

# Habitats Regulations Assessment

Report for:

**Brockhampton Group Neighbourhood Area**

**August 2020**



# **Brockhampton Group HRA**

## **HRA Screening Assessment Reg 14**

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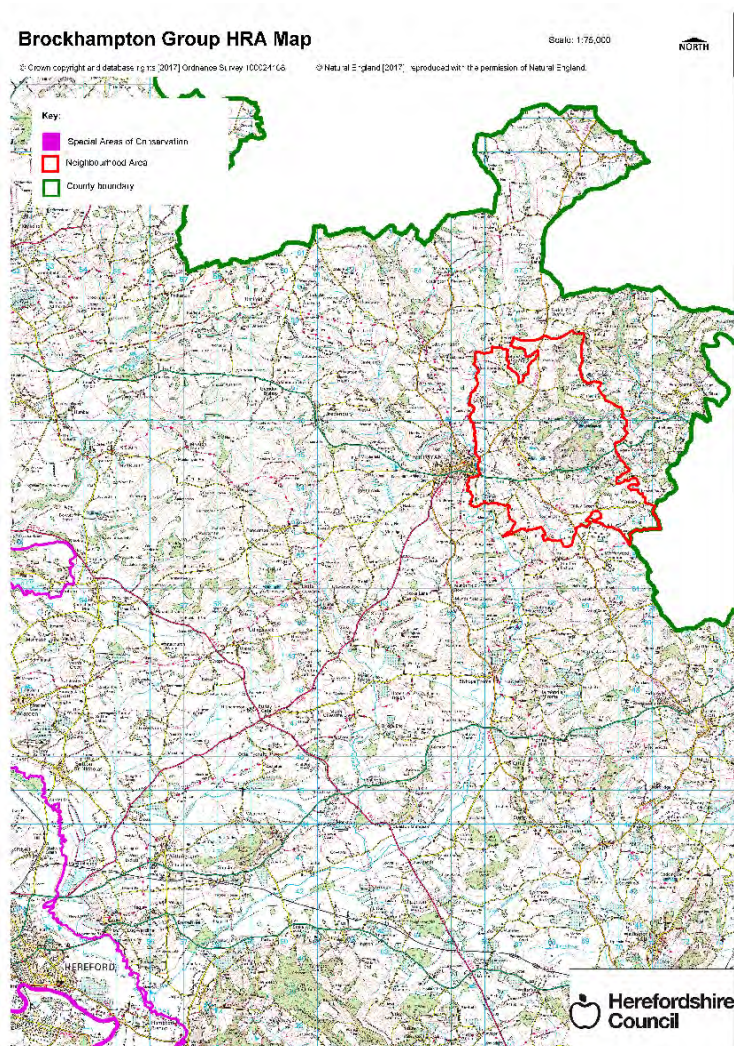
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## 1 Introduction

- 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 Draft Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Brockhampton Group Parish Council is producing a Neighbourhood Development Plan for Brockhampton 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 Brockhampton Group Neighbourhood Plan May 2020.
- 1.3 The NDP has 13 criteria based policies including 2 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 Pre-submission publication of the Local Plan-Core Strategy Habitat Regulations Assessment Report (April 2014) and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Brockhampton 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, Brockhampton Group Council is required by law to carry out an assessment known as "Habitats Regulations Assessment". It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.
- 2.2 Article 6(3) of the EU Habitats Directive provides that: Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- SPAs are classified under the European Council Directive 'on the conservation of wild birds' (79/409/EEC; 'Birds Directive') for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
  - SACs are designated under the Habitats Directive and target particular habitats (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either Natura 2000 or European sites. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.
- 2.5 Herefordshire Council is aware of the recent judgement (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a European site at the screening stage.
- 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.

## **3 Methodology**

- 3.1 As the Brockhampton 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 (**March 2018**) found that the Neighbourhood Area is in the hydrological catchment of the River Wye, the Frome to the Lugg (including the River Lugg) SAC. Therefore a full screening assessment is required.
- 4.2 There is a duty under the Water Framework Directive to ensure that proposals for growth do not adversely affect the river water quality and this included the associated watercourses flowing into the rivers. There is also a duty under the EU Habitats Directive to ensure that proposals for growth do not adversely affect habitats and biodiversity. This directives promotes to maintain, restore and enhance natural habitats and wild species within the protected sites.

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

- 4.3 The issues associated with maintaining the sites integrity include water levels and flow, water quality, eutrophication (nitrogen enrichment), sedimentation, disturbance and species maintenance.
- 4.4 The River Wye SAC can be sensitive to changes in water quantity and quality. As outlined within the Habitat Regulation Assessment to the Herefordshire Core Strategy, the water supply in this area comes from Dwr Cymru Welsh Water (DCWW) and no likely significant effects on European sites as a result of changes in water quality are expected in relation to the proportional growth outlined with the Herefordshire Core Strategy.
- 4.5 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 are no issues in Bringsty and that there are water pressure issues in Linton. There is no local WwTW and no comment on available headroom. Although located within the hydrological catchment of the River Wye, the levels of phosphate here are not an issue 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 Brockhampton Group Initial Screening Report. The Initial Screening Report, March 2018, 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 Brockhampton Group NDP.

## 5 Description of the Brockhampton Group Neighbourhood Development Plan

- 5.1 The Draft Brockhampton Group 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 villages.

- 5.2 The NDP then details the vision for the Group Parish over the Plan period and 4 objectives of how this will be achieved. The objectives are as follow:

### Objective 1: Environment

- **To protect and enhance the local environment by** ensuring that new development respects the character of the landscape and biodiversity, and achieves a high quality of design.

### Objective 2: Social and community

- **To meet housing requirements** by demonstrating delivery of the requirements set out in the Local Plan Core Strategy, identifying land for new housing, defining the planned extent of the settlements of Bringsty and Linton, and requiring a mix of size and type of properties to meet community needs.
- **To protect, retain and improve community services and facilities** to support health, social and cultural well-being.

### Objective 3: Economy

- **To support the local economy** by enabling development which is in scale and in keeping with the rural character of the Neighbourhood Area and appropriate to its location and setting.

### Objective 4: Community Actions

- **To identify those matters which fall outside the formal development and land-use scope** of the Neighbourhood Development Plan as Community Actions for further consideration and action by the Parish Council working in partnership with others.

- 5.3 The NDP also sets out 13 policies on various topics based on the objective headings above and also for the villages, these include:

BROCK1 Sustainable development
BROCK2 Landscape character
BROCK3 Biodiversity

BROCK4 Design
BROCK5 Housing delivery
BROCK6 Housing site allocations
BROCK7 Settlement boundaries
BROCK8 Housing mix
BROCK9 Social and community facilities
BROCK10 Linton Trading Estate
BROCK11 Small-scale employment development
BROCK12 Agricultural and forestry development
BROCK13 Leisure and tourism

## 6 Assessment of the 'likely significant effects' of the Brockhampton Group NDP

- 6.1 As required under Regulation 102 of the Habitats Regulations 2010, a screening assessment has been undertaken to identify the 'likely significant effects' of the NDP. A screening matrix was prepared in order to identify whether any of the policies in the Plan would be likely to have a significant effect on the River Wye SAC.
- 6.2 The findings of the screening matrix can be found in the Screening Matrix in Appendix 2 of this report. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

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

### Screening of the Draft Plan (Reg14)

- 6.3 The Screening matrix took the approach of screening each policy individually, which is consistent with current guidance documents. The results from the HRA report for the pre-submission version of the Herefordshire Core Strategy were also taken into consideration.
- 6.4 None of the Brockhampton Group Parish NDP objectives and policies (May 2020) were concluded to be likely to have a significant effect on the European site. Brockhampton Group parish falls within the hydrological catchment area of the *River, Wye (the River Frome into and including Lugg) SAC with the river running through the middle of the parish, however there is no development proposed within 100m of the river bank*. Core Strategy policy SD3 and SD4 together with the Nutrient Management Plan will ensure that development can only occur if policy requirements are met.
- 6.5 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 6.6 It is unlikely that the Brockhampton Group Parish Neighbourhood Plan will have any in-combination effects with any Plans from neighbouring parish council due to the level of growth proposed is of the same that is proposed for the Bromyard Housing Market Area in the Herefordshire Core Strategy.
- 6.7 Therefore it was concluded that the **Reg14 Brockhampton Group Parish NDP would not have a likely significant effect on the River Wye (River Frome Catchment into and including Lugg) SAC.**

## 7 Conclusions from the Screening Matrix

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- 7.1 None of the draft Brockhampton Group Neighbourhood Plan (May 2020) policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 7.2 For the policies contained in the plan there is sufficient policy criteria in Core Strategy policies LD2, SD3 and SD4 to ensure that development can only occur if these criteria are met.
- 7.3 The draft plan allocates settlement boundaries and site allocations for development within Bringsty and Linton. In April 2019, 6 houses have either been granted or granted planning permission, leaving a remaining housing target figure of 24 dwellings to find. The settlement areas appear to have enough capacity within the area to meet the target housing growth. Due to the location of these areas, and at the scale of growth that is required by the Herefordshire Core Strategy, these would not have an appreciable effect on the River Wye SAC, i.e. that they were not likely to be significant.
- 7.4 Dwr Cymru Welsh Water (DCWW) have not made any statement regarding capacity of any Sewerage Treatment works serving the Bringsty or Linton area. Any new development will need to be in line with Core Strategy Policy SD4.
- 7.5 Policy SD4 of the Core Strategy of the NDP indicate that development would not be permitted if wastewater treatment and water quality cannot be assured. In addition, the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.
- 7.6 No mitigation measures have been included within the screening of the policies of the NDP. Policies of the Core Strategy and the NDP will form part of the development plans. A key requirement of the Core Strategy is to meet the Water Framework Directive.
- 7.7 Policy SD4 of the Core Strategy of the NDP indicate that development would not be permitted if wastewater treatment and water quality cannot be assured.
- 7.8 Policy LD2 of the Core Strategy indicates that any development should conserve, restore and enhance biodiversity and geodiversity assets of Herefordshire. Development within close proximity to internationally and local designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests. The Brockhampton Group Parish NDP does allocate sites therefore an AA at planning permission stage may be required. As the majority of the policies are criteria based, consisting of mostly protective policies it is determined unlikely to have a significant impact on the SAC. However it is likely more information will be required at planning application stage to further determine the impact on the Wye. One site will require a flood assessment at planning permission stage however it does not drain directly into the Wye.
- 7.9 This screening has found that the Brockhampton Group Parish draft plan is unlikely to result in significant effects **on the River Wye (Frome Catchment into and including Lugg) SAC.**
- 8 Identification of other plans and projects which may have ‘in-combination’ effects**
- 8.1 There are a number of potentially relevant plans and projects which may result in in-combination effects with the Core Strategy across Herefordshire, these plans have been reviewed and can be found in Appendix 2 of the publication of the Herefordshire Local Plan Core Strategy Habitats Regulations Assessment (Oct 2015).



- 8.2 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy. Adjacent neighbourhood plans including Edwyn Ralph (drafting), Edvin Loach and Saltmarsh, Tedstone Warfe, Tedstone Dwelamere (not producing a plan), Whitbourne (made), Stanford Bishop (not producing a plan), Avenbury and Bromyard and Winslow (Drafting). These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 8.3 The HRA for the Core Strategy also identifies that both the Water Cycle Study for Herefordshire, which indicates the potential for planned water abstraction requirements combined with pressures on European Sites from the Core Strategy policies, and the work on the Nutrient Management Plan, to ensure the favourable conservation status of the SAC in respect of phosphate levels as soon as possible and at the latest by 2027, have both been considered as part of the in-combination assessment.
- 8.4 It is unlikely that the draft Brockhampton 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 Bromyard Housing Market Area in the Herefordshire Core Strategy.

## 9 Conclusion

- 9.1 **The draft Brockhampton Group NDP will not have a likely significant effect on the River Wye SAC (Frome Catching into and including Lugg).**

## 10 Next steps

- 10.1 This draft report will be published alongside the draft Brockhampton Group Parish NDP. This will be subject to a 6 week consultation by the parish (Regulation 14). Any amendments to the plan post (draft May 2020) will be re-screened.

# Appendix 1

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

### The Neighbourhood Planning (General) (Amendment) Regulations 2015 (Reg. 32)

#### Conservation of Habitats and Species Regulations 2010 (d)

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<b>Neighbourhood Area:</b>	Brockhampton Group Neighbourhood Area
<b>Parish Council:</b>	Brockhampton Group Parish Council
<b>Neighbourhood Area Designation Date:</b>	2 November 2017

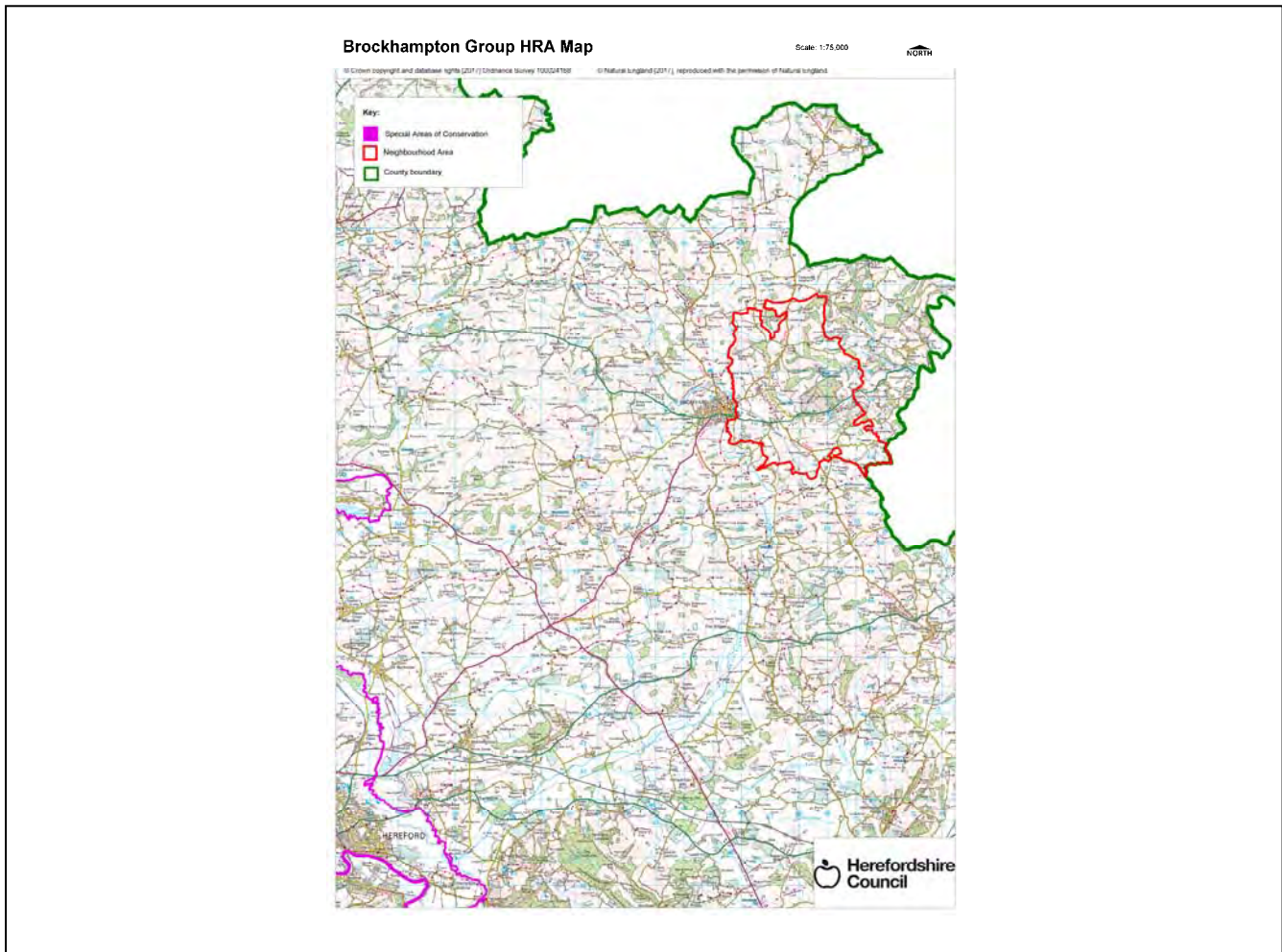
#### **Introduction**

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

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

## HRA Initial Screening

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



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

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	N	The River Wye (including the Lugg) SAC is 12km away from the neighbourhood area.
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The neighbourhood area is within the Frome (to the Lugg) catchment area.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage within the neighbourhood area.

### Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downtown Gorge SAC is 26.7km away from the neighbourhood area.
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**River Clun SAC:**

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

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	The Wye Valley and Forest of Dean Bat Sites SAC is 32km away from the neighbourhood area.
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**Wye Valley Woodlands SAC:**

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	N	The Wye Valley Woodlands SAC is 38.7km away from the neighbourhood area
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**HRA Conclusion:**

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

**European Site**

*(List only those which are relevant)*

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

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

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

SEA features	Within Neighbourhood Area		Bordering Neighbourhood Area	
	Total number	Name(s)	Total number	Name(s)
Ancient Woodland	10	Bevan Wood; Paradise Wood; Linchester Wood; Blews Ditch Wood; Hill House Wood; Holy Bank & The Grove; Yearsett Wood; Diple Wood; Silk Croft Wood; Woodland in north west of Norton Parish	11	Court Covert; Punch Bowl Wood; Badley Wood; Bradleyfield Coppice; Longfield Coppice; Big Wood; Mitchells Coppice; Park Coppice and Grove Dingle; Archenhills Wood; Heathfield Coppice; Hyde Wood.
Areas of Outstanding Natural Beauty (AONB)	0	-	0	-
Conservation Areas	0	-	3	Bromyard; Tedstone Delamere; Whitbourne.
Flood Areas	Flood Zones 2 and 3 along the west/north west boundary of the neighbourhood area.			
Geoparks	1	Malvern Hills Geo Park	0	-
Listed Buildings	There are numerous listed buildings throughout the neighbourhood area.			
Local Geological Sites (LGS)	0	-	0	-
Local Wildlife Sites (LWS)	9	The Punch Bowl; Woodland adjacent to Paradise Brook and	5	Meadow at Tedstone Wafre; Badley Wood and common and adjoining

		woodland; Bringsty Common and Big Wood; Woodend Coppice; The Down House Side Meadow; Bromyard Downs and adjoining woodlands; River Frome; Tinkers Castle Meadows.		woodland; Whitbourne Hall Lake; Bradleyfield Coppice; Mill Coppice Complex.
Mineral Reserves	0	-	0	-
National Nature Reserve (NNR)	0	-	0	-
Nature Trails	1	Bromyard Walks.	1	Herefordshire Trail.
Registered Parks and Gardens	1	Brockhampton	0	-
Scheduled Ancient Monuments (SAM)	0	-	4	Avenbury Church; Motte and Bailey Castle; Churchyard cross at St James Churchyard; Motte and Bailey Castle and St Mary's Old Church.
Sites of Importance in Nature Conservation (SINC)	0	-	0	-
Special Areas of Conservation (SAC)	0	-	0	-
Unregistered parks and gardens	3	Buckenhill; Brockhampton, Bromyard; Clater Park.	1	Whitbourne Hall.
		<b>SSSI Status</b>		<b>SSSI Status</b>
Sites of Special Scientific Interest (SSSI)	0	-	0	-

**Decision Notification:**

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

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

**Assessment date: 2 November 2017**

**Assessed by: James Latham**



## Appendix 1: European Sites

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

<b>Downton Gorge</b>
<b>Site Features:</b> <i>Tilio-Acerion</i> forests of slopes, screes and ravines
<b>Vulnerability data:</b> 10km for air quality associated with poultry units or other intensive agricultural practices.
<b>River Clun</b>
<b>Site Features:</b> Freshwater pearl mussel <i>Margaritifera margaritifera</i>
<b>Vulnerability data:</b> Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
<b>River Wye</b>
<b>Site Features:</b> 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>
<b>Vulnerability data:</b> Proximity: Developments should not be within 100m of the designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing site allocations. Water Quality: Within the whole catchment of the River Wye, which includes the River Lugg, mains drainage issues with regards to water quality are being resolved through the Core Strategy / Local Plan and development of a Nutrient Management Plan. Welsh Water should be consulted to ensure that the proposed growth will be within the limit of their consents. Otters: "An otter will occupy a 'home range', which on fresh waters usually includes a stretch of river as well as associated tributary streams, ditches, ponds, lakes and woodland. The size of a home range depends largely on the availability of food and shelter, and the presence of neighbouring otters. On rivers, a male's home range may be up to 40km or more of watercourse and associated areas; females have smaller ranges (roughly half the size) and favour quieter locations for breeding, such as tributary streams. Otters without an established home range are known as 'transients'. They are mostly juveniles looking for a territory of their own, or adults that have been pushed out of their territories. Transient otters may use an area for a short while, but they will move on if conditions are not suitable or if they are driven away by resident otters. Transients will have been important in extending the range of otters, but they are very difficult to identify from field signs. Within a home range an otter may use many resting sites. These include above-ground shelters, such as stands of scrub or areas of rank grass, and underground 'holts' – for example, cavities under tree roots and dry drainage pipes."

### Wye Valley and Forest of Dean Bat Sites

**Site Features:** Annex II species that are a primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*. Greater horseshoe bat *Rhinolophus ferrumequinum*

**Vulnerability data:** Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues.

Greater Horseshoe bats are known to migrate between 20-30km between their summer and winter roosts.

NDPs closest to the European Site will need to consider:

Woodland habitat buffer.

Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.

Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation. A system/series of sites required. Vulnerable to loss of insect food supply, due to insecticide use, changing farming practices and loss of broad-leaved tree-cover and loss / disturbance of underground roosts sites.

### Wye Valley Woodlands

**Site Features:** Annex I habitats that are a primary reason for site selection: Beech forests *Asperulo-Fagetum*, *Tilio-Acerion* forests of slopes, screes and ravines, *Taxus baccata* woods of the British Isles. Annex II species present as a qualifying feature, but not a primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*, 51-100 residents

**Vulnerability data:** Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues. NDPs closest to the European Site will need to consider: Woodland habitat buffer. Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.

# Appendix 2

Appendix 2 HRA – Brockhampton Group (Reg 14)  
Options Considered  
August 2020

**Option 1:** not to prepare a Neighbourhood Development Plan.

**Option 2:** use criteria-based policies only to manage development.

**Option 3:** manage development using criteria-based policies and by allocating sites at Bringsty and/or Linton.

**Option 4:** manage development using criteria-based policies and by defining settlement boundaries for Bringsty and Linton.

**Option 5:** manage development by defining settlement boundaries for Bringsty and Linton, allocating sites and specifying criteria.

# Appendix 3

**HRA Screening of Draft Neighbourhood Development Plan Policies****Parish: Brockhampton Group Parish****Date undertaken: August 2020**

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
<b>Objective 1 – Environment</b>	<b>To protect and enhance the local environment by</b> ensuring that new development respects the character of the landscape and biodiversity, and achieves a high quality of design.	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of LD4 to protect the environmental assets.	River Wye (including the River Lugg) SAC	No	No: this objective is seeking to safeguard environmental assets. Implementation of Core Strategy policies SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed and no impact upon the River Wye SAC.
<b>Objective 2 - Social and community</b>	<b>• To meet housing requirements</b> by demonstrating delivery of the requirements set out in the Local Plan Core Strategy, identifying land	Unlikely that there will be any significant effects on the European Site. Greater degree of certainty over the impact of future development on the European sites, as the	River Wye (including the River Lugg) SAC	No.	No: this objective is seeking to deliver housing to meet the needs of the community. Implementation of Core Strategy policies

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	<p>for new housing, defining the planned extent of the settlements of Bringsty and Linton, and requiring a mix of size and type of properties to meet community needs.</p> <p><b>•To protect, retain and improve community services and facilities</b> to support health, social and cultural well-being.</p>	<p>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.</p>			<p>SD4, LD2 and SD1 for any planning permissions granted will ensure water quality issues are addressed and no impact upon the River Wye SAC.</p>
<b>Objective 3 – Economy</b>	<p><b>To support the local economy</b> by enabling development which is in scale and in keeping with the rural character of the Neighbourhood Area and appropriate to its location and setting.</p>	<p>Unlikely that there will be any significant effects on the European Site.</p>	River Wye (including the River Lugg) SAC	No.	<p>No, this objective will not produce any impacts upon the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.</p>
<b>Objective 4 – Community Actions</b>	<p><b>To identify those matters which fall outside the formal development and land-use scope</b> of the Neighbourhood</p>	<p>Unlikely that there will be any significant effects on the European Site.</p>	River Wye (including the River Lugg) SAC	No.	<p>No, this objective will not produce any impacts upon the River Wye SAC. The implementation of Core Strategy policy SD4, LD2, SD1 to</p>

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	Development Plan as Community Actions for further consideration and action by the Parish Council working in partnership with others.				grant planning permission will ensure water quality issues are addressed.
Option 1	Not to prepare a Neighbourhood Development Plan, relying instead on the Core Strategy and the Rural Areas Sites Allocations DPD	It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.  Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	River Wye (including the River Lugg) SAC	No	No, policy criteria exist within the NDP and Core Strategy (SD4) required to be met for the development to receive planning permission.
Option 2	Use criteria-based policies only to manage development.	Producing a criteria based NDP with a development strategy would give a level of certainty to future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the	River Wye (including the River Lugg) SAC	No	No; policy criteria can be added to any allocation policy to mitigate and policy SD4 applies to any development.



		criteria of Policy SD4.			
Option 3	Manage development using criteria-based policies and by allocating sites at Bringsty and/or Linton.	Producing an NDP where sites are allocated would give a level of certainty to future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including the River Lugg) SAC	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 and policy SD4 applies to any development.
<b>Option 4</b>	Manage development using criteria-based policies and by defining settlement boundaries for Bringsty and Linton	Producing an NDP where a settlement boundary is designated would give a good level of certainty to the location of any future development. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.	River Wye (including the River Lugg) SAC	No	No; policy criteria can be added to any allocation policy to mitigate and policy SD4 applies to any development
Option 5	<b>Manage development by defining settlement boundaries for Bringsty and Linton,</b>	Producing an NDP where a settlement boundary and sites are designated would give a good level of	River Wye (including the River Lugg) SAC	Developments should not be within 100m a designated bank. Some developments beyond	No; policy criteria can be added to any allocation policy to mitigate and policy

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	<b>allocating sites and specifying criteria</b>	certainty to the location of any future development as would the allocation of specific sites. It is unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy SD4.		100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing any further or additional site allocations.	SD4 applies to any development
<b>Policy BROCK1</b>	<b>Sustainable Development</b>  Increase in vehicle traffic.  Increased demand for water abstraction and sewage treatment.	Any small scale development that is proposed will need to be sustainable and built with sustainable measures. Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 and to grant planning permission will ensure water quality issues are addressed.
<b>Policy BROCK2</b>	<b>Landscape Character</b>	Unlikely that there will be any significant effects on	River Wye (including	No	No: this policy itself will not lead to

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		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.	the River Lugg) SAC		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.
<b>Policy BROCK3</b>	<b>Biodiversity</b>	Unlikely that there will be any significant effects on the European Site. All developments are required to meet the criteria of Policy LD4 to protect the historic environment, and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC	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.
<b>Policy BROCK4</b>	<b>Design</b>	Unlikely that there will be any significant effects on the European Site. . All developments are required to meet the criteria of Policy SD4 which seeks to ensure	River Wye (including the River Lugg) SAC	No	No: this policy itself will not lead to development, instead it relates to criteria based objective, that sets outs criteria to

		water quality of the SAC is not detrimentally effected.			guide building design and safeguard the natural and built environment maintaining the character of the neighbourhood area.
<b>Policy BROCK5</b>	<b>Housing Delivery</b>  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 SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC	No	No: this policy itself will lead to development, however supporting criteria based objectives that set out criteria safeguarding the natural and built environment will help to maintain the character of the neighbourhood area.
<b>Policy BROCK7</b>	<b>Settlement boundaries</b>  Increase in vehicle traffic through designated development.  Increased demand for water abstraction and	Producing an NDP where a settlement boundary is designated would give a good level of certainty to the location of any future development as would the allocation of specific sites. It is unlikely that there will be any significant effects	River Wye (including the River Lugg) 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

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	sewage treatment.	on the European Site. All developments are required to meet the criteria of Policy SD4.			environment by defining areas in which development can take place.
<b>Policy BROCK 8</b>	<b>Housing mix</b>  Increase in vehicle traffic.  Increased demand for water abstraction and sewage treatment.	Any developments near the River Frome catchment and catchment of the River Wye will need to take account of the water quality and flooding issues. Developments of this scale are unlikely to have any significant effects given the safeguards within Core Strategy policy SD3 and SD4.	River Wye (including the River Lugg) SAC	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed through any planning permission granted.
<b>Policy BROCK9</b>	<b>Social and Community facilities</b>  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 SD4 which seeks to ensure water quality of the SAC is not detrimentally effected.	River Wye (including the River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
<b>Policy BROCK10</b>	<b>Linton Trading Estate</b>  Increase in vehicle	Any developments near the River Frome catchment and catchment	River Wye (including the River Lugg) SAC	Impact on the SAC is dependent on scale and location of the proposed	No. The implementation of Core Strategy policy

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	<p>traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>of 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>development within the trading estate area.</p>	<p>SD4, LD2, SD1, E1, E3 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known</p>
<b>Policy BROCK11</b>	<p><b>Small-scale employment development</b></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 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>	River Wye (including the River Lugg) SAC	No	<p>No. The implementation of Core Strategy policy SD4, LD2, SD1, E1, E3 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known</p>
<b>Policy BROCK12</b>	<p><b>Agricultural and Forestry development</b></p>	<p>Unlikely that there will be any significant effects on the European Site. All agricultural developments are required to meet the criteria of Policy LD2 to protect biodiversity and</p>	River Wye (including the River Lugg) SAC	No	<p>No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further</p>

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		wildlife, and SD3 and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected			assessment of impact on SACs will be determined at planning application stage when further details of the scheme are known
<b>Policy BROCK13</b>	<b>Tourism and Leisure</b>	Unlikely that there will be any significant effects on the European Site. All agricultural developments are required to meet the criteria of Policy LD2 to protect biodiversity and wildlife, and SD3 and SD4 which seeks to ensure water quality of the SAC is not detrimentally effected	River Wye (including the River Lugg) SAC	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed. Further assessment of impact on SACs will be determined at planning application stage when further details of any development are known
Site Allocations					
<b>Policy BROCK6: Housing site allocations Land at The Bannut, Bringsty (Plan 5)</b>	Indicative target of 5 dwellings  Increase in vehicle traffic.  Increased demand for water abstraction and sewage treatment.	Any developments near the River Frome catchment and catchment of 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	River Wye (including the River Lugg) SAC	No	No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed through any planning permission granted.

		Strategy policy SD3 and SD4.			
<b>Policy BROCK6:</b> <b>Housing site allocations</b>  <b>Land west of Malvern Road, Linton (Plan 6)</b>	<p>Indicative target of 12 dwellings</p> <p>Increase in vehicle traffic.</p> <p>Increased demand for water abstraction and sewage treatment.</p>	<p>Any developments near the River Frome catchment and catchment of 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 (including the River Lugg) SAC</p>	<p>No.</p>	<p>No. The implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed through any planning permission granted. It is noted that a further flood risk assessment will be required to accompany any planning application due to drainage issues during heavy rainfall.</p>