.4 There are no allocated sites for development, and housing growth is expected to be limited and treated as open countryside in line with Core Strategy policy RA3 . This is 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 and unlikely to have a impact on the Wye Valle and Forest of Dean Bat sites SAC. Due to the proximity and scale of potential development, this can be further assessment at planning application stage.

- 8.5 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is unlikely to be any existing capacity with regards to permitted headroom in the small Sewerage Treatment works serving the How Caple Sollers Hope and Yatton Group area to continue to treat the water from the amount of housing provided for in the Core Strategy policies. However as How Caple, Sollers Hope and Yatton expect limited housing growth within the plan period. If connection to the How Caple Crossways WwTW is not feasible, then the provisions of Policy SD 4 of the Herefordshire Core Strategy will need to be adhered to with regard to private foul drainage (e.g. septic tanks). Policy SD4 of the Core Strategy indicate that development would not permitted if wastewater treatment and water quality cannot be assured
- 8.6 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.
- 8.7 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.
- 8.8 Policy SD4 of the Core Strategy of the NDP indicate that development would not permitted if wastewater treatment and water quality cannot be assured.
- 8.9 Policy LD2 of the Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests. The HCSHY NDP does not allocates sites so an AA is not required as the plan is criteria based consisting of mostly protective policies, and is determined unlikely to have a significant impact on the SACs.
- 8.10 This review and rescreening in additional 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 or WyeValley and Forest of Dean Bat sites SAC. ***It is therefore concluded that the How Caple Sollers Hope and Yatton Plan will not have a likely significant effect on the River Wye SAC and Wye Valley and Forest of Dean Bat sites SAC.***

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

- 9.1 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).
- 9.2 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy.
- 9.3 Adjacent neighbourhood plans include Much Marcle which is in the process of adoption, Woolhope, Brockhampton with Much Fawley, Brampton Abbots and Foy, Upton Bishop are in drafting stage in their production. These plans have not gone over and beyond the requirements set out within the Core Strategy for their area. Sellack is not producing an NDP, and is not an identified area for proportionate growth.

- 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 How Caple Sollers Hope and Yatton Plan 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 Ross on Wye 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 **How Caple Sollers Hope and Yatton NDP will not have a likely significant effect on the River Wye SAC and Wye Valley and Forest of Dean Bat sites SAC remains valid.**

11.0 Next steps

- 11.1 This final Report will be published alongside the final How Caple Sollers Hope and Yatton 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 How Caple Sollers Hope and Yatton 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)**

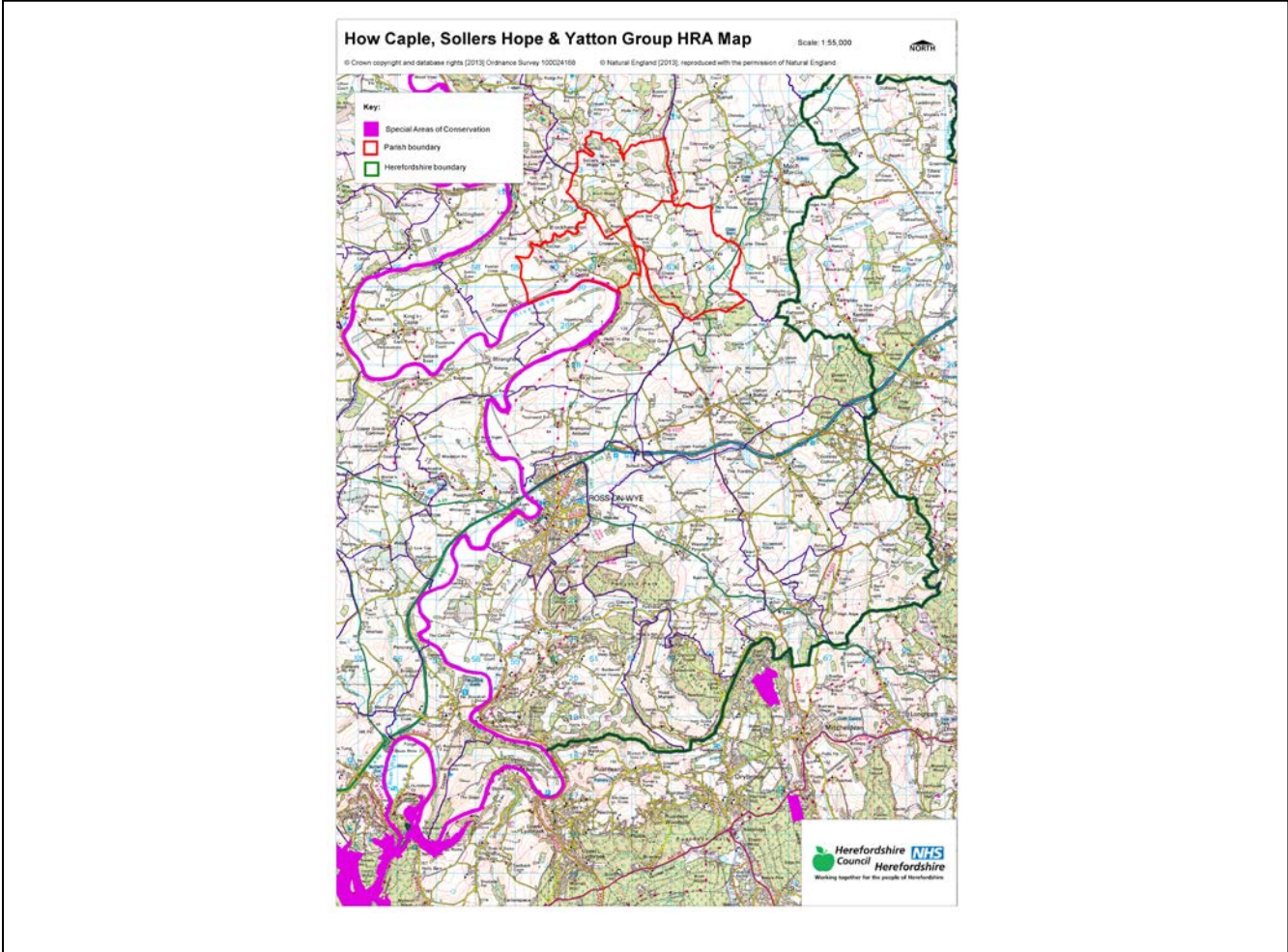
Neighbourhood Area:	How Caple, Sollers Hope & Yatton Group Neighbourhood Area
Parish Council:	How Caple, Sollers Hope & Yatton Group Parish Council
Neighbourhood Area Designation Date:	04/10/2013

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 Wye runs along the southern borders of How Caple 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 hydrological catchment of the River Wye
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Crossway How Caple

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 43km 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 41.1km away from the 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?	Y	The Group Parish are 9.4km 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 15.7km 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 How Caple, Sollers Hope & Yatton 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

Wye Valley & Forest of Dean Bat Sites 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 How Caple, Sollers Hope & Yatton 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	Wigleys Wood; Lyndor Wood; Lyndalls and Wittlebury Wood; Long Wood; The Grove; Round Wood; Rock Cottage Wood; Yatton Wood; Coldborough Park; 1 unlabelled site along the eastern boundary of Sollers Hope Parish	Y
Areas of Archaeological Interest	0	There are no AAls within the Parish	N
Areas of Outstanding Natural Beauty	1	The western side of both Sollers Hope and Yatton Parishes and the whole of How Caple Parish are within the Wye Valley AONB	Y
Conservation Areas	0	There are no Conservation Areas within the Group Parish	N
European Sites	1	River Wye	Y
Flood Areas		Flood Zones 2 and 3 run south of How Caple Parish along the River Wye. Also from north to south in Sollers Hope Parish along a brook which flows into the River Wye. There are also Flood Zones in Yatton entering the parish from the east and running until Welsh Court and continuing north towards Dean's Place	Y
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Group Parish	Y
Local Sites (SWS/SINCS/RIGS)	10 (SWS)	Woodland along Marcle Hill & Ridge Hill; Sutton Hill Wood (border); Lyndalls & Wittlebury Woods; Birch & Rattle Hill Woods; Yatton Wood; Coldborough Park; Lindor & How Caple Woods, west of The Stocking; Bayton Grove; River Wye; Tack Wood (border)	Y
Long distance footpaths/trails	3	Herefordshire Trail; Wye Valley Walk; Three Choirs Way	Y
Mineral Reserves	7	Dean's Place to Newhouse Farm, Yatton; Green Hill Coppice to Hoppers Oak to Hoar Wood to Newbury Lodge, Yatton; Sollers Hope to Wittlebury Farm to Foxalls; Siege Wood to Round Wood, Sollers Hope; Paget's Wood, Fownhope to Lower Buckenhill to Sollers Hope; Underhill, south of River Wye and How Caple, opposite Fawley Chapel (border);	Y

		The Plantation to Devereux Park to Winslow Mill to Busland Wood to Sapness House (border)	
National Nature Reserve	0	There are no NNRs within the Group Parish	N
Registered & Unregistered parks and gardens	1 registered 4 Unregistered	Registered: Homme House (border) Unregistered: How Caple Court; Perrystone Court (border); Eaton Tregoz (border); Brockhampton, by Ross (border)	Y
Scheduled Ancient Monuments	3	Churchyard cross in St Michaels Churchyard; Chapel at Chapel Farm; Dyke on south side of Yatton Wood (border)	Y
Sites of Special Scientific Interest	2	Birch Wood (Favourable); River Wye (Unfavourable Recovering)	Y

Decision Notification:

The initial screening highlights that the Neighbourhood Development Plan for the How Caple, Sollers Hope & Yatton Group Neighbourhood Area:

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

Assessment date: 15/08/2013

Assessed by: James Latham

Appendix 1: European Sites

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

Downton Gorge
Site Features: <i>Tilio-Acerion</i> forests of slopes, screes and ravines
Vulnerability data: 10km for air quality associated with poultry units or other intensive agricultural practices.
River Clun
Site Features: Freshwater pearl mussel <i>Margaritifera margaritifera</i>
Vulnerability data: Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
River Wye
Site Features: Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. Transition mires and quaking bogs. White-clawed (or Atlantic Stream) crayfish <i>Austropotamobius pallipes</i> . Sea lamprey <i>Petromyzon marinus</i> . Brook lamprey <i>Lampetra planeri</i> . River lamprey <i>Lampetra fluviatilis</i> . Twaite shad <i>Alosa fallax</i> . Atlantic salmon <i>Salmo salar</i> . Bullhead <i>Cottus gobio</i> . Otter <i>Lutra lutra</i> . Allis shad <i>Alosa alosa</i>
Vulnerability data: Proximity: Developments should not be within 100m of the designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing site allocations. Water Quality: Within the whole catchment of the River Wye, which includes the River Lugg, mains drainage issues with regards to water quality are being resolved through the Core Strategy / Local Plan and development of a Nutrient Management Plan. Welsh Water should be consulted to ensure that the proposed growth will be within the limit of their consents. Otters: "An otter will occupy a 'home range', which on fresh waters usually includes a stretch of river as well as associated tributary streams, ditches, ponds, lakes and woodland. The size of a home range depends largely on the availability of food and shelter, and the presence of neighbouring otters. On rivers, a male's home range may be up to 40km or more of watercourse and associated areas; females have smaller ranges (roughly half the size) and favour quieter locations for breeding, such as tributary streams. Otters without an established home range are known as 'transients'. They are mostly juveniles looking for a territory of their own, or adults that have been pushed out of their territories. Transient otters may use an area for a short while, but they will move on if conditions are not suitable or if they are driven away by resident otters. Transients will have been important in extending the range of otters, but they are very difficult to identify from field signs. Within a home range an otter may use many resting sites. These include above-ground shelters, such as stands of scrub or areas of rank grass, and underground 'holts' – for example, cavities under tree roots and dry drainage pipes." (Source: EA website: http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf accessed 09/04/2013)

Usk Bat Site

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

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

Wye Valley and Forest of Dean Bat Sites

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

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

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

NDPs closest to the European Site will need to consider:

Woodland habitat buffer.

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

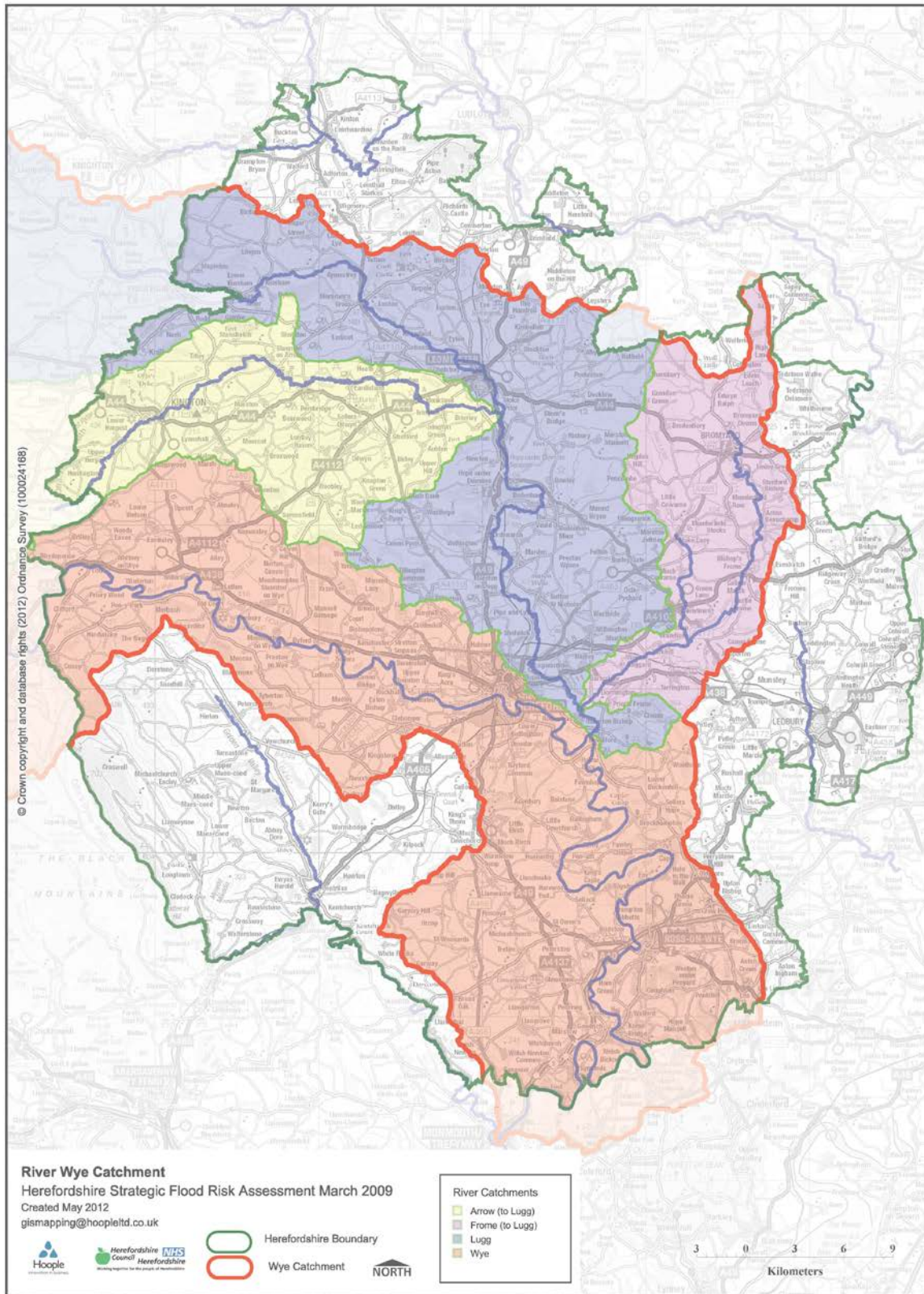
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation.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

Wye Valley Woodlands

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

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

Appendix 2: Wye Catchment Map



Appendix 2

How Caple Sollers Hope and Yatton Options

1. Do nothing

2. No allocation of sites stick to criteria based policy

Appendix 3

HRA Screening of final Neighbourhood Development Plan Policies

Date undertaken: August 2018

NDP objectives and policies	HRA Screening of final NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	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 ENV1	<p>Protect, maintain or enhance the environment.</p> <p>Seek to protect woodlands and hedgerows.</p> <p>New plantings encouraged.</p> <p>Utilisation of redundant buildings.</p> <p>Protection of Heritage sites.</p> <p>Encouragement of domestic scale renewable energy projects.</p>	Unlikely that there will be any significant effects on the European Site.	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	No.	No: this policy itself will not lead to development, instead it relates to criteria based objective. This policy safeguards the natural and built environment within How Caple, Sollers Hope and Yatton.
Policy HSG1	<p>Limited rural growth in line with Core Strategy policies.</p> <p>Development of homes for agricultural diversification and</p>	Unlikely that there will be any significant effects on the European Site.	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites</p>	No	No. This policy supports limited housing growth with HCSHY, in line with Core Strategy policy RA3. Development will be of a minimal scale and unlikely

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	<p>rural enterprises.</p> <p>Sustainable re use of redundant farm buildings.</p> <p>Extensions permitted.</p> <p>Traditional materials use in building construction.</p>		SAC		<p>to have a significant impact on the SACs.</p> <p>Further assessment of SAC impact of housing development on Wye Valley and Forest of Dean Bat Sites can be determined at planning application stage.</p>
Policy ECON1	<p>Policy to ensure that proposals related to business activity are of an appropriate scale and use and will not have a detrimental impact upon the character and setting of the parish and its assets, including its highways.</p> <p>Proposals for agricultural diversification will be supported.</p>	<p>Unlikely that there will be any significant effects on the European Site.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	No.	<p>No: This policy supports small scale rural businesses. Due to the size and nature of schemes this is unlikely to have a significant impact on the SAC, however this can be further determined at planning application stage when details are known.</p>
Policy CF1	<p>Policy in support of proposals that improve the range of facilities and services providing they meet certain criteria.</p> <p>Seeks to protect and promote the improvement of existing services, assets and facilities. Particular emphasis is given to up keeping the churchyard and supporting small trading outlets.</p>	<p>Local community recreation facilities will be protected as community assets. No Likely significant impacts expected.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC</p>	No.	<p>No. This policy will not directly lead to development but encourages additional services to the community have a minimal effect for traffic generation and nonphysical disturbances. Therefore unlikely to have a detrimental impact on the SACs.</p>

<p>Policy INF1</p>	<p>Policy to support new developments include high speed broadband, and proposals that provide high quality communication throughout the parish will be supported providing they meet certain criteria.</p>	<p>Unlikely that there will be any significant effects on the European Site.</p>	<p>River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC</p>	<p>No.</p>	<p>No. This policy will not directly lead to development instead it promotes improving existing communication infrastructure. Therefore unlikely to have a detrimental impact on the SACs.</p>
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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: How Caple Sollers and Yatton Group Parish Council

Neighbourhood Development Plan Name: How Caple Sollers and Yatton Group Neighbourhood Plan

Details of consultation: Regulation 14

Consultation date: 31 July to 24 September 2017

Consultation title: Reg 14

No comments have been received regarding the HRA report.

Appendix 5

HRA Consultation Feedback

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

Parish Council Name: How Caple Sollers and Yatton Group Parish Council

Neighbourhood Development Plan Name: How Caple Sollers and Yatton Group Neighbourhood Plan

Details of consultation: Regulation 16 consultation

Consultation date: 9 April 2018 to 21 May 2018

Consultation title: Reg 16

No comments have been received regarding the HRA report.