

Habitats Regulations Assessment

Report for:

Linton Neighbourhood Area

October 2019



Linton Parish (Bromsash, Gorsley and Linton) HRA

HRA Screening Assessment

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1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National planning Policy Framework. The screening stage involves assessing broadly whether the Draft Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Linton Parish (Bromsash, Gorsley and Linton) Parish Council is producing a Neighbourhood Development Plan for Linton Parish (Bromsash, Gorsley and Linton) 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 Linton Parish (Bromsash, Gorsley and Linton) Neighbourhood Plan September 2019.
- 1.3 The NDP has 11 criteria based policies. 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 Linton Parish (Bromsash, Gorsley and Linton) 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, Brampton Abbots and Foy 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 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 Linton Parish (Bromsash, Gorsley and Linton) 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 2018**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC and is 9.8km (within 10km) of the Wye Valley Woodlands SAC and 2.8km from the Wye Valley and Forest of Dean Bat Sites 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. The addition of the Nutrient Management Plan for the River Wye SAC will support this policy.
- 4.6 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 Linton Parish Initial Screening Report. The Initial Screening Report (**March 2018**) can be found in Appendix 3 of this HRA report.

- 4.7 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 Linton Parish Neighbourhood Plan may affect site integrity.
- 4.8 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 Linton Parish NDP.

Wye Valley and Forest of Dean Bat Sites SAC and Wye Valley Woodlands

- 4.9 The Greater Horseshoe Bat and Lesser Horseshoe bat feature within the Wye Valley and Forest of Dean Bat Sites. The Greater Horseshoe Bat are known to migrate between 20-30km between their summer and winter roosts whereas the Lesser Horseshoe migrate 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance, noise and vibration, light pollution and habitat loss. NDPs sites within 10 km of the Wye Valley and Forest of Dean Bat Sites will need to consider development impact to these species and their habitats. NDPs closest to the SAC will need to consider: Woodland habitat buffer. Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.
- 4.10 The issues associated with maintaining the sites integrity include impact of development result in changes in landscape and townscape. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, impact on European Sites is dependent on scale and proximity to the European sites.
- 4.11 In relation to impact on biodiversity and important species, Policy LD2 of the Herefordshire Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests.
- 4.12 For full details of the Wye Valley and Forest of Dean Bat Sites SAC attributes and Wye Valley Woodlands SAC which contribute to and define their integrity and vulnerable data see Appendix 1 of the Linton Parish Initial Screening Report. The Initial Screening Report (March 2018) can be found in Appendix 1 of this HRA report.
- 4.13 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 Linton Parish Neighbourhood Plan may affect site integrity.
- 4.14 The initial screening assessment indicated that a full screening assessment is required to assess the likelihood of significant effects on the Wye Valley and Forest of Dean Bat Sites of the policies within the Linton Parish NDP. For full details of the Wye Valley & Forest of Dean Bat Sites SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Linton Parish Plan Initial Screening Report. The Initial Screening Report (March 2018) 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 Linton Parish Neighbourhood Plan may affect site integrity.

- 4.15 The initial options for the NDP were assessed to determine their environmental impact that could affect the Wye Valley & Forest of Dean Bat Sites SAC and the Wye Valley Woodlands SAC. Overall the majority of the options proposing any growth appear to depend on location and scale in relation to environmental impact. The Linton Parish NDP does not allocate sites within the plan. The group parish is 2.8km away from the Wye Valley and Forest of Dean Bat Sites and 9.8km away from the Wye Valley Woodlands SAC. Therefore a full HRA report is required at planning application stage when further details are known regarding new housing development and will be assessed on a case by case basis.
- 4.16 As the Linton Parish Plan progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the Wye Valley & Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC could be achieved, alongside taking forward the preferred options from the consultation from the community. If a majority of these options are taken forward either as standalone policies or in combination with other policies then the mitigation from these options will help to counter balance the effect of all new development within the Parish. A list of the options and site options assessed can be found in Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the Linton Parish (Bromsash, Gorsley and Linton) Neighbourhood Development Plan

- 5.1 The Draft Linton Parish (Bromsash, Gorsley and Linton) 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: environment and heritage

To protect and maintain the natural and historic environment of the parish, in particular its designated areas, sites and buildings; and its landscape character, especially views and vistas, ensuring access to these through the public footpath network.

Objective 2: housing

To provide a range and choice of new homes, sensitively located and to meet the needs of all sections of the community. These homes should be built at a scale and density designed to respect and enhance the character of the parish.

Objective 3: infrastructure and roads⁴

To support the provision of improved infrastructure in line with new development, including roads/pavements; public transport; the sewerage system; surface water drainage; mobile telephony and broadband. Infrastructure to reduce carbon dependence will also be encouraged through seeking appropriate alternative energy methods. To address traffic issues including the speed of vehicles through the villages; the effect of traffic noise on amenity; and the need for safer environments for all road users.

Objective 4: community services and facilities

To ensure that community services and facilities are retained and enhanced as much as possible, and that community spirit and involvement is actively encouraged.

Objective 5: economic development and employment

To support and encourage the development or expansion of small and home-based businesses and farming

- 5.3 The NDP also sets out 11 policies on various topics based on the objective headings above and also for the villages, these include:

Policy BGL 1: Sustainable Development
Policy BGL2: Natural environment
Policy BGL3: Historic Environment
Policy BGL4: Building design
Policy BGL5: Renewable and low carbon energy
Policy BGL6 Settlement boundaries
Policy BGL7 Housing mix
Policy BGL8: Community services and facilities
BGL9 Local Green Space
Policy BGL10: Small-scale employment development
Policy BGL11 Agricultural development

6

Assessment of the 'likely significant effects' of the Linton Parish (Bromsash, Gorsley and Linton) 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 the Wye Valley Woodlands SAC, Wye Valley and Forest of Dean Bat Sites and Wye Valley Woodlands 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)

- 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 Linton Parish NDP objectives and policies (September 2019) were concluded to be likely to have a significant effect on the European site. Linton parish falls within the hydrological catchment area of the *River, Wye (including Lugg) SAC with the river running through the middle of the parish, however there is no development proposed within 100m of the river bank*. Core Strategy policy SD3 and SD4 together with the Nutrient Management Plan will ensure that development can only occur if policy requirements are met.
- 6.5 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 6.6 It is unlikely that the Linton Parish 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 Ross on Wye Housing Market Area in the Herefordshire Core Strategy.
- 6.7 Therefore it was concluded that the **Reg14 Linton Parish NDP would not have a likely significant effect on the River Wye (including Lugg) SAC, Wye Valley and Forest of Dean Bat Sites SAC, Wye Valley Woodlands SAC.**

7 Conclusions from the Screening Matrix

- 7.1 None of the draft Linton Neighbourhood Plan (September 2019) policies were concluded to be likely to have a significant effect on the River Wye SAC, Wye Valley and Forest of Dean Bat Sites and Wye Valley Woodlands SAC.
- 7.2 This is partly down to the fact the Linton Plan does not allocate sites. 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 The draft plan allocates settlement boundaries for development within Linton, Gorsley and Bromsash. In April 2019, 77 houses have either been granted or granted planning permission, leaving a remaining housing target figure of 16 over the required number dwellings. The settlement area appears to be enough capacity within the area to meet the target housing growth. Due to the location of these areas, and at the scale of growth that is required by the Herefordshire Core Strategy, these would not have an appreciable effect on the River Wye SAC, i.e. that they were not likely to be significant. The Wye Valley and Forest of Dean Bat Sites and Wye Valley Woodlands.
- 7.4 Dwr Cymru Welsh Water (DCWW) have not made any statement regarding capacity of any Sewerage Treatment works serving the Linton Gorsley or Bromsash area. Any new development will need to be in line with Core Strategy Policy SD4.
- 7.5 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.
- 7.6 No mitigation measures have been included within the screening of the policies of the NDP. Policies of the Core Strategy and the NDP will form part of the development plans. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 7.7 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.
- 7.8 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 Linton Parish NDP does not allocate sites so an AA is not required as the plan is criteria based consisting of mostly protective policies it is determined unlikely to have a significant impact on the SACs. However it is likely more information will be required at planning application stage to further determine the impact on the Wye due to the river running through the parish.
- 7.9 This screening has found that the Linton Parish draft plan is unlikely to result in significant effects **on the River Wye (including Lugg) SAC, Wye Valley and Forest of Dean Bat Sites SAC, Wye Valley Woodlands 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 Upton Bishop (at draft stage), Weston Under Penyard (Adopted), Lea (adopted), Aston Ingham (at draft stage). 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 draft Linton Plan will have any in-combination effects with any plans from neighbouring parish councils as the level of growth proposed is the same as that proposed for the Ross on Wye Housing Market Area in the Herefordshire Core Strategy.

9 Conclusion

- 9.1 **The draft Linton Parish (Gorsley and Bromsash) NDP will not have a likely significant effect on the River Wye SAC (including Lugg), Wye Valley and Forest of Dean Bat Sites SAC, Wye Valley Woodlands SAC.**

10 Next steps

- 10.1 This draft report will be published alongside the draft Linton Parish NDP. This will be subject to an 8 week consultation by the parish (Regulation 14). Any amendments to the plan post (draft September 2019) will be re-screened.

Appendix 1

Appendix 1 – Linton Parish (Bromsash, Gorsley and Linton) HRA (Reg 14)

Options Considered

October 2019

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 incorporating a general development strategy

Option 3: allocate sites to address the minimum housing requirement

Option 4: define settlement boundaries for Bromsash, Gorsley and Linton without allocating sites

Option 5: define settlement boundary for Bromsash, Gorsley and Linton and allocate sites in or adjacent to these villages

Appendix 2

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Linton Parish (Bromsash, Gorsley and Linton)****Date undertaken: October 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 – Environment and Heritage	To protect and maintain the natural and historic environment of the parish, in particular its designated areas, sites and buildings; and its landscape character, especially views and vistas, ensuring access to these through the public footpath network.	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD4 to protect the historic environment and heritage assets. No	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No	No: this objective is seeking to safeguard historic assets. Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed and no impact upon Wye Valley Woodlands SAC, the Wye Valley and Forest of Dean Bat Site SAC or the River Wye SAC.
Objective 2 - Housing	To provide a range and choice of new homes, sensitively	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No.	No: this objective is seeking to deliver housing to meet the

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	located and to meet the needs of all sections of the community. These homes should be built at a scale and density designed to respect and enhance the character of the parish.	Greater degree of certainty over the impact of future development on the European sites, as the location of housing would be pre-determined and not left to market forces. Unlikely that there will be any significant effects on the European Site.	Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)		needs of the community. Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed and no impact upon Wye Valley Woodlands SAC, the Wye Valley and Forest of Dean Bat Site SAC or the River Wye SAC.
Objective 3 – Infrastructure and Roads	To support the provision of improved infrastructure in line with new development, including roads/pavements; public transport; the sewerage system; surface water drainage; mobile telephony and broadband. Infrastructure to reduce carbon dependence will also be encouraged through seeking appropriate alternative	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No.	No, this objective will not produce any impacts upon Valley Woodlands SAC, the Wye Valley and Forest of Dean Bat Site SAC or the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.

	energy methods. To address traffic issues including the speed of vehicles through the villages; the effect of traffic noise on amenity; and the need for safer environments for all road users.				
Objective 4 – Community Services and Facilities	To ensure that community services and facilities are retained and enhanced as much as possible, and that community spirit and involvement is actively encouraged.	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC, the Wye Valley and Forest of Dean Bat Site SAC or the River Wye SAC.
Objective 5 – Economic Development and Employment	To support and encourage the development or expansion of small and home-based businesses and farming.	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure

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					water quality issues are addressed.
Option 1	Not to prepare a Neighbourhood Development Plan, relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD	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. Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	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 incorporating a general development strategy	Producing a criteria based NDP with a development strategy would give a level of 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 the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	Developments should not be within 100m a 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.	No; policy criteria can be added to any allocation policy to mitigate. The majority of the village, where likely proportionate growth and settlement boundary would be located is outside of the catchment area for the River Wye, however policy SD4 applies to any development.
Option 3	Allocate sites to address the minimum housing	Producing an NDP where sites are allocated would	River Wye (including the River Lugg) SAC	Developments should not be within 100m a	No; policy criteria can be added to any

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	<p>requirement</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>give a level of 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>	<p>Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish)</p> <p>Wye Valley Woodlands SAC (9.8km from Parish)</p>	<p>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.</p>	<p>allocation policy to mitigate. The majority of the village, where likely proportionate growth and settlement boundary would be located is outside of the catchment area for the River Wye, however policy SD4 applies to any development.</p>
Option 4	<p>Define settlement boundaries for Bromsash, Gorsley and Linton without allocating sites</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Producing an NDP where a settlement boundary is designated would give a good level of certainty to the location of any 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>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish)</p> <p>Wye Valley Woodlands SAC (9.8km from Parish)</p>	<p>Developments should not be within 100m a designated bank. Developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy.</p>	<p>No; policy criteria can be added to any allocation policy to mitigate. The majority of the village, where likely proportionate growth and settlement boundary would be located is outside of the catchment area for the River Wye, however policy SD4 applies to any development.</p>
Option 5	<p>Define settlement boundary for Bromsash, Gorsley and Linton and allocate sites in or adjacent to these villages</p> <p>Increase in vehicle</p>	<p>Producing an NDP where a settlement boundary is designated would give a good level of certainty to the location of any future development as would the allocation of specific sites. It is unlikely that there will</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish)</p> <p>Wye Valley</p>	<p>Developments should not be within 100m a designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be</p>	<p>No; policy criteria can be added to any allocation policy to mitigate. The majority of the village, where likely proportionate growth and settlement boundary would be</p>

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	<p>traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.</p>	<p>Woodlands SAC (9.8km from Parish)</p>	<p>addressed where possible when developing NDP policy and choosing any further or additional site allocations.</p>	<p>located is outside of the catchment area for the River Wye, however policy SD4 applies to any development.</p>
<p>Policy BGL 1</p>	<p>Sustainable Development</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Any small scale development that is proposed will need to be sustainable and built with sustainable measures. Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish)</p> <p>Wye Valley Woodlands SAC (9.8km from Parish)</p>	<p>No</p>	<p>No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.</p>
<p>Policy BGL2</p>	<p>Natural environment</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (2.8km from</p>	<p>No</p>	<p>No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to</p>

		wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	Parish) Wye Valley Woodlands SAC (9.8km from Parish)		safeguard the natural and built environment maintaining the character of the neighbourhood area.
Policy BGL3	Historic Environment	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD4 to protect the historic environment, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets out criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.
Policy BGL4	Building 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 the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets out criteria to guide building design and safeguard the natural and built environment

					maintaining the character of the neighbourhood area.
Policy BGL5	<p>Renewable and low carbon energy</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	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.	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish)</p> <p>Wye Valley Woodlands SAC (9.8km from Parish)</p>	No	No: this policy itself will not lead to development, instead it relates to criteria based objective that sets outs criteria safeguard the natural and built environment maintaining the character of the neighbourhood area.
Policy BGL6	<p>Settlement boundaries</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	Producing an NDP where a settlement boundary is designated would give a good level of certainty to the location of any future development as would the allocation of specific sites. 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 the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish)</p> <p>Wye Valley Woodlands SAC (9.8km from Parish)</p>	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the environment by defining areas in which development can take place.

Policy BGL7	Housing mix Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed through any planning permission granted.
Policy BGL8:	Community services and facilities Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No	No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
BGL9	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 LD2 to protect biodiversity and	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish)	Impact on the SAC is dependent on scale and location of the proposed development.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues

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		wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	Wye Valley Woodlands SAC (9.8km from Parish)		are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known.
Policy BGL10	Small-scale employment development Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No	No. The implementation of Core Strategy policy SD4, LD2, SD1, E1, E3 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known
Policy BGL11	Agricultural development	Unlikely that there will be any significant effects on the European Site. All agricultural developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD3 and SD4 which seeks to ensure water quality of the SAC is not detrimentally	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (2.8km from Parish) Wye Valley Woodlands SAC (9.8km from Parish)	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when

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		effected			further details of the scheme are known
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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:	Linton Neighbourhood Area
Parish Council:	Linton Parish Council
Neighbourhood Area Designation Date:	2 January 2018

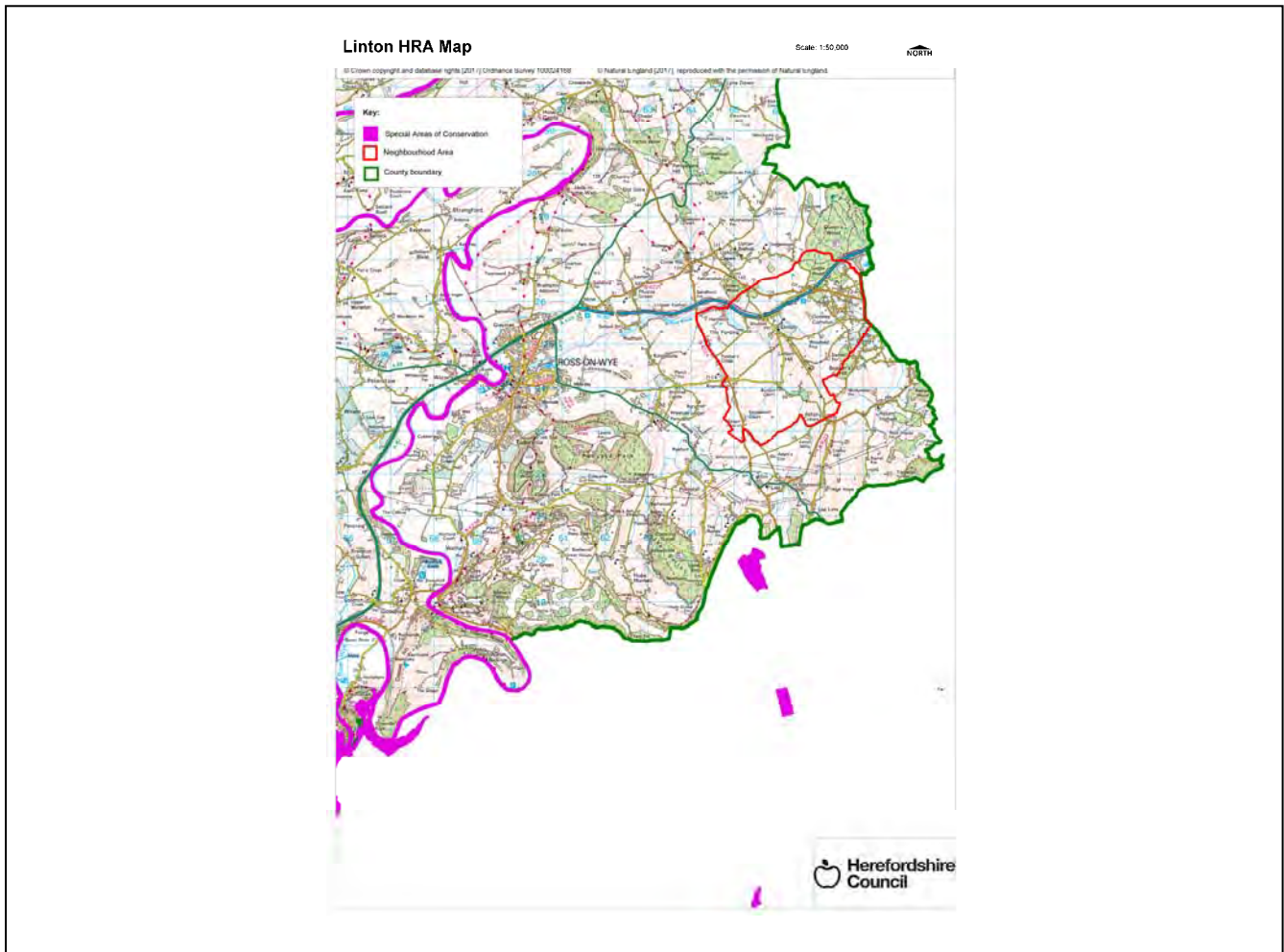
Introduction

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 SAC is 4.7km away from the neighbourhood area.
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The western part of the neighbourhood area is within the River Wye hydrological catchment area.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage within the neighbourhood area.

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge SAC is 51km away from the neighbourhood area.
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River Clun SAC:

Does the River Clun border the Neighbourhood Area	N	The River Clun SAC does not border the neighbourhood area.
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Wye Valley & Forest of Dean Bat Sites SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	Y	The Wye Valley and Forest of Dean Bat Sites SAC is 2.8km away from the neighbourhood area.
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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?	Y	The Wye Valley Woodlands SAC is 9.8km away from the neighbourhood area.
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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 Linton Neighbourhood Area and a Full HRA Screening will be required.

European Site

(List only those which are relevant)

River Wye (including the River Lugg) Special Area of Conservation (SAC)
Wye Valley and Forest of Dean Bat Sites SAC
Wye Valley Woodlands 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 Linton 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	Park Wood; Pound Farm Wood; Lynders Wood; Withymoor Wood.	5	Reslaw Wood; Moate Wood; Newhouse Wood; Penyard Park; Hopkins Wood.
Areas of Outstanding Natural Beauty (AONB)	0	-	1	Wye Valley AONB.
Conservation Areas	1	Linton	0	-
Flood Areas	Flood Zones 2 and 3 run along the Rudhall Brook.			
Geoparks	1	Malvern Hills Geopark.	0	-
Listed Buildings	There are numerous listed buildings throughout the neighbourhood area.			
Local Geological Sites (LGS)	3	M50 Section 2; Motorway Quarry (Linton Wood Quarry); Greens Quarry.		
Local Wildlife Sites (LWS)	8	Lyders Wood; The Fording Lake; Marsh near Pinfold Farm; Linton Church; Linton Quarry; Lilly Hall Orchard; Withymoor & Baldwins Wood; Marsh near Haygrove Farm.	6	Fields near Gayton; Fields near Norton Farm; Howley Grove; Aston Ingham Meadows; Reslaw & Newhouse Woods and adjoining woodlands; Meadow near Coldwell Cottage.

Mineral Reserves	0	-	0	-		
National Nature Reserve (NNR)	0	-	0	-		
Nature Trails	1	Ross Round.	1	Herefordshire Trail.		
Registered Parks and Gardens	0	-	0	-		
Scheduled Ancient Monuments (SAM)	0	-	1	Roman town of Ariconium.		
Sites of Importance in Nature Conservation (SINC)	0	-	0	-		
Special Areas of Conservation (SAC)	0	-	0	-		
Unregistered parks and gardens	1	Burton Court, Linton.	5	Bolitree Castle; Weston Hall; Penyard Park; Rudhall House; Grendon Court.		
			SSSI Status		SSSI Status	
Sites of Special Scientific Interest (SSSI)	1	Linton Quarry	Unfavourable Declining	1	Aston Ingham Meadows	Favourable

Decision Notification:

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

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

Assessment date: 28 December 2017

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. 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 *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.