

The Conservation of Habitats and Species Regulations (2017)

Part 6, section 63

‘Assessment of implications for European sites and European offshore marine sites’

Habitats Regulation Assessment

This is a record of the Habitat Regulations Assessment (HRA) (including Screening for Likely Significant Effects and Appropriate Assessment where required) carried out by Herefordshire Council (the competent authority) as required by Regulation 63 of the Conservation of Habitats & Species Regulations 2017 (the ‘Habitats Regulations’) relating to the following **planning application**.

This HRA is carried out in accordance with the relevant guidance documents including those by Natural England at <https://www.gov.uk/guidance/appropriate-assessment>, and David Tyldesley Associates <https://www.dtapublications.co.uk/>

The HRA is carried out by Herefordshire Council. Detailed information will need to be provided by the applicant to enable the authority to make the assessment.

The Project / Plan

1.1 Planning Application Reference Number, Description and Address

Application reference number: P240397/F

Address: Paragon Laundry Netherton Road Ross On Wye Herefordshire HR9 7QQ

Description: Proposed rebuild of industrial unit following fire damage.

Applicant: Mr Robert Stevens

Case officer: Heather Carlisle

Location OSGR: 360150 – 225505

Link to Planning Application on Herefordshire Council Website:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240397&search-term=240397

1.2 Description of the plan or project (details)

Proposed rebuild of industrial unit following fire damage.

1.3 Documents and plans considered – *delete/ add as appropriate*

- Herefordshire Local Plan Core Strategy 2011 – 2031
- River Wye SAC Nutrient Management Plan
- National Planning Policy Framework
- The Conservation of Habitats and Species Regulations 2017 (as amended)

1.4 Planning *Policy context*:

No policies relevant to HRA

1.5 Size (ha) and description (habitats etc.) of existing site

0.7706 ha rebuild of industrial unit following fire damage

1.6 Surrounding land use and context in relation to designated sites

The area is within the industrial estate on the north side of Ross-on-Wye

Relevant Habitats (Natura 2000) site(s)

River Wye Catchment SAC (including schemes impacting on the linked River Lugg SSSI)

Details of the Site:

1. River Wye SAC

The River Wye SAC covers an area of 2234.89 ha in Gloucestershire, Herefordshire, Monmouthshire and Powys.

Designated features

Qualifying habitats

The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- Transition mires and quaking bogs. (Very wet mires often identified by an unstable 'quaking' surface).
- Water courses of plain to montane levels with the *Ranunculus fluitans* and *Callitriche batrachion* vegetation. (Rivers with floating vegetation often dominated by water crowfoot)

Qualifying species

The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:

- Allis shad *Alosa alosa*
- Atlantic salmon *Salmo salar*
- Brook lamprey *Lampetra planeri*
- Bullhead *Cottus gobio*
- Otter *Lutra lutra*
- River lamprey *Lampetra fluviatilis*
- Sea lamprey *Petromyzon marinus*
- Twaite shad *Alosa fallax*
- White-clawed (or Atlantic stream) crayfish *Austropotamobius pallipes*

Conservation Objectives of the Designated features:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

[European Site Conservation Objectives for River Wye SAC - UK0012642 \(naturalengland.org.uk\)](http://naturalengland.org.uk)

Site Condition

Site condition, for the area of the site in England, is taken from the constituent SSSI units for the River Wye SSSI.

River Wye SSSI

Unit	Unit name	Condition	Condition Threat Risk	Habitat	Area (ha)	GridRef
001	TIDAL RIVER - ESTUARY TO BROCKWEIR BRIDGE	Unfavourable - Declining	High	RIVERS AND STREAMS	114.9234 ha	ST 537 956
002	BROCKWEIR BRIDGE TO MONMOUTH	Unfavourable - Declining	High	RIVERS AND STREAMS	36.3835 ha	SO 534 055
003	MONMOUTH TO ROSS	Unfavourable - Declining	High	RIVERS AND STREAMS	157.0946 ha	SO 573 185
004	ROSS TO HEREFORD	Unfavourable - Declining	High	RIVERS AND STREAMS	293.5648 ha	SO 568 320
005	HEREFORD TO BREDWARDINE BRIDGE	Unfavourable - Declining	High	RIVERS AND STREAMS	150.1955 ha	SO 418 415
006	BREDWARDINE BRIDGE TO WHITNEY TOLL	Unfavourable - Declining	High	RIVERS AND STREAMS	122.4429 ha	SO 300 461
007	WHITNEY TOLL TO HAY	Unfavourable - Declining	High	RIVERS AND STREAMS	30.8778 ha	SO 242 458

Other Relevant Documents

There is a Site Improvement Plan for the River Wye which can be found at [Site Improvement Plan: River Wye - SIP199 \(naturalengland.org.uk\)](#)

Stage1: Preliminary Screening including Likely Significant Effects (LSE)

Completed by:

J. Engwell

Date: 19th April 2024

Table 1: Initial Screening

Does the project or plan qualify for exemption from the HRA process?

Is the project or plan directly connected with or necessary for the conservation management of the habitat site (provide details)? If so the project may be considered exempt from the HRA process.	NO
If the proposal is considered exempt from the HRA process? Has this been consulted upon and agreed with Natural England?	NO

Table 2: Screening for Likely Significant Effects (LSE)

Key issues considered:

Nutrient Pathways (new-additional foul water flows).

Details of key issues & identification of potential effect pathways

Notes in respect of Habitat Regulation Assessment (River Wye SAC)

The proposal is a rebuild of an industrial unit.

The Planning and Design and Access Statement written by Zesta dated December 2023 states:

“The current proposal is to rebuild the destroyed building on a like-for-like basis”

It further states:

“The other undamaged buildings and car park area are to be retained in association with the new replacement building.”

As this proposal is a rebuild, like-for-like, with no additional impermeable surfaces and the same intended use as prior to the fire in 2022, I believe there is no new effect pathway and as such can be screened out on this basis.

NB: Where avoidance and mitigation measures do not form an integral part of the project/ plan and are to be put in place to reduce the impacts, these must not be considered in order to avoid impacts at the Screening stage and will require consideration at the Appropriate Assessment stage (in line with the People Over Wind judgement).

Are there any potential effects of the project or plan when considered alone?	NO
Are there any potential effects of the project or plan <u>in combination with</u> other projects or plans?	NO.

Summary of LSE test conclusions

No likely significant effects – no Appropriate Assessment required and planning permission can be legally granted. A consultation with NE is not required where a proposal is ‘screened out’.