

Habitats Regulations Assessment

Report for:

Madley Neighbourhood Area

July 2019



Madley HRA

HRA Screening Assessment

Contents

1 Introduction

Map of the Neighbourhood Area with European sites shown

2 The requirement to undertake Habitats Regulations Assessment of Neighbourhood Plans

3 Methodology

4 Results of the Initial Screening Report and options

5 Description of the Madley Neighbourhood Plan

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

7 Assessment of the 'likely significant effects' of the Madley NDP

Table 1 - Colour coding key for Matrix

8 Conclusions from the Screening Matrix

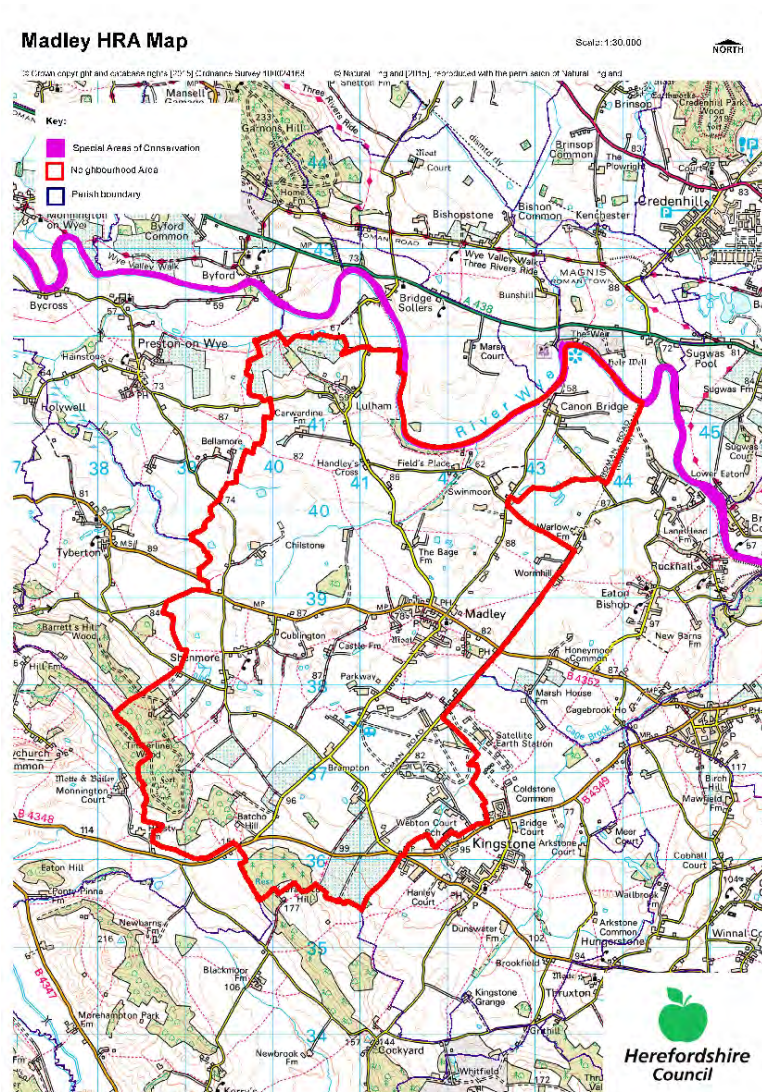
Appendix 1 – List of options assessed

Appendix 2 – Options Assessment and Full Screening matrix

Appendix 3 – Initial Screening Report (**March 2015**)

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 Madley Parish Council is producing a Neighbourhood Development Plan for Madley 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 Madley Neighbourhood Plan May 2019.
- 1.3 The NDP has 17 criteria based policies, including a site allocation. 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 Madley 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, Madley Parish Council is required by law to carry out an assessment known as "Habitats Regulations Assessment". It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that:
Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive 'on the conservation of wild birds' (79/409/EEC; 'Birds Directive') for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
 - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.

3 Methodology

- 3.1 As the Madley NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.
- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.

- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites (taking into account potential mitigation provided by other policies in the plan). For Neighbourhood Plans the outcome should demonstrate there are no likely effects upon the European sites. If any likely effects occur then there will need to be amendments to the NDP made and be re-screened until all likely effects have been mitigated.

4 Results of the Initial Screening Report and options

- 4.1 The initial Screening report (**March 2015**) 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 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 Madley Initial Screening Report. The Initial Screening Report, (**March 2015**), can be found in Appendix 3 of this HRA report. This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Madley Neighbourhood Plan may affect site integrity.
- 4.3 The initial options for the NDP were assessed to determine their environmental impact that could affect the River Wye SAC. Of the 5 options put forward the no NDP option was not considered viable for the Parish. The remaining options 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.
- 4.4 As Madley progresses from options onto their NDP policies, the Plan will need 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 Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the Madley Neighbourhood Development Plan

- 5.1 The Draft Madley NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the 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 5 objectives of how this will be achieved. The objectives are as follow:

| | |
|-------------|-------------------------------------|
| Objective 1 | Housing |
| Objective 2 | Environment |
| Objective 3 | Building and Local Economy |
| Objective 4 | Social and Community Infrastructure |
| Objective 5 | Community Actions |

- 5.3 The NDP also sets out 17 policies, including a site allocation, on various topics based on the objective headings above and also for the villages, these include:

| |
|---|
| Policy M1: Sustainable Development |
| Policy MH1: Housing delivery |
| SITE - Policy MH2 Land west of Archenfield, Madley |
| Policy MH3 Madley settlement boundary |
| Policy MH4 Type and size of housing |
| Policy MH5 Housing in the wider countryside |
| Policy ME1: Landscape character and wildlife |
| Policy ME2: Building design |
| Policy ME3: Historic environment |
| Policy MB1 Madley Airfield |
| Policy MB2: Tourism |
| Policy MB3 Re-use of redundant agricultural buildings |
| Policy MB4 Agricultural development |
| Policy MSC1: Community facilities |
| Policy MSC2: Open space and recreation |
| Policy MSC3: Local Green Space |

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

- 6.1 Regulation 102 of the Habitats Regulations 2010 requires an appropriate assessment where a land use plan (not directly connected with or necessary to the management of the site) is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. In addition, in accordance with the Neighbourhood Planning Regulation 2012 a NDP cannot have a significant effect on any European Site whether alone or in combination with another Plan.
- 6.2 There are a number of potentially relevant plans and projects which may result in in-combination effects with the Core Strategy across Herefordshire, these plans have been reviewed and can be found in Appendix 2 of the pre-submission publication of the Herefordshire Local Plan – Core Strategy Habitats Regulations Assessment (May 2014). It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy this review will also be relevant for the NDP.
- 6.3 The HRA for the Core Strategy also identifies that both the Water Cycle Study for Herefordshire, which indicates the potential for planned water abstraction requirements combined with pressures on European Sites from the Core Strategy policies, and the work on the Nutrient Management Plan, to ensure the favourable conservation status of the SAC in respect of phosphate levels as soon as possible and at the latest by 2027, have both been considered as part of the in-combination assessment.

7 Assessment of the 'likely significant effects' of the Madley NDP

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

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

- 7.1 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.
- 7.2 Implementation of the other policies within the NDP, which require good practice measures during and after construction phases, such as more efficient use of water, reduction in waste and encouragement of recycling will help to address any further environmental impact. The provision and encouragement of use of more sustainable transport measures when improving the transport infrastructure have been clearly identified and will also help to reduce car traffic around the parish and surrounding areas.

8 Conclusions from the Screening Matrix

- 8.1 None of the Draft Madley Neighbourhood Plan (May 2019) policies were concluded to be likely to have a significant effect on the River Wye SAC. Based on assumptions and information contained within the Madley NDP, Herefordshire Core Strategy and the Pre-submission version / proposed modifications addendum of the HRA for the Core Strategy all of the NDP policies were found to be unlikely to result in significant effects on the River Wye.
- 8.2 In many cases this is because the policy itself would not result in development, i.e., it related instead to criteria for development. In a number of cases the policies also included measures to help support the natural environment, including biodiversity and therefore no significant effect conclusion could be reached. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 8.3 There is mains drainage in the Neighbourhood Area, and there is headroom currently available. The impact of water abstraction and quality can be determined at planning application stage on a case by case basis. Policy SD4 of the Core Strategy and Policy C4 indicate that development would not be permitted if wastewater treatment and water quality cannot be assured. The preparation of the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.
- 8.4 It is unlikely that the Madley 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 Housing Market Area in the Herefordshire Core Strategy and all of the proposed housing sites will be of a small scale and in line with the proportional growth specified in the Core Strategy.

8.5 It is therefore concluded that the Madley Parish NDP will not have a likely significant effect on the River Wye SAC and Parish Councillors will welcome the conclusion as to no likely significant effect.

8.6 Any further amendments to policies (post May 2019) will be rescreened if required and an addendum to this report will be produced.

Appendix 1

Appendix 1 – Madley HRA (Reg 14)

Options Considered

July 2019

| | |
|----|---|
| 1 | Do nothing: not to prepare a Neighbourhood Development Plan, relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD |
| 2 | Use a criteria-based Plan only to manage development throughout the Neighbourhood Area |
| 3 | Allocate site(s) for development at Madley |
| 3a | Focus development on several smaller sites or one or two larger sites |
| 4 | Define a settlement boundary for Madley |
| 5 | Define a settlement boundary for Madley, allocate site(s) and manage other development through criteria-based policies. |

Appendix 2

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Madley****Date undertaken: July 2019**

| 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 |
| Objective 1: Housing | To meet housing requirements by demonstrating delivery to meet the strategic requirements, defining the planned extent of Madley village, and requiring a mix of size and type of properties to meet community needs. | 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: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission. |
| Objective 2: Environment | To protect and enhance the local environment by ensuring that new development and road infrastructure is located and designed to respect | Unlikely that there will be any significant effects on the European Site. All developments are required to meet the | River Wye (including River Lugg) SAC | No | No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development |

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

| | | | | | |
|---|---|---|--------------------------------------|----|---|
| | its immediate context, the character of the landscape, wildlife and biodiversity and heritage assets. | criteria of Policy SD4. | | | itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission. |
| Objective 3: Building and Local economy | To support the local economy by enabling development which is in scale and in keeping with the rural character of the Neighbourhood Area and appropriate to its location and setting. | 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: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission. |
| Objective 4: Social and community infrastructure | To protect, retain and improve infrastructure including community facilities, open space and land used for recreation. | 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: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to |

| | | | | | |
|---|--|---|---------------------------------------|----|---|
| | | | | | receive planning permission. |
| Objective 5: Community Actions | To identify those matters which fall outside the formal development and land-use scope of the Neighbourhood Development Plan, such as traffic and transport, as Community Actions for further consideration and action by Madley Parish Council. | 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: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself. Policy criteria exist within the NDP and Core Strategy (SD4) required to be met for any development to receive planning permission. |
| OPTIONS | | | | | |
| Option 1 | Not to prepare an NDP | 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 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 |

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

| | | | | | |
|-----------|---|--|---------------------------------------|----|--|
| | | | | | permission. |
| Option 3 | <p>allocate sites</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p> | <p>Allocation of sites for housing would give certainty to 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.</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.</p> |
| Option 3a | <p>Focus development on several smaller sites or one or two larger sites</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment</p> | <p>Allocation of sites for housing would give certainty to 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.</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.</p> |
| Option 4 | <p>define settlement boundary for Madley without allocating sites</p> | <p>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.</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</p> |

| | | | | | |
|-------------------|--|---|--------------------------------------|----|---|
| | | | | | permission. |
| Option 5 | <p>Define a settlement boundary for Madley, allocate site(s) and manage other development through criteria-based policies.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p> | Allocation of sites for housing would give certainty to 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 policy SD4, will be required to be met for any further development to receive planning permission. |
| POLICIES | | | | | |
| Policy M1 | Sustainable Development | 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 MH1 | Housing Delivery | 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 MH2 | SITE Land West of Archenfield, Madley | 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, H3 will be required to grant planning permission and this will ensure water |

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

| | | | | | |
|-------------------|---|--|--------------------------------------|----|--|
| | | | | | quality issues are addressed. |
| Policy MH3 | Madley Settlement Boundary | 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: this policy itself will not lead to development, instead it relates to criteria based objective which will guide the location of development within a settlement boundary |
| Policy MH4 | Type and Size of Housing | 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. However implementation of Core Strategy policy SD4 will be required to grant planning permission and this will ensure water quality issues are addressed. |
| Policy MH5 | Housing in the wider countryside | 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 |

This document is copyright of Herefordshire Council, please contact the Neighbourhood Planning team if you wish to reuse it in whole or part.

| | | | | | |
|-------------------|---|--|--------------------------------------|----|--|
| | | | | | permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies. |
| Policy ME1 | Landscape character and wildlife | 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 as well as being in line with Core Strategy Policies. |
| Policy ME2 | Design | 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 as well as being in line with Core Strategy Policies |
| Policy ME3 | Historic Environment | 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 as well as being in line with |

| | | | | | |
|-------------------|---|--|--------------------------------------|----|--|
| | | | | | Core Strategy Policies. |
| Policy MB1 | Madley Airfield | 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, H3 will be required to grant planning permission and this will ensure water quality issues are addressed. |
| Policy MB2 | Tourism | 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, E1 and E4 to grant planning permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies |
| Policy MB3 | Re-use of redundant agricultural buildings | 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 | River Wye (including River Lugg) SAC | No | No, implementation of Core Strategy policy SD4, LD2, SD1, RA5 and to grant planning permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies. |

| | | | | | |
|--------------------|----------------------------------|--|--------------------------------------|----|---|
| | | effected. | | | |
| Policy MB4 | Agricultural Development | 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, RA5 and to grant planning permission will ensure water quality issues are addressed as well as being in line with Core Strategy Policies. |
| Policy MSC1 | Community Facilities | 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. |
| Policy MS2 | Open space and recreation | 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 | 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. |

| | | | | | |
|-------------------|--------------------------|--|--------------------------------------|----|---|
| | | is not detrimentally effected. | | | |
| Policy MS3 | Local green space | 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. |

Appendix 3

**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)

| | |
|---|---------------------------|
| Neighbourhood Area: | Madley Neighbourhood Area |
| Parish Council: | Madley Parish Council |
| Neighbourhood Area Designation Date: | 14/04/2015 |

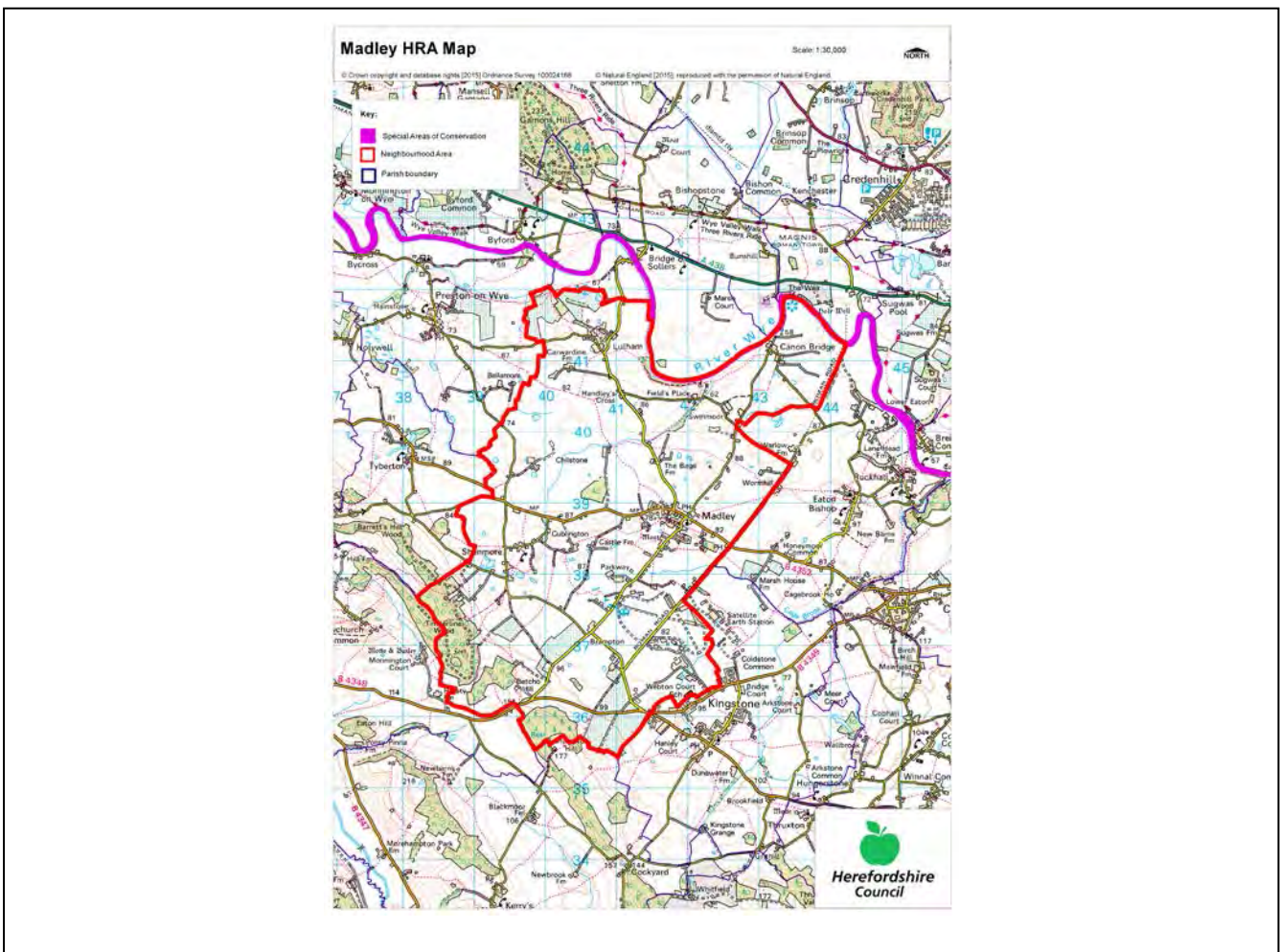
Introduction

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? | Y | The River Wye borders the Parish to the north. |
| Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC? | Y | The Parish is within the hydrological catchment of the River Wye. |
| If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage? | Y | There is mains drainage at Kingstone & Madley. |

Downton Gorge SAC:

| | | |
|---|---|---|
| Is the Neighbourhood Area within 10km of Downton Gorge SAC? | N | Downton Gorge is 31.2km away from the Parish. |
|---|---|---|

River Clun SAC:

| | | |
|---|---|--|
| Does the River Clun border the Neighbourhood Area | N | River Clun does not border 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 and Forest of Dean Bat Sites are 28.4km 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 23.4km away from the Parish. |
|--|---|---|

HRA Conclusion:

The assessment above highlights that European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Madley 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 Madley 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 | 4 | Bucknells Wood; Lady Coppice & The Birches; Brampton Hill Wood 2; Barretts Hill Wood. | 14 | Ladys Coppice; Nells Wood; Ravenshoot & Dunshall Woods; Eaton Hill Wood; Cwm Sayce Wood; Tanhouse & Haybrooks Woods; Chanstone Wood; Rushden Wood; Kiln Wood; Birchypark Wood; Woodfield Barn Coppice; Wallbrook Wood; Ruckhall Wood; Woodbury Hill Wood. |
| Areas of Outstanding Natural Beauty (AONB) | 0 | - | 0 | - |
| Conservation Areas | 0 | - | 0 | - |
| Flood Areas | Flood Zones 2 and 3 follow the River Wye and brooks/tributaries off this. | | | |
| Geoparks | 0 | - | 0 | - |
| Listed Buildings | There are numerous listed buildings within the Parish. | | | |
| Mineral Reserves | 2 | South of Wye, Bridge Sollars to Lulham; South of Canon Bridge. | 3 | East of Byford; Ashmoor Plantation to Bishopstone Court to Downshill Coppice; |

| | | | | |
|--|---|--|----|--|
| | | | | South of Roman Road to A438 and area between Wye and A438. |
| National Nature Reserve (NNR) | 0 | - | 1 | The Flits. |
| Nature Trails | 0 | - | 2 | Wye Valley Walk; Three Rivers Ride. |
| Regionally Important Geological Sites (RIGS) | 0 | - | 0 | - |
| Registered Parks and Gardens | 0 | - | 0 | - |
| Scheduled Ancient Monuments (SAM) | 1 | Churchyard cross in St Marys Churchyard. | 5 | New Weir Roman Site; Eaton Camp;; Monnington Straddle Motte Churchyard Cross in St Marys Churchyard (Tyberton); Site of Romano-British town of Magna. |
| Sites of Importance in Nature Conservation (SINCs) | 0 | - | 0 | - |
| Special Areas of Conservation (SAC) | 1 | River Wye. | 0 | - |
| Special Wildlife Sites (SWS) | 9 | River Wye; Pond near Longmoor Cottage; Warlow Pool; Field near Bage Mill; Bucknalls Wood; Two Ponds at Castle Farm; Cage Brook; Timberline Wood & adjoining woodlands; Brampton Hill Wood. | 20 | Land near Hacton, Preston on Wye; First pond near Bunshill; Pool near Magna Castra; Field near Eaton Camp; Eaton Bishop Church; Cage Brook Valley & Woodlands; Honeymoon Common; Littlemarsh Common; Kingstone Common; Arkstone Common; Whitfield; New Barns, Dunseal, Ravenshot, WDS & Pontapina Break; River Dore; Eaton Hill Wood; |

| | | | | | | |
|---|---|---------------------|-----------------------------|--|---|--|
| | | | | Vowchurch Common; Moccas Park & adjoining woodland; Mere Pool, Blakemere; Pond near Woodfield Farm; The Flits; Land at Rose Bank, Preston on Wye. | | |
| Unregistered parks and gardens | 1 | Canon Bridge House. | 6 | New Weir; Lower Eaton; Sugwas Court; Cagebrook House; Tyberton Court; Morehampton. | | |
| | | | SSSI Status | | SSSI Status | |
| Sites of Special Scientific Interest (SSSI) | 1 | River Wye. | Unfavourable Recovering. | 4 | Cagebrook Valley; Chanstone Wood; Littlemarsh Common; The Flits. | Favourable; Unfavourable No Change; Unfavourable Declining. Favourable. Unfavourable Declining. Favourable; Unfavourable Recovering; Unfavourable No Change. |

Decision Notification:

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

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

Assessment date: 11/03/2015

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." |

| |
|---|
| Wye Valley and Forest of Dean Bat Sites |
| Site Features: Annex II species that are a primary reason for site selection: Lesser horseshoe bat <i>Rhinolophus hipposideros</i> . Greater horseshoe bat <i>Rhinolophus ferrumequinum</i> |
| 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 <i>Asperulo-Fagetum</i> , <i>Tilio-Acerion</i> forests of slopes, screes and ravines, <i>Taxus baccata</i> woods of the British Isles. Annex II species present as a qualifying feature, but not a primary reason for site selection: Lesser horseshoe bat <i>Rhinolophus hipposideros</i> , 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. |