

Habitats Regulations Assessment

Report for:

Holmer & Shelwick Neighbourhood Area

November 2019



Holmer and Shelwick 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 Holmer and Shelwick Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Holmer and Shelwick Parish Council is producing a Neighbourhood Development Plan for Holmer and Shelwick Parish, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the final Holmer and Shelwick Neighbourhood Plan November 2019.
- 1.3 The NDP has 10 criteria based policies but there are no specific site allocations. It provides general policies that clarify and provide more local detail to 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 Local Plan-Core Strategy Habitat Regulations Assessment Report and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Holmer and Shelwick 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, Holmer and Shelwick Parish Council is required by law to carry out an assessment known as “Habitats Regulations Assessment”. It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that:
Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive ‘on the conservation of wild birds’ (79/409/EEC; ‘Birds Directive’) for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
 - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.
- 2.5 Herefordshire Council is aware of the recent judgment (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitat Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage. The initial screening was undertaken in Feb 2017 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The Cooperatie Mobilisation (The Dutch Case) ruling will also have an impact in Herefordshire and this will be covered within section 4.
- 2.6 The purpose of this HRA report is to detail the findings of the screening of the proposed minor modifications to policies following the examination. It will also take into account the implications of Sweetman and other recent cases (Dutch Case).

3 Methodology

- 3.1 Although the Holmer and Shelwick NDP is not directly connected with the management of any European sites, it does include proposals for development which may affect European sites. Therefore, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.

- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.
- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.
- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites (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 (Feb 2017) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC. The River Lugg flows through the eastern edge of the parish. Therefore a full screening assessment is required.

Figure 2 below highlights the location of the River Wye SAC in relation to the Holmer and Shelwick neighbourhood area.



- 4.2 There is also a duty under the Water Framework Directive to ensure that proposals for growth do not adversely affect the water quality and this includes the associated watercourses flowing into the rivers.

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

- 4.3 The issues associated with maintaining the sites integrity include water levels and flow, water quality, eutrophication (nitrogen enrichment), sedimentation, disturbance and species maintenance.
- 4.4 The River Wye SAC can be sensitive to changes in water quantity and quality. The Habitat Regulation Assessment to the Herefordshire Core Strategy highlighted that 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 However, sections of the River Wye SAC where the water quality targets are already exceeding are subject to measure to reduce nutrients in line with the targets. This includes the River Lugg as it flows through the parish of Holmer and Shelwick.
- 4.6 In light of the interpretation of the Dutch Case where a European Site is failing its water quality objectives and is classified as an unfavourable condition, there is limited scope for the approval of additional damaging effects and measures that can't be relied upon or are uncertain.
- 4.7 In relation to this water quality issue, 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. Additional legal opinions have

confirmed that SD4 can be relied on within neighbourhood plans as the development plan should be viewed as a whole.

- 4.6 The addition of the Nutrient Management Plan for the River Wye SAC will support this policy. DCWW have indicated that there is a growth scheme within AMP6 and AMP7 capital programme for completion by 2020 to accommodate growth within the Core Strategy. Although this can't be relied on in light of the Dutch Case at present.
- 4.7 For full details of the SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Holmer and Shelwick Initial Screening Report. The Initial Screening Report, February 2017, can be found in Appendix 1 of this HRA report
- 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 Holmer and Shelwick NDP.

5 Description of the Holmer and Shelwick Neighbourhood Development Plan

- 5.1 The Draft Holmer and Shelwick 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 area.

- 5.2 The NDP then details the vision for the Parish over the Plan period and 7 objectives of how this will be achieved. The objectives are as follow:

Objective 1	to help to meet local housing needs up to 2031
Objective 2	to conserve local heritage assets
Objective 3	to conserve the landscape and natural environment
Objective 4	to support appropriate growth in the local economy
Objective 5	to protect and enhance existing community facilities
Objective 6	to protect local green spaces
Objective 7	to ensure appropriate infrastructure is in place

- 5.3 The initial options for the NDP (refer to appendix 2) were assessed to determine their environmental impact that could affect the River Wye SAC. Of the five options put forward the 'no NDP/do nothing' option was not considered viable by the parish council.

Option 1	Do nothing
Option 2	to allocate sites for the villages with no settlement boundary for the villages or Hereford
Option 3	to allocate sites and have a settlement boundary for the villages and Hereford
Option 4	to have no allocations and a criteria based policy for the villages to manage housing development
Option 5	to have a settlement boundary for the villages and Hereford

- 5.4 As the Holmer and Shelwick Neighbourhood Plan progressed from options to draft NDP policies, the plan needed to identify ways in which the least effect on the European site could be achieved, alongside taking forward the preferred option from the consultation from the community.

- 5.5 The NDP also sets out 10 policies on various topics based on the objective headings above and also for the villages, these include (policy numbers reflect the draft plan numbering):

Policy HS1	New Housing development in Munstone and Shelwick
Policy HS2	New Housing development in Holmer
Policy HS3	Design
Policy HS3	Protecting Local Heritage Assets
Policy HS4	Landscape and Natural Environment
Policy HS5	no policy
Policy HS6	Community facilities
Policy HS7	Protecting Local Green Spaces
Policy HS8	Traffic and Access
Policy HS9	Hereford Western Relief Road
Policy HS10	Community Infrastructure Levy and Planning Obligations

Submission Holmer and Shelwick NDP

5.6 Some minor amendments have been made to the following policies:

Policy HS1	New housing development in Munstone and Shelwick
Policy HS2	New housing development in Holmer
Policy HS3	Design
Policy HS4	Landscape and Natural Environment
Policy HS6	Protecting and support local Businesses

5.7 Some amendments have also been made to the settlement boundaries to take into account recent commitments. The proportional growth requirements for the rural settlements within the parish has been reached so no further allocation sites are proposed.

Modifications following the examination of the Holmer and Shelwick NDP

5.8 The plan was independently examined during October/November 2019 and as a result some minor modifications were made to a number of policies.

New Policy	Housing supply
Policy HS1	New housing development in Munstone and Shelwick
Policy HS2	New housing development in Holmer
Policy HS3	Design
Policy HS5	Landscape and Natural Environment
Policy HS6	Local Businesses
Policy HS7	Community facilities
Policy HS8	Local Green Space
Policy HS10	CIL – deleted

5.9 Some further amendments to the settlement boundary have been made to take account of recent commitments.

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

6.1 Regulation 102 of the Habitats Regulations 2010 requires that a Screening Assessment be undertaken, in order to identify the ‘likely significant effects’ of an NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies within the Holmer and Shelwick NDP would be likely to have a significant effect on the River Wye SAC

6.2 In light of the *Sweetman* case all policies have been reviewed to ensure compliance with the ruling. The finding can be found in appendix 3.

6.3 The findings of the screening matrix can be found in the appendix. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

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

6.4 Following the recent *Sweetman* judgement, it is not permissible to take account of measure intended to avoid or reduce the harmful effects of the plan on the River Wye SAC. Any likely significant effects would require an Appropriate Assessment to be required.

7 Conclusions from the Screening Matrix - Assessment of the 'likely significant effects' of the Holmer and Shelwick NDP

7.1 None of the submission Holmer and Shelwick Neighbourhood Plan (July 2019) policies were concluded to be likely to have a significant effect on the River Wye SAC.

7.2 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.

7.3 The Holmer and Shelwick plan does not allocate sites but designates settlement boundaries where additional growth can take place. The strategic site within the parish has been assessed as part of the Core Strategy and building work has commenced on site.

7.4 Dwy Cymru Welsh Water (DCWW) have indicated that there are two sewerage treatment works (Eign and Rotherwas) serving Hereford. An assessment has indicated that the Eign works has capacity for 40% of Hereford growth before it exceeds its flow limit. Rotherwas has the potential to accommodate 60% of the planned growth. The sewerage treatment works cannot be considered in isolation and the two sewerage treatment works should be considered in combination.

7.5 Phosphate issues will be considered through the AMP6/7 and Welsh Water have confirmed that this will be taking place on the Eign and Rotherwas works.

7.6 In addition, the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.

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

7.8 This review has concluded that the submission policies are unlikely to result in significant effects on the River Wye SAC. ***It is therefore concluded that the Holmer and Shelwick Plan will not have a likely significant effect on the aforementioned European Site***

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.
- 8.3 Adjacent neighbourhood plans include Sutton St Nicholas; Batrestree with Lugwardine; Withington and Burghill which are adopted, These plans have not gone over and beyond the requirements set out within the Core Strategy for their area. The neighbouring parishes of Pipe and Lyde and Hereford City are not producing a neighbourhood plan. Development plan documents including these areas are still at an early stage.
- 8.4 The HRA for the Core Strategy also identifies that both the Water Cycle Study for Herefordshire, which indicates the potential for planned water abstraction requirements combined with pressures on European Sites from the Core Strategy policies, and the work on the Nutrient Management Plan, to enable 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.
- 8.5 It is unlikely that the Holmer and Shelwick 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 Hereford 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.

9 Conclusion

- 9.1 With reference to sections 6 to 9 above, it is concluded that the final Holmer and Shelwick Parish NDP **will not have a likely significant effect on the River Wye (including the River Lugg) SAC.**

10 Next steps

- 10.1 This report will be published alongside the final Holmer and Shelwick NDP.

Appendix 1

**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:	Holmer & Shelwick Neighbourhood Area
Parish Council:	Holmer & Shelwick Parish Council
Neighbourhood Area Designation Date:	23 February 2017

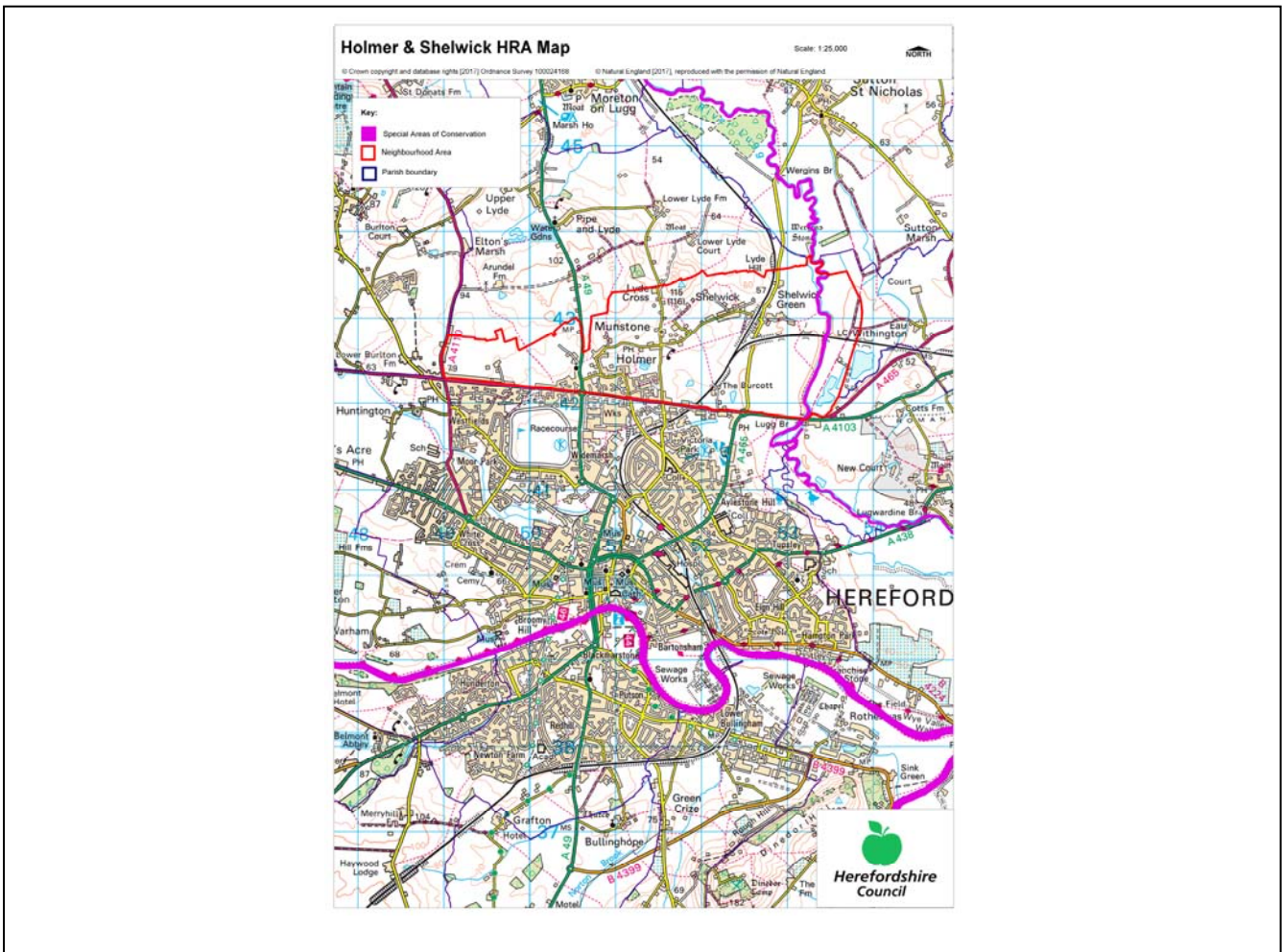
Introduction

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 Lugg flows through the parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Parish is within the hydrological catchments of both the River Wye and River Lugg
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Hereford

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 30km away from parish
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River Clun SAC:

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

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	The Wye Valley & Forest of Dean Bat Sites are 24km away from the parish
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Wye Valley Woodlands SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	N	The Wye Valley Woodlands are 25km away from the parish
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HRA Conclusion:

The assessment above highlights that European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Holmer & Shelwick 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)

Strategic Environmental Assessment Initial Screening for nature conservation landscape and heritage features

The following environmental features are within or in general proximity to the Holmer & Shelwick 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	0	-	0	-
Areas of Outstanding Natural Beauty (AONB)	0	-	0	-
Conservation Areas	0	-	1	Aylestone Hill.
Flood Areas	Flood Zones 2 and 3 follow the River Lugg, and also a stream running to the west of Holmer settlement.			
Geoparks	0	-	0	-
Listed Buildings	There are numerous listed buildings within the parish.			
Local Geological Sites (LGS)	0	-	1	Upper Lyde Quarry.
Local Wildlife Sites (LWS)	2	Old Canal at Burcott; River Lugg.	3	Lugg Meadows; Fields south of Sutton Rhea; Pond at Huntington Court.
Mineral Reserves	3	Area around Wellington constrained by 200m zone and area north of Wellington outside 200m zone; Cot Barn; West and south of Portway, east of Burghill down Canon Pyon Road.	3	Lugg Bridge Farm on Roman Road to Upper Lodge; South east of Sutton St Nicholas; South of Roman Road to A438 and area between Wye and A438.
National Nature Reserve (NNR)	0	-	0	-
Nature Trails	0	-	0	-
Registered Parks and Gardens	0	-	0	-

Scheduled Ancient Monuments (SAM)	2	Churchyard cross in St Bartholemews churchyard; Lugg Bridge.	0	-		
Sites of Importance in Nature Conservation (SINC)	0	-	13	Ayles Brook north; Ballinger Court Dew Pond; Site at Inco Alloys; Land west of Staniers Way; Active railway north of Wye; Orchard below Southview; Lugg Rhea; Yazor Brook; Orchard at Huntington; Pond at Huntington Court; Hereford and Gloucester Canal pond Hereford and Gloucester Canal overgrown; Disused railway.		
Special Areas of Conservation (SAC)	1	River Lugg.	0	-		
Unregistered parks and gardens	0	-	3	New Court, Lugwardine; Huntington Court, Hereford; Burghill Hospital.		
			SSSI Status			
Sites of Special Scientific Interest (SSSI)	1	River Lugg.	Unfavourable recovering.	1	Lugg and Hampton Meadows.	Favourable

Decision Notification:

The initial screening highlights that the Neighbourhood Development Plan for the Holmer & Shelwick Neighbourhood Area:

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

Assessment date: 7 February 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.

Appendix 2

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Holmer and Shelwick****Date undertaken: January 2019**

NDP objectives and policies	HRA Screening of 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
OBJECTIVES					
Objective 1 Meeting local housing needs	Housing development adjacent to Hereford city and small scale development within Munstone and Shelwick	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4. The strategic site within the parish has already been subject to a HRA assessment as part of the Core Strategy.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.
Objective 2 Conserve local heritage	The objective will not lead to development but is seeking to conserve local heritage	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, policy criteria exist within the Core Strategy (SD4) must be met for the development to

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		criteria of Policy SD4.			receive planning permission. This criteria is seeking to conserve local heritage rather than lead to development
Objective 3 Conserve landscape and natural environmental	This objective will not lead to development but is seeking to conserve landscape and natural heritage	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 Core Strategy (SD4) must be meet for the development to receive planning permission. This criteria is seeking to conserve local landscape and the natural environment rather than lead to development
Objective 4 Growth in local economy	Small scale economic growth	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 Core Strategy (SD4) must be meet for economic development to receive planning permission.
Objective 5 Community facilities	The preservation of existing community facilities or the provision of new. Limited small scale development	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 Core Strategy (SD4) must be meet for community facility development to receive planning

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					permission.
Objective 6 Local Green Spaces	The objective is seeking to protect important local green space. The objective will not lead to development	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 Core Strategy (SD4) must be met for the development to receive planning permission. This criteria is seeking to conserve local heritage rather than lead to development
Objective 7 Appropriate infrastructure	Small and limited scale development	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 Core Strategy (SD4) must be met for infrastructure development to receive planning permission.
OPTIONS					
Option 1 Do nothing	Not to prepare a Neighbourhood Development Plan, relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD. Not producing a neighbourhood plan	Core Strategy HRA has examined the likely significant effects of the Core Strategy rural policies in May 2014 and April 2015 and concluded that there are no LSE but acknowledges the role of neighbourhood plans to provide additional	River Wye (including River Lugg) SAC	N/A	N/A

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	<p>would result in any future growth decisions within the parish being made based on the strategic policies within the Core Strategy.</p> <p>Proportional housing and employment growth would be in accordance with the Core Strategy.</p>	certainty.			
Option 2 Allocate sites	Allocate sites at Munstone, Shelwick and on the edge of Hereford	Allocation of sites for housing would give a level of certainty to the location of future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the Core Strategy (SD4) must be met for infrastructure development to receive planning permission.
Option 3 Sites and settlement boundary	Define settlement boundaries and allocate sites	Allocation of sites for housing would give a level of certainty to the location of future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the Core Strategy (SD4) must be met for infrastructure development to receive planning permission.

Option 4 Criteria based policy	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 Core Strategy (SD4) must be met for infrastructure development to receive planning permission.
Option 5 Define settlement boundaries	Define settlement boundaries for Hereford, Mustone and Shelwick	Allocation of sites for housing would give a level of certainty to the location of future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC	No	No, policy criteria exist within the Core Strategy (SD4) must be met for infrastructure development to receive planning permission.
POLICIES					
Policy numbers reflect the numbering with the draft plan					
HS1 New housing development in Munstone and Shelwick	Limited small scale housing development	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning

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		planning permission.			permission.
Policy HS2 New housing development in Holmer	Housing development within the settlement boundary	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.
Policy HS3 Design	The policy will not lead to development	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect local heritage assets.	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect local heritage assets
Policy HS3 Protecting Local heritage Assets	The policy will not lead to development	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect local heritage assets.	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect local heritage assets
Policy HS4 Landscape and Natural Environment	The policy will not lead to development	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect landscape and natural environment	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect the local landscape and natural environment
Policy HS5					

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No policy					
Policy HS6 Community facilities	Limited small scale development to a community facility such as a village hall.	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, implementation of Core Strategy policy SD4 in order to grant planning permission will ensure any water quality issues are addressed.
Policy HS7 Protecting Local Green Spaces	This policy will not lead to development, it is seeking to protect areas of local green space.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, the policy will not lead to development
Policy HS8 Traffic and access	Highway improvements and speed controls	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, the policy will not lead to development.
Policy HS9 Hereford Western Relief Road	New road – additional vehicle movements within the parish. Policy is provide criteria by which any proposal should be mindful to.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 and the road scheme itself will be subject to a separate assessment	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 will ensure water quality issues are addressed.
Policy HS10 Community infrastructure Levy and	Will not lead to development itself. Not a land use policy.	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

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Planning Obligations					
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Appendix 3

Appendix 1 –Holmer and Shelwick HRA (Reg 14)

Options Considered

January 2019

Option 1: not to prepare a Neighbourhood Development Plan, relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD (Do nothing)
Option 2: to allocate sites for the villages with no settlement boundary for the villages or Hereford
Option 3: to allocate sites and have a settlement boundary for the villages and Hereford
Option 4: to have no allocations and a criteria based policy for the villages to manage housing development
Option 5: to have a settlement boundary for the villages and Hereford.

Appendix 4

Consultation date: 28 January to 11 March 2019

Consultation title: Holmer and Shelwick Neighbourhood Plan Revised Regulation 14

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

Consultee	Summary of Comments	Response to Comments
Natural England	Agree with the conclusions of the report	
Heritage England	Comments received but nothing specific regarding the HRA	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

Appendix 5

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Holmer and Shelwick****Date undertaken: July 2019**

NDP objectives and policies	HRA Screening of 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
POLICIES					
Policy numbers reflect the numbering with the draft plan					
Policy HS1 New housing development in Munstone and Shelwick	Limited small scale housing development	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.
Policy HS2 New housing development in Holmer	Housing development within the settlement boundary	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.

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		planning permission.			
Policy HS3 Design	The policy will not lead to development	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect local heritage assets.	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect local heritage assets
Policy HS4 Landscape and Natural Environment	The policy will not lead to development	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect landscape and natural environment	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect the local landscape and natural environment
Policy HS6 Local Businesses	Policy is seeking to support the growth of existing businesses through homeworking and live work units	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 and the road scheme itself will be subject to a separate assessment	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 will ensure water quality issues are addressed.

Appendix 6

Consultation date: 30 July to 24 September 2019

Consultation title: Holmer and Shelwick Neighbourhood Plan Revised Regulation 16

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

Consultee	Summary of Comments	Response to Comments
Natural England	Comments received indicating that half the neighbourhood area is within the River Lugg catchment and HRA will be required for any development	
Heritage England	Comments received but not regarding the HRA	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

Appendix 7

Modifications

Policy	Modification recommended
Modification 1 Front cover	Show that plan period on the front cover of the HSNP with the start date from the date the plan is made.
Modification 2 New policy	<p>Include a new policy 'Housing Supply' as follows:</p> <p>The HSNP will provide for about 500 new homes in Holmer and 17 new homes in Munstone and Shelwick to meet the housing needs for the parish over the plan period 2011-2031</p> <p>New housing will be supported on sites that lie within the Settlement Boundaries of Holmer, Munstone and Shelwick in accordance with other relevant policies of the development plan.</p> <p>New housing will be delivered through;</p> <ul style="list-style-type: none"> • Dwellings which have planning consent at July 2019 • Windfall opportunities in accordance with policies HS1 and HS2 and Core Strategy policies RA2-RA5, H2 and the NPPF.
Modification 3 Policy HS1	<p>Delete 'or adjacent to' from the first paragraph</p> <p>Add the following after the first sentence; 'New housing development will be supported adjacent to and outside the settlement boundaries of Munstone and Shelwick where it delivers rural exceptions housing in accordance with Core Strategy Policy H2 and where it is evidenced through a local housing needs assessment'</p> <p>Delete criteria a) and f)</p> <p>Revise criteria i) to read: 'The proposed homes will not be adversely impacted by existing agricultural or commercial activity'</p> <p>Check the wording and grammar of the criteria. Place 'and' at the end of the penultimate criterion</p> <p>Add explanatory text at the end of paragraph 6.3 on the lines of: 'Small scale housing development outside and adjacent to the settlement boundary will be supported where it delivers a mix of affordable and market housing to meet local needs in accordance with Core Strategy Policy H2'</p>
Modification 4 Policy HS2	<p>Revised the last sentence of the first paragraph to read: 'The proposed homes will not be adversely impacted by existing agricultural or commercial activity'</p> <p>Place the first sentence of the second paragraph in the justification. 'Development sites ...A4103'</p> <p>Revise the last sentence of the policy to read: 'The design and layout of sites must take into account..'</p>

	<p>Add the following to the justification: 'The housing commitments included in the settlement boundary should deliver about 510 homes, sufficient to deliver the Northern urban Extension of Hereford. A site for the Park and Choose site has been agreed within the settlement boundary to the north of Holmer House Farm adjacent to the A49. Should additional sites be required to help achieve the strategic housing requirement for Hereford, these will be allocated in the Hereford Area Plan and the settlement boundary revised accordingly.</p> <p>Revise the settlement boundary on the policies map for Holmer to include the site at Holmer House Farm that has received planning permission for up to 100 homes.</p>
Modification 5 Policy HS3	<p>Add a comma after 'garages' in criteria b)</p> <p>Revise criterion d) to read: 'Scale and height of buildings should vary across the site up to a maximum of three storeys, with landmark buildings occupying key positions, such as corners, on the site'</p>
Modification 6 Policy HS4	<p>Delete Policy HS4</p> <p>Delete the sites from Figure 10</p>
Modification 7 Policy HS5	<p>Revise criterion c) to read: 'They safeguard the following views: (i), (ii) and (iii). Delete (iv)</p> <p>Delete criterion (d)</p> <p>Delete Figure 10. Show the three views on the policies map</p> <p>Revise paragraph 6.8 to delete 'local wildlife sites and sites of nature conservation' and add 'The Lugg Meadows (SSSI and SWS), Hereford and Gloucester Canal (Local Wildlife Site) and the disused railway line (Site of Nature Conservation) lie close to but outside the southern border of the plan area'</p> <p>Add a paragraph to state that 'any development proposals affecting heritage assets will be considered against Core Strategy Policy LD4'</p>
Modification 8 Policy HS6	<p>Revise the first line to read: 'Proposals for the development of businesses that are of an appropriate scale commensurate with their location and setting will be encouraged where...'</p>
Modification 9 Policy HS7	<p>Revise Policy HS7 as follows:</p> <p>Letter the community facilities in the policy in the same format as on Figure 11 and show the sites on the policies map so that the boundaries of the sites can be identified</p>
Modification 10 Policy HS8	<p>Revise Policy HS8 by deleting sites 3, 4, 6, 7, 8 and 9</p> <p>Show the boundary of site 10. The remaining sites should be renumbered in the policy and Figure 12 and the policies map should be revised</p> <p>Lost footpath 7 should be deleted from Figure 12,</p>

	<p>Figure 13 should be deleted</p> <p>Revise the final paragraph of Policy HS8 to read: 'Inappropriate development that would be harmful to the Local Green Space will not be supported except in very special circumstances.'</p>
Modification 11 Policy HS10	<p>Delete the heading of Policy HS100 and the policy wording.</p> <p>Replace with the heading of Community Aspirations</p> <p>Include a note to state that the following text does not form part of the policies of the Neighbourhood Development Plan</p>

Appendix 8

HRA Screening of final Neighbourhood Development Plan Policies**Parish: Holmer and Shelwick****Date undertaken: November 2019**

NDP policies	HRA Screening of NDP policies				
	Likely activities (operations) to result as a consequence of the policy	Likely effect if option implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment
POLICIES					
New Policy Housing supply	Distribution policy	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.
Policy HS1 New housing development in Munstone and Shelwick	Limited small scale housing development	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.

Policy HS2 New housing development in Holmer	Housing development within the settlement boundary	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.
Policy HS3 Design	The policy will not lead to development	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect local heritage assets.	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect local heritage assets
Policy HS5 Landscape and Natural Environment	Policy seeks to safeguard and enhance the natural environment	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect natural environment assets.	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect natural environment assets
Policy HS6 Local Businesses	Policy is seeking to support the growth of existing businesses through homeworking and live work units	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4 and the road scheme itself will be subject to a separate assessment	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 will ensure water quality issues are addressed.

Policy HS7 Community Facilities	Policy is seeking to protect existing facilities	Unlikely that there will be any significant effects on the European Site. Policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.	River Wye (including River Lugg) SAC	No	No: policy criteria exist within the Core Strategy (SD4) must be met for housing development to receive planning permission.
Policy HS8 Protecting Local Green Spaces	Policy seeks to safeguard Local Green Spaces	Unlikely that there will be any significant effects on the European Site. The policy is seeking to protect Local Green Spaces	River Wye (including River Lugg) SAC	No	No, the policy itself would not lead to development, it is seeking to protect Local Green Spaces