

Habitats Regulations Assessment

Report for:

Garway Neighbourhood Area

September 2020



Garway Neighbourhood Plan HRA

HRA Screening Assessment

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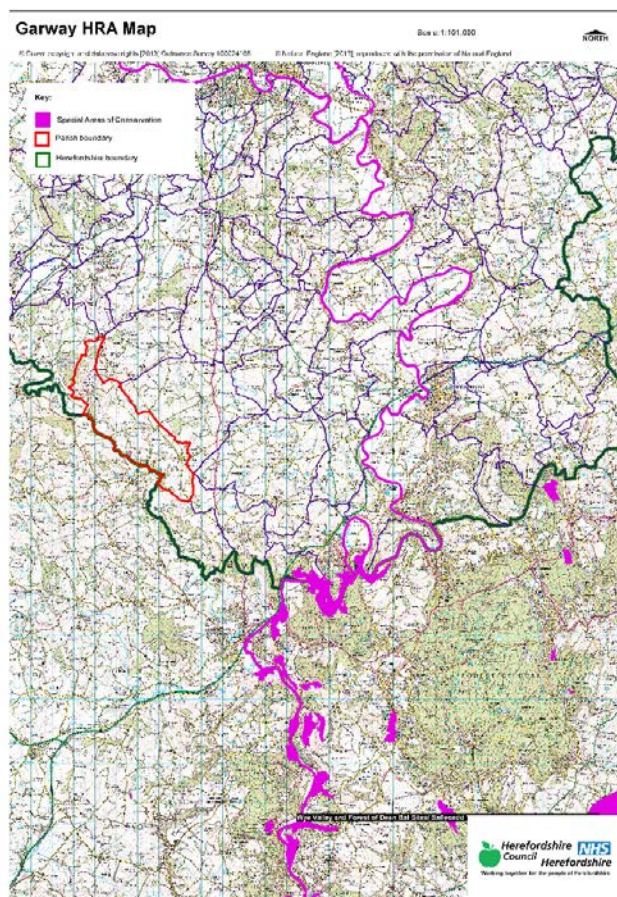
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1 Introduction

- 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 Garway Parish Council has produced a Neighbourhood Development Plan for Garway, in order to set out the vision, objectives and policies for the development of the area up to 2031. This HRA reviews the draft Garway Plan (November 2019).
- 1.3 The NDP allocates sites 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. 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.
- 1.4 The map below shows Garway Neighbourhood Area to with the European Sites highlighted.



2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

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- 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, Garway 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 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.
- 2.7 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

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- 3.1 Although the Garway NDP is not directly regarding the management of any European sites, it does include proposals for development which may affect European sites. Therefore, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.
- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.
- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites. 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 (**October 2014**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC and is 8.26km (within 10km) of the 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 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 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 on or are uncertain.

- 4.6 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.
- 4.7 The addition of the Nutrient Management Plan for the River Wye SAC will support this policy. DCWW have indicated that there are water pressure issues in the area but the Garway No.3 Fairview WWTW has 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 Garway and NMP actions are unlikely to be required.

Site integrity of the Wye Valley and Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC

- 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 loss.
- 4.9 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 Wye Valley Woodlands will need to consider: Woodland habitat buffer. Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.
- 4.10 The issues associated with maintaining the sites integrity include impact of development result in changes in landscape and townscape. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, impact on European sites is dependent on scale and proximity to the European sites.
- 4.11 In relation to impact on biodiversity and important species, Policy LD2 of the Herefordshire Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests.

Summary of NDP effect on site integrity

- 4.12 For full details of the two relevant SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Garway Initial Screening Report. The Initial Screening Report, October 2014, can be found in Appendix 1 of this HRA report.
- 4.13 This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Garway Neighbourhood Plan may affect site integrity.

- 4.14 The initial screening assessment indicated that a full screening assessment is required to assess the likelihood of significant effects on the River Wye (including the River Lugg) SAC, the Wye Valley Woodlands SAC of the policies within the Garway NDP.
- 4.15 As the Garway NDP progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the Wye Valley 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 Garway Neighbourhood Development Plan

- 5.1 The draft Garway 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 The Neighbourhood Development Plan defines the Settlement Boundaries where development will be supported.
 - 2 The rural character of both village and countryside will be conserved and enhanced by new development.
 - 3 New development will be integrated into its setting, whether at the heart of the villages, or in the more rural areas.
 - 4 All development will be designed to ensure it has minimal impact on the area's distinctive character and environment.
 - 5 All development will maintain the layout of the villages, taking into account features such as ribbon development and ensuring significant views are protected.
 - 6 Important issues such as access and road safety are taken into account.
 - 7 Rainwater and sewage drainage systems are fit for purpose avoiding risks to health and safety.
 - 8 Distinctive features such as landscape and dark skies are preserved.
 - 9 All development is essential to support the needs of the local community, including affordable housing.
 - 10 Community facilities are protected (such as pubs, school, community centre etc.)

From these 10 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, the Wye Valley Woodland 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	Prepare and NDP
Option 2	Not to prepare an NDP

- 5.4 As Garway Neighbourhood Plan progressed from options to draft NDP policies, the Plan needed to identify ways in which the least effect on the two European sites could be achieved, alongside taking forward the preferred option from the consultation from the community.
- 5.5 The NDP also sets out 10 general policies on various topics based on the objective headings above, including 2 site allocations within Policy GAR1, these include:

Policy GAR1: New Housing Development in Garway Village and Broad

Oak

Policy GAR2: Design in Garway Parish

Policy GAR3 – Flooding and Drainage

Policy GAR4 - Protecting Local Landscape Character

Policy GAR5 - Dark Skies

Policy GAR6 – Rural Environment and Tranquillity

Policy GAR7- Protecting and Improving Community Facilities

Policy GAR8 – Tourism in Garway Parish

Policy GAR9 – Rural Businesses and Homeworking

Policy GAR10– Highways and Transport

6.0 Assessments undertaken to date of the emerging Garway 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 Garway NDP would be likely to have a significant effect on the River Wye SAC, Wye Valley Woodlands.
- 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 and Wye Valley Woodlands 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 Garway Neighbourhood Plan policies were concluded to be likely to have a significant effect on the River Wye SAC and Wye Valley Woodlands 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 Garway NDP allocates sites, however the location and scale of the sites have been screened within the policy and seen to have an unlikely significant effect on the Wye Valley Woodlands SAC.
- 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 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 Garway 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 and the Wye Valley woodland SAC ***It is therefore concluded that the Garway 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 Garway NDP has been revised following the Reg14 consultation. No additional objectives have been added or amended. Three policies have been amended. These changes have been minor in nature and do not affect the stance of the policies. However, these two changes have added new criteria or removed areas of text and therefore these changes have been reassessed.
- 7.2 The following policies have been reassessed:
- Policy GAR1
 - Policy GAR7

- 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 and the Wye Valley Woodlands SAC. It is therefore concluded that the modifications made have not resulted in any policy changes that would mean that the **Garway NDP would not have a likely significant effect on the aforementioned three European Sites.**

Post examination modified Garway NDP

- 7.6 The plan was independently examined during summer 2020 and as a result some minor modifications that did not change the meaning or context of the policy were made:
- Policy GAR2
 - Policy GAR3
 - Policy GAR7
 - Policy GAR9 (was GAR10)
- 7.7 There were some policies and objectives which received more substantial changes during the examination and therefore required rescreening are:
- Policy GAR1
 - Policy GAR4
 - Policy GAR5
 - Policy GAR6
 - Policy GAR8 (was GAR8 and GAR9)
 - Objective 10
- 7.8 The vision and objectives also received modifications, mainly of rewording and the meaning of the vision or objectives were not significantly changed. The new reworded vision and objectives are listed below:
- Development will aim to enhance the sense of community, character of buildings and environment of the settlements making Garway and Broad Oak vibrant and interesting centers of value to the residents and the wider parish.*
- Objective 1 - To seek to locate most development within the settlements of Garway and Broad Oak.
- Objective 2 - To conserve and enhance the rural character of the villages and local landscape of the countryside.
- Objective 3 - To ensure that new development is well integrated into its setting in the village or countryside.
- Objective 4 - To ensure that development is designed to have minimal impact on the distinctive character and environment of the area

Objective 5 - To ensure that development is located to take account of the layout of the village.

Objective 6 - To ensure that development has adequate access and does not unacceptably impact on road safety.

Objective 7 - To ensure that development makes adequate provision for rainwater and sewage drainage.

Objective 8 - To seek to preserve the dark skies by minimising light pollution.

Objective 9 - To support the needs of the local community and safeguard community facilities.

Objective 10 - To support the development of new and expanded businesses appropriate to the rural area.

- 7.9 This review and rescreening have been found to be unlikely to result in significant effects on the River Wye SAC and the Wye Valley Woodlands SAC. It is therefore concluded that the modifications made have not resulted in any policy changes that would mean that the **Garway NDP would not have a likely significant effect on the aforementioned three 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 Ewyas Harold (made), Orcop and St Weonards (drafting), Welsh Newton (made). 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 Garway Plan will have any in-combination effects with any plans from neighbouring parish councils as the level of growth proposed is the same as that proposed for the Ross-on-Wye Housing Market Area in the Herefordshire Core Strategy.

9.0 Conclusion

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

10.0 Next steps

- 10.1 This report will accompany the post examination version of the Garway NDP. The plan will move to referendum and, subject to a successful outcome, final adoption.

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)

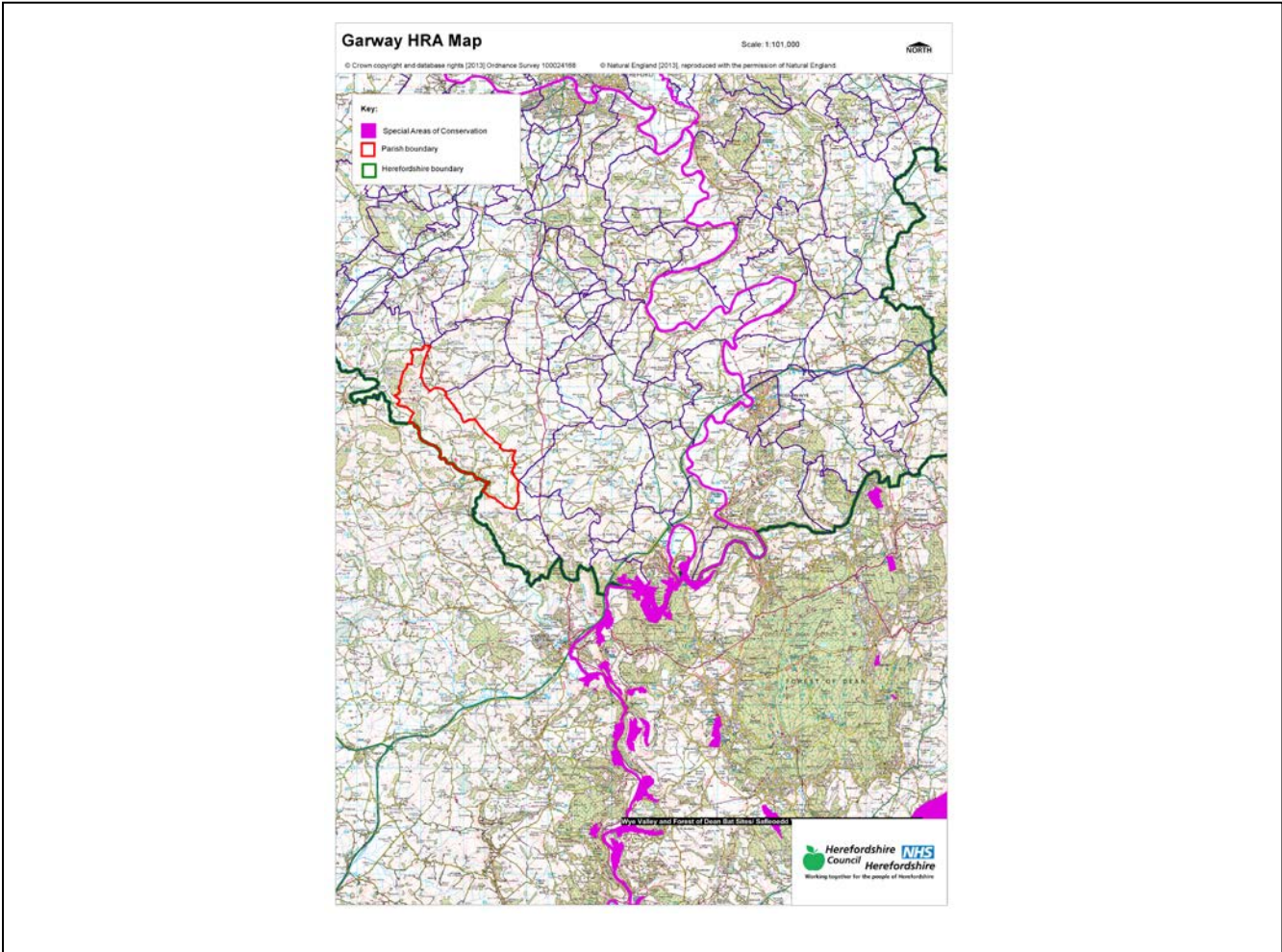
Neighbourhood Area:	Garway Neighbourhood Area
Parish Council:	Garway Parish Council
Neighbourhood Area Designation Date:	22/11/2012

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?	N	The River Wye is 8km away from the Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The east of the Parish is within River Wye hydrological catchment area.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Garway

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 44.6km 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 25.8km 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?	N	The Group Parish is 16.4km 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 8.26km 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 Garway 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 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 Garway 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	10	Burnt House Wood; Charity Oris Wood; Copse Wood; Little Corras Wood; Castlefield Wood; Oldfield Coppice; Cockshoot Wood; Newhouse Wood; Daren Wood; Nantywain Wood	Y
Areas of Archaeological Interest	0	There are no AAI's within the Parish	N
Areas of Outstanding Natural Beauty	0	There is no AONB's within the Parish	N
Conservation Areas	0	There are no Conservation Areas within the Parish	N
European Sites	0	There are no SAC's within the Parish	N
Flood Areas		Flood Zones follow the River Monnow along the eastern border of the Parish	Y
Listed Buildings	Numerous	There are numerous Listed Buildings scattered throughout the Parish	Y
Local Sites (SWS/SINCS/RIGS)	8 (SWS)	Burnt House Wood; Garway Hill Common; Castlefields and Little Corras Wood; Garway Common; Cockshoot Wood; Daren Brook; Daren Wood; Nantywain Wood	Y
Long distance footpaths/trails	1	Herefordshire Trail	Y
Mineral Reserves	0	There are no Minerals Reserves Sites within the Parish	N
National Nature Reserve	0	There are no NNR's within the Parish	N
Registered & Unregistered parks and gardens	1 Registered 1 Unregistered	Registered: Kentchurch Court Unregistered: Glenmorrow	Y
Scheduled Ancient Monuments	1	Garway Dovecote	Y
Sites of Special Scientific Interest	0	There are no SSSI's within the Parish	N

Decision Notification:

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

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

Assessment date: 05/06/2013

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.

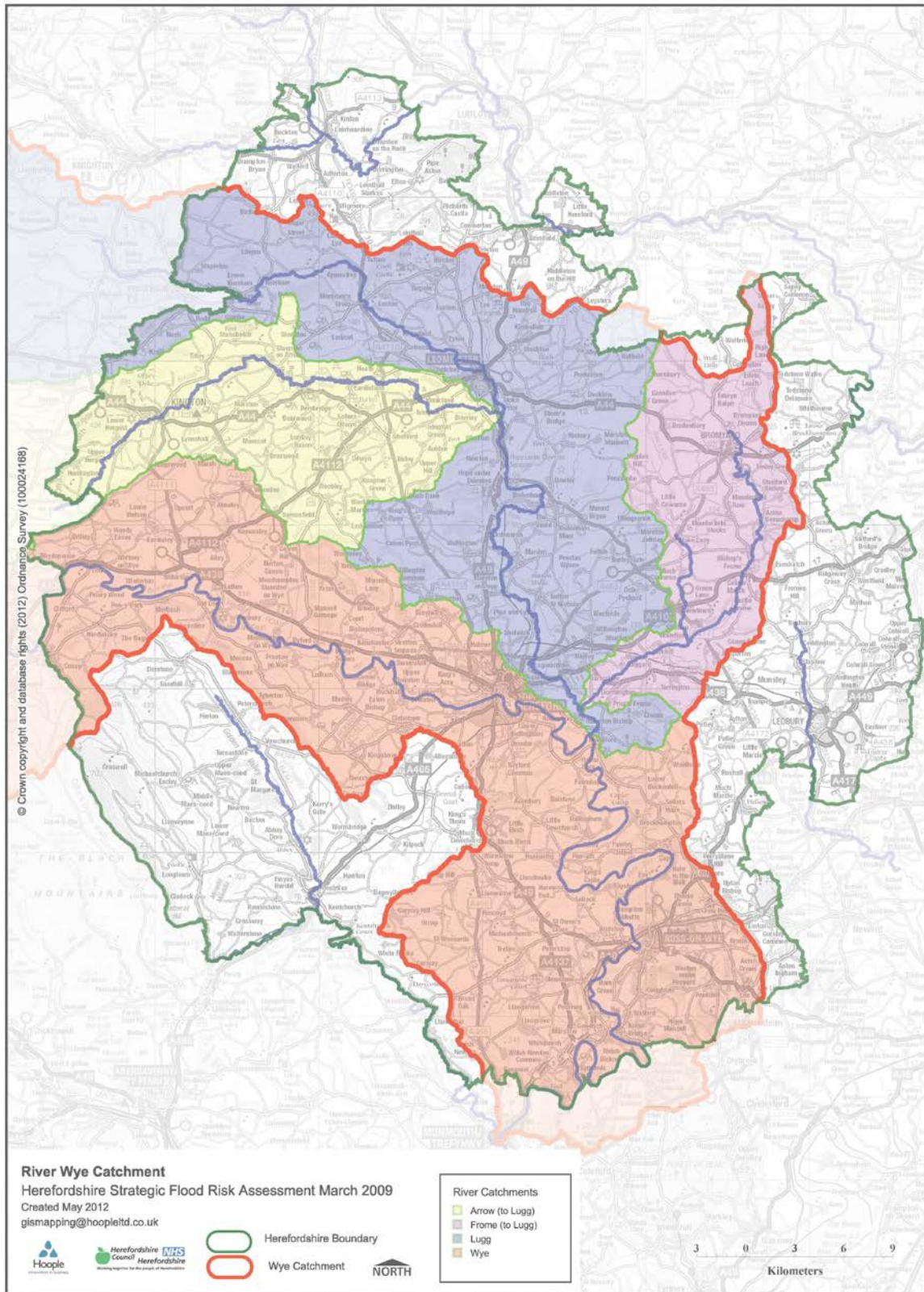
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation. 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 –Garway HRA (Reg 14)
Options Considered
October 2018

Option 1 – Prepare an NDP.
Option 2 – Not to prepare an NDP.

Appendix 3

HRA Screening of Draft Neighbourhood Development Plan Policies**Parish: Garway****Date undertaken: October 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
Objective 1 –	This objective would see the Neighbourhood Development Plan Defining Settlement Boundaries where development will be supported.	Greater degree of certainty over the impact of future development on the European sites, as the location of housing would be pre-determined and not left to market forces. Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 2 –	Objective for new development to conserve and enhance the rural character of both village and Countryside.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 3 –	Objective to ensure that new development will be integrated into its setting, whether at the	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands

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	heart of the villages, or in the more rural areas		Woodlands SAC		SAC or the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
Objective 4 –	Objective to make sure that all development will be designed to ensure it has minimal impact on the area's distinctive character and environment.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 5 –	Objective outlining that all development will maintain the layout of the villages, taking into account features such as ribbon development and ensuring significant views are protected.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 6 -	Objective detailing that important issues such as access and road safety are taken into account.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye

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					SAC.
Objective 7 -	Rainwater and sewage drainage systems are fit for purpose avoiding risks to health and safety.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
Objective 8 -	Distinctive features such as landscape and dark skies are preserved.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 9 -	All development is essential to support the needs of the local community, including affordable housing.	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
Objective 10 -	Community facilities are protected (such as pubs, school, community centre etc.)	Unlikely that there will be any significant effects on the European Site.	River Wye SAC Wye Valley Woodlands SAC	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.

OPTIONS					
Option 1	To produce an NDP. Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	Producing an NDP would give a level of certainty to future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	Developments should not be within 100m a designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing site allocations.	No; policy criteria can be added to any allocation policy to mitigate. The majority of the village, where likely proportionate growth and settlement boundary would be located is outside of the catchment area for the River Wye, however policy SD4 applies to any development.
Option 2	Not to prepare an NDP	It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4. Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	River Wye (including River Lugg) SAC Wye Valley Woodlands 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					
GAR1	New Housing Development in Garway Village and Broad Oak.	Small scale development proposed. Unlikely that	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to

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	<p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>Wye Valley Woodlands SAC</p>		<p>grant planning permission will ensure water quality issues are addressed.</p>
GAR2	<p>Design in Garway Parish</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>River Wye SAC Wye Valley Woodlands SAC</p>	<p>No.</p>	<p>No: this policy itself will not lead to development, instead it relates to criteria based objective, which sets out design criteria for new development to adhere to.</p> <p>The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p>
GAR3	<p>Flooding and Drainage</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the</p>	<p>River Wye (including River Lugg) SAC Wye Valley Woodlands SAC</p>	<p>No</p>	<p>No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to</p>

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		criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.			safeguard the natural and built environment maintaining the character of the neighbourhood area. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
GAR4	Protecting Local Landscape Character.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.
GAR5	Dark Skies	Unlikely that there will be any significant effects on the European Site. . All developments are required to meet the	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that

		criteria of Policy LD2 to protect biodiversity and wildlife.			sets outs criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.
GAR6	Rural Environment and Tranquillity	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the environment and retain the tranquillity of the area in regard to noise and tourism.
GAR7	Protecting and Improving Community Facilities Increased demand for water abstraction and sewage treatment.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye SAC Wye Valley Woodlands SAC	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.

GAR8	<p>Tourism in Garway Parish.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.</p>	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	No	<p>No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p>
GAR9	<p>Rural Businesses and Homeworking.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	Impact on the SAC is dependent on scale and location of the proposed development.	<p>No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known.</p>
GAR10	Highways and Transport	<p>Unlikely that there will be any significant effects on the European Site.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC</p>	No	<p>No: this policy itself will not lead to development, instead it relates to criteria based objectives relating to the management of traffic</p>

					in the parish, that sets out criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area with any new development.
SITES					
Site 16 - Land adjacent to old School Garway. Located between village hall and Old School House. Capacity 2 dwellings 0.04ha.	New Housing Development in Garway Village and Broad Oak. Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	Small scale development proposed. Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
Site 17 - Land at Little Newlands, Garway. Site is located at on the	New Housing Development in Garway Village and Broad Oak.	Small scale development proposed. Unlikely that there will be any	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to

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<p>approach to the village from Broad Oak. Prominent on the approach. Capacity 5 dwellings, 0.25ha</p>	<p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>Wye Valley Woodlands SAC</p>		<p>grant planning permission will ensure water quality issues are addressed.</p>
<p>Site 18 - Site is located between the new community centre and the main road through Garway. To the east is Garway School. Capacity for 2 dwellings 0.19ha</p>	<p>New Housing Development in Garway Village and Broad Oak.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Small scale development proposed. Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.</p>	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC</p>	<p>No</p>	<p>No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.</p>

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: Garway

Neighbourhood Development Plan Name: Garway NDP

Details of consultation: *Regulation 14 Draft Plan consultation*

Consultation date: 23 January to 6 March 2019

Response Date	Consultee	Summary of Comments	Response to Comments

No comments on the HRA were received.

Appendix 5

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

Parish Council Name: Garway

NDP Title: Garway NDP

Date undertaken: December 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					
GAR1	New Housing Development in Garway Village and Broad Oak. Increase in vehicle traffic. Increased demand for	Small scale development proposed. Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to	River Wye (including River Lugg) SAC Wye Valley Woodlands 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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	water abstraction and sewage treatment.	protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.			
GAR7	Protecting and Improving Community Facilities Increased demand for water abstraction and sewage treatment.	Any developments near the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye SAC Wye Valley Woodlands SAC	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.

Appendix 6

Consultation date: 14 February to 6 March 2019

Consultation title: Garway 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

Policy	Modification recommended	Justification
Modification 1 Front cover	Include the dates of the Plan '2020 -2031' on the front cover of the Garway NDP	For clarity
Modification 2 Introductory text	<p>Include the following introductory text.</p> <p>'The parish of Garway lies 14 miles south of Hereford. The parish lies on the hillside above the River Monnow on land rising from 42 to 366 metres. The population was 430 in 2011 in two main communities.</p> <p>The larger village of Garway is a linear village with a mixture of housing of various ages and types. Within the village there is a school, a pub, two churches and a large area of common land used for recreational purpose. It is also a Local Wildlife Site.</p> <p>The hamlet of Broad Oak contains mainly detached housing clustered around a crossroads, with a garage and shop.</p> <p>There is a significant area of common land at Garway Hill Common in the north west of the parish.</p> <p>There are 6 Local Wildlife Sites at Burnt House Wood; Garway Hill Common; Castlefields and Little Corras Wood; Garway Common; Cockshoot Wood; Daren Brook; Daren Wood; Nantywain Wood and 3 Scheduled Ancient Monuments at Garway Dovecote, the churchyard cross is St Michael's churchyard and the Iron Age farmstead enclosure on Garway Hill. A small part of Kentchurch Court Registered Park and Garden lies in the northwest of the parish. There are 30 listed buildings in the parish'.</p>	To set the context of the area
Modification 3 Policies Maps	<p>Include the policies maps in the plan and delete the proposal maps.</p> <p>Number the site allocations and commitments and link to Policy GAR1 in the key</p> <p>Include reference to the relevant Core Strategy policies in the justification to each policy, where appropriate</p>	For clarity
Modification 4 Vision and Objectives	Delete the following from the Vision:	To ensure the objectives are clear

	<p>‘Development in the parish of Garway will be within the settlement boundaries of Garway village and Broad Oak village as shown in this plan. All’</p> <p>Revise Objective 1 to read: ‘To see to locate most development within the settlement of Garway and Broad Oak’</p> <p>Revise Objective 2 to read: ‘To conserve and enhance the rural character of the villages and local landscape of the countryside’</p> <p>Revise Objective 3 to read: ‘To ensure that new development is well integrated into its setting in the village or countryside’</p> <p>Revise Objective 4 to read: ‘To ensure that development is designed to have minimal impact on the distinctive character and environment of the area’</p> <p>Revise Objective 5 to read: To ensure that development is located to take account of the layout of the village’</p> <p>Revise Objective 6 to read: ‘To ensure that development has adequate access and does not unacceptably impact on road safety’</p> <p>Revise Objective 7 to read: ‘To ensure that development makes adequate provisions for rainwater and sewerage drainage’</p> <p>Revise Objective 8 to read: ‘To seek to preserve the dark skies by minimising light pollution’</p> <p>Combine Objective 9 and 10 to read: ‘To support the needs of the local community and safeguard community facilities’</p> <p>Add a new objective ‘ To support the development of new and expanded business appropriate to the rural area’</p>	
<p>Modification 5 Policy GAR1</p>	<p>Add the following at the beginning of the policy ‘The following sites are allocated for housing development:</p> <ul style="list-style-type: none"> a) Land adjacent to the Old School, Garway for 2 dwellings b) Land at Little Newlands, Garway for 5-6 dwellings’ <p>Revise the policy as follows:</p>	

	<p>‘Settlement boundaries are defined for Garway Village on Policies Map 1 and for Broad Oak on Policies Map 2. Within the settlement boundaries, new housing development will be supported where they;’</p> <p>Delete criteria K</p> <p>Revise the settlement boundary for Garway and Broad Oak to include commitments adjacent to the boundary shown on the policies map.</p> <p>Update the tables in para 3.3 and 3.4</p> <p>Revise the final sentence of paragraph 3.5 to read: ‘.. and therefore, everywhere outside the two settlements is considered to be countryside where proposals for new housing development will have to demonstrate that they satisfy the exceptional circumstances set out in the NPPF paragraph 79’</p> <p>Revise para 3.7 to read: ‘...and includes current commitments’</p> <p>Delete paragraphs 3.8 - 3.10</p> <p>Revise paragraph 3.12 to read: ‘In total 18 sites...’</p> <p>Place the final version of the Sites Assessment Report on the website</p> <p>Correct the typographical errors:</p> <ul style="list-style-type: none"> • Delete the apostrophe and add a semicolon at the end of criterion g) • Add 'and' at the end of criterion j) • Replace the semi-colon and at the end of criterion 1) with a full stop. 	
<p>Modification 6</p> <p>Policy GAR2</p>	<p>Delete ‘All’ from the first paragraph of the policy.</p> <p>Revise criterion a) to read: ‘ It contributes to conserving and enhancing ...’</p> <p>Revise criterion f) to read: ‘...natural slate for roofing...is encouraged; otherwise, wall and roofing material should reflect the character of the local area’</p> <p>Delete the following from criterion h) ‘permissive pedestrian rights of way and cycle paths and provisions of safe pedestrian road crossings’</p>	<p>Ensure policy accords with national policy and is not too prescriptive</p>

Modification 7 Policy GAR3	Delete 'All' from the first and third paragraph of the policy Add the following to paragraph 4.8 of the justification: 'Further advice can be obtained from Herefordshire Council's Sustainable Drainage Systems Handbook'	To include reference information within the justification for the policy
Modification 8 Policy GAR4	Revise policy to read: 'Development proposals should protect and enhance the local landscape character and should demonstrate that: <ul style="list-style-type: none"> a) Designated buildings or areas protected, conserved and enhanced; b) Priority habitats and ancient woodlands are safeguarded; c) Non-designated assets are retained and enhanced; d) Watercourses and riverside habitats are conserved, Where necessary, for the improvement and enhancement of water quality and habitats; e) The design, scale, form and siting of the development has taken account of the local landscape character and the setting of the village and f) An appropriate landscaping scheme is incorporated into the scheme which helps to integrate the development into the surrounding landscape. The landscaping scheme should incorporate native tree species, existing trees and hedgerows and make provision for the on-going management of the scheme.' Add the following to the justification to the policy: 'Designated buildings and areas include listed buildings, scheduled monuments, a registered historic park and garden and Special Wildlife Sites. Non designated assets include stone boundary walls, ancient and veteran trees and commons.'	Elevate the safeguarding of designated assets and conform with Policy LD1 and LD2 of the Core Strategy.
Modification 9 Policy GAR9	Revise policy to read: 'Development proposals that include external lighting and significant openings that would allow internal lighting to be seen externally should be designed to minimise light pollution. Proposal should demonstrate the following: <ul style="list-style-type: none"> a) They have undertaken an assessment of the need for lighting and can demonstrate the need for the lighting proposed; and' No change to criteria b)	To ensure clarity and consistency and accords with Policy SD1 of the Core Strategy.

<p>Modification 10</p> <p>Policy GAR6</p>	<p>Revise policy to read: ‘Business and tourism development proposals will be supported where they do not give rise to unacceptable adverse impacts on the tranquillity of the rural environment of the plan area or residential amenity. Where such a proposal is likely to give rise to an impact on tranquillity or residential amenity, a Noise Impact Assessment will be required as part of the planning application. Where necessary, mitigation measures will be included in planning conditions to reduce any adverse impacts’</p> <p>Add the following to the justification; ‘Mitigation measures may include control of the nature, scale, type of activity and the opening hours’</p> <p>Revise the title of Policy GAR6 to ‘Tranquillity’</p>	<p>To ensure consistency and clarity</p>
<p>Modification 11</p> <p>Policy GAR7</p>	<p>Revise the first line of the policy to read: ‘The following community facilities are protected:’</p> <p>Include the names of the churches in the list:</p> <ul style="list-style-type: none"> • Garway Methodist Church • St Michael’s Church <p>All the community facilities listed to be should on the policies map.</p>	<p>For clarity</p>
<p>Modification 12</p> <p>Policy GAR8 and GAR9</p>	<p>Combine Policies GAR8 and GAR 9 as follows:</p> <p>‘Proposals for new and expanded rural businesses, new or improved tourism development and homeworking will be supported where:</p> <ol style="list-style-type: none"> a) They are appropriate within the local landscape setting; b) They would not have a significant adverse impact on tranquillity or residential amenity; c) They would not result in a detrimental impact on road safety or traffic congestion and include suitable access and on site car parking’ <p>Add an explanation in the justification giving examples when planning permission for homeworking is likely to be required.</p>	<p>Combine similar policies for clarity</p>
<p>Modification 13</p> <p>Policy GAR10</p>	<p>Revise the first paragraph to read: ‘Development proposals should include appropriate measures to minimise their impact on the local highway network. The following should be provide.’</p>	<p>To remove unnecessary text and add clarity.</p>

	<p>Delete the following from criterion a) 'by focussing development on the main road that forms the spine of the linear Garway village'</p> <p>Revise criterion c to read: 'Car and vehicle parking should be appropriately sited and screened within the landscape and should be surfaced with materials appropriate to the rural location'</p> <p>Include a statement in the justification to explain the types of materials that are preferred for hardstanding.</p>	
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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					
Objective 10	<p>Development of new and expanded businesses appropriate to the rural area.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	Unlikely that there will be any significant effects on the European Site.	<p>River Wye SAC</p> <p>Wye Valley Woodlands SAC</p>	No.	No, this objective will not produce any impacts upon Wye Valley Woodlands SAC or the River Wye SAC.
GAR1	<p>New Housing Development in Garway Village and Broad Oak.</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and</p>	Small scale development proposed. Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and	<p>River Wye (including River Lugg) SAC</p> <p>Wye Valley Woodlands SAC</p>	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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	sewage treatment.	wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.			
GAR4	Protecting Local Landscape Character.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.
GAR5	Dark Skies	Unlikely that there will be any significant effects on the European Site. . All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife.	River Wye (including River Lugg) SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the natural and built environment maintaining the character of the neighbourhood area.

GAR6	Tranquillity	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to safeguard the environment and retain the tranquillity of the area in regard to noise and tourism.
GAR8	Rural Businesses, Tourism and Homeworking. Increase in vehicle traffic Increased demand for water abstraction and sewage treatment.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye SAC Wye Valley Woodlands SAC	Impact on the SAC is dependent on scale and location of the proposed development.	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known.