

Appropriate Assessment

Report for:

Woolhope Neighbourhood Area

November 2024



Woolhope Neighbourhood Plan

Appropriate Assessment

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Executive summary

This report addresses the Appropriate Assessment (AA) stage of the HRA and considers the adverse effects on the integrity of the River Wye (including the River Lugg) SAC and Wye Valley and Forest of Dean Bat sites SAC. Recent advice, responses from Natural England and the Dutch Case it is considered that a Stage 2 Appropriate Assessment is required. This report addresses the Appropriate Assessment stage; outlines the task undertaken, the findings and recommendations to support the Woolhope Neighbourhood Plan through to draft plan consultation.

This report addresses the Appropriate Assessment stage; outlines the task undertaken, the findings and recommendations to support the Woolhope Neighbourhood Plan through to adoption.

The Screening report August 2015 found that the River Wye (including the River Lugg) SAC runs within the Neighbourhood Area. There is no other SAC to be taken into account within this Neighbourhood Area assessment.

All of the policies within the Woolhope NDP are not site allocations but have criteria to support development. They would all require a further planning application. It should be borne in mind that site allocations do not grant planning permission and all site allocations will be subject to a more detailed assessment at planning application stage.

The most significant issue with the Wye catchment is regarding water quality and these issues form the majority of the assessment of these policies.

At this stage the appropriate mitigation measures can also be considered against each of the policies. The table within appendix 3b indicates where this has been the case. Herefordshire Council are investigating a wide range of mitigation measures and working with partners to resolve the current water quality issues within the Lugg catchment. The mitigation measures references within the document could be expanded and refined prior to any planning permissions in association with the policies of this development plan are approved.

The results of this Appropriate Assessment indicate that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC or the (include any other) when the mitigation and avoidance measures have been taken into account.

1 Introduction

- 1.1 This report address the Appropriate Assessment (AA) stage of the HRA and considers the adverse effects on the integrity of the River Wye (including the River Lugg) SAC.
- 1.2 Following recent advice, the Dutch Case and responses from Natural England it is considered that a Stage 2 Appropriate Assessment would be applicable.
- 1.3 Woolhope Parish Council has produced a Neighbourhood Plan for Woolhope parish area and has set out the vision, objective and policies for development within the area up to 2031. This Neighbourhood Plan will support the policies within the adopted Herefordshire Core Strategy and if adopted form part of the Herefordshire Development Plan. The Neighbourhood Plan is current at draft plan stage.
- 1.4 Below shows a map of the Neighbourhood Plan Area.



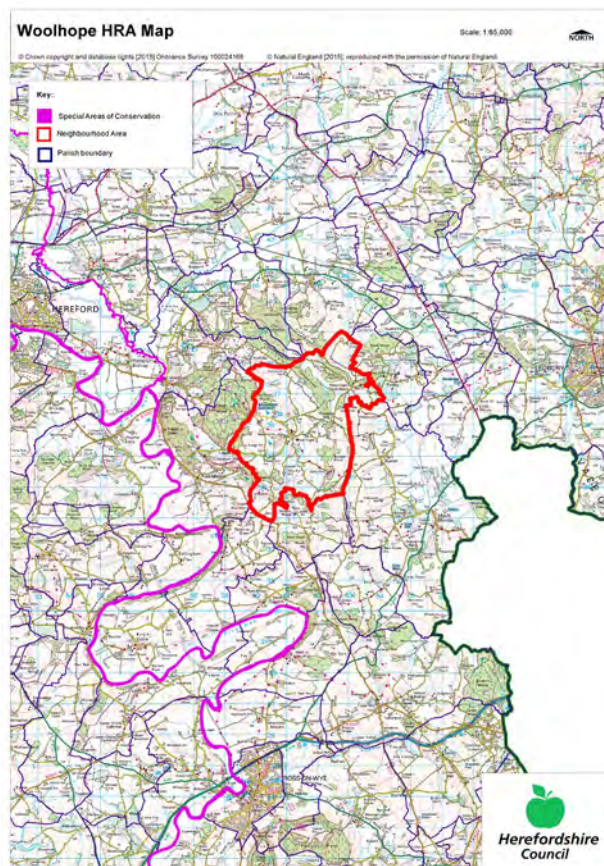
2 Requirement for the HRA

- 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 and now included within the Conservation of Habitats and Species Regulation 2019 ‘the Habitats Regulations’. Therefore, when preparing its neighbourhood plan, Woolhope 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 Herefordshire Council is aware of the recent judgment (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that 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 National Network site at the screening stage. The initial screening undertaken in February 2022 concluded that a full HRA would be required.
- 2.3 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. As this Neighbourhood Area is within the River Wye catchment area however it has been concluded that a Stage 2 Appropriate Assessment be undertaken to include a range of potential mitigation.

3 Stage 2 – Appropriate Assessment

- 3.1 As highlighted above the Woolhope Neighbourhood Plan is to be subject to a Stage 2 Appropriate Assessment.
- 3.2 The initial screening and scoping in August 2015 have identified that the plan may have potential impacts and effects on the following National Network sites:
- River Wye (including the River Lugg) SAC
- 3.3 The map below shows the Woolhope Neighbourhood Area in relation to the SACs.



- 3.4 The requirements of the Appropriate Assessment can be broken down into 5 areas;

- 1 Scoping
 - Collect information regarding the National Network Site
 - Any additional Environment Condition information
- 2 Assessing the impacts
 - Assess the impacts of the neighbourhood plan policies and proposals
 - Consider the in-combination effects
 - Consider the cumulative effects
- 3 Mitigation measures
 - Consider the potential mitigation measures
- 4 Summary and recommendations
- 5 Consultation

4 Scoping

- 4.1 The initial Screening report in August 2015 found the River Lugg 1.25 km away and is west of the neighbourhood area, however, and falls within the hydrological catchment of the River Wye (including the River Lugg) SAC. Therefore, a full screening assessment is required.
- 4.2 There is also a duty under the Water Framework Directive to ensure that proposals for growth do not adversely affect the river water quality and this included the associated watercourses flowing into the rivers.

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

- 4.3 The River Wye forms one of the longest near natural rivers in England and Wales. The 25km within Herefordshire runs from Hay-on-Wye to Monmouth passing through Hereford and Ross-on-Wye. This section of the river is a rare example of eutrophic river and has not been subject to straightening.
- 4.4 There are a number of qualifying site features within the English section of the River Wye SAC:
 - Water crowfoot vegetation
 - White-clawed crayfish
 - Sea Lamprey
 - Brook lamprey
 - River Lamprey
 - Twaite shad / Allis shad
 - Atlantic salmon
 - Bullhead
 - Otter
- 4.5 The issues associated with maintaining the sites integrity include water levels and flow, water quality, eutrophication (nitrogen enrichment), sedimentation, disturbance and species maintenance.

- 4.6 The vulnerability data is indicating that any site allocations and policies should avoid developments within 100m of the designated banks to avoid proximity impacts.
- 4.7 The River Wye SAC can be sensitive to changes in water quantity and quality. There are some sections of the River Wye SAC, mainly the River Lugg catchment area, where the water quality targets are already exceeding set levels and therefore the river is failing its 'favourable condition' status. This area is subject to measure to reduce nutrients particularly phosphates in line with the targets. In light of the interpretation of the Dutch Case where a 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 cannot be relied upon or are uncertain. The neighbourhood plan assessed within this report falls within the Wye catchment area.
- 4.8 However, the River Wye SAC as a whole is not currently failing its conservation status water quality levels but there are growth concerns that other stretches of the river could deteriorate in water quality following future Environment Agency testing.

Environmental condition data for the River Wye SAC

- 4.9 The River Lugg is considered to be 'failing' its water quality targets because it has exceeded the phosphate limit over 3 years testing period. Testing is undertaken between March and September by the Environment Agency. Although the Lower Wye is at risk of failing, it has currently not been declared as 'failing'
- 4.10 Phosphorous enter the river via two distinct avenues: point source pollution (waste water treatment works 'WWTW') and diffuse source pollution (run off from roads and agricultural).
- 4.11 Discharges from WWTW are monitored and controlled by the issuing of Permitted Discharge Consents but diffuse pollution depends upon a number of different factors including land management, stock near to rivers and runoff.
- 4.12 The Wye and Lugg Monitoring Dashboard indicates that as of 2021 (the latest figures published), the phosphate levels within the River Lugg at the testing point at Mordiford Bridge were recorded as 0.120mg/l with the target set at 0.050mg/l.
- 4.13 In 2021, the sewerage treatment works within the Lugg catchment area were reporting 100% compliance with phosphate limits.
- 4.14 For the Upper Wye (at Carrots Pool, Hereford) it is within target at 0.0193mg/l against the target of 0.03mg/l and within the Lower Wye (at Holme Lacy) it is 0.03mg/l against the target of 0.03mg/l. The sewerage treatment works within the Upper and Lower Wye are also reporting 100% compliance with their phosphate limits.
- 4.15 For full details of the three SAC attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Woolhope. Initial Screening Report. The Initial Screening Report, August 2015, can be found in Appendix 1 of this HRA report.
- 4.20 This information made it possible to identify the features of each site which determine site integrity, as well as the specific sensitivities of each site, therefore enabling later analysis of how the potential impacts of the Woolhope Neighbourhood Plan may affect site integrity.
- 4.21 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 within the Woolhope NDP.

5 Description of the Woolhope Neighbourhood Plan

- 5.1 The Regulation 14 Woolhope Neighbourhood Plan presents detailed policies for development in the Neighbourhood Area up to 2031. All neighbourhood plans are required to be in general conformity with the adopted Herefordshire Core Strategy. Proportional growth for development is contained within the Core Strategy Policy RA1 and RA2 and neighbourhood plans will seek to allocate this proportional of development to be in conformity with the Core Strategy.
- 5.2 The Plan begins by highlighting its issues. It then details the vision for the parish over the plan period until 2031 together with 5 objectives to realise their vision.
- 5.3 The initial options for the neighbourhood plan were assessed to determine their environmental impact that could affect the River Wye (including the River Lugg) SAC All of which indicated growth however all the options would be seeking to provide proportional growth in line with the Core Strategy. Five general options were considered in total and to do an NDP was one of the options. The parish council decided to not allocate a settlement boundary or allocate a housing site, relying on an existing windfall to meet the housing requirement.
- 5.4 The neighbourhood plan sets out 9 general policies on a variety of topic bases areas and 1 site allocation or specific site related policies. These include:
- WNDP1-Landscape and biodiversity
 - WNDP2- Protecting historic assets and settlement character
 - WNDP3: New Housing development
 - WNDP4: Replacement dwellings in the countryside
 - WNDP5: Change of use of agricultural buildings to dwellings and holiday use
 - WNDP6: Promoting sustainable transport in new developments
 - WNDP7: Protecting existing community facilities and supporting investment in new and improved facilities
 - WNDP8: New agricultural buildings and polytunnels
 - WNDP9: Tourism and rural diversification
- 5.5 The plan has reached Regulation 16 stage, and the report assesses policies in the revised plan as of November 2024.

6.0 Assessing the impacts of the Submission Woolhope Neighbourhood Plan

- 6.1 Each of the policies and proposals within the neighbourhood plan has been considered in more detail to ascertain whether the impacts are likely to have an adverse effect on the site integrity and in combination with other neighbourhood plans and policies.
- 6.2 There are a number of potentially relevant plans and projects that 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 HRA of the Core Strategy and specifically for this neighbourhood plan in the Stage A report dated April 2015.
- 6.3 In terms of growth, the neighbourhood plan does not contribute above and beyond the growth targets for the housing market area requirements as set out within the Core Strategy.

6.4 The adjoining areas neighbourhood plans in Herefordshire are:

- How Caple, Sollers Hope and Yatton– adopted
- Much Marcle- adopted
- Putley-adopted
- Tarrington-adopted
- Fownhope-adopted
- Brockhampton with much Farley-adopted
- Dormington and mordiford-draft stage

6.5 The combination of the growth proposed within these plans does not exceed that set out within the Core Strategy.

6.6 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 review work on the Nutrient Management Plan, have both been considered as part of the in-combination assessment.

6.7 It is unlikely that the Woolhope Plan will have any in-combination effects with any plans from neighbouring parish councils, as the level of growth proposed is the same as that proposed for the Ross-on-wye Housing Market Area in the Herefordshire Core Strategy.

6.8 A matrix has been used to assess all the policies and proposals within the neighbourhood plan and full details can be seen in appendix 3.

Mitigation measures

7.1 An Appropriate Assessment is being undertaken as the Woolhope Neighbourhood Plan is located within the Neighbourhood Plan is located within the River Wye (including river Lugg) catchment area. The consideration of any mitigation also requires this to take place within an Appropriate Assessment. Clearly, water quality within the SAC is the predominate issue here and this is reflected within the assessment undertaken.

7.2 It is therefore the ability to consider any potential mitigation measures, which could be, applied that would reduce the adverse effects on the integrity of the site. The following potential mitigation measures are indicated below. The summary of findings will indicate if any of these are relevant to the Woolhope NDP.

Policy SD4

7.3 Policy SD4 is contained within the adopted Herefordshire Core Strategy. This is not seen as a mitigation measure as the development plan should be read as a whole. However, compliance with the policy is required for any planning application within the catchment area. Therefore, no site allocations proposed within the neighbourhood plan will receive planning permission unless they can also meet the criteria of Policy SD4.

7.4 It should be borne in mind that site allocations do not grant permission for a site and do not directly lead to development. All site allocations will still require planning permission to be granted before any development can take place. This means that all site allocation will be subject to a further environmental assessment/Habitat Regulation Assessment/Appropriate Assessment prior to development taking place or any potential impact to the SAC directly.

7.5 Although all proposals will need to demonstrate compliance with Policy SD4, this does not give sufficient scientific certainty alone and other measures will need to be considered.

Waste Water Sewage Treatment works

- 7.6 Dwr Cymru Welsh Water (DCWW) are making improvements to its Waste Water Treatment Works to reduce phosphate levels from the treatment discharge. DCWW are on target to deliver requirements within the AMP7 assessment management planning. The following treatment works within the River Wye catchment have or proposed to have phosphate limits:
- Eign, Hereford
 - Rotherwas, Hereford
 - Ross Lower Cleeve
 - Bromyard
 - Pontrilas
 - Kingstone and Madley
 - Leominster)
 - Moreton on Lugg
 - Kington
 - Weobley
- 7.7 It is however noted the majority of the areas within Woolhope are served by mains drainage. Therefore, this is not a mitigation measure that can be used within this NDP area but it will provide some reduction in phosphate levels within the river catchment area.
- 7.8 The proposed Levelling Up and Regeneration Bill (LURB) will place a new statutory duty on water and sewerage companies in England to upgrade wastewater treatment works to the highest technically achievable limits by 2030.

Natural England Nutrient Mitigation Scheme

- 7.9 Working with Defra and DLUHC, Natural England will be establishing a Nutrient Mitigation Scheme to identify mitigation projects within the catchment to frontload investment; this could include wetland and woodland creation schemes. The recent advice from DLUHC indicates that LPA can be confident that upgrades and mitigation will be in place by 2030 reducing the mitigation requirements for the in perpetuity period. The delivery of sites can take into account this strategic mitigation and the accelerated timescales for mitigation schemes and water treatment upgrades.

Nutrient Management Plan review

- 7.10 The Dutch judgment means that the current Nutrient Management Plan (NMP) can no longer be relied upon as mitigation as there is not enough certainty that the measures set out within the current plan can be delivered. Therefore, the current NMP does not provide reasonable scientific certainty as a mitigation measure.
- 7.11 The Nutrient Management Board comprises of a number of partners including Natural England, Environment Agency, National Farms Union, local planning authorities, and Welsh Water.
- 7.12 The Board is working on reviewing and revising the NMP so that the measures contained within it can be relied upon as mitigation once more. The anticipated timescale for this is within the development plan period but no specific dates have been given as yet.

Proposed wetlands and the Interim Development Plan

- 7.13 Herefordshire Council is currently investigating the potential for integrated wetlands to assist in the reduction of phosphate levels within the river Lugg catchment. Wetlands can remove phosphorous from surface water runoff or streamflow or remove the final effluent from wastewater treatments plants or package treatment plants. They are designed to filter,

use sedimentation and plant take up. If the management of wetlands can be secured then they will provide a significant reduction in phosphorous within the Lugg catchment.

- 7.14 The emerging Interim Development Plan will include the proposed wetlands and other agricultural measures including buffer zones which will provide a reduction in phosphorous in the catchment.
- 7.15 There are currently plans for several integrated wetlands within the River Wye catchment. However, this principle could be followed if required within the Lower Wye catchment in future.

Nutrient Neutral / betterment

- 7.16 Nutrient Neutrality is where mitigation measures or avoidance included within the neighbourhood plan can counterbalance any phosphate increase attributed to the plan's policies and proposals or would lead to betterment. Neutrality will need to be demonstrated with certainty. The development will need to show that it avoids harm to the protected site or provided the level of mitigation required to ensure that there is no adverse effects.
- 7.17 Providing options to developers and applicants - Additional guidance is provided to developers seeking to provide nutrient neutral developments. The Interim Phosphate Delivery Plan Stage 2 – Mitigation options for phosphate removed provides a range of potential mitigation solutions that could be used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021.
- 7.18 The interim Phosphate Delivery Plan Stage 1 provides guidance to calculating the phosphate budget for new developers with a phosphate calculate tool. Regular position statements are placed on the Council's website to update developers and applicants for the requirements to demonstrate nutrient neutrality and the options for this.
- 7.19 As the work is ongoing and moving at a pace, it is considered that the best and most guidance for developers on the options to achieve nutrient neutrality is within these guidance documents on the website and not specifically within the NDP policy or text. This is because during the plan period, methods could be refined and solutions that are more appropriate found. The guidance notes and website can easily respond to this update unlike the supporting text of the neighbourhood plan

Summary of findings

- 8.1 This assessment has considered the adverse effects of the Woolhope Neighbourhood Plan on the following National Network Sites
 - River Wye (including the River Lugg) SAC
- 8.2 The neighbourhood area falls within the River Lugg catchment area and an Appropriate Assessment is being undertaken in light of recent comments from Natural England.
- 8.2 An initial Appropriate Assessment was undertaken and was subject to Regulation 14 consultation along with the Draft Woolhope NDP between 19 June and 1 August 2023 representations made on the initial assessment is detailed in Appendix 2. The responses given was supportive of our current approach and made minor recommendations.

- 8.4 Policies which indicated a potential likely significant effect in the previous assessment have not been rescreened as changes made to these were minor.
- 8.5 Following the Regulation 14 consultation the plan has been revised by the parish council and their community. Minor changes to policies WNDP1 and WNDP2 to extend policy cover to Wye Valley National Landscape areas. These are minor changes to policies and conclusion of this policy having no likely adverse effect following screening.
- 8.6 The following policies have rescreened following modifications and were found to have likely adverse effects:
- WNDP3 New Housing development
 - WNDP9 Tourism and rural diversification
- 8.7 None of these policies are site allocations sites but are policies to support development. All development would require planning application and will be subject to a more detailed assessment at the planning application stage.
- 8.8 The most significant issue is regarding water quality, and this informs most of the assessment of these policies.
- 8.9 At this stage the appropriate mitigation measures can also be considered against each of the policies. The table with appendix 3b indicates where this has been the case. Herefordshire Council are investigating a wide range of mitigation measures and working with partners to resolve the current water quality issues within the Lugg catchment and are minded to the water quality within the Upper and Lower Wye catchment area.
- 8.10 The revised plan does not contain any specific policy or criteria that requires development to be nutrient neutral. The revised Woolhope NDP could introduce policy or criteria with such requirements to strengthen protection and mitigation measures in the plan.
- 8.11 The mitigation measures referenced within the document could also be expanded and refined prior to any planning permissions in association with the policies of this development plan if approved.
- 8.12 **Therefore, it is concluded that the Woolhope NDP will not have any likely significant effects on the integrity of the River Wye (including River Lugg) SAC when the mitigation and avoidance measures have been considered.**

Consultation

- 9.1 This report will accompany the Regulation 16 version of the Woolhope Neighbourhood Plan. The report will be subject to an 8 week consultation, followed by an independent examination of the Woolhope NDP.

Appendix 1

**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)

Neighbourhood Area:	Woolhope Neighbourhood Area
Parish Council:	Woolhope Parish Council
Neighbourhood Area Designation Date:	28/08/2015

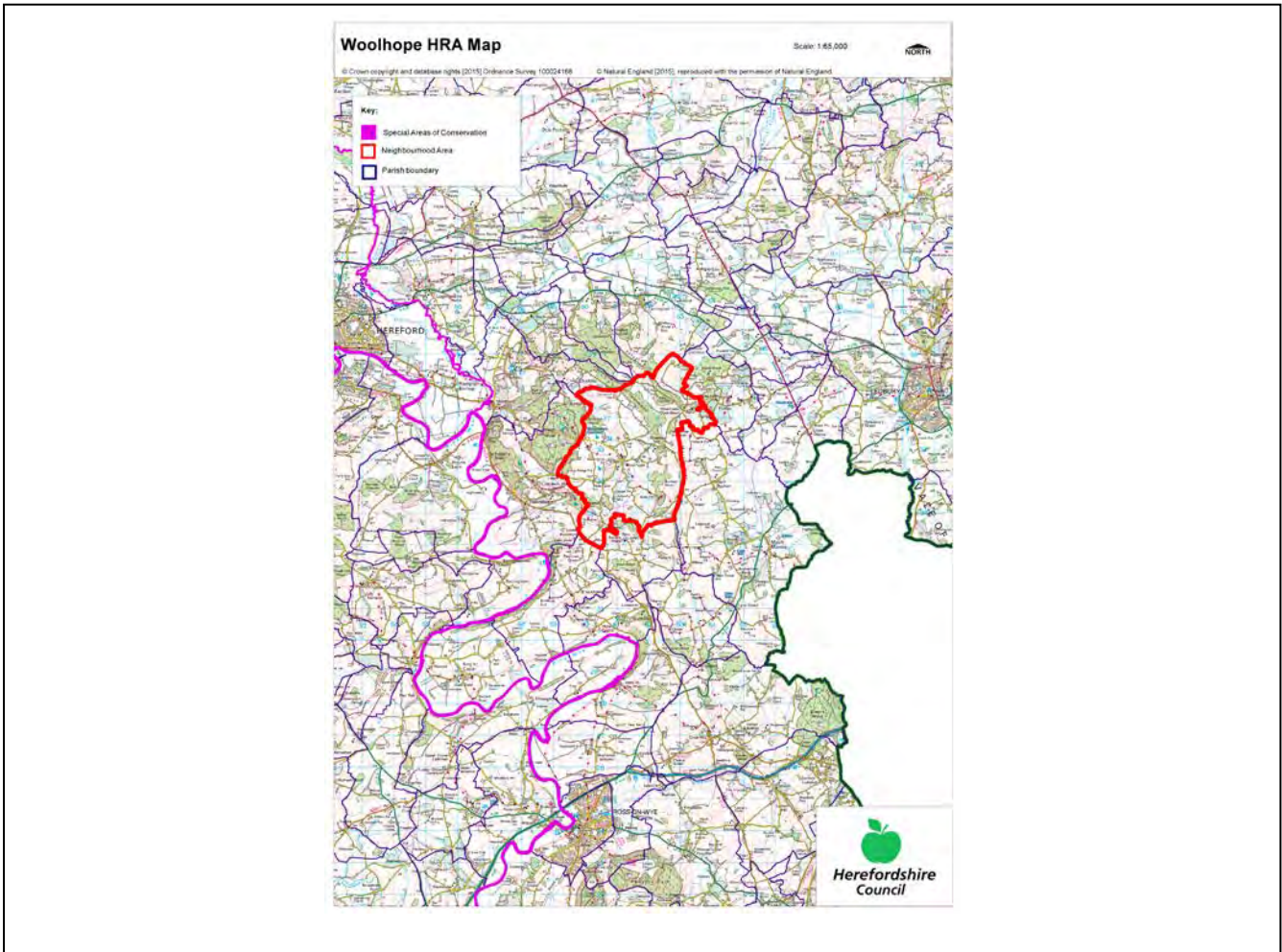
Introduction

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/Lugg is 1.25km away from 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 Woolhope.

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 39.6km away from the Parish.
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River Clun SAC:

Does the River Clun border the Neighbourhood Area	N	River Clun does not border 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	Wye Valley and Forest of Dean Bat Sites are 13.8km away from the Parish.
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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	Wye Valley Woodlands are 18.1km away from the Parish.
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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 Woolhope 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 Woolhope 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	11	Sharpnage Wood; Nurdens Wood/Canwood Knoll; Park Coppice; Priggles Wood; Green Hill Coppice; Beans Butt Wood; Busland and Jones Wood; Knowle Wood; Siege Wood; Lea & Pagets Wood; The Grove.	12	Lyndalls & Wittlebury Wood; Rock Cottage Wood; Carey & Capler Woods; Nover Wood; Fownhope Park & West Wood; Dormington Wood; Swillow Wood; East Wood; Mains Wood; Priors Court Wood; The Pendlehopes; Fernhope Wood.
Areas of Outstanding Natural Beauty (AONB)	1	Wye Valley AONB.	0	-
Conservation Areas	1	Woolhope.	0	-
Flood Areas	Flood Zones 2 and 3 in the south of the Parish.			
Geoparks	0	-	0	-
Listed Buildings	There are numerous Listed Buildings within the Parish.			
Mineral Reserves	11	Perton Quarry to Sheepcote Hill to Woolhope Cockshoot; The Plantation to Devereux Park to Winslow Mill to Busland Wood to Sapness House; Green Hill Coppice to Hoppers Oak to Hoar	3	Limburies Wood and Joanshill Farm; Mangerdine, north east of Mordiford; Nover Wood.

		Wood to Newbury Lodge, Yatton; Sollars Hope to Whittlebury Farm to Foxhalls; Siege Wood to Round Wood, Sollars Hope; Pagets Wood, Fownhope to Lower Buckenhill to Sollars Hope; Mordiford to Fownhope to Lower Buckenhill; Woolhope to Sharpnage Wood; East of Mordiford to Fownhope; Haugh Wood Gate; Between Crooked Oak and Broadmoor Farm.		
National Nature Reserve (NNR)	0	-	0	-
Nature Trails	2	Wye Valley Walk; Three Choirs Walk.	1	Herefordshire Trail.
Regionally Important Geological Sites (RIGS)	0	-	0	-
Registered Parks and Gardens	0	-	0	-
Scheduled Ancient Monuments (SAM)	1	Churchyard Cross in St Georges Churchyard.	7	Churchyard Cross in St Michaels Churchyard; Capler Camp; Moated site 360m north of Joanshill Farm; Cherry Hill Camp; Ethelberts Camp; Roman Villa east of The Rectory, Putley.
Sites of Importance in Nature Conservation (SINCs)	0	-	0	-
Special Areas of Conservation (SAC)	0	-	1	River Wye
Special Wildlife Sites (SWS)	14	Woodland along Canwood Knoll; Roadside verge near Bent Orchards; Fields at Woolhope Cockshoot; Roadside verge near Black House; Woodlands on the western slope of Marcle Hill; Woodlands along Marcle Hill and Ridge Hill;	13	Woodland along Seager Hill; Fields near Checkley Chapel; Checkley Common; Putley Common and surrounding woodland; Rushall Road Cutting; Lower Walton Road Cuttings;

		Tack Wood; Sutton Hill Wood; Lea, Pagets and Buckenhill Woods; Wessington Pasture; Haugh Wood and adjoining woodland; Sharpnage Wood; Broadmoor Common; Pentaloe Brook.			Lyndalls and Wittlebury Woods; Birch and Rattle Hill Woods; Woods along River Wye from Capler Camp; Woodlands and grasslands above Fownhope; Scutterdine Quarry; East Wood; Whitfield and Slade Coppices.	
Unregistered parks and gardens	2	Wessington Court; Devereux Park.		5	Putley Court; Hall Court, Kynaston; Fownhope Court; Brockhampton, by Ross; Old Sufton.	
			SSSI Status		SSSI Status	
Sites of Special Scientific Interest (SSSI)	3	Orchid Bank, Winslow Mill; Sharpnage Wood; Lea & Pagets Wood.	Favourable. Unfavourable Recovering. Favourable; Unfavourable Recovering; Unfavourable Declining.	10	Haugh Wood; River Wye; Little Hill; Scutterdine Quarry; Common Hill; Cherry Hill Wood; Birch Wood; Capler Wood; Mains Wood; Woodshuts Wood.	Favourable. Unfavourable Recovering. Unfavourable No Change. Favourable. Favourable; Unfavourable Recovering; Unfavourable Declining. Unfavourable Recovering. Favourable. Favourable. Unfavourable Declining. Unfavourable Recovering.

Decision Notification:

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

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

Assessment date: 07/08/2015

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."

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

Consultation date: 19th June 2023 to 1st August 2023 (Reg 14)

N.B. This consultation feedback is **only** for comments received on the HRA draft report

Consultee	Summary of Comments	Response to Comments
Natural England	No specific comments on HRA	
Heritage England	No specific comments on HRA	
Environment Agency	<p>River Wye SAC Catchment: Woolhope falls in the Lower Wye Catchment and in an area that is not currently failing its water quality objectives. Therefore, we would raise no concerns at this time. The AA has found that: "The results of this Appropriate Assessment indicate that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC or the (include any other) when the mitigation and avoidance measures have been taken into account". The AA (section 8.8) refers to a section of policy WNDP 3 'that requires development to be nutrient Neutral this acts as a policy safeguard for if the Lower Wye catchment did follow that of the current Lugg catchment', however, I cannot see that there is reference to nutrient neutrality either in section WNDP 3 or throughout the entirety of the Draft NDP document. You may wish to confirm this wording in preparation for the Regulation 16 stage. You may also wish to reference the Phosphate Budget Calculator Tool and associated guidance as an important tool in helping applicants meet policy requirements.</p> <p>Flood Risk: Based on our indicative Flood Map for Planning (Rivers and Sea), the NP area is shown to be predominantly located in Flood Zone 1, and therefore has a low fluvial flood risk potential. However, we note an ordinary watercourse to the South that has some associated Flood Zones 2 and 3 within the NP area, alongside several smaller ordinary watercourses. We would not, in the absence of specific sites allocated within areas of fluvial flooding, offer a bespoke comment at this time. Please note that other potential development areas may be at flood risk given the presence of 'ordinary watercourses' which are un-modelled based on the scale and nature of the stream and receiving catchment (less than 3km²). It should be noted that the Flood Map provides an indication of 'fluvial' flood risk only. You are advised to discuss matters relating to surface water (pluvial) flooding with the drainage team at Herefordshire Council as the Lead Local Flood Authority (LLFA).</p>	An Appropriate Assessment will be undertaken for the Reg16 version of the NDP
Natural Resources Wales	No comments received	

Appendix 3a

Neighbourhood Plan Policy Screening – Woolhope Neighbourhood Plan

Policy Number	Potential effect	In-combination effects	Likely adverse effects Likely Adverse Effect (Yes/ No and state how)
WNDP1: Landscape and biodiversity	<p>Policy itself will not lead to development.</p> <p>Changes to policy extend policy to Wye Valley National Landscape areas and strengthen working need to avoid adverse effects.</p>	This will have a positive effect.	<p>No LAE</p> <p>This policy is seeking to avoid adverse effects on landscape and biodiversity in the parish. The policy seeks to protect and enhance the landscape of the parish.</p>
WNDP2: Protecting historic assets and settlement character	<p>Policy itself will not lead to development.</p> <p>Changes to policy extend policy to Wye Valley National Landscape areas</p>	This will have a positive effect.	<p>No LAE</p> <p>This policy is seeking to conserve, enhance or protect the built environment. This policy is seeking to safeguard historic buildings.</p>
WND3: New Housing development	<p>The location of the development is currently unknown, its implementation will be subject to a planning application.</p> <p>Changes to policy include reference to Woolhope Design Guidance.</p>	<p>Increased traffic.</p> <p>Increased demand on water abstraction.</p> <p>Increase demand on sewerage treatment.</p>	<p>LSE</p> <p>The policy is seeking to deliver dwellings within or on the edge of the existing build form of Woolhope village (no settlement boundary defined).</p>
WNDP10: Tourism and rural diversification	<p>The location of the development is currently unknown, its implementation will be subject to a planning application.</p> <p>Changes to policy introduce additional criteria expecting proposal includes features that avoid water pollution.</p>	<p>Increased traffic.</p> <p>Increased demand on water abstraction.</p> <p>Increase demand on sewerage treatment.</p>	<p>LSE</p> <p>Policy to support tourism sector and rural diversification through building conversions, new accommodation and visitor facilities.</p> <p>The location of the development is yet to be known.</p>

Appendix 3b

Appropriate Assessment policy assessment – Woolhope Neighbourhood Plan

Neighbourhood Plan Policy: Policy WNDP3 - New housing development

Adverse significant effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	The village of Woolhope are served by mains drainage. It is likely that the majority of rural redundant building will be served by private works, however this will be confirmed at the planning application stage.
WWTW	The proportional growth requirement is within the expected for the Ross on Wye housing Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. This will have a positive impact on the catchment in general.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be solely relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could be used within the parish. A set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other - considerations	Policy WNDP3 New housing supports development located within or on the edge of the built form of Woolhope village. It is recommended that criteria could be added to ensure require foul and surface water management are considered and demonstrated in a scheme as well as ensuring schemes draining into the Wye catchment and River Lugg sub catchment will be nutrient neutral.
In-combination policies	The policy does not grant permission or lead to development in itself. It is seeking to ensure that development will be located within or on the edge of the built form of Woolhope village complying with requirements of Core Strategy Policy RA2. A planning application will be required, and any application will need to meet the requirements of Core Strategy Policy SD3 and SD4 to demonstrate that it will not undermine the water quality objectives of the SAC. In the absence of specific policy or criteria in the Woolhope Plan for the need to demonstrate nutrient neutrality, Core Strategy Policies SD3 and SD4 will act as a policy safeguard to provide protection against any adverse effects on the water quality objectives of the SAC.

Residual effects:

Work is ongoing to secure a number of constructed wetlands across the catchment area. Due to commercial sensitivity, it is not possible to outline the locations of all these wetlands however, a planning application has recently been granted for the first one in Luston (P21357/F).

It is not possible, or appropriate, at this stage to provide all the details to parish councils to include within their Neighbourhood Development Plans as the technical and scientific work is still progressing. Any specific additions to the reasoned justification or the policy could quickly become dated, then requiring developers or applications to meet solutions or options which were no longer preferred.

It is also not feasible to suggest that every NDP area or site allocation within NDP should have their own wetland solution. The integrated wetlands are a mitigation measure across the catchment area which will provide a solution via a phosphate credit scheme to sites downstream of the wetlands. The Luston wetland is higher up in the catchment than the Woolhope neighbourhood area and includes specific site allocations.

Additional mitigation measures may be appropriate and those options are outlined within the Interim Phosphate Plan. It is not appropriate or possible to prescribe this level of detail to a site allocation at this stage. However, it is recommended for criteria be added to ensure applications clearly and robustly demonstrate that an option for nutrient neutrality is available in order to secure planning permission. This requirement would be the same for a windfall site or other applications as site allocation.

Recent information published by Natural England and Herefordshire Council includes a phosphate calculator and additional guidance regarding nutrient neutrality to assist applicants meet the policy requirements.

Conclusion:

This policy does not directly lead to development in itself. Future development also will require a planning application to demonstrate that the Policy SD3 and SD4 have been met with further assessment undertaken at planning application stage.

Policy WNDP3 lacks criteria requiring development to demonstrate nutrient neutrality and no such provisions are provided in other policies within the Plan. The Woolhope NDP does refer developers to the Herefordshire Council Nutrient Management Guidance (paragraph 7.12). Nevertheless, the plan could be strengthened if a specific criteria or policies requiring all developments to be nutrient neutral. If this was included a conclusion of no likely significant effects would result with regards to the Woolhope NDP Policy WNDP3.

Neighbourhood Plan Policy: WNDP9 - Tourism and rural diversification

Adverse significant effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	The village of Woolhope are served by mains drainage. It is likely that the majority of rural redundant building will be served by private works, however this will be confirmed at the planning application stage.
WWTW	The proportional growth requirement is within the expected for the Ross on Wye housing Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. This will have a positive impact on the catchment in general.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be solely relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could be used within the parish. A set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other - considerations	Policy WNDP9 Tourism and rural diversification supports development contributing to visitor and tourist economy. It is recommended that criteria should be added to ensure foul and surface water management are considered and demonstrated in a scheme as well as ensuring schemes draining into the Wye catchment and River Lugg sub catchment will be nutrient neutral.
In-combination policies	The policy does not grant permission or lead to development in itself. It is seeking to provide criteria for residential extensions. A planning application will be required, and any application will need to meet the requirements of Core Strategy Policy SD3 and SD4 to ensure development do to not undermine the water quality objectives of the SAC. In the absence of specific policy or criteria in the Woolhope Plan for the need to demonstrate nutrient neutrality, Core Strategy Policies SD3 and SD4 will as a policy safeguard against any adverse effects on the water quality objectives of the SAC.

Residual effects:

Work is ongoing to secure a number of constructed wetlands across the catchment area. Due to commercial sensitivity, it is not possible to outline the locations of all these wetlands however, a planning application has recently been granted for the first one in Luston (P21357/F).

It is not possible, or appropriate, at this stage to provide all the details to parish councils to include within their Neighbourhood Development Plans as the technical and scientific work is still progressing. Any specific additions to the reasoned justification or the policy could quickly become dated, then requiring developers or applications to meet solutions or options which were no longer preferred.

It is also not feasible to suggest that every NDP area or site allocation within NDP should have their own wetland solution. The integrated wetlands are a mitigation measure across the catchment area which will provide a solution via a phosphate credit scheme to sites downstream of the wetlands. The Luston wetland is higher up in the catchment than the Woolhope neighbourhood area and includes specific site allocations.

Additional mitigation measures may be appropriate and those options are outlined within the Interim Phosphate Plan. It is not appropriate or possible to prescribe this level of detail to a site allocation at this stage. However, it is recommended for criteria to be added to ensure applications clearly and robustly demonstrate that an option for nutrient neutrality is available in order to secure planning permission. This requirement would be the same for a windfall site or other applications as site allocation.

Recent information published by Natural England and Herefordshire Council include a phosphate calculator and additional guidance regarding nutrient neutrality to assist applicants meet the policy requirements.

Conclusion:

This policy does not directly lead to development in itself. Any tourism related proposal would require a planning application to demonstrate that the Policy SD3 and SD4 have been met with further assessment undertaken at planning application stage.

Policy WNDP9 lacks criteria requiring development to demonstrate nutrient neutrality and no such provisions are provided in other policies within the Plan. The Woolhope NDP does refer developers to the Herefordshire Council Nutrient Management Guidance (paragraph 7.12). Nevertheless, the plan could be strengthened if a specific criteria or policies requiring all developments to be nutrient neutral. If this was included a conclusion of no likely significant effects would result with regards to the Woolhope NDP Policy WNDP9.