

Habitats Regulations Assessment

Final Report for:

Leominster Neighbourhood Area

December 2018



Leominster Neighbourhood Plan HRA

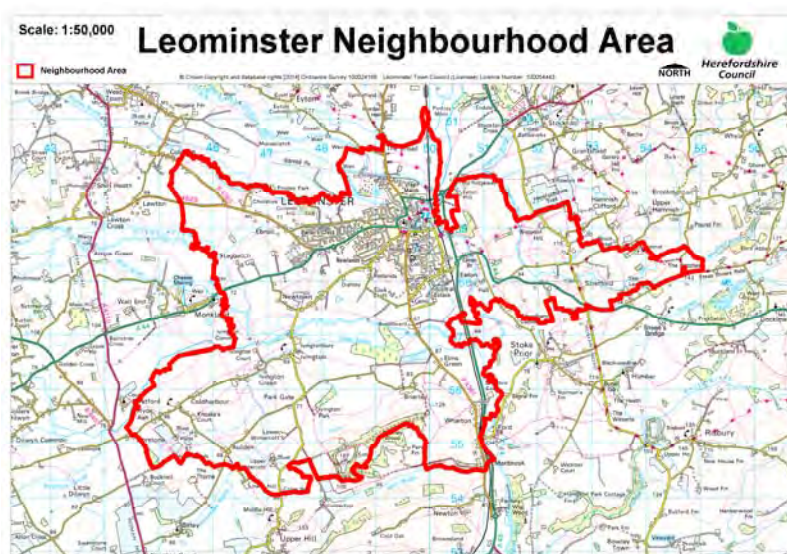
HRA Screening Assessment

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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 Leominster Town Council has produced a Neighbourhood Development Plan for its administrative area, in order to set out the vision, objectives and policies for the development of the parish up to 2031. This HRA reviews the Leominster Area NDP following the modifications made after the examination (December 2018).
- 1.3 The NDP is criteria based and does not allocate sites but acknowledges the strategic site within the Core Strategy. For settlement boundaries have been allocation within the plan: Leominster; Ivington; Brierley; Wharton. 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 Leominster 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, Leominster Town 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 the modifications to policies and consider if they significantly affect the conclusions of the earlier HRA Report (October 2014, October 2015 and October 2017, September 2018) and reviewed in terms of the implications of *Sweetman and Dutch Nitrate* cases.

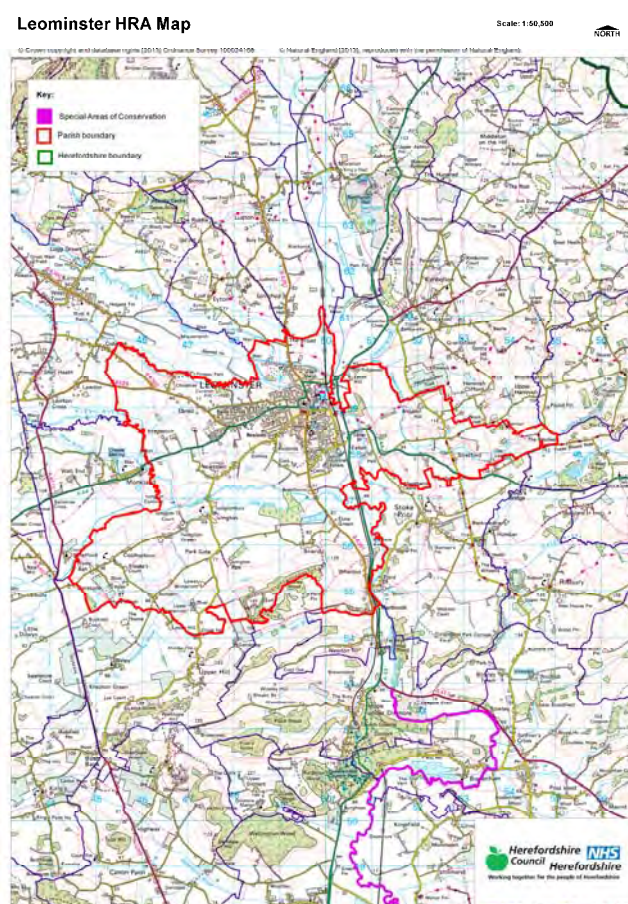
3 Methodology

- 3.1 Although the Leominster 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 (August 2013) found that the River Wye (including the River Lugg) SAC runs through the parish. 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. The Water Cycle Study has indicated that there is current capacity for around 1600 dwellings which provides in excess of 10 years supply of housing based on the 2015 Core Strategy trajectory. DCWW states that there is no current issue with the Leominster WwTW accommodating the foul flows from the committed sites that have already obtained planning permission. Depending on the scale and pace of the development proposed in the catchment, there will come a time during the plan period when reinforcement works will be required in order to accommodate the total remaining growth. They also indicate that there are no specific issues with regards to the public sewerage network within Leominster.
- 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 Wyeside 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 Leominster 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 Leominster NDP.

5 Description of the Leominster Neighbourhood Development Plan

- 5.1 The submission Leominster 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 Town Council over the Plan period which include 6 aims;
- To create a sustainable Leominster
 - To create a prosperous Leominster
 - To create a greener Leominster
 - To retain Leominster's distinctive identity

- To create a healthy Leominster
- To create an accessible Leominster

The bullet point objectives are then based on each of these topics areas.

- 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. Of the nine options put forward the 'no NDP / do nothing' option was not considered viable for the Parish.

The remaining options were as follows;

- No sustainable urban extension
- No new link road to the south of the town
- Allocate additional housing sites and employment sites
- Utilise the policies of the Core Strategy and additional sustainability measures to improve the town as a whole

- 5.4 As Leominster 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 26 general policies on various topics based on the objective headings above and also for group parish, these include:

| | |
|--------|--------------------------------------------------------------------------------------------------------------|
| LANP1 | Supporting the Highway Network and Southern link road to serve the Strategic Development needs in Leominster |
| LANP2 | Leominster sustainable urban extension |
| LANP3 | Supporting the strategic and small scale housing development needs in Leominster town |
| LANP4 | New housing development in Brierley, Ivington and Wharton |
| LANP5 | New homes in the countryside |
| LANP6 | Renewable energy |
| LANP7 | New business development |
| LANP8 | Protecting existing employment sites |
| LANP9 | Development in Leominster town centre |
| LANP10 | Green Infrastructure |
| LANP11 | Amenity open spaces |
| LANP12 | Greening the town centre |
| LANP13 | Dark skies |
| LANP14 | Promoting a healthy community |
| LANP15 | Provision for a new health centre |
| LANP16 | Assets of community value |
| LANP17 | Landscapes |
| LANP18 | Protecting and enhancing the character of Leominster town centre |
| LANP19 | New building in Leominster |
| LANP20 | New extensions in Leominster |
| LANP21 | Agricultural development |
| LANP22 | Intensive livestock unit policy |
| LANP23 | Tourism |
| LANP24 | River Wye Special Area of Conservation |
| LANP25 | Protecting important views |
| LANP26 | Community and highway infrastructure |

6.0 Assessments undertaken to date of the emerging Leominster 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 Leominster 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 Leominster NDP objectives and policies (August 2014) were concluded to be likely to have a significant effect on the European site.
- 6.5 The water cycle study highlighted that most of the River Wye catchment is in a moderate ecological status, the upper reaches of the River Lugg from Presteigne to Leominster are in poor ecological status. In addition there is not sufficient existing permitted headroom in the STWs serving Leominster and parts of rural Herefordshire to continue to treat water from all new housing provided for in the Core Strategy without affecting the quality of the River Wye SAC. In terms of the rural areas, development in villages near Leominster and just north of Hereford are more likely to have an impact due to the sensitivity on the River Lugg and the lack of permitted headroom in the STW's. Where developments in Leominster and in rural areas are proposed, there would be no likely significant effect on the River Wye SAC. In addition, the preparation of the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.
- 6.6 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.
- 6.7 It is unlikely that the Leominster 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
- 6.8 Therefore it was concluded that the **Reg14 Leominster NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC.**

Screening of modifications to NDP (Reg16)

- 6.9 The submission Leominster Area Neighbourhood Plan has incorporated many of the changes that were suggested by Natural England in the earlier HRA Report and Regulation 14 consultation by making specific reference to the River Wye SAC within certain policies. Therefore these policies had been strengthened and so the

likelihood of there being no significant effect remained high with regards to these policies.

- 6.10 Policy LANP4 guides development within the three rural settlements contained in the neighbourhood area. This policy was highlighted as having potential uncertain effects on the hydrological catchment of the River Wye SAC, at the time this was due to there being no particularly reference or safeguards within LANP4 to flooding or surface water issues. The conclusions highlighted that the inclusion of additional text would help to strengthen the policy within the LANP, however as the Local Plan (Core Strategy) is now adopted developments would need to comply with the existing within Policy SD3 and SD4.
- 6.11 At this stage in the progress, the neighbouring parish councils of (Kingsland; Humber Ford and Stoke Prior; Hope under Dinmore; Luston; Hatfield and District Group and Kimbolton) are not proposing a greater level of development than that assessed within the Core Strategy. It was therefore also concluded that the Leominster Neighbourhood Plan was unlikely have any in-combination effects with any plans from neighbouring parishes.
- 6.12 The revised NDP policies are therefore unlikely to result in significant effects on the European site.

Screening resubmission Reg16

- 6.13 The Leominster Plan was subject to a second Regulation 16 consultation due to concerns regarding conformity with the Core Strategy. The submission plan included an additional policy LANP 24 which was added to the plan to specifically ensure that the ability to reduce nutrient levels within the river was not compromised by new developments.
- 6.14 Policy LANP4 guides development within the three rural settlements highlighted within the Local Plan (Core Strategy) Policy RA2. The policy was previously highlighted as having potential uncertain effects on the hydrological catchment of the River Wye SAC as there was no particularly reference or safeguards within LANP4 to flooding or surface water issues. The inclusion of additional policy LANP24 helped to strengthen the LANP and the inclusion of settlement boundaries for the town of Leominster and the three outlying settlements also gave more certainty to where development will be permitted.
- 6.15 The neighbouring parish councils of Kingsland; Humber Ford and Stoke Prior; Hope under Dinmore; Luston Group; Hatfield and District Group and Kimbolton had not proposed a greater level of development than that assessed within the Core Strategy. It is therefore also concluded that the Leominster Neighbourhood Plan will unlikely have any in-combination effects with any plans from neighbouring parishes.
- 6.16 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 examination Leominster NDP (December 2017) - Rescreening following implications of Sweetman case

- 7.1 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.
- 7.2 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 |

- 7.3 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.
- 7.4 None of the examination Leominster Neighbourhood Plan (October 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 7.5 The Leominster 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 including biodiversity. The development plan should be read as a whole only side the adopted Core Strategy. Policy SD3 and SD4 address issues relevant to water quality. These policies were adopted to avoid the risks associated with any sewerage capacity and thus remove the pathway to harm not just reduce the scope for harm.
- 7.6 There are no additional allocated sites for development, just the strategic site as per the Core Strategy and four settlement boundaries which would allow for some small scale windfall development.
- 7.7 The Water Cycle Study has indicated that there is current capacity for around 1600 dwellings which provides in excess of 10 years supply of housing based on the 2015 Core Strategy trajectory. DCWW states that there is no current issue with the Leominster WwTW accommodating the foul flows from the committed sites that have already obtained planning permission. Depending on the scale and pace of the development proposed in the catchment, there will come a time during the plan period when reinforcement works will be required in order to accommodate the total remaining growth. They also indicate that there are no specific issues with regards to the public sewerage network within Leominster.
- 7.8 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.
- 7.9 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 and therefore there is no need for the NDP to build in mitigation because it has already been built into the higher tier plan. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 7.10 This review and rescreening of the policies have been found to be unlikely to result in significant effects on the River Wye SAC. ***It is therefore concluded that the Leominster Plan will not have a likely significant effect on the River Wye SAC.***

8 Conclusions from the Screening Matrix following the examination modifications

- 8.1 The Leominster Area NDP was subject to an independent examination by Richard High BA MA MRTPI. The examiner concluded that a number of modifications were required in order for the plan to meet the Basic Conditions.
- 8.2 The following NDP policies have been subject to modifications as a result of the examination (policy numbers are those reflected within the examiner's report rather than the renumbered plan):
- Policy LANP1

- Policy LANP2
- Policy LANP3
- Policy LANP4
- Policy LANP5 (deleted)
- Policy LANP6 (deleted)
- Policy LANP7
- Policy LANP8 (deleted)
- Policy LANP9
- Policy LANP10
- Policy LANP11
- Policy LANP12
- Policy LANP13 (deleted)
- Policy LANP14
- Policy LANP15
- Policy LANP16
- Policy LANP18
- Policy LANP20
- Policy LANP21 (deleted)
- Policy LANP21
- Policy LANP22
- Policy LANP23
- Policy LANP24 (deleted)
- Policy LANP25 (deleted)
- Policy LANP26

- 8.3 Many of these changes are minor in nature to ensure that the policies are not overly restrictive or have clarity for the decision maker. As a result they have not changes the intention or the direction of the policies themselves. Policy LANP24 which referred to the requirement for a nutrient management plan has been deleted from the plan as this was seen as unnecessary in light of Policy SD4.
- 8.4 Natural England responded to the revised HRA following the *Sweetman* judgment. They considered that whether the Leominster NDP has a likely significant effect on the River Wye SAC is a matter of professional judgement and consider this to be a matter of process rather than a risk of environmental harm. Natural England's view that there is a direct pathway for impact on the River wye SAC and therefore it could be concluded that there is a likely significant effect. However, with the Nutrient Management Plan in place and Policy SD4 in the Core Strategy, they are content that there is no risk of adverse effect on the integrity of the River Wye SAC.
- 8.5 Welsh Water have also confirmed that a plan to upgrade the Leominster sewerage treatment works has been submitted and this includes sufficient headroom and investment to meet environmental obligations to accommodate growth within Leominster.
- 8.6 Additional legal advice has been sought in light of the Cooperate Mobilisation for the Environment v Vereniging Leefmilieu (C-293/17) (Dutch Nitrogen) published on 7 November 2018. This concluded that there were no pathways to harm from NDPs which could not be removed by SD4 and the Council's duty to robustly ensure that the Dutch Nitrogen tests were passed on any planning application. SD4 imposed bars on development unless and until specific requirements are met.
- 8.7 With this in mind the rescreened matrix has demonstrated that the conclusions of the previously assessment has not changed.
- 8.8 None of the post examination Leominster Area policies are concluded to be likely to have a 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 including Kingsland; Luston Group; Kimbolton; Humber, Ford and Stoke Prior; Hope under Dinmore have all been adopted.. 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 Leominster 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 Leominster 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 **Leominster NDP will not have a likely significant effect on the River Wye SAC** remains valid.

11.0 Next steps

- 11.1 This Report will be published alongside the earlier HRA Report and its addendum. This will be subject to a consultation with the statutory bodies as part of the examination of the Leominster 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: | Leominster |
| Parish Council: | Leominster Town Council |
| Neighbourhood Area Designation Date: | 31 st July 2012 |

Introduction

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

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

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



Initial HRA Screening

River Wye (including the River Lugg) SAC:

| | | |
|----------------------------------------------------------------------------------------------------------|---|------------------------------------------------------------------|
| Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary? | Y | The River Lugg (not part of the SAC) runs through the Parish |
| Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC? | Y | Leominster Parish is in both the Lugg and Arrow river catchments |
| If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage? | Y | Yes at Ivington and Leominster Worcester Road |

Downton Gorge SAC:

| | | |
|-------------------------------------------------------------|---|-----------------------------------------------------------------------|
| Is the Neighbourhood Area within 10km of Downton Gorge SAC? | N | Downton Gorge is 12.7km away from the northern boundary of the Parish |
|-------------------------------------------------------------|---|-----------------------------------------------------------------------|

River Clun SAC:

| | | |
|--------------------------------------------------------------------------------------------------------|---|---------------------------------------|
| Does the Neighbourhood Area include: Border Group Parish Council or Leintwardine Group Parish Council? | N | River Clun does not border the Parish |
|--------------------------------------------------------------------------------------------------------|---|---------------------------------------|

Usk Bat Sites SAC:

| | | |
|------------------------------------------------------------|---|---------------------------------------------|
| Is the Neighbourhood Area within 10km of the SAC boundary? | N | Usk Bat Sites are 46km away from the Parish |
|------------------------------------------------------------|---|---------------------------------------------|

Wye Valley & Forest of Dean Bat Sites SAC:

| | | |
|------------------------------------------------------------------------------------------------------------------------------|---|---------------------------------------------------------------------|
| Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites? | N | Wye Valley & Forest of Dean Bat Sites are 37km away from the Parish |
|------------------------------------------------------------------------------------------------------------------------------|---|---------------------------------------------------------------------|

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 | Wye Valley Woodlands are 41km away from the Parish |
|------------------------------------------------------------------------------------------------------------------|---|----------------------------------------------------|

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 Leominster 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 Leominster 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 | 1 | An area encompassing the junction between the A44 (Bargates) and B4361 (Dishley Street/Cursneh Road) in Leominster. | Y |
| Ancient Woodland | 7 | Marlbrook Woods; Ramshill Wood (border); Draycott Wood (border); Puddlestone Wood (border); Long Wood (border); Titterstone Plantation (border); Lower Miles Rough (border) | Y |
| Areas of Archaeological Interest | 0 | There are no AAI's in Leominster Parish | N |
| Areas of Outstanding Natural Beauty | 0 | There are no AONB's in Leominster Parish | N |
| Conservation Areas | 4 | Leominster Bridge Street; Leominster River Meadows; Leominster Bargates; Leominster | Y |
| European Sites | 0 | There are no SACs in the Parish | N |
| Flood Areas | | Flood Zones 2 & 3 follow the Rivers Lugg and Arrow, as well as Cheaton Brook, Little Arrow and various other brooks and streams | Y |
| Listed Buildings | Numerous | There are numerous Listed Buildings throughout the Parish | Y |
| Local Sites (SWS/SINCs/RIGS) | 21 | Land at Eaton Hill; Land at Eaton; lands at Leasows; Pond near Bankfield House; River Lugg; River Arrow; Field near Stoke Prior (border); Land at Stoke Prior (border); marshland near Steens Bridge (border); Land near Stone Farm (border); Land at Stretford Bridge (border); Stretford Brook; Wig Wood, Lewis's Plantation & Kennel Gorse (border); Bach Camp (border); Fields east of Blackpole (border); Eyeton Common (border); Monkland Common (border); Field north of Harbour Farm (border); Pinsley Brook; Titterstone Plantation, Woodfield and Lime Kiln Copse (border); Lower Miles Rough (border) | Y |
| Long distance footpaths/trails (e.g. Herefordshire Trail) | 2 | Herefordshire Trail; Three Rivers Ride | Y |
| Mineral Reserves | 13 | West of Cholstrey mill to B4360 (border); Cholstrey, east and west of village (border); Ivington Bury to Ivington Court; Newlands to Highfield House off | Y |

| | | | |
|---------------------------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| | | Passa Lane; Worcester Road from Leominster; East of Leominster, Tick Bridge Lane, north of Stretford Brook; Sparrow Hill north of Steens Bridge; East of Stoke Prior, Blackwardine; Area around Wellington constrained by 200m zone and area north of Wellington outside 200m zone; East of Sollers Dilwyn – Tyrells Court to Stretford (border); Manor Farm, Monkland to Wall End (border); South east of Pudleston Court (border); North of Uphampton Farm-Fort (border) | |
| National Nature Reserve | 0 | No NNR's in Leominster Parish | N |
| Registered & unregistered parks and gardens | 12 Unregistered | The Ryelands; Eaton Hill; Hennor House Upper Wintercott; Hamnish Clifford (border); Pudleston Court (border); Eyton Hall (border); Buckland (border); Eyton Old Hall (border); Pudleston Rectory (border); Hampton Court (border); Birley Court (border) | Y |
| Scheduled Ancient Monuments | 9 | Ivington Camp Multivallate Hillfort; Forbury Chapel; Leominster Priory; Three Moated Sites at The Hyde and Lower Hyde; Roman Settlement (border); Risbury Camp (border); Dovecote at Stockton Bury (border); Kingsland Castle (border); Bach Camp (border) | Y |
| Sites of Special Scientific Interest | 6 | River Lugg Meanders (Favourable) (border); River Lugg (Unfavourable Recovering); Hill Hole Dingle (Unfavourable Recovering) (border); The Bury Farm (Favourable) (border); Dinmore Hill Woods (Favourable (part) Unfavourable Recovering (part)) (border); Berrington Pool (Favourable) (border) | Y |

Decision Notification:

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

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

Assessment date: 13/05/2013 re-screened 21/08/2013

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.

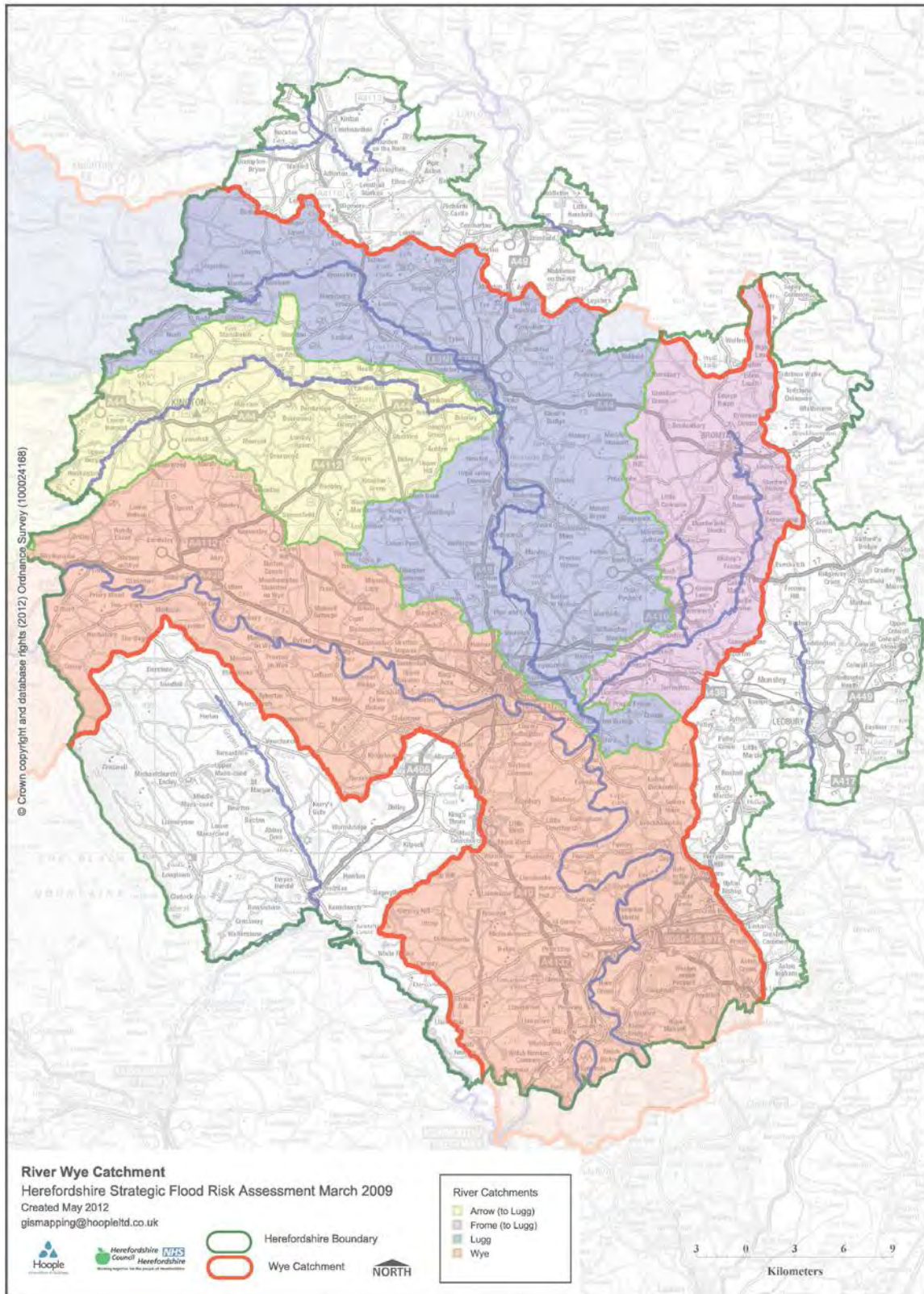
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation.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

Leominster Neighbourhood Development Plan

Options considered

- Do nothing
- No sustainable urban extension
- No new link road to the south of the town
- Allocate additional housing sites and employment sites
- Utilise the policies of the Core Strategy and additional sustainability measures to improve the town as a whole

Appendix 3

HRA Screening of final Neighbourhood Development Plan Policies

Date undertaken: September 2018

| NDP policies | HRA Screening of final NDP 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 LANP1 Supporting the Highway Network and southern link road | Strategic housing site within the Core Strategy. The inclusion of a green corridor alongside the road, reduced surface water into the River Arrow included within the criteria | No likely significant effect on the River Wye SAC All developments are required to meet the criteria of Policy SD4. This will remove the pathway to the likely significant effect | River Wye (including the River Lugg) SAC | No | No. This policy does not specifically identify route for the southern link but instead provides criteria that any new road must adhere to. All developments including the road will need to adhere to Policy SD4 of the Core Strategy which will remove the pathway to any likely significant effects. |
| Policy LANP2 Leominster SUE | This policy reflects the strategic sites within the Core Strategy | This strategic site has been tested via the Appropriate Assessment | River Wye (including River Lugg) SAC | No | No, this strategic site has been tested via the Appropriate Assessment of the |

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| | | of the Core Strategy. | | | Core Strategy |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy LANP3 Strategic and small scale housing | Small scale housing development. | No likely significant effects on the River Wye SAC. All developments are required to meet the criteria of Policy SD4 of the Core Strategy. The policy provides development criteria within settlement boundaries and does not go over and above the Core Strategy | River Wye (including the River Lugg) SAC | No | No. This policy will lead to new development but does not define the site. All developments are required to meet the criteria of Policy SD4 to gain planning permission. |
| Policy LANP4 New housing in settlements | Promotes limited growth within these mentioned settlements with a wide range of environmental and design criteria. Settlement boundaries do not promote development opportunities over and above that highlighted within the Core Strategy. | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | This policy will lead to new development. Sites are not defined but there are settlement boundaries to guide development. Two of the three settlements are close to the River Lugg and River Arrow which are part of the hydrological catchment of the River Wye SAC. However policy SD4 and LANP24 is now in place which seeks to ensure that the river is not compromised and |

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| | | | | | |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|------------------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | all developments will need to meet these before planning permission is granted. |
| Policy LANP5 News homes in countryside | Very small scale housing, limited criteria | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No, this policy would only permit very limited development within the countryside in line with Policy RA3 of the Core Strategy. All developments would need to meet the criteria of Policy SD4 in order to gain planning permission |
| Policy LANP6 Renewable energy | Smalls scale projects Potential disturbance | No likely significant effects on the River wye SAC | River Wye (including the River Lugg) SAC | No | No, any proposed development would need to meet the criteria of Policy SD4 in order to gain permission. |
| Policy LANP7 New business development | Employment generation, Increase in small business, increase in industry around town centre, and the enterprise park. | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No. Any developments will need to meet the criteria of Policy SD4 in order to gain planning permission. |
| Policy LANP8 Employment sites | Safeguarding of existing employment sites | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No, this policy is seeking to safeguard existing areas of employment. Policy |

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| | | | | | |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|------------------------------------------|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | SD4 would require to be met if any planning permission was required and Policy LANP24 exists to ensure that any changes in employment use would not compromise the SAC |
| Policy LANP9 Town centre | Retail development and small scale upper floor housing | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No, this policy is seeking to enhance the town centre. Developments which would require planning permission would need to meet the criteria of policy SD4 |
| Policy LANP10 Green Infrastructure | Criteria included the enhancement and expansion or creation of priority habitat include existing hedgerows, orchard and woodlands. | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No. This policy is seeking to increase green infrastructure and habitats |
| Policy LANP11 Amenity open space | Ensuring green space is protected | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No. this policy is seeking to protect existing green space. |
| Policy LANP12 Greening town centre | Additional criteria to protect specific trees within the town | No likely significant effect on the River Wye SAC | River Wye (including Rover Lugg) SAC | No | No. This policy is unlikely to have an impact on the River Wye SAC, as it relates to tree planting and |

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| | | | | | |
|------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------|
| | | | | | green space creation and is unlikely to lead to development. |
| Policy LANP13 Dark skies | Reduction of external lighting Reduction of internal lighting Use of energy efficient lighting | No likely significant effect in the River Wye SAC | River Wye (including River Lugg) SAC | No | No, this policy is seeking to reduce light pollution |
| Policy LANP14 Healthy community | Improvements to the cycling facilities and new pedestrian cycle zones | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No this policy is unlikely to lead to development instead it related to healthy community promotion |
| Policy LANP15 New health centre | Criteria for new health centre | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, any future development will need meet the requirements of Policy SD4 in other to receive planning permission. |
| Policy LANP16 Community value | Reuse / redevelopment of the old school Development of supporting infrastructure | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No this policy aims to ensure redevelopment for non-community uses will be permitted if there is no proven need for the existing use. |
| Policy LANP17 | Enhancing low lying river corridor | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, the policy is unlikely to have an impact on the River |

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| | | | | | |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------|
| Landscape | <p>Protecting retaining orchard, mature trees hedgerows and other vegetation</p> <p>Protect enhance heritage buildings /assets</p> <p>Protect field boundaries and drains and ditches</p> | | | | Wye SAC as it related to protect and enhancing the natural environment as well as the historic built environment |
| Policy LANP18 Character of town centre | <p>Enhance and protect historic buildings</p> <p>Improve and bring back into use vacant and under used buildings</p> <p>Tree and plant planting</p> | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, this policy is seeking to protect and enhancing the existing character of Leominster |
| Policy LANP19 New building in Leominster | Development criteria for all new buildings | No likely significant effect on the River Wye SAC. All new development will need to meet the policy requirements of Policy SD4 within the Core Strategy. | River Wye (including the River Lugg) SAC | No | No. This policy is criteria based specifying design and low carbon options for new buildings in Leominster. |
| Policy LANP20 New extensions | Small scale residential extensions to properties | No likely significant effect on the River Wye SAC | River Wye (including River Wye) SAC | No | No, policy will only lead to small scale extensions .Policy SD4 and LANP 24 are required to be met if planning permission is to be granted. |

| | | | | | |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------|------------------------------------------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy LANP21 Agricultural development | Agricultural development | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, all new development will be required to meet the criteria of Policy SD4 which will removed the pathways |
| Policy LANP22 Intensive livestock unit | Poultry unit development, treatment of waste Development likely to be subject to permits and EIA | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, although this will be locational dependent, all new development will be required to meet the criteria of Policy SD4 and LANP24 which will removed pathways. |
| Policy LANP23 Tourism | Potential additional disturbance from increased visitors | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No although this will be locational dependent, all new development will be required to meet the criteria of Policy SD4 and LANP24 which will removed pathways |
| Policy LANP24 River Wye Special Area of Conservation | Safeguarding policy | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No, the intension of the policy is to provide specific policy pathway removal in line with Policy SD4. |
| Policy LANP25 Protecting important views | Ensuring important views are protected | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No. This policy is criteria based specifying on views and vistas. |

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| | | | | | |
|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Policy LANP26</p> <p>Community and highway infrastructure</p> | <p>Increase in cycling and walking.</p> <p>Additional parking at the railway station, better pavements and street furniture.</p> <p>Vehicle restriction in the town centre.</p> | <p>No likely significant effect on the Rover Wye SAC</p> | <p>River Wye (including the River Lugg) SAC</p> | <p>No</p> | <p>No, This policy is unlikely to have an effect on the River Wye SAC. This may help improve environmental conditions through decreasing the amount of private car usage in Leominster.</p> |
|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Appendix 4

Consultation date: 10 December 2014 to 6 February 2015

Consultation title: Draft Habitat Regulations Leominster Neighbourhood Plan Regulation 14

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

| Consultee | Summary of Comments | Response to Comments |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Natural England | <p>The HRA needs to reflect the most up to date version of the Herefordshire Core Strategy HRA which is to be submitted as part of the examination of the Core Strategy. Therefore we advise that if you wish to proceed with the Neighbourhood Plan, prior to the adoption of the Core Strategy, the HRA will need to be amended and updated.</p> <p>In Section 8 of the HRA, it appears the basis for the consultation of no likely significant effect from the Leominster Neighbourhood Development Plan, in combination with the draft Herefordshire Local Plan (Core Strategy) is that in combination effects have been ruled out as the NDP aligns with the draft Local Plan.</p> <p>The draft Local Plan has to yet been adopted and both it, and its HRA, are therefore potentially subject to further changes. Given this, relying on the draft local plan and its HRA to avoid or mitigate for any potential impact are not considered sufficient to be certain of avoiding impact at this stage. The NDP's HRA may, of course, rely on the evidence supporting the Local Plan's HRA to draw conclusions as to whether the policies in the plan will have significant effects on the River Wye Special Area of Conservation (SAC).</p> <p>Natural England agrees that it is unlikely that the NDP will have significant effects on the SAC alone and in combination effects if the draft Local Plan is adopted, with the suggested amendments we have outlined as being necessary to avoid impacts on the River Wye SAC. We therefore advise that the Leominster NP can only progress prior to not be adopted until the adoption of the Herefordshire Core Strategy is adopted if it is reassessed and amended to ensure the necessary safeguards are in place to ensure there will be no likely significant effects on the River Wye SAC. (sic)</p> <p>If the Neighbourhood Plan is allowed to progress after the Core Strategy has been adopted then it is likely it will only require minor amendments to reflect the changes made to the Core Strategy and HRA.</p> | <p>Noted.</p> <p>Additional criteria have been added since the draft plan consultation to address the issues raised and additional commentary has been added to the report to indicate that the timescales for adoption of the Leominster Neighbourhood Plan are likely to be following the adoption of the Herefordshire Core Strategy.</p> |
| English Heritage / Heritage England | No comments received | |
| Environment Agency | No comments received | |
| Natural Resources Wales | No comments received | |

Appendix 5

Consultation date: 20 January to 2 March 2016

Consultation title: Draft Habitat Regulations Leominster Neighbourhood Plan Regulation 16

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

| Consultee | Summary of Comments | Response to Comments |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Natural England | Agree with the conclusions that the Leominster NP will not have a likely significant effect on the River Wye SAC. Agree that LANP4 could be strengthened with additional wording on safeguarding the River Wye SAC and flooding. | Noted. A specific policy has now been included within the redrafted plan regarding the River Wye SAC. |
| English Heritage / Heritage England | No comments received | |
| Environment Agency | No comments received | |
| Natural Resources Wales | No comments received | |

Appendix 6

Consultation date:**Consultation title:** Draft Habitat Regulations Leominster Neighbourhood Plan resubmission Regulation 16*N.B. This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan*

| Consultee | Summary of Comments | Response to Comments |
|-------------------------|-----------------------------------------------------------|-----------------------------|
| Natural England | Comments received but no comments to the HRA specifically | |
| Historic England | Comments received but no comments to the HRA specifically | |
| Environment Agency | No comments received | |
| Natural Resources Wales | No comments received | |

Appendix 7

Consultation date:**Consultation title:** Draft Habitat Regulations Leominster Neighbourhood Plan following Sweetman revisions*N.B. This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan*

| Consultee | Summary of Comments | Response to Comments |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| Natural England | Received 4 December – They considered that whether the Leominster NDP has a likely significant effect on the River Wye SAC is a matter of professional judgement and consider this to be a matter of process rather than a risk of environmental harm. Natural England's view that there is a direct pathway for impact on the River wye SAC and therefore it could be concluded that there is a likely significant effect. However, with the Nutrient Management Plan in place and Policy SD4 in the Core Strategy, they are content that there is no risk of adverse effect on the integrity of the River Wye SAC. | |
| Historic England | Historic England does not disagree with the conclusions but happy to defer to the opinions of other statutory consultees | |
| Environment Agency | No comments received | |
| Natural Resources Wales | No comments received | |

Date: 04 December 2018
Our ref: None
Your ref: None



Samantha Banks
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BY EMAIL ONLY

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T 0300 060 3900

Dear Ms Banks,

Leominster Neighbourhood Plan and Habitat Regulations Assessment

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The River Wye SAC

The Leominster Neighbourhood Plan area is in the catchment of the River Wye, which is a Special Area of Conservation (SAC). The River Wye SAC currently suffers from water quality issues. In particular, levels of phosphate in the river have exceeded or at risk of exceeding agreed limits. Development within the catchments of the River Wye SAC have the potential to further contribute to the poor water quality and siltation levels of the River Wye as a result of surface and foul water entering the River Wye/Lugg and their tributaries.

There is a Nutrient Management Plan (NMP) for the River Wye SAC. The Nutrient Management Plan tested a series of options and established that phosphate levels in the river could be reduced and targets could be met, while also accommodating the council's growth aspirations for the county. Mitigation was an integral part of plan-making for the Core Strategy, for example informing decisions on allocations and the phasing of development. The Core Strategy includes mitigation through policies on water quality and on safeguarding European sites. On this basis, the Core Strategy's Appropriate Assessment concluded that there were no adverse effects on integrity, and Natural England agreed that the plan was sound. However, further work is required to agree and implement measures to reduce phosphate in the river.

The People over Wind judgement

In April 2018, a judgment was handed down by the Court of Justice of the European Union ('the CJEU') which provides further authoritative interpretation of the Habitats Directive. People over Wind, Peter Sweetman v Coillte ([Case C-323/17 People Over Wind v Coillte Teoranta](#)).

The CJEU's judgment states that mitigation measures cannot be taken into account when deciding whether a plan or project is likely to have a significant effect on a European site. Rather, a competent authority must take account of measures intended to avoid or reduce the harmful effects of a plan or project as part of the appropriate assessment. Only then can a conclusion be drawn as to whether the plan or project will have an adverse effect on the integrity of the site.

There has been considerable debate about whether lower tier plans and projects can rely on the appropriate assessment of a higher level local plan, when this complies with the *People over Wind*

judgement. This is particularly pertinent with regard to Neighbourhood Plans, as there is a basic condition in the Neighbourhood Planning Regulations (2012) which states that the making of the neighbourhood plan is not likely to have a significant effect on a European site (paragraph 1, Schedule 2 of the Neighbourhood Planning (General) Regulations 2012). This means that Neighbourhood Plans cannot proceed to the appropriate assessment stage of the Habitat Regulations Assessment process.

Natural England advised that Herefordshire Council sought its own legal advice regarding *People over Wind* and its implications for Neighbourhood Plans in the county. Accordingly, Herefordshire Council obtained advice from Counsel. Natural England has not been privy to the advice received, but has seen a Briefing Note that Herefordshire Council subsequently produced. The advice is in essence that Neighbourhood Plans that are in accordance with the Core Strategy can proceed, as the Core Strategy itself has been well-tested and complies with *People over Wind*.

We have more recently been informed that the Ministry of Housing, Communities and Local Government has received ministerial approval to amend legislation to allow certain development orders, neighbourhood plans and permission in principle to progress to appropriate assessment and allow any mitigation measures needed to be fully considered. These changes will be laid before parliament on 7 December 2018, coming into force on 28 December 2018. Supporting guidance will be made available as part of Planning Practice Guidance.

Advice on the Leominster Neighbourhood Plan

The Habitat Regulations Assessment for the Leominster Neighbourhood Plan has been revisited in light of the *People over Wind* judgement and concludes that as the plan is in conformity with the Core Strategy, there are no likely significant effects. This is in line with the advice from Counsel.

Whether the Leominster Neighbourhood Plan has likely significant effects on the River Wye SAC is a matter of professional judgement. We consider this to be a matter of process rather than a risk of environmental harm.

We note that the Leominster Neighbourhood Plan does not allocate development, but does set criteria for the delivery of housing, including windfalls. Policy LANP24 in the Neighbourhood Plan requires development proposals to include a "*Nutrient Management Plan to deliver the necessary overall reductions in nutrient levels along these sections of the SAC*". We would consider this to be mitigation and therefore would advise that this is not in conformity with *People over Wind*. However, we have been informed that this policy will be removed from the Neighbourhood Plan.

It is Natural England's view that there is a direct pathway for impacts on the River Wye SAC and therefore it could be concluded that there are likely significant effects. However, with the Nutrient Management Plan in place and policy SD4 in the Core Strategy, we are satisfied that there is no risk of adverse effects on the integrity of the River Wye SAC.

In light of both Herefordshire Council's independent advice from Counsel and the imminent changes to the Neighbourhood Planning Regulations 2012, Natural England does not wish to pursue this matter any further and has no objections to the adoption of the Leominster Neighbourhood Plan.

For any queries relating to the specific advice in this letter only please contact Hayley Fleming on 02080 260955. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Hayley Fleming
Casework Manager
Planning for a Better Environment
West Midlands Area Team

Appendix 8

Modifications following examination of the Leominster Area NDP

| Policy | Modification recommended | Justification |
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| Modification 1 Front cover | Amend the front cover of the Plan to clearly state that the plan period is 2011-2031. In the last line of the introduction on Page 4 replace 'to 2031 and beyond' with 'in the period 2011-2031' | To ensure the plan period is clear |
| Modification 2 Objective 2 | Objective 2i – Delete 'that will be available to...where it is appropriate' and insert 'in appropriate locations' Delete Objective 2 ix Delete Objective 2 x Objective 2xi – delete 'palette of colours to create' and 'alongside more tree planting, seating etc' Delete Objective xii | To ensure that the objectives read do not read as policies. |
| Modification 3 Policy LANP1 | Modify the first paragraph to read: A new road linking the A44 at Barons' Cross and the A49 south east of the town will be constructed in association with the development of the Sustainable Urban Extension (SUE). The delivery of the SUE must be phased in relation to the construction of the link road to minimise the impact of the increased traffic on the main route along the Bargates and through the town centre. The completion of the entire rout is a priority and must be achieved as early as possible to facilitate the delivery of housing. Delete criteria vi Delete criteria vii In the supporting text to Policy LANP1: Delete the note that immediately follows the policy at the top of page 26 In the next paragraph delete; 'but no later than 2025' but after 'as a priority' add 'completion will depend on agreement as to how the road can be funded, but it is intended that the road should be completed by 2025 to facilitate the development of the SUE' Add after the last paragraph of supporting text: 'The Town Centre will request that Herefordshire Council prepare a comprehensive traffic management study for the town in consultation | Remove text which it beyond the remit of the NDPPO Delete criteria which are related to traffic management and not land use Remove wording from the text which is phrased as a policy |

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| | <p>with the Town Council which will consider: the feasibility of a heavy goods vehicle ban, except for access on the main through route from the west to the east of the town and the appropriate speed limit on the link road to limit road noise'</p> <p>Renumber the criteria to form a continuous sequence.</p> | |
| <p>Modification 4 Policy LANP2</p> | <p>In the second line after 'when' insert 'subject to the criteria in Policy L02 of the Core Strategy and the following requirements'</p> <p>Modify criterion b to read 'proposals for new homes demonstrate that they will contribute to local distinctiveness by having regard to the architectural character of Leominster. Self-build dwellings will be encouraged'</p> <p>Modify criterion d to read 'Within the average density of up to 35 dwelling per hectare required by Policy L02, higher densities will be permitted around village centre and densities will decrease away from the centre'</p> <p>Delete criteria f</p> <p>Delete criteria g</p> <p>Delete criteria n</p> <p>In criteria o delete 'Broad' after 'after'....Corridor (delete 'in particular' and insert 'including the highly sensitive landscape areas and geological features of Cockcroft Hill, to be defined in the Masterplan)</p> <p>Delete criteria q</p> <p>Renumber the criteria into a continuous sequence</p> | <p>To ensure clarity</p> <p>To remove criteria which are not in conformity with the Ministerial Statement of March 2015 regarding national standards</p> <p>To remove policy which is a repetition of Policy SD4</p> <p>To ensure that Local Green Space is reflected within the masterplan</p> |
| <p>Modification 5 Policy LANP3</p> | <p>Modify the first part of the policy to read: 'In addition to the Sustainable Urban Extension and existing commitments, small scale developments of up to about 50 dwellings will be permitted within the Leominster settlement boundary (see map 3) or, where it can be demonstrated that additional housing is necessary to ensure that the requirement for 2300 dwellings during the plan period is met, outside the settlement boundary, when they meet the following conditions:'</p> <p>Delete criterion a</p> <p>In criterion b, after 'to it context ' insert 'locally distinctive'</p> <p>Delete criterion c</p> | <p>To ensure that proportional growth requirements can be met and to ensure clarity on the term 'small scale'</p> <p>To ensure criteria have clarity for the decision maker</p> <p>To delete criteria c which conflicts with the Housing Standards Review of 2015</p> |

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| | <p>In criterion d, delete '(a design guide is provided in appendix 4) and insert 'having regard to the design guide in appendix 4'</p> <p>Delete criterion e</p> <p>Modify criterion f to read 'on estate scale development, planning for movement should follow the hierarchy of pedestrian, cycle, bus, car utilising footpath...off street parking'</p> <p>Modify criteria g to read ' There is an appropriate mix of housing types and tenures, which meets the requirements for affordable housing in the Core Strategy policy and reflects the needs identified in the most up to date assessment of housing need'</p> <p>Modify criterion h to read 'Proposals which include opportunities for self-build or custom homes will be supported'</p> <p>In criterion i delete 'be locally distinctive, enhance an area' insert 'and' after 'security' and delete 'and exhibit high quality that enhances Leominster'</p> <p>Delete criterion j</p> <p>Delete criterion k</p> <p>Modify criterion l to read 'Small-scale and infill development proposals should not result in the loss of small green areas or gardens that make an important contribution to the character of the area'</p> <p>Renumber the criteria to reflect these modifications</p> <p>Delete the first sentence of the last paragraph of the policy and in the second sentence delete ' that indicate these policies should not be followed' and insert 'that justify departure from these criteria'</p> <p>In the supporting text to Policy LANP3: In the second paragraph delete 'in exceptional circumstances'</p> <p>Delete 'The design of new dwellings should meet the design requirements contained in Appendix 4 of the Plan'</p> <p>In the fifth paragraph on page 30 'under the Herefordshire Core Strategy Policy H2 (Rural Exception Sites)' and insert 'outside the settlement boundary'</p> | <p>Delete criteria e which has not evidence to support it</p> <p>Add clarity to criteria f</p> <p>To ensure criteria g is clear</p> <p>To ensure there is no duplication within the criteria</p> <p>Delete criteria j as it duplicates the Policy SD4</p> <p>To reflect other modifications within the plan</p> |
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| | <p>In the note at the bottom of page 30 insert a full stop after 'suitable for development, delete 'given that the strategic sites can be provided for all the expected demand for housing in Leominster. The table below indicates development commitments to date: 'and the table itself, and insert 'Of the 800 dwellings required in addition to the SUE planning permission has been granted for 786: a table showing all the commitments is included in the Evidence Statement'</p> <p>In the Design Guidance in Appendix 4:</p> <p>Remove the bullet point from the first paragraph to make it an introductory section. In the first line delete 'The developer should' and insert 'Developers are encouraged to', after 'architect ' insert 'and' and after 'the local planning authority' insert 'The design process should have regard to the following design principles'</p> <p>In the third point replace 'must' with 'should' and replace 'avoidance of generic commercial solutions' with 'generic commercial solutions are not encouraged'</p> <p>In the fourth bullet point replace 'must' with 'should'</p> <p>Combined the 4th, 5th and 6th bullet points with an introduction: 'design should have regard to: The balance The distribution The relationship of the upper'</p> <p>Combine the 7th to the 13th bullet points in the same way with an introduction 'The following features will be encouraged to reinforce local distinctiveness'</p> <p>Delete the final bullet point</p> | |
| Modification 6 Policy LANP4 | <p>Modify criterion d to read: 'By way of its house size, types and tenures reflect the needs identified in the most up to date published assessment of housing need'</p> <p>Delete criterion e and renumber subsequent criteria</p> | <p>To ensure the criteria refers to housing need assessment.</p> <p>Delete criteria which is too imprecise</p> |
| Modification 7 Policy LANP5 | Delete Policy LANP5 | To remove replications of policy RA3 |
| Modification 8 Policy LANP6 | Delete Policy LANP6 | To remove replications with Policy SD2 |

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| Modification 9 Policy LANP7 | In part a of Policy LANP7 delete 'will be actively encouraged' and in part b delete 'will be encouraged' and 'provide it is of small size and is not detrimental to the residential amenity of the area' | To ensure clarity |
| Modification 10 Policy LANP8 | Delete Policy LANP8 | Policy is not in conformity with Policy E2 of the Core Strategy |
| Modification 11 Policy LANP9 | Replace the first part of the Policy up to and including; 'Development proposals will be assessed against the following criteria with 'Within Leominster Town Centre, see map 4, development for retail, office, commercial, cultural and tourism uses will be encouraged subject to Core Strategy policies E5 and E6 and the following criteria;' Renummer the remaining criteria d to n as a to k Modify Map 4 to show the south side of Victoria Street, the north side of Corn Street and the east side of High Street between Victoria Street and High Street as primary shopping frontage. | To ensure clarity and ensure that the map is clear and includes omitted areas. |
| Modification 12 Policy LANP10 | Modify the first part of Policy LANP10 to read: 'Proposals for new development will be required to have regard to the proposals of the Herefordshire Green Infrastructure Strategy shown on Map 5 and, where appropriate to incorporate or contribute to the following improvements to green infrastructure' | To ensure clarification |
| Modification 13 Policy LANP11 | Replace Map 6 with the three maps which have been supplied to the examiner and attached within the at Appendix 2: Leominster Local Green Spaces 1, Leominster Local Green Space 2 and Leominster Local Green Space 3, numbered in the Plan Maps 6,7 and 8 and in the Policy use capital letter for consistency with the maps. Reword the start of Policy LANP11 to read: 'The spaces identified on Maps 6, 7 and 8 and listed below are designed as Local Green Spaces. Development in these areas will only be permitted in exceptional circumstances unless it is compatible with the function performed by them' From the list of Local Green Spaces proposed: in d delete 'and sports centre' and on Map Local Green Spaces 1 delete the sports centre and car park and the footpath sections along the Lugg and leading south from it to the west of the former waste disposal site. | To ensure that Map 6 is clear and accurate. To ensure the policy is clear and accurate To remove areas which do not meet the requirements of a Local Green Space |

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| | <p>Change the heading of g to 'school playing fields and adjoining allotments and wild area'</p> <p>Delete J Cockcroft Hill</p> <p>Change the heading of l to 'Small green space between Broad Street Car Park and River Kenwater'</p> <p>Delete 'r Linear Walk behind Ridgemoor' and 'S Orchard south west of Morrision's'</p> <p>Remove the deleted spaces from the relevant maps and renumber the spaces so that there is a continuous list</p> <p>Modify the second part of the policy, after the list of spaces to read: 'Development on smaller areas of amenity space will only be permitted when the space fails to perform at least one of the following functions (list existing bullet points) or the space can be demonstrated to be surplus to requirements or will be replaced by equivalent or better provision'</p> | |
| Modification 14 Policy LANP12 | In Policy LANP12: delete the brackets in the title delete 'will be prioritised' in f and delete 'the plan will protect small open spaces' | To ensure that the policy is clear |
| Modification 15 Policy LANP 13 | Delete Policy LANP13 | No justification has been presented to provide evidence for restrictions within a market town. |
| Modification 16 Policy LANP14 | At the end of Policy LANP14 add 'Application which respond positively to realistic opportunities to contribute positively to these aims will be supported | To ensure that the policy is clear |
| Modification 17 Policy LANP15 | Remove the first part of Policy LANP15 up to: 'each of the 2300 properties' from the policy itself and insert it as a paragraph of supporting text prior to the policy Reword the remaining part of the policy to read: 'A proposal for a new Health Centre to meet the demands of the growing population of Leominster will be supported provided that it: a: is capable, together with existing facilitates, of meeting the need for health services of the planned new development and b: is suitable located to provide access to users by public transport, cyclists and pedestrians and well as cars and c include sufficient car parking for both staff and patients' | To ensure the policy is clear |

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| Modification 18 Policy LANP 16 | Change the heading to the policy to 'Community Facilities and Services' and in the first line replace 'Assets of community and public value' with 'Community facilities and services' In the last line of the policy delete 'and' and insert 'or' | To ensure clarity |
| Modification 19 Policy LANP18 | In Policy LANP18 modify the first section to read: 'Development proposals in Leominster town centre will be permitted if they meet the following criteria, where they are applicable' At the end of the policy add: 'Where proposal conflict with one or more of those criteria, | To ensure clarity |
| Modification 20 Policy LANP19 | In Policy LANP19 delete the first sentence and replace the third sentence with the following addition to the second sentence; 'and have regard to the design guide in Appendix 4. Include the introductory sentence and points a to f on page 46 within the policy | Ensure all the policy requirements are covered within the policy section |
| Modification 21 Policy LANP 20 | Delete Policy LANP20 | To ensure clarity in line with the General Permitted Development Order |
| Modification 22 Policy LANP21 | Delete the first two paragraph of Policy LANP21 and insert them as supporting text prior to the policy Modify the eighth bullet to read: 'the development would not have a serve effect on the free flow of traffic or highway safety that cannot be effectively mitigated' Modify the formatting of the last two bullet points so that they are clearly subordinate to the ninth one | To ensure clarity |
| Modification 23 Policy LANP22 | In Policy LANP22 modify the fourth bullet point to read 'do not have a severe effect on the free flow of traffic or highway safety that cannot be effectively mitigated' | To ensure clarity |
| Modification 24 Policy LANP23 | In Policy LANP23 modify part c to read: 'Proposal for a hotel and conference centre, either on the main routes through the parish (A49, A44) or within the settlement boundary, and improvements to existing hotels. | To ensure clarity |
| Modification 25 Policy LANP24 | Delete Policy LANP24 | To delete policy which repeats Policy SD4 of the Core Strategy |
| Modification 26 | Delete Policy LANP25 | To delete an imprecise policy to ensure clarity |

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| Policy LANP 25 | | |
| <p>Modification 27</p> <p>Policy LANP 26</p> | <p>In Policy LANP26: In the first sentence delete 'All' and insert ' where appropriate'</p> <p>In c of the first section of the policy delete 'to, and form the SUE and Leominster' and insert ' the SUE and between the SUE, neighbouring residential areas and Leominster Town Centre'</p> <p>In the second part of the policy delete the second bullet point</p> <p>In the third part of the policy delete ' A comprehensive Travel Plan should be prepared for Leominster in partnership with Leominster Town Council, Highway Authority, Herefordshire Council and other appropriate bodies and organisations (see LANP1)'</p> <p>In the list of proposals sought in the town centre, in a delete '(eg by designating Broad Street, High Street, West Street, Victoria Street and Corn Street as pedestrian priority zones) (to be explored in the Travel Plan)'</p> <p>Delete b</p> <p>Renumber the remaining criteria</p> <p>In the supporting text which precedes the policy insert after the existing supporting text: 'Policy LANP1 referred to an aspiration for a Comprehensive Traffic Management Plan. The Town Council will seek to ensure that this plan explores the measures listed at a to e in the last section of this policy and more specifically:</p> <ul style="list-style-type: none"> - Designating Broad Street, High Street, West Street, Victoria Street and Corn Street as pedestrian priority zones, and - Designating Corn Square as a motorised traffic free zone (except for disable drivers and collections/ deliveries' | <p>To ensure clarity</p> <p>To remove duplications</p> |

Appendix 9

HRA Screening of final Neighbourhood Development Plan Policies

Date undertaken: December 2018

| NDP policies | HRA Screening of final NDP policies | | | | |
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| | Likely activities (operations) to result as a consequence of the 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 LANP1 Supporting the Highway Network and southern link road | Strategic housing site within the Core Strategy. The inclusion of a green corridor alongside the road, reduced surface water into the River Arrow included within the criteria | No likely significant effect on the River Wye SAC All developments are required to meet the criteria of Policy SD4. This will remove the pathway to the likely significant effect | River Wye (including the River Lugg) SAC | No | No. This policy does not specifically identify route for the southern link but instead provides criteria that any new road must adhere to. All developments including the road will need to adhere to Policy SD4 of the Core Strategy which will remove the pathway to any likely significant effects. |
| Policy LANP2 Leominster SUE | This policy reflects the strategic sites within the Core Strategy | This strategic site has been tested via the Appropriate Assessment | River Wye (including River Lugg) SAC | No | No, this strategic site has been tested via the Appropriate Assessment of the |

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| | | of the Core Strategy. | | | Core Strategy |
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| Policy LANP3 Strategic and small scale housing | Small scale housing development. | No likely significant effects on the River Wye SAC. All developments are required to meet the criteria of Policy SD4 of the Core Strategy. The policy provides development criteria within settlement boundaries and does not go over and above the Core Strategy | River Wye (including the River Lugg) SAC | No | No. This policy will lead to new development but does not define the site. All developments are required to meet the criteria of Policy SD4 to gain planning permission. |
| Policy LANP4 New housing in settlements | Promotes limited growth within these mentioned settlements with a wide range of environmental and design criteria. Settlement boundaries do not promote development opportunities over and above that highlighted within the Core Strategy. | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | This policy will lead to new development. Sites are not defined but there are settlement boundaries to guide development. Two of the three settlements are close to the River Lugg and River Arrow which are part of the hydrological catchment of the River Wye SAC. However policy SD4 and LANP24 is now in place which seeks to ensure that the river is not compromised and |

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| | | | | | all developments will need to meet these before planning permission is granted. |
| Policy LANP7 New business development | Employment generation, Increase in small business, increase in industry around town centre, and the enterprise park. | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No. Any developments will need to meet the criteria of Policy SD4 in order to gain planning permission. |
| Policy LANP9 Town centre | Retail development and small scale upper floor housing | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No, this policy is seeking to enhance the town centre. Developments which would require planning permission would need to meet the criteria of policy SD4 |
| Policy LANP10 Green Infrastructure | Criteria included the enhancement and expansion or creation of priority habitat include existing hedgerows, orchard and woodlands. | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No. This policy is seeking to increase green infrastructure and habitats |
| Policy LANP11 Amenity open space | Ensuring green space is protected | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No. this policy is seeking to protect existing green space. |
| Policy LANP12 | Additional criteria to protect specific trees | No likely significant effect on the River Wye SAC | River Wye (including Rover Lugg) SAC | No | No. This policy is unlikely to have an impact on the River |

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| Greening town centre | within the town | | | | Wye SAC, as it relates to tree planting and green space creation and is unlikely to lead to development. |
| Policy LANP14 Healthy community | Improvements to the cycling facilities and new pedestrian cycle zones | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No this policy is unlikely to lead to development instead it related to healthy community promotion |
| Policy LANP15 New health centre | Criteria for new health centre | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, any future development will need meet the requirements of Policy SD4 in other to receive planning permission. |
| Policy LANP16 Community value | Reuse / redevelopment of the old school Development of supporting infrastructure | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No this policy aims to ensure redevelopment for non-community uses will be permitted if there is no proven need for the existing use. |
| Policy LANP18 Character of town centre | Enhance and protect historic buildings Improve and bring back into use vacant and under used buildings Tree and plant planting | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, this policy is seeking to protect and enhancing the existing character of Leominster |

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| Policy LANP19 New building in Leominster | Development criteria for all new buildings | No likely significant effect on the River Wye SAC. All new development will need to meet the policy requirements of Policy SD4 within the Core Strategy. | River Wye (including the River Lugg) SAC | No | No. This policy is criteria based specifying design and low carbon options for new buildings in Leominster. |
| Policy LANP21 Agricultural development | Agricultural development | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, all new development will be required to meet the criteria of Policy SD4 which will removed the pathways |
| Policy LANP22 Intensive livestock unit | Poultry unit development, treatment of waste Development likely to be subject to permits and EIA | No likely significant effect on the River Wye SAC | River Wye (including River Lugg) SAC | No | No, although this will be locational dependent, all new development will be required to meet the criteria of Policy SD4 and LANP24 which will removed pathways. |
| Policy LANP23 Tourism | Potential additional disturbance from increased visitors | No likely significant effect on the River Wye SAC | River Wye (including the River Lugg) SAC | No | No although this will be locational dependent, all new development will be required to meet the criteria of Policy SD4 and LANP24 which will removed pathways |
| Policy LANP26 Community and | Increase in cycling and walking. | No likely significant effect on the Rover Wye SAC | River Wye (including the River Lugg) SAC | No | No, This policy is unlikely to have an effect on the River |

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| <p>highway infrastructure</p> | <p>Additional parking at the railway station, better pavements and street furniture.</p> <p>Vehicle restriction in the town centre.</p> | | | | <p>Wye SAC. This may help improve environmental conditions through decreasing the amount of private car usage in Leominster.</p> |
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