

**The Conservation of Habitats and Species Regulations 2017, as amended by
the Conservation of Habitats and Species (Amendment) (EU Exit)
Regulations 2019' (the 'Habitats Regulations'); Part 6, section 63**

**'Assessment of implications for National Network Sites, European sites
and European offshore marine sites'**

HRA Screening-Appropriate Assessment

Cumulative – in-combination assessment

APPLICATION NO: 212261
SITE: Land to the East of the A49, Holmer, Herefordshire, HR4 9RG
DESCRIPTION: Erection of one dwelling house and changes to the parking arrangements for plot 52, with associated access, landscaping and infrastructure.

GRID REFERENCE: OS 350611, 242430

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 (Natural England <https://www.gov.uk/guidance/appropriate-assessment>, David Tylesley Associates <https://www.dtapublications.co.uk/>)

The HRA is carried out by Herefordshire Council. This will require sufficient detailed information to be provided by the applicant to enable the authority to make this assessment.

The Project / Plan

1.1 Planning Application Reference Number, Description and Address

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GRID REFERENCE: OS 350611, 242430
Link to Planning Application on Herefordshire Council Website:
https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=212261&search-term=212261

1.2 Description of the plan or project (details)

Erection of one additional dwelling house on approved development site, and changes to the parking arrangements for original plot 52, with associated access, landscaping and infrastructure.

1.3 Documents and plans considered – delete/ add as appropriate

- Herefordshire Local Plan Core Strategy 2011 – 2031
- River Wye SAC Nutrient Management Plan (under review)
- Citation, Conservation Objectives, SIPs and other current advice and guidance in respect of River Wye SAC, River Lugg SAC
- National Planning Policy Framework
- The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the 'Habitats Regulations')
- Environment Agency-Natural England joint advice note; "Roles in planning and permitting" October 2021

1.3 Planning Policy context:

Residential development

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

0.1 (direct effects of 1 additional dwelling only)

1.5 Surrounding land use and context in relation to designated sites

Housing (approved); Highway

Relevant National Network Site (inc European or Natura 2000 site(s))

River Wye Catchment SAC

Details of the Site:



River Wye SAC
combined (March 20)

Other relevant projects/ plans to be considered 'in combination'

To include those within the planning system or granted but not yet operational, that would have similar impacts – for air emissions a radius of 500m would usually be appropriate

Natural England consultation reference and summary (if available):

Not applicable

Stage1: Preliminary Screening including Likely Significant Effects (LSE)

Completed by:

Ecology (J Bisset)

Date: 25/01/2022

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
Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	<p>YES</p> <p>Existing 52 dwelling development: 141487 (Outline): https://www.herefordshire.gov.uk/info/200142/planning_services/planning_applications_search/details?id=141487</p> <p>193296 (Reserved Matters): https://www.herefordshire.gov.uk/info/200142/planning_services/planning_applications_search/details?id=193296&search-term=193296</p> <p>202912 (Discharge of Conditions): https://www.herefordshire.gov.uk/info/200142/planning_services/planning_applications_search/details?id=202912&search-term=202912</p> <p>202710 (DoC): https://www.herefordshire.gov.uk/info/200142/planning_services/planning_applications_search/details?id=202710&search-term=202710</p> <p>202469 (DoC): https://www.herefordshire.gov.uk/info/200142/planning_services/planning_applications_search/details?id=202469&search-term=202469</p> <p>213966 (DoC): https://www.herefordshire.gov.uk/info/200142/planning_services/planning_applications_search/details?id=213966&search-term=213966</p>
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:**

- ☐ Foul water
- ☐ Surface water
- ☐ Construction or Demolition processes

Details of key issues

Additional Foul Water flows (alone and in combination)
Additional surface water flows (alone and in combination)
Construction processes (alone and in combination)

NB: Where avoidance 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 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?	YES Additional foul water flows, surface water flows, additional construction operations.
Are there any potential effects of the project or plan in combination with other projects or plans?	YES As previously identified but increased due to cumulative effect.
Are the effects, either alone, in combination, or both, likely to be significant?	YES
Are protective measures required to address possible effects of the project	YES
Are there existing measures, part of the overall project (embedded), or other regulatory requirement (e.g. drainage basins, building regulations, watercourse protection) that avoid likely significant effects?	NO
Is any further information and/ or mitigation required (Regulation 63(2)) to inform the Appropriate Assessment?	NO

Summary of LSE test conclusions:

Likely significant effects – Appropriate Assessment required

Stage 2: Appropriate Assessment

Completed by:

Ecology (J Bisset)

Date: 25/01/2022

Appropriate Assessment information, discussion and proposed mitigation measures:

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Table 3. Impacts of the plan/ project alone

Designated site features which may be potentially affected	Likely effect of Impacts and mitigation measures proposed
All Habitats and Species	Impacts to habitat quality through pollution (additional nutrients) of SAC river and tributaries impacting all habitats and species present

Table 4. Impacts of the plan/ project in combination

Designated site features which may be potentially affected	Likely effect of Impacts and mitigation measures proposed
Not applicable see Table 3	Not applicable see Table 3

Table 5. Consequences for Conservation Objectives of the Designated Site

Impacts to maintaining the favourable condition of the site	YES potential effects on qualifying habitats and species as identified in Table 3
Alterations to natural progression or other changes within the site	YES potential effects on qualifying habitats and species as identified in Table 3
Loss of key habitat/ species features. Fragmentation or isolation of key species and habitats. Impacts to diversity, distribution, density, balance, area or population(s) of key species or habitats that are indicators of the favourable condition of the site, including from disturbance	YES potential effects on qualifying habitats and species as identified in Table 3
Alterations to the ecological relationships	YES potential effects on qualifying habitats and species as identified in Table 3

and balance between species and habitats that are key to the structure/ function of the site	
Alterations to nutrient balance or other processes vital to the functioning of the ecosystem (including phosphates)	YES potential effects on qualifying habitats and species as identified in Table 3

Mitigation Requirements and Outcomes of these

Notes in respect of HRA process:

This application is for one additional dwelling within a development for 52 dwellings already subject to planning permissions and processes under 141487 (Outline); 193296 (RM); 202912 + 202710 + 202469 and 213966 (DoCs).

The additional dwelling now proposed under this current application is a direct part of the existing scheme for 52 houses that in-combination with this current application will cumulatively become 53 dwellings.

The current HRA process must be based on the total cumulative effect from the development at this location. The notes refer to the cumulative HRA on 53 dwellings.

- Foul water flows from the cumulative development will be managed through a connection to the local mains foul water sewer system.
- At this location the mains foul water sewer system is managed by DCWW through their Hereford (Eign) Wastewater Treatment Plant that discharges outfall directly in to the River Wye upstream from the River Wye/Lugg SAC confluence. (Lower 'Middle Wye')
- DCWW have confirmed that the local mains sewer network and Eign WwTW have sufficient capacity to manage the additional foul water flows created by the total of 53 houses.
- Natural England have not currently advised the LPA that the 'English' River Wye SAC is failing its conservation status for any reason.
- The additional phosphate pathways created can be accommodated within the Phosphate 'allowance' currently secured through the approved current Core Strategy.
- There is very limited local infiltration and a managed flow surface water management system is proposed with onsite attenuation and storage and a final managed flow discharge to the local Surface Water Sewer system managed by DCWW
- DCWW have confirmed that their local Surface Water Sewer system has the capacity to manage the final flows discharged from this development.
- The surface water system discharges in to the Yazor Brook catchment and finally to the River Wye SAC. This cumulative discharge in to the Yazor Brook/River Wye is controlled and managed by DCWW under relevant licence processes.

The agreed foul water and surface water management schemes are subject to a s.104 legal agreement to secure connection and ongoing management and maintenance by DCWW and this can be secured by condition on both existing development and the current additional single dwelling application.

- The required consideration, management and mitigation of any effects from the construction processes can be secured for existing and proposed additional dwelling through securing previously approved 'CEMP' as part of any new permission for the additional single unit being granted.

The DM case officer is requested to ensure relevant conditions to secure existing CEMP and foul-surface water systems as detailed is included on any planning permission granted.

Integrity Test and Alternatives

Can adverse effects be avoided or mitigated?

YES

If adverse effects on the integrity of the site, either alone or in combination, cannot be ruled out through avoidance or mitigation, the following must be considered;

Are there Alternative Solutions to the proposal?

Not applicable

Where there are no satisfactory alternatives, the authority must consider whether the project or plan must proceed In Reasons of Overriding Public Interest (IROPI)?

Not applicable

Where it is proposed that the project or plan proceed IROPI, can suitable Compensatory Measures be secured?

Not applicable

Conclusion of the Appropriate Assessment:

The authority concludes that **there would be NO** adverse effects on the integrity of the identified Special Area of Conservation (National Network Site); subject to appropriate mitigation being secured. The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Part 6, section 63(5)

NOTE: The authority must consult Natural England on the draft HRA.

Recommended Planning Conditions to secure appropriate mitigation where required (following full HRA that concludes no adverse effects subject to securing this mitigation)