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Herefordshire Council

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BY EMAIL ONLY

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Dear Victoria Eaton

Habitats Regulations Assessment of the Schedule of Proposed Modifications to the Herefordshire Minerals and Waste Local Plan – HRA Addendum report

Thank you for your consultation on the above.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England had provided informal comments on the Habitat Regulations Addendum report, on 24 August. This letter formalises that advice. It should be read in conjunction with our most recent response to the proposed modifications to the Minerals and Waste Local Plan itself.

In paragraphs 1.19, 1.24 and 3.10, the Habitat Regulations addendum report (HRA) states that the conservation status of the River Clun SAC has been updated as being in unfavourable condition due to elevated nutrient levels. The River Clun's conservation status has not changed since prior to 2021.

In paragraph 1.22, the HRA states that any new development with a connection to the River Wye SAC will need to demonstrate at least nutrient neutrality in order to gain planning permission. This is not correct. The River Lugg part of the River Wye SAC is the only part that is currently exceeding its phosphate limits. In this part of the catchment a nutrient neutrality approach can be taken to offset impacts, and ensure there is no adverse effect on the integrity of the SAC. Nutrient neutrality is not currently required across the rest of the Wye catchment.

The baseline information provided in paragraph 1.24 could now include the recent revisions to the water quality targets for the Wye SAC in England.

These additional points relate to the accuracy of the HRA addendum document. NE's main concern is that the plan policies are amended in line with this advice given in our previous letter.

I hope this response is of assistance,

Yours sincerely

Hayley Fleming
Senior adviser
Planning for a Better Environment team
West Midlands area