

# Habitats Regulations Assessment

Report for:

**Titley & District Group Neighbourhood Area**

**May 2019**



# Titley Group HRA

## HRA Report Addendum Regulation 16

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## 1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National planning Policy Framework. The screening stage involves assessing broadly whether the Draft Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Titley Group Parish Council is producing a Neighbourhood Development Plan for Titley Group Parish, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the Draft Titley Group Neighbourhood Plan April 2019.
- 1.3 The NDP has 15 criteria based policies, 3 of which include site allocations. It provides general policies that clarify and provide detail to the policies within the Herefordshire Core Strategy therefore it requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Herefordshire Core Strategy. This high level screening assessment should be read in combination with the Herefordshire Pre-submission publication of the Local Plan-Core Strategy Habitat Regulations Assessment Report (April 2014) and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Titley Group neighbourhood Area with the European Site highlighted.



## 2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the “Habitats Regulations” published for England and Wales in July 2007 and updated in 2013. Therefore, when preparing its NDP, Titley Group Parish Council is required by law to carry out an assessment known as “Habitats Regulations Assessment”. It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that:  
*Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive ‘on the conservation of wild birds’ (79/409/EEC; ‘Birds Directive’) for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
  - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.
- 2.5 Herefordshire Council is aware of the recent judgement (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage.

## 3 Methodology

- 3.1 As the Titley Group NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site’s ‘qualifying features’ (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with

reference to the conservation objectives for those qualifying features as defined by Natural England.

- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.
- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites (taking into account potential mitigation provided by other policies in the plan). For Neighbourhood Plans the outcome should demonstrate there are no likely effects upon the European sites. If any likely effects occur then there will need to be amendments to the NDP made and be re-screened until all likely effects have been mitigated.

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

- 4.1 The initial Screening report (**Feb 2017**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC. Therefore a full screening assessment is required.
- 4.2 There is a duty under the Water Framework Directive to ensure that proposals for growth do not adversely affect the river water quality and this included the associated watercourses flowing into the rivers. There is also a duty under the EU Habitats Directive to ensure that proposals for growth do not adversely affect habitats and biodiversity. This directives promotes to maintain, restore and enhance natural habitats and wild species within the protected sites.

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

- 4.3 The issues associated with maintaining the sites integrity include water levels and flow, water quality, eutrophication (nitrogen enrichment), sedimentation, disturbance and species maintenance.
- 4.4 The River Wye SAC can be sensitive to changes in water quantity and quality. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, the water supply in this area comes from Dwr Cymru Welsh Water (DCWW) and no likely significant effects on European sites as a result of changes in water quality are expected in relation to the proportional growth outlined with the Herefordshire Core Strategy.
- 4.5 In relation to water quality, Policy SD4 of the Herefordshire Core Strategy indicates that any development should not undermine the achievement of water quality targets within the county's rivers. This should ensure that developments within the area can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC. This position is confirmed within the HRA of the Core Strategy in April 2015.
- 4.6 The addition of the Nutrient Management Plan for the River Wye SAC will support this policy. Titley Group Neighbourhood area is served by a public sewage network and

wastewater treatment works (WwTw). DCWW have commented that there is available headroom at present.

4.7 For full details of the River Lugg and River Wye SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Titley Group Initial Screening Report. The Initial Screening Report, **(Feb 2017)**, can be found in Appendix 3 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 Titley Group Neighbourhood Plan may affect site integrity.

4.9 The initial screening assessment indicated that a full screening assessment is required to assess the likelihood of significant effects on the River Wye (including the River Lugg) SAC of the policies within the Titley Group NDP.

## 5 Description of the Titley Group Neighbourhood Development Plan

5.1 The Draft Titley Group NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The first part of the Plan introduces the Plan and its preparation and discusses the background of the village.

5.2 The NDP then details the vision for the Parish over the Plan period and 3 objectives of how this will be achieved.

The vision is as follows:

- ***A home for thriving and distinct local communities, where the needs of all ages (including those of the younger generation) for both housing and local employment can be met;***
- ***A place where high-quality and sustainable community services, infrastructure and transport are available, with additional provision delivered by or in step with new development; and***
- ***A location which supports successful and environmentally-sustainable farming enterprises and other small businesses, home working, flexible working and self-employment; and***
- ***A sustainable rural environment where the character of the villages, the natural beauty of the landscape, wildlife and historic heritage are conserved and enhanced, providing an attractive and peaceful countryside for all to enjoy.***

The objectives are as follow:

### 1. Housing and settlements

The Neighbourhood Development Plan will ensure that new housing contributes to thriving communities by:

- Identifying land for new housing and demonstrating delivery to meet the requirements of the Local Plan Core Strategy.
- Defining the planned extent of the settlements of Titley and Staunton-on-Arrow.
- Requiring new housing to provide a mix of size and type of properties to meet community needs.

## 2. Economic and social development

The Neighbourhood Development Plan will guide economic and social development by:

- Supporting rural diversification and other forms of economic development which are appropriate to their location and setting.
- Working to improve electronic communications.
- Supporting renewable energy, particularly community-led proposals.
- Supporting the retention of existing community facilities and new provision.
- Identifying Community Actions in respect of non-land use matters which are outside the formal scope of the Neighbourhood Development Plan.

## 3. Environment

The Neighbourhood Development Plan will ensure that the local environment is protected and enhanced by:

- Providing for the protection, enhancement and conservation of the natural and historic environments in accordance with Local Plan Core Strategy policies.
- Ensuring that new development is in keeping with its surroundings and appropriately designed and accessed.
- Supporting high quality design solutions that make a positive contribution to local character and distinctiveness.

5.3 The initial options for the NDP were assessed to determine their environmental impact that could affect the River Wye SAC. Of the 5 options put forward the no NDP option was not considered viable for the Parish. The remaining options also proposed growth through site allocations, however any additional infill would all be within the proportional growth targets of the Core strategy and are therefore unlikely to have a significant impact on the SAC.

5.4 As the Titley Group Plan progressed from options to draft NDP policies, the Plan needed to identify ways in which the least effect on the River Wye (including the River Lugg) 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 2018 version.

5.5 The draft NDP (October 2018) also set out 16 policies on various topics based on the objective headings above and also for the villages, these include:

Policy TG1: Sustainable development

Policy TG2: Housing needs and requirements

Policy TG3: Rural exception housing

Policy TG4: Land at Titley Farm (site)

Policy TG5: Land at Church Wood, Titley (site)

Policy TG6: Titley settlement boundary

Policy TG7: Land opposite Old Court Cottage/Newton, Staunton-on-Arrow (open space and housing)

Policy TG8: Small sites at Staunton-on-Arrow (site)

Policy TG9: Staunton-on-Arrow settlement boundary

Policy TG10: Economic development in Titley Group

Policy TG11: Infrastructure

Policy TG12: Renewable energy

Policy TG13: Community facilities

Policy TG14: Natural environment

Policy TG15: Historic environment

Policy TG16: Design and access

## 6 Assessment of the 'likely significant effects' of the Titley Group NDP

- 6.1 As required under Regulation 102 of the Habitats Regulations 2010, a screening assessment has been undertaken to identify the 'likely significant effects' of the NDP. A screening matrix was prepared in order to identify whether any of the policies in the Plan would be likely to have a significant effect on the River Wye SAC.
- 6.2 The findings of the screening matrix can be found in the Screening Matrix in Appendix 2 of this report. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

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

### Screening of the draft plan (Reg14) October 2018

- 6.3 The Screening matrix took the approach of screening each policy individually, which is consistent with current guidance documents. The results from the HRA report for the pre-submission version of the Herefordshire Core Strategy were also taken into consideration.
- 6.4 None of the Draft Titley Group Neighbourhood Plan (October 2018) policies were concluded to be likely to have a significant effect on the River Wye SAC. Based on assumptions and information contained within the Titley Group Parish Plan, Herefordshire Core Strategy and the Pre-submission version / proposed modifications addendum of the HRA for the Core Strategy all of the NDP policies were found to be unlikely to result in significant effects on the River Wye.
- 6.5 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development. In several cases the policies also included measures to help support the natural environment including biodiversity. The plan is mainly criteria based plan but allocates sites (TG4, TG5, TG7 and TG8).
- 6.6 It is unlikely that the Titley Group 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 Kington Housing Market Area in the Herefordshire Core Strategy.
- 6.7 Therefore it was concluded that the **Reg14 Titley and Group NDP would not have a likely significant effect on the River Wye (including Lugg) SAC.**

### Assessment of the 'likely significant effects' of the submission Titley Group NDP (Reg16) April 2019.

- 6.8 The submission draft NDP has had some amendments and this document rescreens the policies that have received significant changes post Reg14. The changes were made in light of comments received at regulation 14 consultation and to ensure that the plan meets the Basic Conditions. Overall the rescreening did not significantly affect the conclusions of the earlier HRA report, as they did not involve the introduction of new policies or change the overall aims and objectives of the existing planning policies, despite the addition of new criteria in certain places. In general, these refinements relate to the composition of certain sentences and phrases, minor points of accuracy in relation to technical information and references to evidence base studies and other documentation.



6.9 Wording changes were made to TG2, TG3, TG4 and TG14, these changes were additions of the word Herefordshire and clarification of which maps sites related to, in light of the consultation comments to add additional clarification on the criteria. Policy TG5 was deleted and policy TG6 (was TG7) had had additional criteria added for further clarification and inclusion of key topics such as settlement character. This policy was rescreened. Policies TG2, TG3, TG4 and TG14 received some minor wording changes for the purposes of clarification however did not change the meaning or objective of the policy or objective and did not require rescreening.

6.10 **The Reg 16 submission NDP policies are therefore unlikely to result in significant effects on the European sites the River Wye (including the River Lugg) SAC.**

## 7 Conclusions from the Screening Matrix

7.2 None of the submission Tittley Group Neighbourhood Plan (April 2019) policies were concluded to be likely to have a significant effect on the River Wye SAC. This is due to the scale and location of potential development on the sites allocated. The settlement of is not in close proximity to the River Wye SAC. For the policies contained in the plan there is sufficient policy criteria in Core Strategy policies LD2, SD3 and SD4 to ensure that development can only occur if these criteria are met.

7.3 Dwr Cymru Welsh Water (DCWW) have stated for the Core Strategy that there is available headroom in the Sewerage Treatment works. Any new development will need to be in line with Core Strategy Policy SD4.

7.4 Policy SD4 of the Core Strategy of the NDP indicate that development would not be permitted if wastewater treatment and water quality cannot be assured. 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.

7.5 No mitigation measures have been included within the screening of the policies of the NDP. Policies of the Core Strategy and the NDP will form part of the development plans. A key requirement of the Core Strategy is to meet the Water Framework Directive.

7.6 Policy SD4 of the Core Strategy of the NDP indicate that development would not be permitted if wastewater treatment and water quality cannot be assured.

7.7 Policy LD2 of the Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests. The NDP allocates sites, therefore an AA is likely to be required at planning application stage, when further details of the proposed schemes are known. The Tittley Group plan mostly consists of protective policies it is determined unlikely to have a significant impact on the SACs.

7.8 This screening has found that the Tittley Group plan is unlikely to result in significant effects **on the River Wye (including Lugg) SAC.**

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

- 8.1** 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).
- 8.2 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy. Adjacent neighbourhood plans include Kington, Knighton Rural Group, Lyonshall (at examination) Shobdon and Pembridge (adopted) and Stapleton Group (not preparing a plan). These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 8.3 The HRA for the Core Strategy also identifies that both the Water Cycle Study for Herefordshire, which indicates the potential for planned water abstraction requirements combined with pressures on European Sites from the Core Strategy policies, and the work on the Nutrient Management Plan, to ensure the favourable conservation status of the SAC in respect of phosphate levels as soon as possible and at the latest by 2027, have both been considered as part of the in-combination assessment.
- 8.4 It is unlikely that the Titley Group 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 Kington Housing Market Area in the Herefordshire Core Strategy.

## **9 Conclusion**

- 9.1 The submission Titley Group NDP will not have a likely significant effect on the River Wye SAC (including Lugg).**

## **10 Next steps**

- 10.1 This report will be published alongside the submission Titley Group NDP. This will be subject to a 6 week consultation (Regulation 16) prior to submission for examination.

# Appendix 1

Appendix 1 –Titley Group HRA (Reg 14)

Options Considered

November 2018

Option 1: not to prepare a Neighbourhood Development Plan, relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD
Option 2: use a criteria-based Plan only
Option 3: allocate sites at Titley and Staunton-on-Arrow
Option 4: define settlement boundaries for Titley and Staunton-on-Arrow
Option 5: define settlement boundaries and allocate sites

# Appendix 2

**HRA Screening of Draft Neighbourhood Development Plan Policies****Parish: Titley Group****Date undertaken: November 2018**

NDP objectives and policies	HRA Screening of final NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if option implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment
<b>OBJECTIVES</b>					
Objective 1	<p>The Neighbourhood Development Plan will ensure that new housing contributes to thriving communities by:</p> <p>Identifying land for new housing and demonstrating delivery to meet the requirements of the Local Plan Core Strategy.</p> <p>Defining the planned extent of the settlements of Titley and Staunton-on-Arrow.</p> <p>Requiring new housing to</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	River Wye (including River Lugg) SAC	No	<p>No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission and this objective is seeking to safeguard green spaces.</p>

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	provide a mix of size and type of properties to meet community needs.				
Objective 2	<p>The Neighbourhood Development Plan will guide economic and social development by:</p> <p>Supporting rural diversification and other forms of economic development which are appropriate to their location and setting.</p> <p>Working to improve electronic communications.</p> <p>Supporting renewable energy, particularly community-led proposals.</p> <p>Supporting the retention of existing community facilities and new provision.</p> <p>Identifying Community Actions in respect of non-land use matters which are outside the formal scope of the Neighbourhood</p>	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.

	Development Plan.				
Objective 3	<p>The Neighbourhood Development Plan will ensure that the local environment is protected and enhanced by:</p> <p>Providing for the protection, enhancement and conservation of the natural and historic environments in accordance with Local Plan Core Strategy policies.</p> <p>Ensuring that new development is in keeping with its surroundings and appropriately designed and accessed.</p> <p>Supporting high quality design solutions that make a positive contribution to local character and distinctiveness.</p>	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
<b>OPTIONS</b>					
Option 1	Not to prepare a Neighbourhood Development Plan,	Core Strategy HRA has examined the likely significant effects of the Core Strategy rural	River Wye (including River Lugg) SAC	N/A	N/A

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	<p>relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD.</p> <p>Not producing a neighbourhood plan would result in any future growth decisions within the parish being made based on the strategic policies within the Core Strategy.</p> <p>Proportional housing and employment growth would be in accordance with the Core Strategy.</p>	<p>policies in May 2014 and April 2015 and concluded that there are no LSE but acknowledges the role of neighbourhood plans to provide additional certainty.</p>			
Option 2	Use a criteria-based Plan only	It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Option 3	Allocate sites at Titley and Staunton-on-Arrow	Allocation of sites for housing would give a level of certainty to the location of future development. It is unlikely that there will be any significant effects on	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning

		the European Site. All developments are required to meet the criteria of Policy SD4.			permission.
Option 4	Define settlement boundaries for Titley and Staunton-on-Arrow	Allocation of sites for housing would give a level of certainty to the location of future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Option 5	Define settlement boundaries and allocate sites	Allocation of sites for housing would give a level of certainty to the location of future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.

POLICIES					
Policy TG1:	Sustainable development	Unlikely that there will be any significant effects on the European Site. Policy seeks to support sustainable measures for schemes.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective.
Policy TG2:	Housing needs and requirements	Unlikely that there will be any significant effects on the European Site. Policy seeks to support sustainable measures for schemes.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective.
Policy TG3:	Rural exception housing	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed and in line with Core Strategy Policies H1 and H3.
Policy TG4:	Land at Titley Farm (site)	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.

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Policy TG5:	Land at Church Wood, Tittley (site)	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy TG6:	Tittley settlement boundary	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy TG7:	Land opposite Old Court Cottage/Newton, Staunton-on-Arrow (open space and housing)	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy TG8:	Proposals for the development of the following sites for individual dwellings will be supported (site)	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy TG9:	Staunton-on-Arrow	Unlikely that there will be any significant effects on	River Wye (including	No	No, implementation of Core Strategy policy

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	settlement boundary	the European Site.	River Lugg) SAC		SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy TG10:	Economic development in Tittley Group	Unlikely that there will be any significant effects on the European Site. Criteria regarding priority habitats and species is contained within the policy which need to be met. The policy contains criteria specifically regarding tourism and employment and does not propose development with 100m of the boundary of the River Wye SAC.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective.
Policy TG11:	Infrastructure	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective.
Policy TG12:	Renewable Energy	Unlikely that there will be any significant effects on the European Site. Policy seeks to support appropriately sites	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. This

		schemes renewable and low carbon energy.			policy safeguards energy production in the parish.
Policy TG13:	Community Facilities	Local community facilities will be protected as community assets. No Likely significant impacts expected.	River Wye (including River Lugg) SAC	No	No: this policy is seeking to safeguard and or improve existing facilities. Implementation of Core Strategy policy SD4, LD2, SD1 will be required to grant planning permission will ensure water quality issues are addressed.
Policy TG14:	Natural environment	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this objective itself will not lead to development, instead it relates to criteria based objective.
Policy TG15:	Historic environment	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective. This policy safeguards the historic environment.
Policy TG16	Design and Access	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No: this objective itself will not lead to development, instead it relates to criteria based objective regarding the design

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					and appearance of development.
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# Appendix 3



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**Initial Habitat Regulations Assessment and Strategic Environmental  
Assessment Screening Notification**

**The Neighbourhood Planning (General) (Amendment) Regulations  
2015 (Reg. 32)**

**Conservation of Habitats and Species Regulations 2010 (d)**

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<b>Neighbourhood Area:</b>	Titleley Group Neighbourhood Area
<b>Parish Council:</b>	Titleley & District Group Parish Council
<b>Neighbourhood Area Designation Date:</b>	14 July 2016

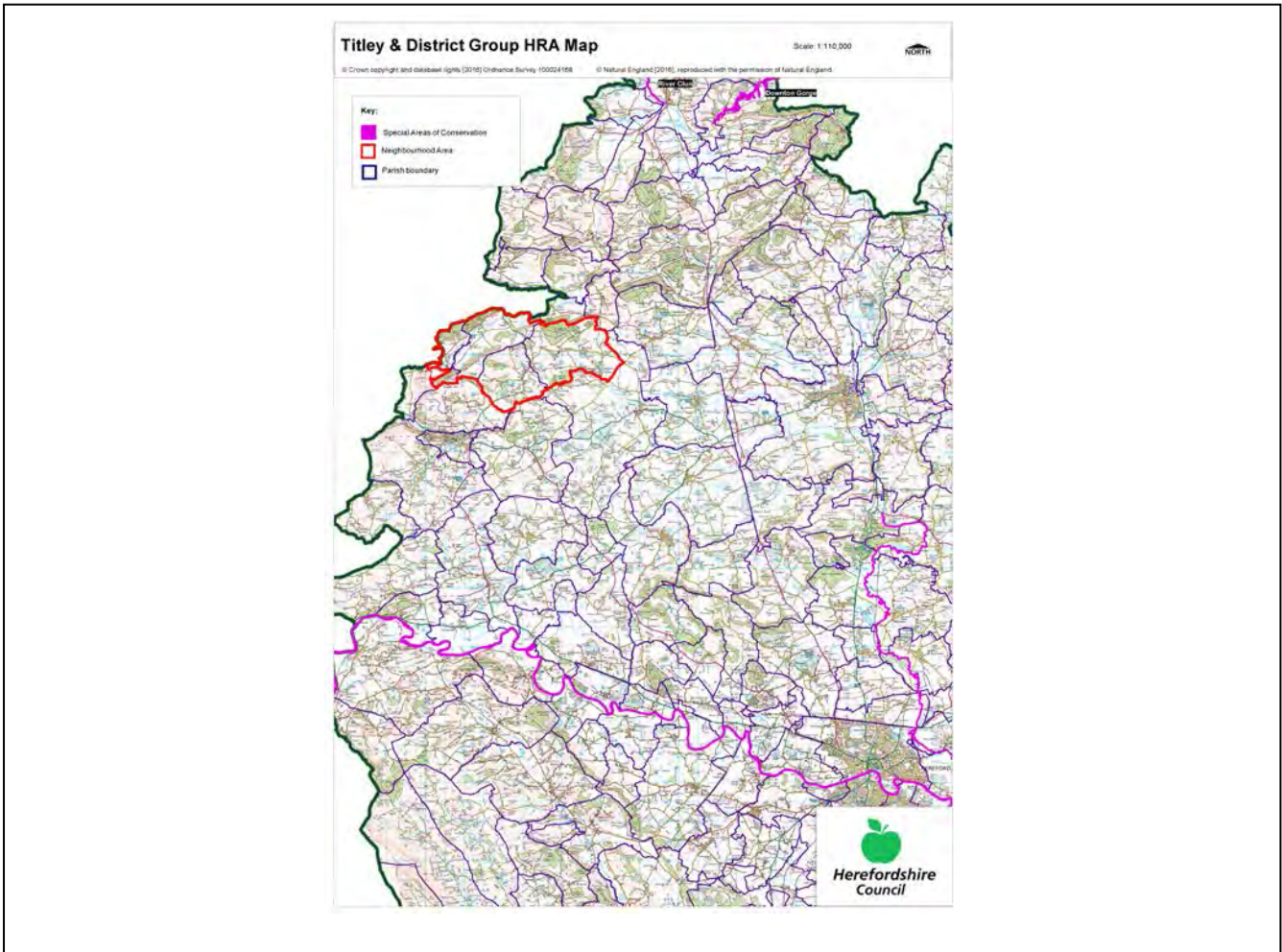
### **Introduction**

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)



### River Wye (including the River Lugg) Special Area of Conservation (SAC):

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	N	The River Wye is 15.6km away from the Group Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Group Parish is within the hydrological catchments of the River Lugg and also the River Arrow (to Lugg).
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Titley

### Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 11.75km away from the Group Parish.
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**River Clun SAC:**

Does the River Clun border the Neighbourhood Area	N	River Clun does not border the Group Parish.
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**Wye Valley & Forest of Dean Bat Sites SAC:**

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	Wye Valley and Forest of Dean Bat Sites are 48.5km away from the Group Parish.
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**Wye Valley Woodlands SAC:**

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	N	Wye Valley Woodlands are 47.4km away from the Group Parish.
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**HRA Conclusion:**

The assessment above highlights that European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Tittley & District Group Neighbourhood Area and a Full HRA Screening will be required.

**European Site**

*(List only those which are relevant)*

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 Titley & District Group Neighbourhood Area and would need to be taken into account within a Strategic Environmental Assessment. In addition, the NDP will also need to consider the other SEA topics set out in Guidance Note 9a to ensure that the plan does not cause adverse impacts.

SEA features	Within Neighbourhood Area		Bordering Neighbourhood Area	
	Total number	Name(s)	Total number	Name(s)
Ancient Woodland	11	Knill Wood; Combe & Brandhill Woods; Lanes Wood; Godens Wood; Mowley Wood 2; Birch Coppice; Kennel Wood; Rodd Wood; Wychmoor Wood; Butcher Wood; Broadleys Wood.	11	Holywell Wood; Lyonshall Park Wood; Piers Grove Wood; Rise Coppice; Butts Wood; Vallet Coppice; Stockley Heys Wood; Chaff Wood; Ravensmere Wood; Park Wood; Bradnor Wood
Areas of Outstanding Natural Beauty (AONB)	0	-	0	-
Conservation Areas	0	-	0	-
Flood Areas	There are Flood Zones in the south and north west of the Neighbourhood Area.			
Geoparks	0	-	0	-
Listed Buildings	There are numerous Listed Buildings throughout the Group Parish			
Local Geological Sites (LGS)	0	-	0	-
Local Wildlife Sites (LWS)	16	Pond at Knill; Hindwell Brook; Land at Little Brampton; Knill Wood, Hazel Point and Nash Wood; Land near Nash Court;	21	River Lugg; Byton and Combe Moors; Woodland along River Lugg; Land at Stapleton; Shobdon Pools;

		Land at Nash; Land adjacent to Wychmoor Wood; Little Brampton and Scar; Bircher Wood; Field near Lower Tan House; Mowley and Grove Woods; Pools near Titley; Pool near Shawl Farm; Land near Hunton Bridge; River Arrow; Herrock Hill.		Marsh Covert; Land adjacent to Moseley Common; Disused railway, Kington to Leominster; Land at Rushock Farm; Tinkers Wood; Ruchock Common; Bradnor Hill and Holywell Wood; Land at Lower Harpton; Lyonshall Park Wood; Land at Mill Farm; Piers Grove Wood and adjoining field; Lane at Rhue Ville; Land at Floodgates; Pinsley Brook; Frith Wood; Woodlands on Coles Hill.
Mineral Reserves	1	Rodd, Nash and Little Brampton	0	-
National Nature Reserve (NNR)	0	-	0	-
Nature Trails	3	Offa's Dyke; Herefordshire Trail; Mortimers Trail.	0	-
Registered Parks and Gardens	1	Eywood.	2	Shobdon; Hergest Croft.
Scheduled Ancient Monuments (SAM)	8	Offas Dyke: Section south of Riddings Brook on Herrock Hill; Offas Dyke: Rushock Hill section extending 1680 yds (1490m) east of Kennel Wood; Churchyard cross in St Michael's Church; Wapley Hill, large multivallate hillfort and pillow mounds 150m north of Warren House; Offas Dyke: The section extending 165yds (150m) north of Berry Wood; Offas Dyke: The section extending 300yds (270m) crossing the railway west of Titley	12	Lugg Bridge (also in Powys Wales); Stapleton Castle; Bowl barrow 445m south west of Lower Court; Bowl barrow 460m south of Lower Court; Motte Castle 300m north east of Combe House; Bowl barrow 490m south east of Milton Cross; Bowl barrow 460m south of Milton Cross; Bowl barrow 500m south east of Milton

		junction; North Herefordshire Rowe Ditch; Motte south west of the church.		Cross; Moated site at Court House Farm; Lyonshall Castle; Mound 150yds (140m) north of the church; Churchyard cross at St Mary The Virgin's Churchyard.	
Sites of Importance in Nature Conservation (SINC)	0	-	0	-	
Special Areas of Conservation (SAC)	0	-	0	-	
Unregistered parks and gardens	2	Titley Court; Staunton Park.	9	Court of Noke; Lyonshall Park; The Whittern; Kinsham Court; Castle Weir; Moor Court, Pembridge; Ridgebourne; Lynhales; Bryans Ground.	
			<b>SSSI Status</b>		<b>SSSI Status</b>
Sites of Special Scientific Interest (SSSI)	1	Flintsham and Titley Pools.	Favourable	4       River Lugg	Favourable; Unfavourable Recovering; Unfavourable Recovering, Unfavourable No Change; Unfavourable Recovering.

**Decision Notification:**

The initial screening highlights that the Neighbourhood Development Plan for the Titley & District Group Neighbourhood Area:

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

**Assessment date: 29 June 2016**

**Assessed by: James Latham**

## Appendix 1: European Sites

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

<b>Downton Gorge</b>
<b>Site Features:</b> <i>Tilio-Acerion</i> forests of slopes, screes and ravines
<b>Vulnerability data:</b> 10km for air quality associated with poultry units or other intensive agricultural practices.

<b>River Clun</b>
<b>Site Features:</b> Freshwater pearl mussel <i>Margaritifera margaritifera</i>
<b>Vulnerability data:</b> Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.

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



### 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 4

## Appendix 2: HRA Consultation Feedback

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

**Parish Council Name:** Titley Group

**Neighbourhood Development Plan Name:** Titley Group NDP

**Details of consultation:** *Regulation 14 Draft Plan consultation*

**Consultation date:** 3 December 2018 to 28 January 2019

Response Date	Consultee	Summary of Comments	Response to Comments
1/4/19	Natural England	Please be reassured that we do not have any substantive comments to make on the Neighbourhood Plan. Natural England's West Midlands area team does not have the capacity to engage with all of Herefordshire's emerging Neighbourhood Plans. We will raise any more strategic matters (such as drainage to the River Wye Special Area of Conservation) with Herefordshire Council.	N/A

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# Appendix 5

Table 3: HRA Screening of Significant Changes (Objectives, Options and Policies) following Draft Plan Consultation

Parish Council Name: Titley Group

NDP Title: Titley Group NDP

Date undertaken: May 2019

NDP objectives, options and policies significantly changed following Draft Plan Consultation	HRA Screening of significant changes (objectives, options and policies) following Draft Plan Consultation				
	Likely activities (operations) to result as a consequence of the significant change to the objective, option or policy	Likely effect if changed objective, option or policy is implemented. Could it have LSE on any European Site? (Yes/No, with reasons)  <i>(If no, progress onto next objective/option/policy. If yes, progress onto next set of columns in row)</i>	European Sites potentially affected  (Refer to Initial Screening)	Potential mitigation measures to be considered through redraft of changed objective, option or policy and as necessary, to be considered as part of Appropriate Assessment of these changes	If recommendations are implemented, would it be possible that the changes would result in no likely significant effect?  (Yes/No, with reasons)
<b>Policies</b>					
Policy TG6 (Was TG7)  SITE	Land opposite Old Court Cottage/Newton, Staunton-on-Arrow (open space and housing)	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.

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