

Habitats Regulations Assessment

Report for:

Titley Group Neighbourhood Area

January 2020



Titley Group Neighbourhood Plan HRA

HRA Screening Assessment

Post Examination

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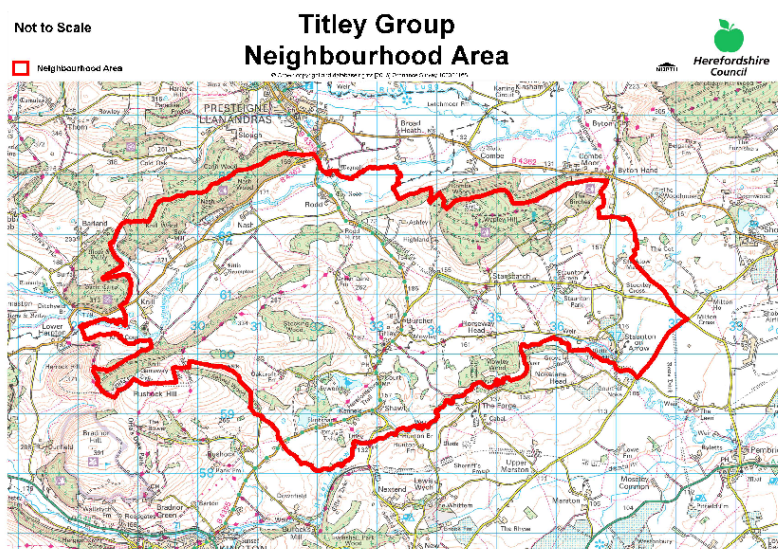
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1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National Planning Policy Framework. The screening stage involves assessing broadly whether the final Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Tittley Group Parish Council has produced a Neighbourhood Development Plan for Tittley Group, in order to set out the vision, objectives and policies for the development of the area up to 2031. This HRA reviews the draft Tittley Group Plan (October 2018).
- 1.3 The NDP allocates sites and has designated a settlement boundary to meet the growth requirements of the strategic policies. It provides general criteria policies that clarify and given more detail to those within the Herefordshire Core Strategy.
- 1.4 This requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Core Strategy. It should be read in combination with the Core Strategy Habitat Regulations Assessment Report and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.5 The map below shows Tittley Group Neighbourhood Area to which this assessment related.



2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the "Habitats Regulations" published for England and Wales in July 2007 and updated in 2013. Therefore, when preparing its NDP, Tittley Group Parish Council is required by law to carry out an assessment known as "Habitats Regulations Assessment". It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that:
Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate

assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive 'on the conservation of wild birds' (79/409/EEC; 'Birds Directive') for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
 - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.
- 2.5 Herefordshire Council is aware of the recent judgement (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage. The initial screening undertaken in August 2013 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The purpose of this HRA Report is to detail the findings of the screening and reviewed in terms of the implications of *Sweetman* of the draft NDP.

3 Methodology

- 3.1 Although the Tittley Group NDP is not directly regarding the management of any European sites, it does includes proposals for development which may affect European sites. Therefore, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.
- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan

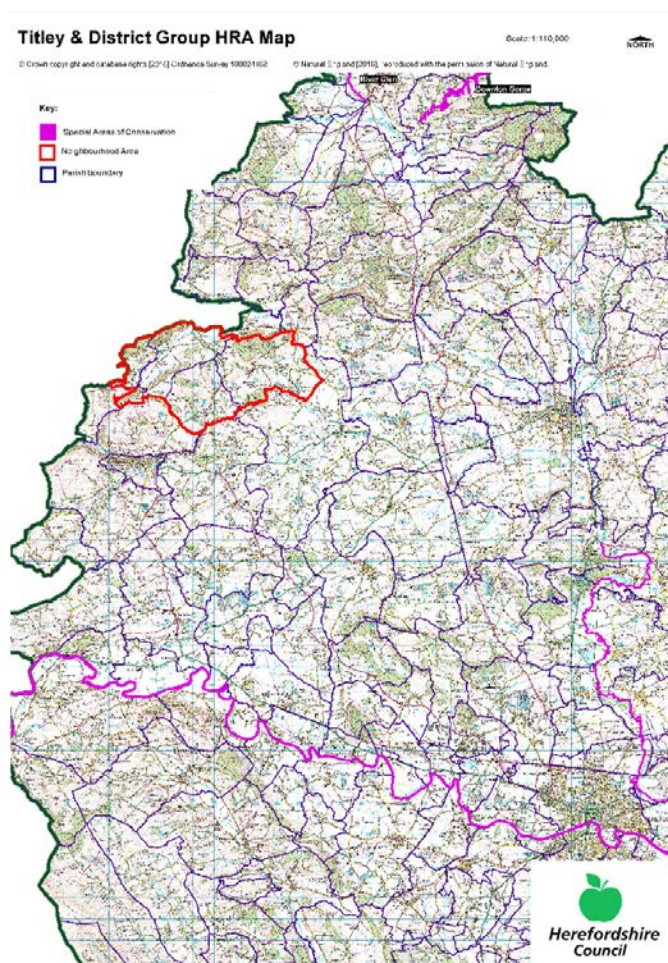
could impact upon any European site that could be within the Neighbourhood Area or nearby.

- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.
- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites. For Neighbourhood Plans the outcome should demonstrate there are no likely effects upon the European sites. If any likely effects occur then there will need to be amendments to the NDP made and be re-screened until all likely effects have been addressed.

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

- 4.1 The initial Screening report (July 2016) found that one European site is close to Tittley Group Parish. The group parish is within the catchment of the River Arrow, with the River Arrow running through the south of the area, therefore is within the River Wye (including the River Lugg) SAC.

Figure 2 below highlights the location of River Wye (including the River Lugg) SAC, in relation to the neighbourhood area.



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

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

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

Summary of NDP effect on site integrity

- 4.7 For full details of the SAC attributes which contribute to and define their integrity and vulnerable data see the Initial Screening Report of the Tittley Group Parish Initial Screening Report. The Initial Screening Report, July 2016, can be found in Appendix 1 of this HRA report.
- 4.8 This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Tittley Group Neighbourhood Plan may affect site integrity.
- 4.9 The initial screening assessment indicated that a full screening assessment is required to assessment the likelihood of significant effects on the River Wye (including the River Lugg) SAC of the policies within the Tittley Group NDP.

5 Description of the Tittley Group Neighbourhood Development Plan

- 5.1 The draft Tittley Group NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The Plan begins by introducing its preparation and highlighting its issues.
- 5.2 The NDP then details the vision for the parish over the Plan period together with a number of primary objectives to realise that visions:

1. Housing and settlements

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

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

2. Economic and social development

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

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

3. Environment

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

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

From these 3 objectives further sub-objectives around housing, environment and facilities have been included to further development of the overall objectives into specific policies.

- 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 four options put forward the 'no NDP / do nothing' option was not considered viable for the parish. All of which indicated towards growth however all the options would be seeking to provide proportional growth in line with the Core strategy and are therefore unlikely to have a significant impact on the three SACs

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

- 5.4 As Tittley Group 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 16 general policies on various topics based on the objective headings above including 3 site allocations, these include:

Policy TG1: Sustainable development

Policy TG2: Housing needs and requirements

Policy TG3: Rural exception housing

Policy TG4: Land at Tittley Farm (site)

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

Policy TG6: Tittley settlement boundary

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

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

Policy TG9: Staunton-on-Arrow settlement boundary

Policy TG10: Economic development in Tittley Group

Policy TG11: Infrastructure

Policy TG12: Renewable energy

Policy TG13: Community facilities

Policy TG14: Natural environment

Policy TG15: Historic environment

Policy TG16: Design and access

6.0 Assessments undertaken to date of the emerging Tittley Group NDP policies

- 6.1 Regulation 102 of the Habitats Regulations 2010 requires that a Screening Assessment be undertaken, in order to identify the 'likely significant effects' of an NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies within the Tittley Group 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 at this final screening stage. Any likely significant effects would require an Appropriate Assessment to be required.

Screening of the draft plan (Reg14)

- 6.5 None of the draft Tittley Group Neighbourhood Plan policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 6.6 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.
- 6.7 Tittley Group NDP allocates sites, however the location and scale of the sites do not have been an effect on the Wye Valley and Forest of Dean SAC or the Wye Valley Woodlands SAC due to location.
- 6.8 In addition, as any development will require to meet the criteria of Policy LD2, legal opinion has indicated that an AA is not required. The sites likely impact on the SACs can be determined further at planning application stage when further details of the proposed housing schemes are known.
- 6.9 Dwr Cymru Welsh Water (DCWW) have indicated that there is available headroom to accommodate growth within the Core Strategy. Although located adjacent to the River Wye SAC, the level of phosphate is not an issue which is causing concern within Tittley Group and NMP actions are unlikely to be required.
- 6.10 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.
- 6.11 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.
- 6.12 This review has concluded that the policies are unlikely to result in significant effects on the River Wye SAC. ***It is therefore concluded that the Tittley Group Plan will not have a likely significant effect on the aforementioned three European Sites.***

7 Screening of modifications to the NDP (Reg16)

- 7.1 The submission Tittley Group NDP has been revised following the Reg14 consultation. No additional objectives have been added or amended. Wording changes were made to TG2, TG3, TG4 and TG14, these changes were additions of the word Herefordshire and clarification of which maps sites related to, in light of the consultation comments to add additional clarification on the criteria. Policy TG5 was deleted and policy TG6 (was TG7) had had additional criteria added for further clarification and inclusion of key topics such as settlement character. This policy was rescreened. Policies TG2, TG3, TG4 and TG14 received some minor wording changes for the purposes of clarification however did not change the meaning or objective of the policy or objective and did not require rescreening.
- 7.3 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 plan. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 7.4 Legal opinion following the Sweetman case has indicated that in areas where there is adequate sewerage treatment works capacity and where Policy SD4 would apply to developments, then no likely significant effect could be concluded with regards to the NDP and there is no requirement for NDPs to include additional mitigation.

7.5 This review and rescreening have been found to be unlikely to result in significant effects on the River Wye SAC. It is therefore concluded that the modifications made have not resulted in any policy changes that would mean that the **Tittley Group NDP would not have a likely significant effect on the aforementioned three European Sites.**

Conclusions from the Screening Matrix from the examination (December 2019)

7.6 The Tittley Group NDP was subject to an independent examination by Ann Skippers. The examiner concluded that a small number of modifications were required in order to meet the Basic Conditions.

7.7 The following NDP policies have been subject to modifications as a result of the examination:

Policy TG4

Policy TG5

Policy TG6

Policy TG7

Policy TG9

7.8 Many of these changes are minor in nature to ensure that the policies are clear for the decision makers. As a result they have not changed the intention of the direction of the policies themselves. Policies TG4, TG5 and TG7 have been rescreened.

7.9 With this in mind the rescreening matrix demonstrated that the conclusions of the previous assessment has not changed.

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

7.11 Policy SD4 of the Core Strategy of the NDP indicate that development would not 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.

7.12 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.

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

7.14 Policy LD2 of the Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests. The NDP allocates 3 sites, therefore an AA is likely to be required at planning application stage, when further details of the proposed schemes are known. Tittley Group plan mostly consists of protective policies it is determined unlikely to have a significant impact on the SACs.

7.15 None of the post examination Tittley Group NDP policies were concluded to be likely to have a significant effect on the River Wye SAC hydrological catchment.

7.16 This review has been found to be unlikely to result in significant effects on the River Wye SAC. It is therefore concluded that the Tittley Group NDP will not have a likely significant effect on the River Wye 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.
- 8.3 Adjacent neighbourhood plans include Kington, Knighton Rural Group, Lyonshall (at examination) Shobdon and Pembridge (adopted) and Stapleton Group (not preparing a plan). These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 8.4 The HRA for the Core Strategy also identifies that both the Water Cycle Study for Herefordshire, which indicates the potential for planned water abstraction requirements combined with pressures on European Sites from the Core Strategy policies, and the work on the Nutrient Management Plan, to ensure the favourable conservation status of the SAC in respect of phosphate levels as soon as possible and at the latest by 2027, have both been considered as part of the in-combination assessment.
- 8.5 It is unlikely that the Tittley Group Plan will have any in-combination effects with any plans from neighbouring parish councils as the level of growth proposed is the same as that proposed for the Kington Housing Market Area in the Herefordshire Core Strategy.

9.0 Conclusion

- 9.1 With reference to sections 6 to 9 above, **the Tittley Group NDP will not have a likely significant effect on the River Wye SAC.**

10.0 Next steps

- 10.1 This final report will be published alongside the final Tittley Group NDP prior to referendum.

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:	Titleley Group Neighbourhood Area
Parish Council:	Titleley & District Group Parish Council
Neighbourhood Area Designation Date:	14 July 2016

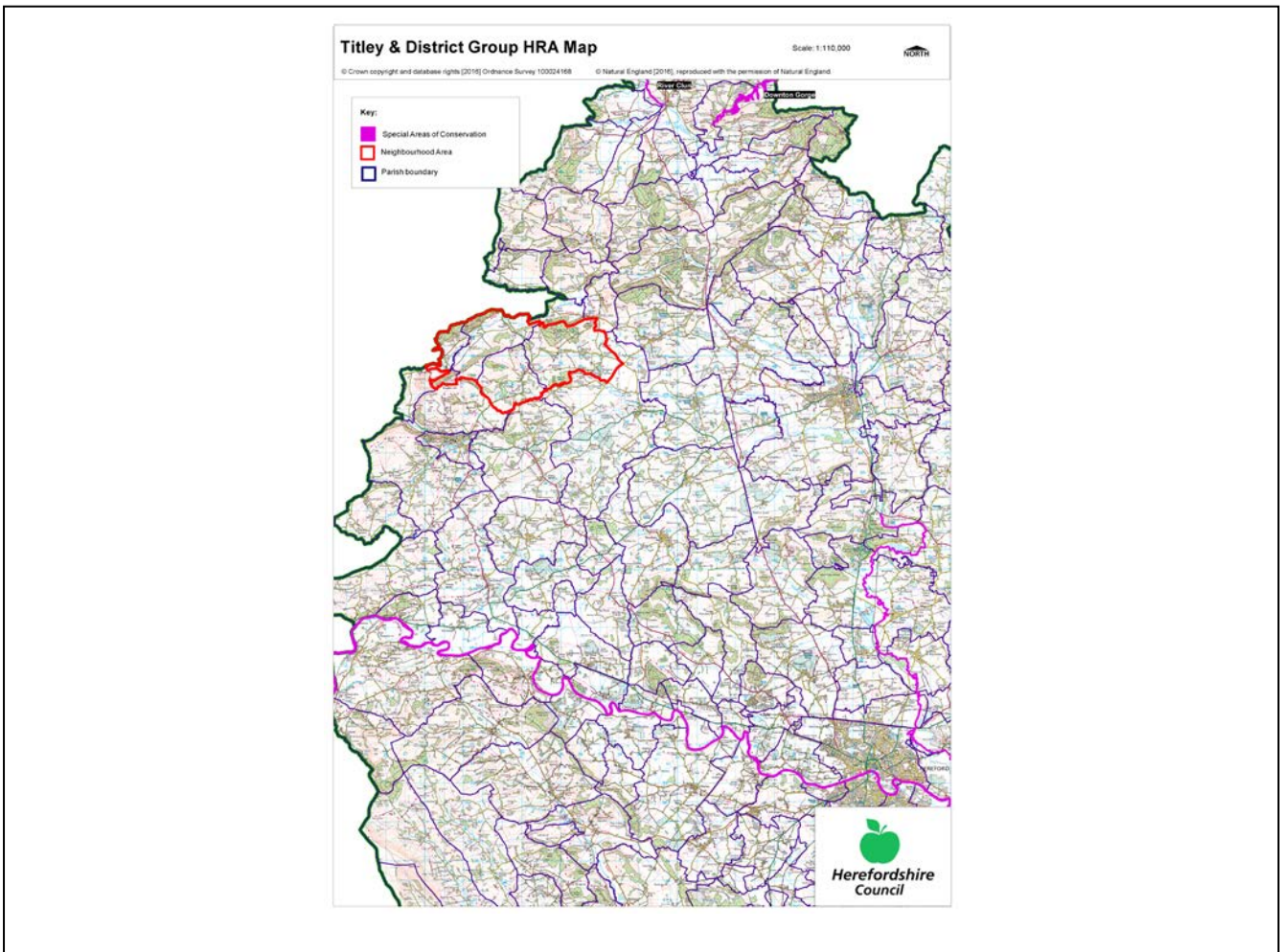
Introduction

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

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

HRA Initial Screening

Map showing relationship of Neighbourhood Area with European Sites (not to scale)



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

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

Downton Gorge SAC:

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

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

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

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

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

European Site

(List only those which are relevant)

River Wye (including the River Lugg) SAC

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

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

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

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

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

Decision Notification:

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

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

Assessment date: 29 June 2016

Assessed by: James Latham

Appendix 1: European Sites

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

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

Appendix 1 –Titley Group HRA (Reg 14)

Options Considered

November 2018

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

Appendix 3

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

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

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

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

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

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

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

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

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

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

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					and appearance of development.
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Appendix 4

Appendix 2: HRA Consultation Feedback

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

Parish Council Name: Titley Group

Neighbourhood Development Plan Name: Titley Group NDP

Details of consultation: *Regulation 14 Draft Plan consultation*

Consultation date: 3 December 2018 to 28 January 2019

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

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Appendix 5

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

Parish Council Name: Titley Group

NDP Title: Titley Group NDP

Date undertaken: May 2019

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

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Appendix 6

Consultation date: 21 May to 2 July 2019

Consultation title: Titley Group Neighbourhood Plan 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	No comments received in relation to HRA	
Historic England	Representation but not specific to the HRA	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

Appendix 7

Modifications following the examination

Policy	Modification recommended	Justification
Policy TG4	<p>Change the first sentence of the policy to read: “Land at Titley Farm as shown on Plan 4 is allocated for a <i>mixed use scheme</i> of housing development for around six dwellings and recreational open space.”</p> <p>Change criterion 7. to read: “<i>the provision of the recreational open space and its maintenance will be satisfactorily secured prior to any grant of planning permission.</i>”</p> <p>Add the words “<i>or otherwise suitable legal mechanism</i>” after “planning obligation” in paragraphs 5.5 and 5.6 on pages 17 and 18 of the Plan</p>	For clarity of land use
Policy TG5	<p>Change the extent of the settlement boundary for Titley on Plan 4 by including the site with planning permission at Balance Farm, Eywood Lane (reference P160381/O) and the adjacent site subject to reference P162824/O [please note the use of the planning application number simply to identify the extent of the land to be included within the settlement boundary]</p> <p>Delete paragraph 5.9 on page 19 of the Plan</p> <p>Consequential amendments will be needed including to Plan 4 and the Policies Maps</p>	For consistency of settlement boundary and clarity
Policy TG6	<p>Change criterion 3. to read: “the new dwellings are sited to the <i>north east</i> of the site...” [retain the remainder of the criterion as is]</p> <p>Change criterion 9. to read: “<i>the provision of the community open space and its maintenance will be satisfactorily secured through an appropriate legal mechanism prior to any grant of planning permission.</i>”</p> <p>Add the words “<i>or otherwise suitable legal mechanism</i>” after “planning obligation” in paragraphs 6.8 and 6.9 on pages 21 and 22 of the Plan</p>	For clarity
Policy TG7	<p>Change the policy to read: “Proposals for the development of the following sites for <i>carefully designed small scale housing development of high quality that respects and reflects the character of the settlement and surrounding context as shown on Plan 5 will be supported:</i></p>	To ensure the policy is precise and reflects national guidance

	[retain numbered list as is]"	
Policy TG9	<p>Delete the word “redundant” from criterion 1. of the policy</p> <p>Add the words “...<i>and well designed new buildings...</i>” after “...rural buildings...” in the first criterion of the policy</p>	<p>To ensure the policy will help to achieve sustainable development and meet the basic conditions.</p>

Appendix 8

NDP objectives, options and policies significantly changed following Draft Plan Consultation	HRA Screening of significant changes (objectives, options and policies) following Draft Plan Consultation				
	Likely activities (operations) to result as a consequence of the significant change to the objective, option or policy	Likely effect if changed objective, option or policy is implemented. Could it have LSE on any European Site? (Yes/No, with reasons)	European Sites potentially affected (Refer to Initial Screening)	Potential mitigation measures to be considered through redraft of changed objective, option or policy and as necessary, to be considered as part of Appropriate Assessment of these changes	If recommendations are implemented, would it be possible that the changes would result in no likely significant effect?
Policies					
Policy TG4:	Land at Church Wood, Titley (site)	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Policy TG5:	Titley settlement boundary	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues

					are addressed.
Policy TG7:	Proposals for the development of the following sites for individual dwellings will be supported (site)	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.