

Date: 27 September 2013  
Our ref: 94473  
Your ref: 131964/O



Ed Thomas  
Herefordshire Council

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Mr Thomas,

**Planning consultation:** Residential development comprising 20 open market homes and 10 affordable homes

**Location:** Quarry Field, Cotts Lane, Lugwardine

Thank you for your consultation on the above dated 08 August 2013 which was received by Natural England on 08 August 2013.

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.

### **Conservation of Habitats and Species Regulations 2010**

#### **No objection**

This application is to construct 30 houses. We understand that the application proposes a mains drainage connection. Foul drainage from this application would enter the River Lugg Site of Special Scientific Interest (SSSI), which is a part of the River Wye Special Area of Conservation (SAC).

Natural England and the Environment Agency have signed a Statement of Intent (SOI) to develop a Nutrient Management Plan (NMP) for the River Wye SAC. The objective of the NMP is to ensure the favourable conservation status of the River Wye SAC before 2027, by providing measures to manage phosphate concentrations within the river to meet the conservation requirements of the site. The SOI provides an interim agreement for development management, and states that development can be accommodated where discharges to mains are within existing consents at the receiving STW.

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of information provided, Natural England concurs with this view.

As a matter of best practice, we would advise that the Environment Agency's Pollution Prevention Advice and Guidance are applied as part of the works. The relevant guidance can be found at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

## River Lugg SSSI

Given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

## Other matters

Please note, in formulating this response Natural England has not considered any issues other than implications for the River Wye SAC and SSSI. This is in line with the consultation received from the local planning authority (LPA). If our input on other matters is required, we request that the LPA informs us as soon as possible.

We would like to draw the LPA's attention to our [Natural England Standing Advice for Protected Species](#) which is available on our website to help LPA better understand the impact of development on protected or priority species should they be identified as an issue at particular developments. This also sets out when, following receipt of survey information, the authority should undertake further consultation with Natural England.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Hayley Fleming on 0300 060 1594 or email [hayley.fleming@naturalengland.org.uk](mailto:hayley.fleming@naturalengland.org.uk). For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Hayley Fleming  
Land Use Operations