

Habitats Regulations Assessment

Report for:

Clifford Neighbourhood Area

July 2020



Clifford Neighbourhood Plan HRA

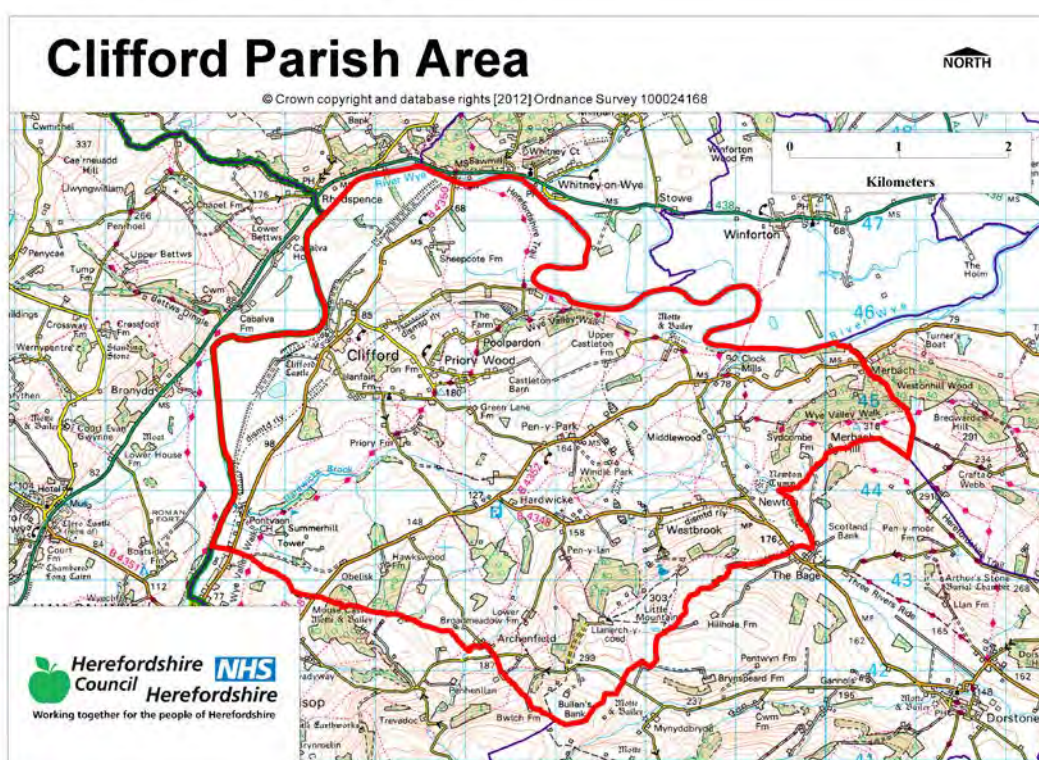
HRA Screening Assessment

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1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National Planning Policy Framework. The screening stage involves assessing broadly whether the final Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Clifford Parish Council have produced a Neighbourhood Development Plan for Clifford 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 Clifford Neighbourhood Plan (date 10 February 2020).
- 1.3 The NDP contains criteria based policies, site allocations and designates settlement boundaries within the settlement of Priory Wood and Clifford. The plan also identifies 3 housing sites within these settlements will help for the group parish to provide 30 dwellings. It provides general criteria policies that clarify and given more detail to those within the Herefordshire Core Strategy.
- 1.4 This requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Core Strategy. It should be read in combination with the Core Strategy Habitat Regulations Assessment Report and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.5 The map below shows Clifford Neighbourhood Area to which this assessment related.



2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the “Habitats Regulations” published for England and Wales in July 2007 and updated in 2013. Therefore, when preparing its NDP, Clifford 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 September 2015 and concluded that a full HRA would be required. Mitigation was not taken into account at this stage.
- 2.6 The Co-operative Mobilisation (The Dutch Case) ruling will also have an impact in Herefordshire within 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 and reviewed in Terms of the implications of the *Sweetman and Dutch Cases* of the draft NDP.
- ### 3 Methodology
- 3.1 Although the Clifford NDP is not in direct 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 (June 2016) found that the River Wye is located along the northern and western borders of the parish. Figure 2 below highlights the location of River Wye SAC.



- 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 outline within the Habitat Regulation Assessment to the Herefordshire Core Strategy, the water supply in this area comes from Welsh Water 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. It is expected for new development will need to adhere to the provisions of Policy SD4 of the Core Strategy.
- 4.5 Sections of the River Wye SAC where the water quality targets are already exceeding are subject to measures to reduce nutrients in line with the targets. In light of the interpretation of the Dutch Case where a European site is failing 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.
- 4.6 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 Although as 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 with accommodating the 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 Clifford and NMP actions are unlikely to be required.

5 Description of the Clifford Neighbourhood Development Plan

- 5.1 The draft Clifford 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;
To be a parish where an excellent quality of life is available to all, where people feel valued and there are home, businesses and facilities to meet the needs of a vibrant rural community.

There are ten objectives of how this will be achieved. The objectives are listed below.

Housing - Herefordshire Core Strategy calls for a minimum of 30 homes built in Clifford parish in the period covering 2011-2031, and in order to protect the important landscape and character of our settlements provision of new homes to be as close to this figure as is practically possible

Landscape – any development should avoid damaging Clifford's precious and valued landscape

Landscape – Clifford parish lies within a key transitional zone between the upland plateau of the Black Mountains and the cultivated intimacy of the lowlands England, as referred to

in the National Character Area 99. Despite not being formally designated, Clifford is part of a landscape that has physical attributes which take it out of the ordinary and its character and features should be protected as a valued landscape.

Roads and traffic – the effects of traffic should be reduced on the community so that residents are safe using local roads, including by bicycle where possible; traffic can move freely but at a safe speed; local roads are enhanced where they need to cope with new development; and HGV movements are minimised on the parish roads.

Sustainability – the plan contributed towards sustainable development through protecting and enhancing the parish' rich cultural and environmental heritage. Flood risk will be actively managed and low energy development supported.

Sustainability - sustainable farming is supported but factory farming or other non-sustainable development negatively impacting the landscape and environment eg polytunnels is not

Sustainability – significant industrial, warehousing and waste management development and /or operations out of scale with the landscape are not supported.

Opportunities for employment – the plan includes proposals and policies to enable more people to work where they live or closer to their homes. These include attracting businesses and employment suitable for a rural area and supporting sustainable agriculture, tourism and diversification within the rural economy.

Opportunities for employment – new employment opportunities are encouraged, provided they are small scale and do not have a detrimental impact on the landscape and/ or quality of life of residents

Community services and facilities – the plan fosters community spirit by defining and supporting existing services and facilities and setting parameters for future new and improved provisions.

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

- **Policy Option 1** – Do nothing
- **Policy Option 2** – Produce a NDP
- **Policy Option 3** – Include settlement boundaries
- **Policy Option 4** – Include site allocations
- **Policy Option 5** – criteria base only

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 SAC.

5.4 As Clifford Neighbourhood Plan progressed from options to draft NDP policies, the Plan needed to identify ways in which the effect on the River Wye SAC, could be achieved, alongside taking forward the preferred option from the consultation from the community.

6.0 Assessments undertaken to date of the emerging Clifford 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 Clifford NDP would be likely to have a significant effect on the River Wye SAC.
- 6.2 The NDP also sets out 24 policies on various topics based on the objective headings above and also for group parish, these include:
- Policy CNP1: Promoting sustainable development
 - Policy CNP2: Development Strategy
 - Policy CNP3: Conserving and enhancing the landscape of the parish
 - Policy CNP4: Protecting the scenic beauty of the parish
 - Policy CNP5: Conserving and enhancing the natural environment of the parish
 - Policy CNP6: Protecting and enhancing the heritage assets of the parish
 - Policy CNP7: Protection of Local Green Spaces
 - Policy CNP8: Housing Development in Prior Wood
 - Policy CNP9: Housing development in Clifford Village
 - Policy CNP10: Housing sites in Clifford Village
 - Policy CNP11: Community led housing
 - Policy CNP12: Design of housing development within settlement boundaries
 - Policy CNP13: Supporting local business
 - Policy CNP14: Farm diversification
 - Policy CNP15: Tourism development
 - Policy CNP16: Working from Home
 - Policy CNP17: Polytunnel proposals
 - Policy CNP18: Intensive livestock units
 - Policy CNP19: Sustainable design
 - Policy CNP20: Renewable energy and climate change impact
 - Policy CNP21: Community facilities
 - Policy CNP22: Highway and transport
 - Policy CNP23: Addressing flood risk and drainage
 - Policy CNP24: Protecting the environment and amenity

Screening of the draft plan (Reg14)

- 6.3 The screening matrix took the approach of screening each policy and objective individually, which is consistent with current guidance. The results from the HRA reports for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 6.4 None of the NDP objectives and policies (July 2020) were concluded to be likely to have a significant effect on the European sites. The parish is bordered to the north and the west by the River Wye and the settlements falls within the hydrological catchment area. The identified settlement boundaries and site allocations are not in close proximity to the river and unlikely to have a direct significant impact on the SAC. Core Strategy policy SD3 and SD4 together with the Nutrient Management Plan will ensure that development can only occur if these policy requirements are met.
- 6.5 Clifford village has three allocated sites, however the location and scale of the sites have been screened and seen to have an unlikely significant impact on the River Wye SAC.
- 6.6 In addition, as any development will require to meet the criteria of Policy SD4, Legal opinion had indicated that an AA is not required. The sites likely impact on the SAC can be determined at planning application stage when further details of the proposed housing scheme are known.

- 6.7 Clifford is not on mains drainages and most of the properties within the parish are served by septic tanks or other private works. Although located within the hydrological catchment area of the River Wye SAC, the level of phosphate is not an issue which is causing concern at this time within the Clifford area.
- 6.8 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 framework
- 6.9 It is unlikely that the Clifford 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 Golden Valley Housing Market Area in the Herefordshire Core Strategy. Therefore it is concluded that the **Reg 14 Clifford NDP would not have a likely significant effect on the River Wye (including the River Lugg) SAC.**

7 Assessment of the 'likely significant effects' of the to date Clifford NDP and implications of *Sweetman* and Dutch case

- 7.1 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.
- 7.2 The findings of the screening matrix can be found in the Screening Matrix 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

- 7.3 Following the recent *Sweetman* and Dutch case, it is not permissible to take account of measure intended to avoid or reduce the harmful effects of the plan on the River Wye SAC at this draft screening stage. Any likely significant effects would require an Appropriate Assessment to be required.

8 Conclusions from the Screening Matrix

- 8.1 None of the draft Clifford Neighbourhood Plan (July 2020) policies were concluded to be likely to have a significant effect on the River Wye SAC.
- 8.2 This is partly down to scale and extent of plan also the Clifford Plan small scale site allocations. 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.
- 8.3 Commitments and completions from April 2011-April 2020 are currently 28 dwellings, leaving a residual figure of 3 to find within the parish of Clifford. The plan allocates settlement boundaries for development within Clifford and Priory Wood. There are 3 site allocations to provide up to 12 dwellings.
- 8.4 The allocated sites for development in Clifford are not directly on the river banks or adjacent to a watercourse that feeds into the River, and due to the scale of the sites for homes and businesses being of that is alignment with 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.
- 8.5 It is expected for new development will need to adhere to the provisions of Policy SD4 of the Core Strategy.

- 8.6 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.
- 8.7 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.
- 8.8 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. Clifford NDP allocates sites, however the location and scale of the sites have been screened and seen to have an unlikely significant effect on the SAC. Therefore an AA is not required as the plan is criteria based consisting of mostly protective policies it is determined unlikely to have a significant impact on the SACs. 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.
- 8.10 This review and screening have been found to be unlikely to result in significant effects on the River Wye SAC. ***It is therefore concluded that the Clifford Neighbourhood Plan will not have a likely significant effect on the River Wye SAC.***

9 Identification of other plans and projects which may have 'in-combination' effects

- 9.1 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).
- 9.2 It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy.
- 9.3 Adjacent neighbourhood plans include Brilley NDP, Eardisley Group NDP, Dorstone NDP, Wyeside NDP, Cusop NDP (adopted/Made ndp), There are no NDPs on the Welsh border. These plans have not gone over and beyond the requirements set out within the Core Strategy for their area.
- 9.4 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.
- 9.5 It is unlikely that the Clifford Neighbourhood 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 Golden Valley Housing Market Area in the Herefordshire Core Strategy.

10.0 Conclusion

- 10.1 With reference to sections 6 to 9 above, the modifications to the NDP are not considered to affect the findings of this HRA report.
- 10.2 Therefore the conclusion is that the **Clifford NDP will not have a likely significant effect on the River Wye SAC.**

11.0 Next steps

- 11.1 This report will be published alongside the draft Clifford NDP. This will be subject to a consultation with the statutory bodies during the six week Regulation 14 consultation.

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)

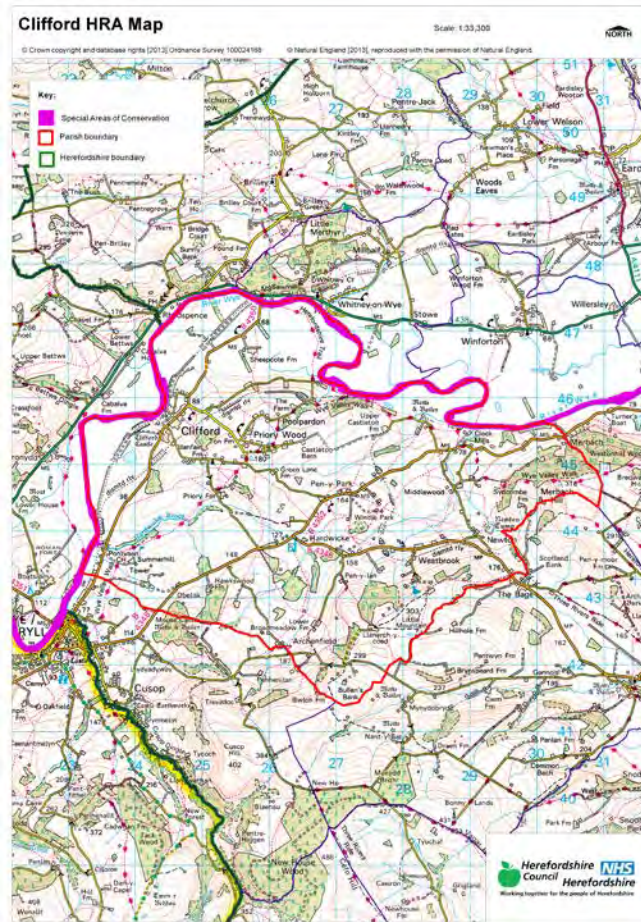
Neighbourhood Area:	Clifford Neighbourhood Area
Parish Council:	Clifford Parish Council
Neighbourhood Area Designation Date:	27/03/2013

Introduction

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

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

**HRA Initial Screening: Map showing relationship of Neighbourhood Area with European Sites
(not to scale)**



Initial HRA Screening

River Wye (including the River Lugg) SAC:

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	Y	The River Wye runs along the northern and western borders of the Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Parish is within the hydrological catchment of the River Wye.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Clifford

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 30.1km 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 26.8km 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 42.6km 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?	N	The Parish is 37km 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 Clifford 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

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

The following environmental features are within or in general proximity to the Clifford 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	18	Rhydspence Plantation (border); Kiln Ground Wood (border); Ton Wood; Grove Wood; Castleton Hill Wood; Windle Park Wood; Garnold Wood; Hardwick Brook Wood; New Coppice; Pikes Wood; Newhouse Wood; Cot Wood; Cwm Bach Wood; Hawks Wood; Mousecastle Wood; Benfield Park (border); 2 x unlabelled sites in the south east of the Parish	Y
Areas of Archaeological Interest	0	There are no AAI's within the Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONB's within the Parish	N
Conservation Areas	0	There are no Conservation Areas within the Parish	N
European Sites	1	The River Wye flows along the northern and western borders of the Parish	Y
Flood Areas		Flood Zones run along the River Wye, and also along Hardwick Brook, and a small brook in the north of the Parish from Clock Mills to Newton Tump	Y
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Parish	Y
Local Sites (SWS/SINCs/RIGS)	17 (SWS)	River Wye; Rhydspence Plantation and adjoining sites (border); Land at Nursery, Rhydspence (border); Woodlands and meadow south of Brilley (border); Clifford Common; Ton Wood; Leech Pool; Grove Wood; Hardwick Brook; Mousecastle, Hawks & Scudamore Common Woods; New Coppice; Alt Common & Cot Wood; Little Mountain & Newhouse Wood; Bach Dingle; Roadside verge, south side of B4348; Merbach Hill, Benfield Park & Weston Hill Woods; Windle Wood	Y
Long distance footpaths/trails	2	Wye Valley Walk; 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	4	Clifford Deer Park; The Priory; The	Y

parks and gardens	Unregistered	Moor, Clifford; Whitney Court (border)	
Scheduled Ancient Monuments	6	Clifford Castle; Mouse Motte & Bailey Castle (border); Newton Tump; The westernmost of a pair of bowl barrows, 310m north east of Llanerch-Y-Coed; Motte & Bailey Castle, north of Old Castleton; Motte Castle 150m east of Tump House Farm	Y
Sites of Special Scientific Interest	1	River Wye (Unfavourable Recovering)	Y

Decision Notification:

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

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

Assessment date: 04/06/2013

Assessed by: James Latham

Appendix 1: European Sites

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

Downton Gorge
Site Features: <i>Tilio-Acerion</i> forests of slopes, screes and ravines
Vulnerability data: 10km for air quality associated with poultry units or other intensive agricultural practices.
River Clun
Site Features: Freshwater pearl mussel <i>Margaritifera margaritifera</i>
Vulnerability data: Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
River Wye
Site Features: Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. Transition mires and quaking bogs. White-clawed (or Atlantic Stream) crayfish <i>Austropotamobius pallipes</i> . Sea lamprey <i>Petromyzon marinus</i> . Brook lamprey <i>Lampetra planeri</i> . River lamprey <i>Lampetra fluviatilis</i> . Twaite shad <i>Alosa fallax</i> . Atlantic salmon <i>Salmo salar</i> . Bullhead <i>Cottus gobio</i> . Otter <i>Lutra lutra</i> . Allis shad <i>Alosa alosa</i>
Vulnerability data: Proximity: Developments should not be within 100m of the designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing site allocations. Water Quality: Within the whole catchment of the River Wye, which includes the River Lugg, mains drainage issues with regards to water quality are being resolved through the Core Strategy / Local Plan and development of a Nutrient Management Plan. Welsh Water should be consulted to ensure that the proposed growth will be within the limit of their consents. Otters: "An otter will occupy a 'home range', which on fresh waters usually includes a stretch of river as well as associated tributary streams, ditches, ponds, lakes and woodland. The size of a home range depends largely on the availability of food and shelter, and the presence of neighbouring otters. On rivers, a male's home range may be up to 40km or more of watercourse and associated areas; females have smaller ranges (roughly half the size) and favour quieter locations for breeding, such as tributary streams. Otters without an established home range are known as 'transients'. They are mostly juveniles looking for a territory of their own, or adults that have been pushed out of their territories. Transient otters may use an area for a short while, but they will move on if conditions are not suitable or if they are driven away by resident otters. Transients will have been important in extending the range of otters, but they are very difficult to identify from field signs. Within a home range an otter may use many resting sites. These include above-ground shelters, such as stands of scrub or areas of rank grass, and underground 'holts' – for example, cavities under tree roots and dry drainage pipes." (Source: EA website: http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf accessed 09/04/2013)

Usk Bat Site

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

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

Wye Valley and Forest of Dean Bat Sites

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

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

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

NDPs closest to the European Site will need to consider:

Woodland habitat buffer.

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

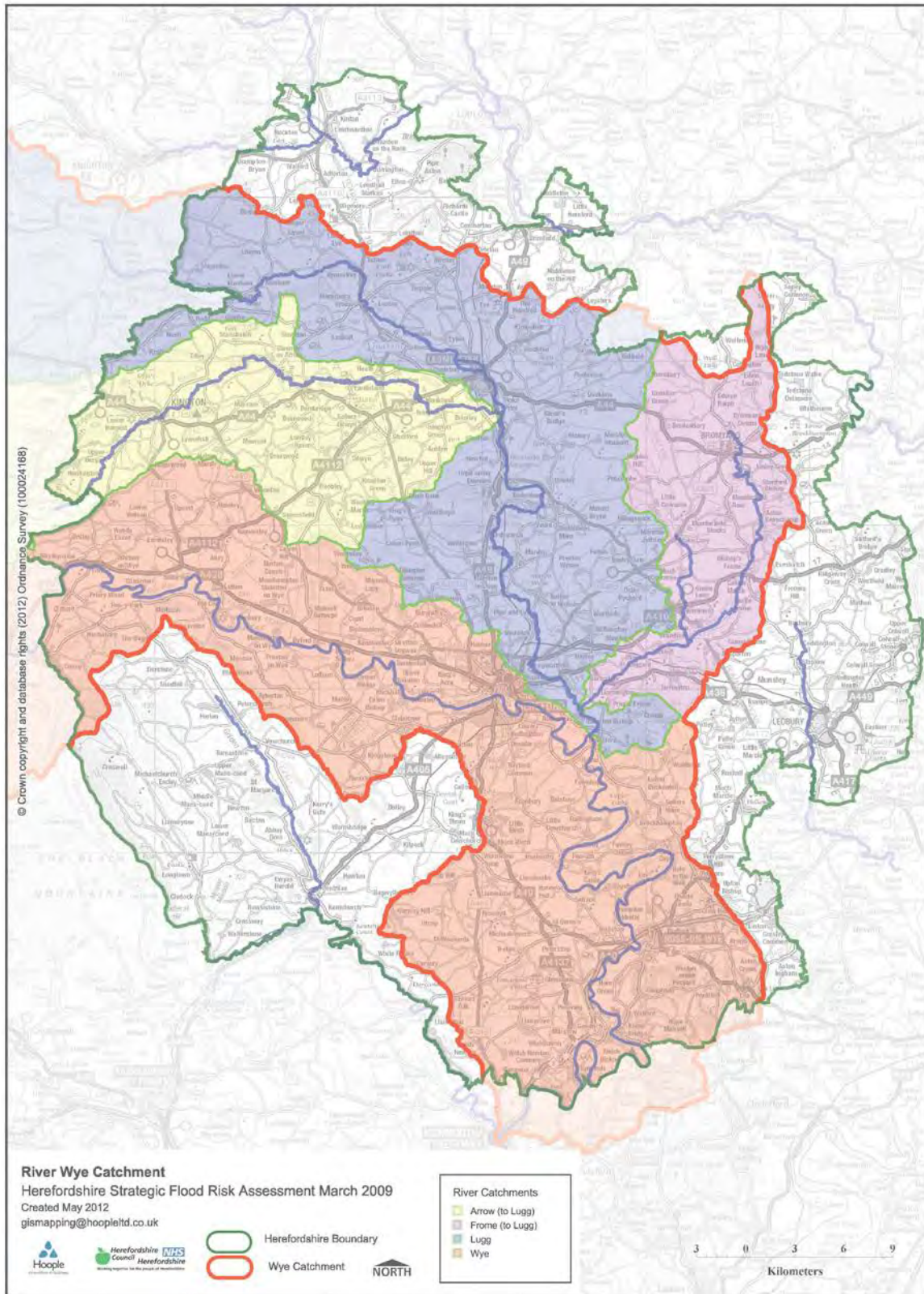
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation.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

Wye Valley Woodlands

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

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

Appendix 2: Wye Catchment Map



Appendix 2

Clifford NDP

Options considered

Option 1: do nothing.
Option 2: Produce an NDP
Option 3: Criteria based with no settlement boundaries
Option 4: Site allocations
Option 5: .Site criteria policies

Site options considered

4 sites were considered. These 4 represent reasonable alternatives, 3 were allocated in the NDP.

Site 1 – South west corner of B4350 with Clifford Castle Lane
Site 2 – White House
Site 3 – Lower Court Farm
Site 4 – Wellfield Bungalow

Appendix 3

HRA Screening of the Reg14 Neighbourhood Development Plan Policies

NDP objectives and policies	HRA Screening of draft 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	Objective to support housing development in line with Core Strategy targets. Increase in vehicle traffic. Increased demand for water abstraction and sewage treatment.	Unlikely that there will be any significant effects on the European Site.	River Wye (including River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Objective 2	Objective is seek to protect the landscape character of the area	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Objective 3	Objective is seek to protect the landscape character of the area	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.

Objective 4	Objective is seeking to reduce traffic in the local area	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg)	No	No, the criteria is not likely to lead to development that would affect the SAC
Objective 5	Objective is seek to protect the historic landscape character of the area	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Objective 6	Objective is seeking to reduce the impact of farming on the landscape	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Objective 7	Objective is seeking to reduce the impact of employment used on the landscape	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Objective 8	Objective is seeking to encourage working from home	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Objective 9	Objective is seeking to reduce the impact of employment used on the landscape	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Objective 10	Objective is seeking to retain community facilities	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Policy CNP1	Policy seeking to promote sustainable	Unlikely that there will be any significant effects on	River Wye (including	No	No, this is a criteria base policy which

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Promoting sustainable development	measures within any schemes Biodiversity is not specifically mentioned within the policy.	the European Site.	the River Lugg)		seeks a balanced approach to development within the parish. It will not lead to development itself. The implementation of Policy SD4 will ensure adverse effects on the River are avoid.
Policy CNP2 Development Strategy	The policy is seeking to compliment Policy RA2 of the Core Strategy and make provision for the indicated proportional growth	Delivery of additional dwellings to those which already have planning permission. Policy SD4 indicate that development would only receive planning permission if the criteria is met.	River Wye (including the River Lugg) SAC	No	No: Scale and extent of development is in line with the Local Plan (Core Strategy) and this policy will not lead to development itself
Policy CNP3 Conserving and enhancing the landscape of the parish	Policy seeking to promote sustainable measures within any schemes Biodiversity is not specifically mentioned within the policy.	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg)	No	No, this policy contains criteria to protect, conserve and enhance landscape. It will not lead to development itself.
Policy CNP4 Protecting and scenic	This policy is seeking to protect the views within the parish	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, this policy is seeking to protect views

beauty of the parish					
Policy CNP5 Conserving and enhancing the natural environment of the parish	This policy specifically mentions protection of the habitat	The policy is seeking to compliment Policy LD2 and SD4	River Wye (including the River Lugg) SAC	No	No, the policy is seeking to compliment the safeguards within Policy SD4 and LD2.
Policy CNP6 Protecting and enhancing the heritage assets of the parish	This policy is seeking to protect the heritage of the parish	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	Unlikely that there will be any significant effects on the European Site.
Policy CNP7 Protection of Local Green Space	The policy is seeking to protect 5 Local Green Spaces within the parish	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	Unlikely that there will be any significant effects on the European Site.
Policy CNP8 Housing development in Priory Wood	Policy is seeking to focus development to within the settlement boundary	Settlement boundary will assist in focusing development in areas away from the River margins. Policy SD4 indicates that development would only receive planning permission if the criteria is met.	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.
Policy CNP9	Policy is seeking to focus development to within	Settlement boundary will assist in focusing	River Wye (including the River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 to

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Housing development in Clifford village	the settlement boundary	development in areas away from the River margins. Policy SD4 indicates that development would only receive planning permission if the criteria is met.			grant planning permission will ensure water quality issues are addressed.
Policy CNP10 Housing sites in Clifford Village	Three sites in Clifford are proposed. There is no mains drainage within Clifford.	Policy SD4 indicates that development would only receive planning permission if the criteria is met.	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
Policy CNP11 Community led housing	The policy contains criteria for the function of community led housing rather than land use	Unlikely that there will be any significant effects on the European Site.	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.
Policy CNP12 Design and housing development within settlement boundaries	This policy contains criteria to protect, conserve and enhance landscape and biodiversity. It will not lead to development itself.	Unlikely that there will be any significant effects on the European Site.	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.
Policy CNP13	Policy is seeking to support local	Criteria of the policy specifically highlights the	River Wye (including	No	No, implementation of Core Strategy policy

Supporting local businesses	employment opportunities	River Wye SAC	the River Lugg) SAC		SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
Policy CNP14 Farm diversification	Policy is seeking to support small scale sustainable farm diversification	Policy SD4 indicates that development would only receive planning permission if the criteria is met. Criteria is contained which specifically mentions water pollution	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.
Policy CNP15 Tourism Development	Policy is looking to support sustainable tourism	Policy SD4 indicates that development would only receive planning permission if the criteria is met Policy contains criteria which specifically mentions water pollution	River Wye (including River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning permission will ensure water quality issues are addressed.
Policy CNP16 Working for home	Encouragement to work for home	Unlikely that there will be any significant effects on the European Site.	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.

Policy CNP17 Polytunnels	Policy to ensure any polytunnel development is sustainable within the environment	Policy SD4 indicates that development would only receive planning permission if the criteria is met Criteria compliments Policy SD4.	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.
Policy CNP18 Intensive livestock units	Policy to ensure any Intensive livestock units development is sustainable within the environment	Policy SD4 indicates that development would only receive planning permission if the criteria is met. Criteria included to specifically compliment policy SD4	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.
Policy CNP19 Sustainable Design	Criteria to ensure that any development is design with sustainability in mind	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Policy CNP20 Renewable energy and Climate change impacts	Criteria to ensure that any development is design with sustainability in mind	Policy SD4 indicates that development would only receive planning permission if the criteria is met.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Policy CNP21 Community facilities	Policy to protect and enhance existing community facilities	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, implementation of Core Strategy policy SD4, LD2, SD1 to grant planning

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					permission will ensure water quality issues are addressed.
Policy CNP22 Highway and Transport	Policy to encourage sustainable modes of transport	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Policy CNP23 Addressing flood risk and drainage	Policy to encourage the use of SUDs and wetlands	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.
Policy CNP24 Protecting the environment and amenity	Policy to protect residential amenity	Unlikely that there will be any significant effects on the European Site.	River Wye (including the River Lugg) SAC	No	No, the criteria is not likely to directly lead to development that would affect the SAC.