

Habitats Regulations Assessment

Report for:

Brampton Abbotts and Foy Group Neighbourhood Area

June 2020



Brampton Abbotts and Foy Group HRA

HRA Screening Assessment Post Examination

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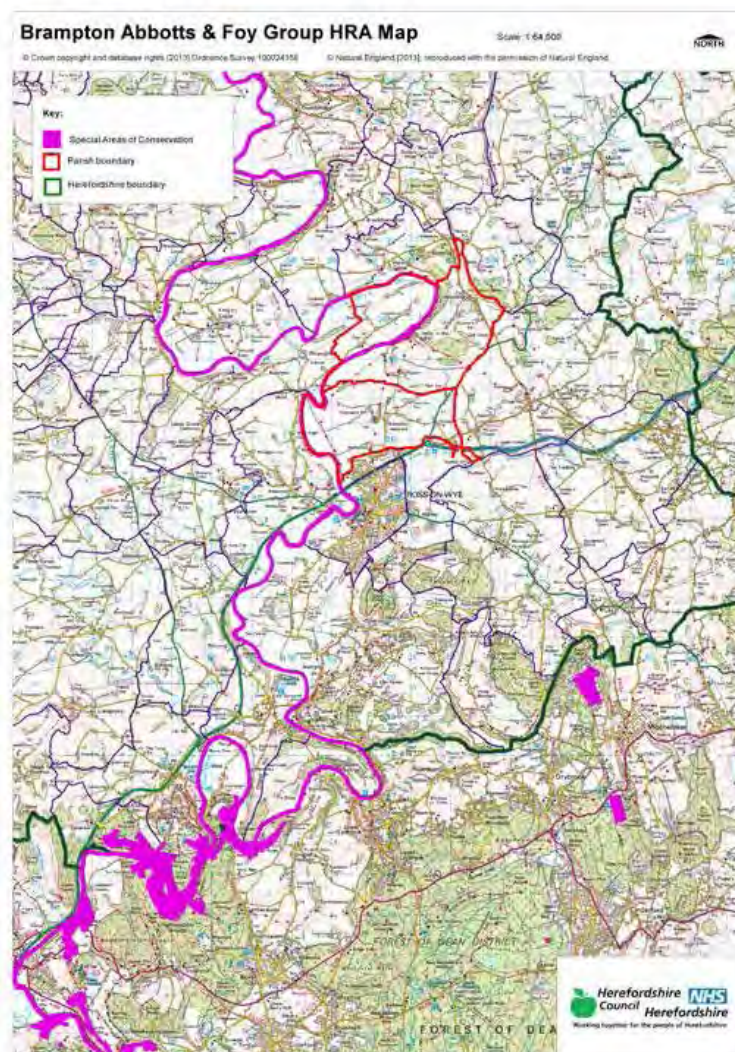
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1 Introduction

- 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 Submission Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Brampton Abbots and Foy Parish Council is producing a Neighbourhood Development Plan for the Brampton Abbots and Foy group Parish, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the Draft Brampton Abbots and Foy Group Neighbourhood Plan November 2018.
- 1.3 The NDP has 10 criteria based policies with one policy with no site allocations. It provides general policies that clarify and provide detail to the policies within the Herefordshire Core Strategy therefore it requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Herefordshire Core Strategy. This high level screening assessment should be read in combination with the Herefordshire 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 Brampton Abbots and Foy Group neighbourhood Area with the European Site highlighted.



2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the “Habitats Regulations” published for England and Wales in July 2007 and updated in 2013. Therefore, when preparing its NDP, Brampton Abbots and Foy 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 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 July 2017 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The Co-operation Mobilisation (The Dutch case) ruling will also have an impact on Herefordshire in the areas within the catchment of the River Lugg. This will be covered in section 4.
- 2.6 The purpose of this HRA report is to detail the findings of the screening of the proposed minor changes to policies following the revisions after the Reg14 consultations. It will also take into account the implications of Sweetman and the Dutch Case on the NDP.

3 Methodology

- 3.1 Although the Brampton Abbots and Foy Group NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.
- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.
- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites (taking into account potential mitigation provided by other policies in the plan). For Neighbourhood Plans the outcome should demonstrate there are no likely effects upon the European sites. If any likely effects occur then there will need to be amendments to the NDP made and be re-screened until all likely effects have been mitigated.

4 Results of the Initial Screening Report and options

- 4.1 The initial Screening report (**29/01/13**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC, Wye Valley & Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC. Therefore a full screening assessment is required.
- 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. 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 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. In light of the interpretation of the Dutch Case where a European Site is falling its water quality objectives and is classified as unfavourable condition, there is limited scope for the

approval of additional damaging effects and measures that can't be relied or are uncertain.

- 4.5 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.
- 4.6 Although at present the Nutrient Management Plan for the River Wye SAC cannot be relied upon in light of the Dutch Case, 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, located within the hydrological catchment of the River Wye, the levels of phosphate is not an issues which is causing concern in this location 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 Brampton Abbots and Foy Group Initial Screening Report. The Initial Screening Report, 2013, 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 assessment the likelihood of significant effects on the River Wye (including the River Lugg) SAC of the policies within the Brampton Abbots and Foy Group NDP.

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

- 4.8 The Greater Horseshoe Bat and Lesser Horseshoe bat feature within the Wye Valley and Forest of Dean Bat Sites. The Greater Horseshoe Bat are known to migrate between 20-30km between their summer and winter roosts whereas the Lesser Horseshoe migrate 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance, noise and vibration, light pollution and habitat lost. NDPs sites within 10 km of the Wye Valley and Forest of Dean Bat Sites will need to consider development impact to these species and their habitats. NDPs closest to the sac will need to consider: Woodland habitat buffer. Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.
- 4.9 The issues associated with maintaining the sites integrity include impact of development result in changes in landscape and townscape. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, impact on European Sites is dependent on scale and proximity to the European sites.
- 4.10 In relation to impact on biodiversity and important species, Policy LD2 of the Herefordshire Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests.
- 4.11 For full details of the Wye Valley and Forest of Dean Bat Sites SAC attributes and Wye Valley Woodlands SAC which contribute to and define their integrity and vulnerable data see Appendix 1 of the Brampton Abbots and Foy Initial Screening

Report. The Initial Screening Report, **29/01/13**, can be found in Appendix 1 of this HRA report.

- 4.12 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 Brampton Abbots and Foy Neighbourhood Plan may affect site integrity.
- 4.13 The initial screening assessment indicated that a full screening assessment is required to assess the likelihood of significant effects on the Wye Valley and Forest of Dean Bat Sites of the policies within the Brampton Abbots and Foy NDP. For full details of the Wye Valley & Forest of Dean Bat Sites SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Brampton Abbots and Foy Plan Initial Screening Report. The Initial Screening Report, 29/01/13, can be found in Appendix 3 of this HRA report. This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Brampton Abbots and Foy Neighbourhood Plan may affect site integrity.
- 4.14 The initial options for the NDP were assessed to determine their environmental impact that could affect the Wye Valley & Forest of Dean Bat Sites SAC and the Wye Valley Woodlands SAC. Overall the majority of the options proposing any growth appear to depend on location and scale in relation to environmental impact. The Brampton Abbots and Foy NDP does not allocate sites within the plan. The group parish is 5.8km away from the Wye Valley and Forest of Dean Bat Sites and 10km away from the Wye Valley Woodlands SAC. Therefore a full HRA report is required at planning application stage when further details are known regarding new housing development and will be assessed on a case by case basis.
- 4.15 As the Brampton Abbots and Foy Plan progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the Wye Valley & Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC could be achieved, alongside taking forward the preferred options from the consultation from the community. If a majority of these options are taken forward either as standalone policies or in combination with other policies then the mitigation from these options will help to counter balance the effect of all new development within the Parish. A list of the options and site options assessed can be found in Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

5 Description of the Brampton Abbots and Foy Group Neighbourhood Development Plan

- 5.1 The Draft Brampton Abbots and Foy NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The first part of the Plan introduces the Plan and its preparation and discusses the background of the village and highlighting issues
- 5.2 The NDP then details the vision for the Parish over the Plan period and 6 objectives of how this will be achieved. The objectives are as follow:

OBJECTIVE 1 – To support sustainable housing growth up to 2031

OBJECTIVE 2 – To conserve local heritage assets**OBJECTIVE 3 – To conserve the area’s valued landscape, natural environment and wildlife****OBJECTIVE 4 – To support appropriate growth in the local economy****OBJECTIVE 5 – To protect and enhance community facilities and open spaces****OBJECTIVE 6– To encourage appropriate provision of infrastructure**

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, Wye Valley and Forest of Dean Bat sites SAC and Wye Valley Woodlands SAC. Of the 5 options put forward Option 1, the ‘no NDP / do nothing’ option was not considered viable for the Parish. The alternative 4 options were Option 2 – to prepare a policy document with no settlement boundaries, Option 3 – allocate sites, Option 4 – a no housing policy and Option 5 – a criteria based policy document with settlement boundaries. Option 5 was selected as the preferred option through community consultation and this option would be seeking to provide proportional growth in line with the Core strategy within defined settlement boundaries and are therefore unlikely to have a significant impact on the SAC.

5.1 5.4 As Brampton Abbots and Foy Plan progressed from options to draft NDP policies, the Plan needed to identify ways in which the least effect on the River Wye (including the River Lugg) SAC, Wye Valley & Forest of Dean Bat Sites SAC and the Wye Valley Woodlands SAC could be achieved, alongside taking forward the preferred option from the consultation from the community. A list of the options assessed can be found in previous HRA assessments, and the Assessment matrix for the options can be found HRA January 2013 version.

5.2 The NDP also sets out 10 policies on various topics based on the objective headings above and also for the villages, these include:

BAF1 – New housing development in Brampton Abbots
BAF2 - Good quality design
BAF3 – Protecting local non-designated heritage assets
BAF4 – Landscape and scenic beauty
BAF5 – Supporting the growth of small scale rural businesses
BAF6 - Pollytunnels
BAF7 - Community facilities and open spaces
BAF8 – The management of traffic safety around the area
BAF9 – Public sewerage network and waste water treatment works
BAF10 – High speed internet and communications

Submission Brampton Abbots and Foy Group NDP

5.7 No amendments have been made to the policies

Post examination modified Brampton Abbots and Foy Group NDP

5.7 The plan was independently examined during March 2020 and as a result some minor modifications were made to a number of policies:

- Policy BAF1
- Policy BAF3
- Policy BAF4
- Policy BAF5
- Policy BAF6
- Policy BAF7

5.8 The amendment to these policies can be seen within the Appendix 7 and policies BAF1 and BAF6 have been rescreened as they received more substantial changes than just minor wording or formatting.

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 Brampton Abbots and Foy Group NDP would be likely to have a significant effect on the River Wye SAC, Wye Valley and Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC.

6.2 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.

6.5 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. The outcomes of the recent Dutch Nitrate case will also need to be considered here.

7 Conclusions of the screen matrix pre-examination - Assessment of the ‘likely significant effects’ of the Brampton Abbots and Foy Group NDP

- 7.1 None of the Brampton Abbots and Foy Group Neighbourhood Plan (November 2018) 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 plan is mainly criteria based plan, and there are no site allocations.
- 7.4 The impact of water abstraction and quality can be determined at planning application stage on a case by case basis. Policy SD4 of the Core Strategy and Policy indicate that development would not be permitted if wastewater treatment and water quality cannot be assured.
- 7.5 The preparation of the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC
- 7.6 No mitigation measures have been included within the screening of the policies of the NDP. Policies of the Core Strategy and the NDP will form part of the development plans. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 7.7 This review has concluded that the submission policies are unlikely to result in significant effects on the River Wye SAC. **Therefore it is unlikely to result in significant effects on the European sites the River Wye (including the River Lugg) SAC, Wye Valley and Forest of Dean Bat Sites SAC or Wye Valley Woodlands SAC.**

Screening of the post examination modifications (June 2020)

- 7.8 Many of the policy modifications made have been to ensure wording clarity rather than changing the emphasis or direction of the policy. With this in mind, the review and assessment of the policies have not altered from the initial assessment.
- 7.9 The legal opinion obtained following the Sweetman and the Dutch Case judgments is still relevant and SD4 would apply. The Brampton Abbots and Foy Group neighbourhood area is not within the River Lugg catchment area.
- 5.3 7.8 This review and rescreening of the two significantly modified policies have been found to be **unlikely to result in significant effects on the River Wye SAC, Wye Valley and Forest of Dean Bat Sites SAC or Wye Valley Woodlands SAC.** It is therefore concluded that the modifications made have not resulted in any policy changes that would mean that the Brampton Abbots and Foy Group NDP would not have a likely significant effect on the aforementioned European sites.

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 How Caple Sollershope and Yatton (at referendum), Upton Bishop (progressing with plan), Ross Town (preparing plan), Bridstow (preparing plan), Sellack (not currently preparing plan and included in RASA DPD). These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 8.4 It is unlikely that the Brampton Abbots and Foy 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 Ross-on-Wye 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 submission Brampton Abbots and Foy Group Parish NDP **will not have a likely significant effect on the River Wye (including the River Lugg) SAC , Wye Valley and Forest of Dean Bat Sites SAC or WyeValley Woodlands SAC.**

10 Next steps

- 10.1 This report will be published alongside the final Brampton Abbots and Foy Group NDP.

Appendix 1

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

**The Neighbourhood Planning (General) Regulation 2012 (Reg. 32)
Conservation of Habitats and Species Regulations 2010 (d)**

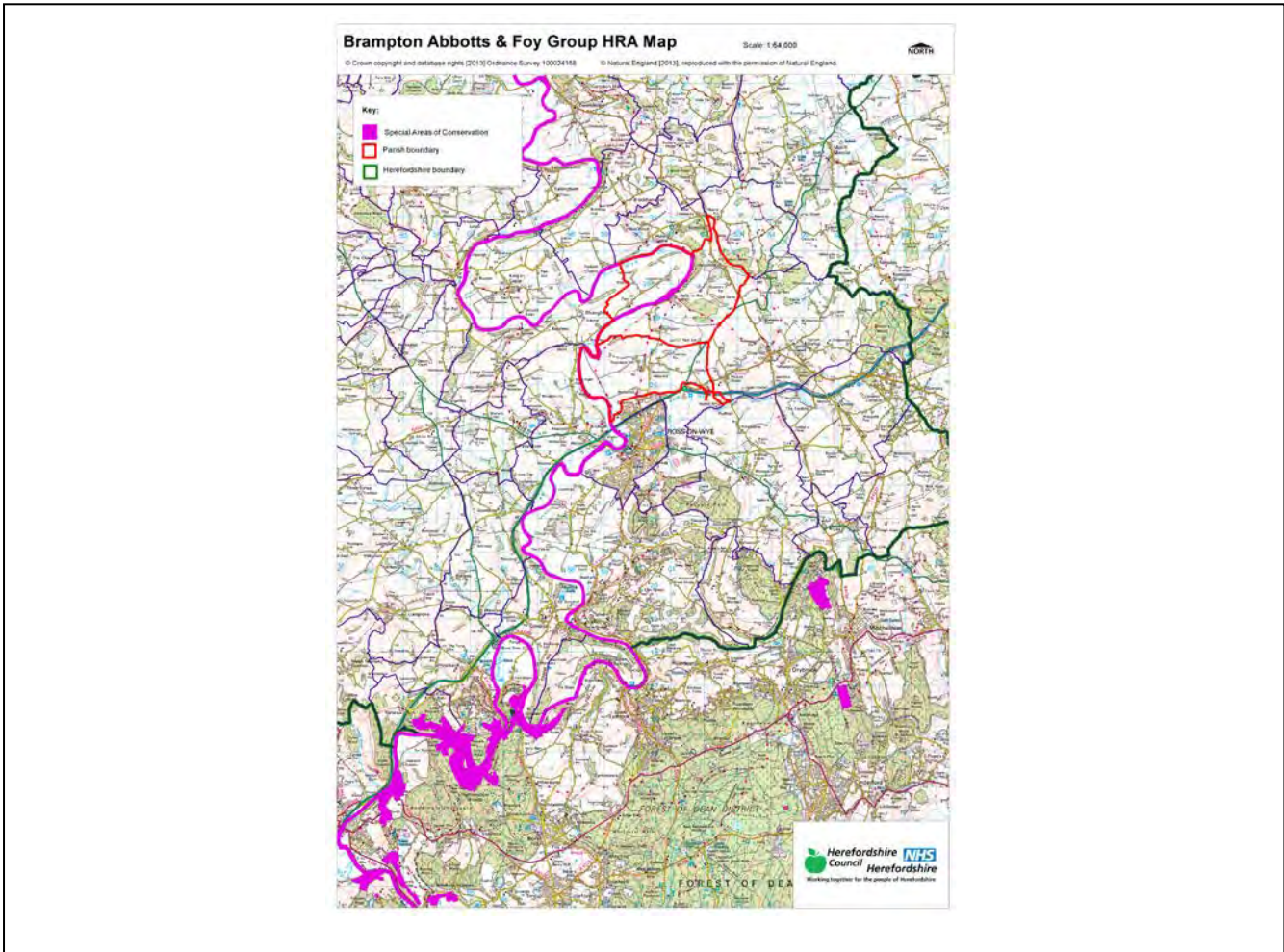
Neighbourhood Area:	Brampton Abbots & Foy Group Neighbourhood Area
Parish Council:	Brampton Abbots & Foy Group Parish Council
Neighbourhood Area Designation Date:	29/01/2013

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)**



Initial HRA Screening

River Wye (including the River Lugg) SAC:

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	Y	The River Wye runs through the centre of Foy parish and along the western border of Brampton Abbots 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 catchment of the River Wye.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage within the Group Parish

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 46.4 km away from the Parish
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River Clun SAC:

Does the Neighbourhood Area include: Border Group Parish Council or Leintwardine Group Parish Council?	N	River Clun does not border the Parish
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Usk Bat Sites SAC:

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 39.3km away from 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?	Y	The Group Parish is 5.8km away from Wye Valley and Forest of Dean Bat Sites
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Wye Valley Woodlands SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	Y	The Parish is 10km away from the Wye Valley Woodlands
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HRA Conclusion:

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

European Site

(List only those which are relevant from above)

River Wye (including the River Lugg) SAC

Wye Valley & Forest of Dean Bat Sites SAC

Wye Valley Woodlands SAC

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

The following environmental features are within or in general proximity to the Brampton Abbots & Foy 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	Total	Explanation	SEA required
Air Quality Management Areas	0	There are no AQMA's within the Group Parish	N
Ancient Woodland	6	Lyndor Wood; Yatton Wood (border); Newhouse Wood; Eaton Park; Vicarage Wood; Monk's Grove	Y
Areas of Archaeological Interest	0	There are no AAI's within the Group Parish	N
Areas of Outstanding Natural Beauty	1	The Wye Valley AONB runs along the eastern border of the Group Parish, and also runs along the main road by Gatsford Farm in Brampton Abbots Parish	Y
Conservation Areas	0	There are no Conservation Areas within the Group Parish	N
European Sites	1	The River Wye runs through the centre of Foy Parish and along the western border of Brampton Abbots Parish	Y
Flood Areas		Flood Zones 2 and 3 follow the River Wye within the Group Parish	Y
Listed Buildings	Numerous	There are numerous listed buildings though out the Group Parish	Y
Local Sites (SWS/SINCS/RIGS)	1 (RIGS) 5 (SWS)	RIGS: M50 Section 1 SWS: River Wye; Lindor & How Caple Woods and west of The Stocking; Yatton Wood; Eaton Park & Newhouse Wood; Baytons Grove (border)	Y
Long distance footpaths/trails	3	Wye Valley Walk; Herefordshire Trail; Ross Round	Y
Mineral Reserves	4	Blackfields; North of Ross/Blackfields x 2; Underhill, south of River Wye & How Caple opposite Fawley Chapel	Y
National Nature Reserve	0	There are no NNR's within the Group Parish	N
Registered & unregistered parks and gardens	6 Unregistered	How Caple Court (border); Perrystone Court; Eaton Tregoz; Carthage; Ashe Ingen Court (border); Rudhall House	Y
Scheduled Ancient Monuments	3	Chapel at Chapel Farm (border); Dyke on south side of Yatton Wood; Churchyard cross in St Michael's and All Angels' Churchyard	Y
Sites of Special Scientific Interest	1	River Wye (Unfavourable Recovering)	Y

Decision Notification:

The initial screening highlights that the Neighbourhood Development Plan for the Brampton Abbots & Foy Group Neighbourhood Area:

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

Assessment date: 04/06/2013

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." (Source: EA website: http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf accessed 09/04/2013)

Usk Bat Site

Site Features: Annex I habitats present as a qualifying feature, but not a primary reason for site selection: European dry heaths, Degraded raised bogs still capable of natural regeneration, Blanket bogs, Calcareous rocky slopes with chasmophytic vegetation, Caves not open to the public, *Tilio-Acerion* forests of slopes, screes and ravines. Annex II species of primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*, UK population 5%, although it is suggested this is an underestimate.

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.

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.

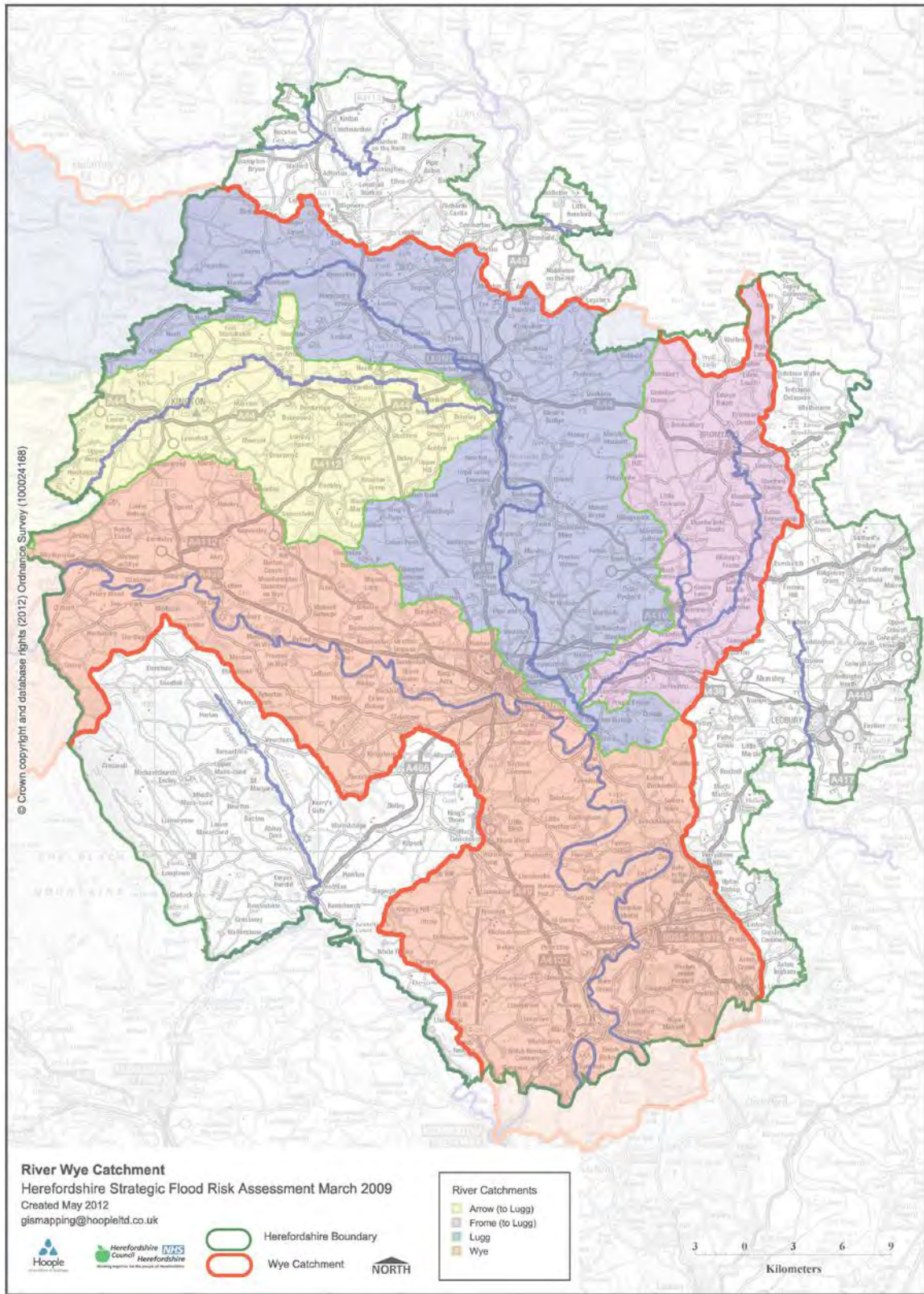
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation. 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: Wye Catchment Map



Appendix 2

Appendix 1 –Brampton Abbotts and Foy HRA (Reg 14)

Options Considered

January 2019

Option 1 - Not to prepare a NDP
Option 2 – Policy with no settlement boundaries
Option 3 - Site allocations
Option 4 – No housing policy
Option 5 - Policy with settlement boundaries

Appendix 3

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Brampton Abbots and Foy****Date undertaken: January 2019**

NDP objectives and policies	HRA Screening of final NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if option implemented. Could they have Likely Significant Effects (LSE) on European Sites?	European Sites potentially affected	Would it be possible that it would result in any LSE?	Requirement for an Appropriate Assessment
Objective 1	<p><i>To support sustainable housing growth up to 2031:</i></p> <p>Promotion of sustainable housing growth in line with required proportional growth target</p> <p>Increase in vehicle traffic</p> <p>Increased demand for water abstraction and sewage treatment</p>	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Scale and extent of development is in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new</p>

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					development will be assessed on a case by case basis.
Objective 2	<p><i>To conserve local heritage assets:</i></p> <p>Encouragement of the protection of heritage assets in the parish over the plan period.</p>	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD4 to protect the historic environment and heritage assets.	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: this objective is seeking to safeguard historic assets.</p> <p>Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p>
Objective 3	<p><i>To conserve the area's valued landscape, natural environment and wildlife:</i></p> <p>Beneficial to local wildlife, biodiversity and flora and fauna.</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 the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: this objective is seeking to conserve landscape and the natural environment Policy LD2 of the Core Strategy will ensure further protection of biodiversity and geodiversity.</p> <p>Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are</p>

					addressed.
Objective 4	<p><i>To support appropriate growth in the local economy:</i></p> <p>Promotion of business development</p> <p>Employment opportunities in the local area</p> <p>Increase in vehicle movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Scale and extent of development of growth in the local economy is in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>
Objective 5	<p><i>To protect and enhance community facilities and open spaces:</i></p> <p>Beneficial to local</p>	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from</p>	No	No: this objective is seeking to conserve landscape and the natural environment Policy LD2 of the Core Strategy will ensure

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	<p>wildlife, biodiversity and flora and fauna.</p> <p>Promote new development for community facilities.</p> <p>Increase in vehicle movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.</p>	<p>Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>		<p>further protection of biodiversity and geodiversity.</p> <p>Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p>
Objective 6	<p>To encourage appropriate provision of infrastructure:</p> <p>Increase in vehicle movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p>
OPTIONS					
Option 1	Not to prepare an NDP	Unlikely that there will be	River Wye (including	No	No: Implementation of

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		any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.	the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish) Wye Valley Woodlands SAC (10km from Parish)		Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.
Option 2	Policy with no settlement boundaries: No boundaries to determine the development area.	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish) Wye Valley Woodlands SAC (10km from Parish)	No	No: Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.
Option 3	Site allocations: Small scale proportionate growth on specific sites.	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish) Wye Valley Woodlands SAC	No	No: Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.

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		SAC is not detrimentally effected.	(10km from Parish)		
Option 4	No housing policy: No direction of how proportional growth will be delivered	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish) Wye Valley Woodlands SAC (10km from Parish)	No	No: Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.
Option 5	Policy with settlement boundaries: Small scale proportional growth with a defined settlement boundary.	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish) Wye Valley Woodlands SAC (10km from Parish)	No	No: Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.
POLICIES					
BAF1	New housing development in	Unlikely that there will be any significant effects on the European Sites. All	River Wye (including the River Lugg) SAC	No	No: Scale and extent of development is in line with the Local

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	<p>Brampton Abbots:</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.</p>	<p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>		<p>Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>
BAF2	<p>Good quality design:</p> <p>Shaping the future of development in the parish.</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Design guidance will not directly lead to development however any development will be in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are</p>

					<p>addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>
BAF3	<p>Protecting local non-designated heritage assets:</p> <p>Protection of significant assets in the parish.</p> <p>Retention of the historic character of the parish.</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD4 to protect the historic environment and heritage assets.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: this objective is seeking to safeguard historic assets.</p> <p>Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>

BAF4	<p>Landscape and scenic beauty:</p> <p>Beneficial to local wildlife, biodiversity and flora and fauna.</p> <p>Retaining the character of the parish</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Design guidance will not directly lead to development however any development will be in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>
BAF5	<p>Supporting the growth of small scale rural businesses:</p> <p>Promotion of business development</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from</p>	No	<p>No: Guidance and support will not directly lead to development however any development will be in line with the Local Plan (Core Strategy).</p>

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	<p>Employment opportunities in the local area</p> <p>Increase in vehicle movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>and policy SD4 to ensure the water quality of the SAC is not detrimentally effected</p>	<p>Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>		<p>Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>
BAF6	<p>Pollytunnels:</p> <p>Rural business development.</p> <p>Noise, odour and smell minimised.</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Guidance will not directly lead to development however any development will be in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p>

					A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.
BAF7	<p>Community facilities and open spaces:</p> <p>Increase in vehicle movements.</p> <p>Increased demand for water abstraction and sewage treatment.</p> <p>Protection of important open spaces.</p>	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: protection and improvement of community facilities and the protection of open spaces will not directly lead to development however any development will be in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due</p>

					to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.
BAF8	<p><i>The management of traffic safety around the area:</i></p> <p>Increase in safety of roads in parish.</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected. MT1 will ensure traffic management, highway safety and promotion of active travel.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: management of traffic safety will not lead directly to development however any development will be in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 and MT1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>

BAF9	Public sewerage network and waste water treatment works:		River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish) Wye Valley Woodlands SAC (10km from Parish)		
BAF10	High speed internet and communications: Improvement in communication in rural areas.	Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected	River Wye (including the River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish) Wye Valley Woodlands SAC (10km from Parish)	No	No: Improvement of communications will not directly lead to development however any development will be in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed. A full HRA will be required at planning

					permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.
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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: Brampton Abbots and Foy

Neighbourhood Development Plan Name: Brampton Abbots and Foy NDP

Details of consultation: *Regulation 14 Draft Plan consultation*

Consultation date: 28 January to 9 March 2019

Response Date	Consultee	Summary of Comments	Response to Comments
18 Feb 2018	Natural England	Natural England notes the screening process applied to this Neighbourhood plan. We agree with the conclusion of the report of no likely significant effect upon the named European designated sites: <input type="checkbox"/> River Wye (including River Lugg) SAC (within Neighbourhood Plan Area) <input type="checkbox"/> Wye Valley & Forest of Dean Bat Sites SAC (5.8km) <input type="checkbox"/> Wye Valley Woodlands SAC (10km) We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.	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: Brampton Abbotts and Foy

NDP Title: Brampton Abbotts and Foy NDP

Date undertaken: August 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					
N/A	N/A	N/A	N/A	N/A	N/A

Appendix 6

Consultation date: 25 November 2019 to 20 January 2020

Consultation title: Brampton Abbots and Foy 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 specific to the HRA	
Historic England	No comments received specific to the HRA	
Environment Agency	No comments received specific to the HRA	
Natural Resources Wales	No comments received specific to the HRA	

Appendix 7

Modifications are boxed in this report, with text to *remain in italics*, new text **highlighted in Bold** and text to be deleted ~~shown but struck through~~. Instructions for alterations are underlined.

Policy	Modification recommended	Justification
BAF1	<p>Modification 1:</p> <p>1. A settlement boundary for Brampton Abbots is designated as shown on Figure 6. <i>Within the Settlement Boundary a balanced mix of new housing development of good design within the defined Brampton Abbots Settlement Boundary, as shown on the Policies Map (Figure 6), will be supported when:</i></p> <p><i>a. It is of good design when assessed against Policy BAF2 of this plan and Policy SD1 of the Herefordshire Local Plan Core Strategy and in keeping with the character, appearance and local distinctiveness of the settlement;</i></p> <p><i>b. It conserves and enhances the landscape and scenic beauty of the Wye Valley Area of Outstanding Natural Beauty (AONB);</i></p> <p><i>c. It does not lead to significant adverse surface water flooding or local road traffic and highway safety impacts; and</i></p> <p><i>d. It conserves the linear road side settlement pattern. Where possible such proposals should provide a mix of dwelling types, which include lower cost housing that benefit older people, people or families with disabilities, young families and single people, thereby creating a genuine lifetime community.</i></p> <p><u>Delete Section 2.</u></p> <p>3- 2. Residential Development outside the Settlement Boundary and not within the AONB</p> <p><i>New housing development in those areas outside the defined Brampton Abbots Settlement Boundary and not in the AONB will be subject to the provisions of Herefordshire Local Plan Core Strategy Policy RA3 "Herefordshire's Countryside."</i></p>	<p>For clarity, as required by the NPPF (para 16d) the policy wording needs to formally designate the boundary and for clarity and compliance with the basic conditions and ensuring due regard for nation policy and conformity with the local development plan.</p>

	<p><u>Figure 6 to use an OS base with more boundary detail (if available) so that the settlement boundary location is clear in all places. The defined settlement boundary to be amended to include all current residential planning permissions including APP/W1850/W/19/3232124 and P182085F.</u></p> <p>Modification 1A: The following textual changes to the document are recommended to ensure that policy justification is consistent with changes to Policy BAF1 set out in Modification 1, and that the Plan as a whole complies with the Basic Conditions:</p> <p>Para 6.2: <u>a fourth bullet point to be added stating “It preserves and enhances the scenic beauty of the AONB and its setting”.</u></p> <p>Para 6.4: <u>The current commitments to be updated to include the recent appeal decision for a further 10 homes, and make any other changes as required.</u></p> <p>Para 6.6: <u>delete all text beyond the first four sentences: “....The NPPF places great weight on conserving and enhancing landscape and scenic beauty in the AONB. To provide some degree of flexibility to go ...” delete to end of paragraph.</u></p> <p>Para 6.7: <u>Amend the first sentence as follows: “Outside the Brampton Abbots Settlement Boundary and in areas that do not adjoin this boundary all new development will be classed as being in the countryside.....”</u></p>	
BAF3	<p>Modification 2: <u>The first paragraph of Policy BAF3 is to be amended as follows:</u></p> <p><i>Development proposals should conserve and enhance local non-designated heritage assets as defined in Appendix 1 and their setting in a manner appropriate to the identified asset’s significance. In particular, Development proposers proposals should take account of the following non-designated heritage assets:</i></p> <p>.....</p>	<p>The policy needs to be clear what assets are covered by the policy in order to Comply with the Basic Conditions and the requirements of the NPPF for clarity of policy (para 16d).</p>
BAF4	<p>Modification 3: <u>Criteria b) of Policy BAF4 to be amended as follows:</u></p>	<p>For clarity, as required by the</p>

	<p>... b)) <i>Impact on attractive and outstanding views within the Neighbourhood Development Plan area including, but not limited to, those of the Neighbourhood Development Plan area's settlements, and along the River Wye Valley, together with those to Ross-on-Wye, and views of Goodrich Castle, Hay Bluff and May Hill. Where appropriate, the potential impact on views of a development proposal should be identified and assessed in a Landscape Visual Impact Assessment to ensure that the development preserves and enhances the scenic beauty of the Wye Valley AONB and its setting. Where a negative impact is identified, suitable mitigation should be acceptable but only in circumstances where it reduces the impact to a minimal level and enhances landscape features;</i></p>	<p>NPPF, and only imposing reasonable burdens on development as required by the NPPG and in order that the policy meets the requirements of the NPPF with regard to protection of the AONB landscape, to comply with the Basic Conditions</p>
BAF5	<p>Modification 4: <u>Criteria e) of Policy BAF5 to be deleted.</u></p>	<p>In order to comply with the Basic Conditions and have due regard to national policy.</p>
	<p>Modification 5: <u>Policy BAF6 to be amended as follows:</u></p> <p>Within those parts of the Neighbourhood Development Plan area that are within the Wye Valley Area of Outstanding Natural Beauty (AONB), when planning permission is required for Development Proposals for polytunnels and their ancillary development, such development will be required to comply with the Poly tunnels Planning Guide Herefordshire Council June 2018 or any document superseding this guidance and have due regard to the need restricted to protect the landscape and scenic beauty of the Wye Valley Area of Outstanding Natural Beauty and its setting. this area.</p> <p>Where proposals for polytunnels and ancillary works are considered to be major development such proposals will only be allowed in exceptional circumstances: where it can be demonstrated that such major development is in the public interest when assessed against the criteria in national planning policy paragraph 172.</p>	<p>In order to comply with the Basic Conditions and avoid repetition.</p>
BAF7	<p>Modification 6: <u>The second sentence of Policy BAF7 to be amended as follows:</u></p> <p><i>...”Development assessed to be in line with other policies in the this Neighbourhood Development Plan that would enhance or improve these facilities, or in the</i></p>	<p>In order to comply with Basic Conditions and for clarity and</p>

	<i>case of St Michael & All Angel Church would bring the Church back to a place of worship with a certain level of commercial activity to fund it which would complement the Village Hall, will be supported. subject to compliance with BAF2, BAF3 and BAF4.</i>	accuracy required by the NPPF.
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Appendix 8

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
POLICIES					
BAF1	<p><i>New housing development in Brampton Abbots:</i></p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected.</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Scale and extent of development is in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by</p>

					case basis.
BAF6	<p>Pollytunnels:</p> <p>Rural business development.</p> <p>Noise, odour and smell minimised.</p>	<p>Unlikely that there will be any significant effects on the European Sites. All developments are required to meet the criteria of LD2 to protect biodiversity and wildlife and policy SD4 to ensure the water quality of the SAC is not detrimentally effected</p>	<p>River Wye (including the River Lugg) SAC</p> <p>Wye Valley & Forest of Dean Bat Sites SAC (5.8km from Parish)</p> <p>Wye Valley Woodlands SAC (10km from Parish)</p>	No	<p>No: Guidance will not directly lead to development however any development will be in line with the Local Plan (Core Strategy). Implementation of Core Strategy policies SD4, LD2 and SD1for any planning permissions granted will ensure water quality issues are addressed. In addition the Herefordshire Council PPG on Pollytunnels, which is now reference in the policy, will be referred to.</p> <p>A full HRA will be required at planning permission stage due to the location of the River Wye SAC in the parish and new development will be assessed on a case by case basis.</p>