

# Habitats Regulations Assessment



## Orleton & Richards Castle Neighbourhood Area

April 2016

# Orleton and Richards Castle NDP HRA

## HRA Screening Assessment

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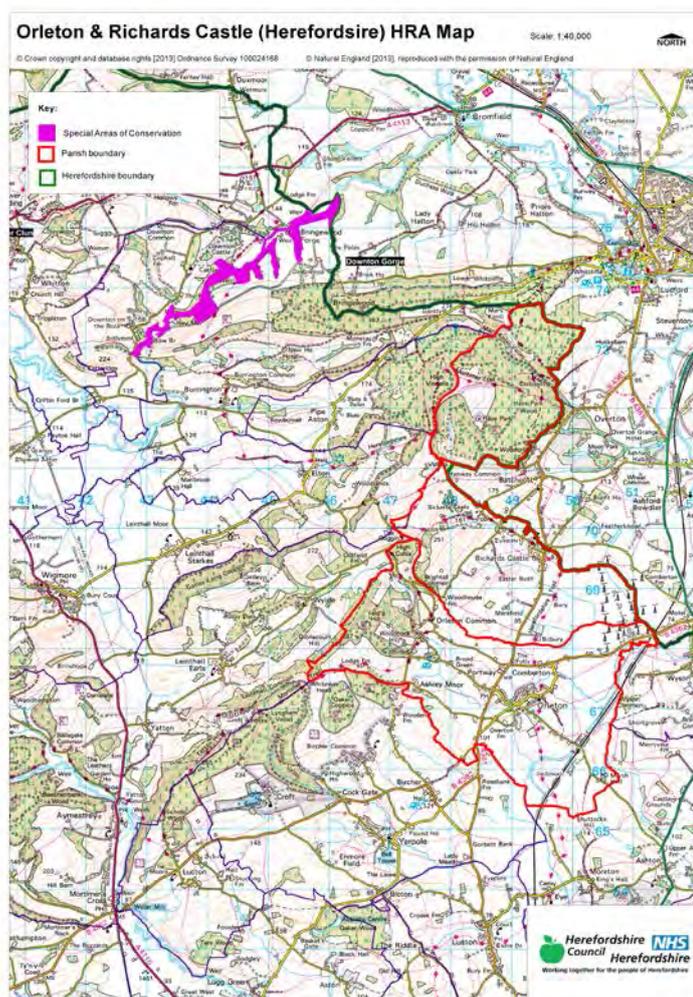
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## 1 Introduction

- 1.1 This Screening Assessment relates to a Neighbourhood Development Plan that is considered to be in general conformity with higher level strategic plans, such as the Herefordshire Core Strategy and the National planning Policy Framework. The screening stage involves assessing broadly whether the Draft Neighbourhood Plan is likely to have a significant effect on any European site(s).
- 1.2 Orleton and Richards Castle's Parish Councils are producing a joint Neighbourhood Development Plan for Orleton and Richards Castle Parishes, in order to set out the vision, objectives and policies for the development of the Parish up to 2031. This HRA reviews the Draft Orleton and Richards Castle Plan March 2016.
- 1.3 The NDP is criteria based and allocates three sites in Orleton village and two sites in Richards Castle. It provides general policies that clarify and provide detail to the policies within the Herefordshire Core Strategy therefore it requires a high level screening assessment to build upon the HRA Screening Assessment Report for the Herefordshire Core Strategy. This high level screening assessment should be read in combination with the Herefordshire Pre-submission publication of the Local Plan-Core Strategy Habitat Regulations Assessment Report (April 2014) and ensures that there will not be any significant impacts upon Natura 2000 sites.
- 1.4 The map below shows Orleton and Richards Castle Neighbourhood Area with the European Site highlighted.



## 2 The requirement to undertake Habitats Regulations Assessment of neighbourhood plans

- 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. Therefore, when preparing its NDP, Orleton and Richards Castle Parish Councils are 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 Article 6(3) of the EU Habitats Directive provides that:  
*Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*
- 2.3 HRA is an impact-led assessment and refers to the assessment of the potential effects of a neighbourhood plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
- **SPAs** are classified under the European Council Directive ‘on the conservation of wild birds’ (79/409/EEC; ‘Birds Directive’) for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
  - **SACs** are designated under the Habitats Directive and target **particular habitats** (Annex 1) and/or species (Annex II) identified as being of European importance.
- 2.4 For ease of reference during HRA, general practice has been that these three designations are collectively referred to as either **Natura 2000** or **European sites**. This means that a Screening Assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans or projects to identify if any significant effect is likely for any European Site.

## 3 Methodology

- 3.1 As the Orleton and Richards Castle NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.
- 3.2 The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site’s ‘qualifying features’ (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.
- 3.3 The first process is to undertake an initial screening report to determine the need to undertake the requirement for a HRA, this initial screening identifies whether the Plan could impact upon any European site that could be within the Neighbourhood Area or nearby.
- 3.4 If a European Site is within the Neighbourhood Area or the Neighbourhood Area could impact upon a European site then this will need to be taken into account and a full screening assessment will need to be undertaken.

- 3.5 The full screening stage consists of a description of the plan, identification of potential effects on European Sites, assessing the effects on European Sites (taking into account potential mitigation provided by other policies in the plan). For Neighbourhood Plans the outcome should demonstrate there are no likely effects upon the European sites. If any likely effects occur then there will need to be amendments to the NDP made and be re-screened until all likely effects have been mitigated.

#### **4 Results of the Initial Screening Report and options**

- 4.1 The initial Screening report (July 2014) found that the catchment for the River Wye (Inc River Lugg) SAC is within the Parish and the Downton Gorge SAC therefore a full screening assessment is required.
- 4.2 For full details of the River Wye's and Downton Gorge attributes which contribute to and define their integrity and vulnerable data see Appendix 1 of the Orleton and Richards Castle Initial Screening Report. The Initial Screening Report, July 2013, can be found in Appendix 3 of this HRA report. 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 Orleton and Richards Castle Neighbourhood Plan may affect site integrity.
- 4.3 The initial options for the NDP were assessed to determine their environmental impact that could affect the River Wye (inc the River Lugg) SAC and the Downton Gorge SAC. There were six options put forward the no NDP option was not considered viable for the Parish. Options 1, 2, 3, 5 and 6 all proposed ways of incorporating the growth across the parish however as they would all be within the proportional growth targets of the Core strategy they would therefore unlikely to have a significant impact on the SAC.
- 4.4 As Orleton and Richards Castle NDP progresses from options onto their NDP policies, the Plan will need to identify ways in which the least effect on the River Wye (inc River Lugg) SAC and Downton Gorge SAC could be achieved, alongside taking forward the preferred option from the consultation from the community. A list of the options assessed can be found in Appendix 1, and the Assessment matrix for the options can be found Appendix 2.

#### **5 Description of the Orleton and Richards Castle Neighbourhood Development Plan**

- 5.1 The Draft Orleton and Richards Castle NDP presents detailed policies for development in the Neighbourhood Area, which is equivalent to the group parish boundary, up to 2031. The first part of the Plan introduces the Plan and its preparation and discusses the background of the villages.
- 5.2 The NDP then details the vision for the Group Parish over the Plan period and three objectives of how this will be achieved. The objectives are:
- i) To develop the built environment in a way that maintains and enhances its distinctiveness and attractiveness whilst catering for the housing needs of all age groups;
  - (ii) To encourage successful farming and small businesses, where members of the community can find employment;
  - (iii) To maintain and enhance the natural environment and the local heritage.
- 5.3 The NDP also sets out 15 general policies on various topics for the parish and the two villages; this also includes two policies detailing the site allocations for each village:

**Policy ORC1: Promoting Sustainable Development**  
**Policy ORC2: Development Strategy**  
**Policy ORC3: Local Green Space**  
**Policy ORC4: Protection from Flood Risk**  
**Policy ORC5: Sewerage Infrastructure**  
**Policy ORC6: Sustainable Design**  
**Policy ORC7: Housing Development in Orleton**

- Policy ORC8: Housing Sites in Orleton**  
**Policy ORC9: Housing development in Richards Castle**  
**Policy ORC10: Housing sites in Richards Castle**  
**Policy ORC11: Provision of a range and mix of housing**  
**Policy ORC12: Traffic Measures within Parishes**  
**Policy ORC13: Highway design requirements**  
**Policy ORC14: Agricultural diversification, workshops, services and facilities**  
**Policy ORC15: Use of Community Infrastructure Levy**

## **6 Identification of other plans and projects which may have ‘in-combination’ effects**

- 6.1 Regulation 102 of the Habitats Regulations 2010 requires an appropriate assessment where a land use plan (not directly connected with or necessary to the management of the site) is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. In addition, in accordance with the Neighbourhood Planning Regulation 2012 a NDP cannot have a significant effect on any European Site whether alone or in combination with another Plan.
- 6.2 There are a number of potentially relevant plans and projects which 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 pre-submission publication of the Herefordshire Local Plan – Core Strategy Habitats Regulations Assessment (May 2014). It is seen that as this NDP does not go over and beyond the requirements set out in the Core Strategy this review will also be substantial for the NDP.
- 6.3 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 work on the Nutrient Management Plan, to ensure the favourable conservation status of the SAC in respect of phosphate levels as soon as possible and at the latest by 2027, have both been considered as part of the in-combination assessment.

## **7 Assessment of the ‘likely significant effects’ of the Orleton and Richards Castle NDP**

- 7.1 As required under Regulation 102 of the Habitats Regulations 2010, a screening assessment has been undertaken to identify the ‘likely significant effects’ of the NDP. A screening matrix was prepared in order to identify whether any of the policies in the Plan would be likely to have a significant effect on the River Wye (including River Lugg) SAC or Downton Gorge SAC.
- 7.2 The findings of the screening matrix can be found in the Screening Matrix in Appendix 2 of this report. Colour coding was used to record the likely impacts of the policies on the European site and its qualifying habitats and species as shown in the table 1 below.

Red	There are likely to be significant effects
Green	Significant effects are unlikely

- 7.3 The Screening matrix took the approach of screening each policy individually, which is consistent with current guidance documents. The results from the HRA report for the pre-submission version of the Herefordshire Core Strategy was also taking into consideration.
- 7.4 Mitigation of some of the identified potential effects could be achieved through implementation of the other policies within the NDP which require good practice measures during and after construction phases, such as more efficient use of water, reduction in waste and encouragement of recycling. The provision and encouragement of use of more sustainable transport measures when improving the transport infrastructure, will also help to reduce car traffic around the parish and surrounding areas.

## **8 Conclusions from the Screening Matrix**

- 8.1 None of the Draft Orleton and Richards Castle Neighbourhood Plan (March 2016) policies were concluded to be likely to have a significant effect on the River Wye SAC. Based on assumptions and information contained within the Orleton and Richards Castle Neighbourhood Plan, Herefordshire Core Strategy and the HRA for the Core Strategy all of the NDP policies were found to be unlikely to result in significant effects on the River Wye SAC and Downton Gorge SAC.
- 8.2 In many cases this is because the policy itself would not result in development, i.e., it related instead to criteria for development. In a number of cases the policies also included measures to help support the natural environment, including biodiversity and therefore no significant effect conclusion could be reached. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 8.3 The plan is criteria based, however it does allocate three sites for development in Orleton and two sites in Richards Castle. All of the growth proposed on these sites are small scale and within the proportionate growth figures of the Core Strategy therefore were found unlikely to result in significant effects on the River Wye SAC.
- 8.4 Dwr Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is sufficient existing permitted headroom in the Sewerage Treatment works serving the Orleton and Richards Castle area at present to continue to treat the water from the amount of housing provided for in the Core Strategy policies. In addition, the preparation of the Nutrient Management Plan for the River Wye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River Wye SAC.
- 8.5 It is unlikely that the Orleton and Richards Castle 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 Housing Market Area in the Herefordshire Core Strategy and all of the proposed housing sites will be fairly small scale.
- 8.6 It is therefore concluded that the Orleton and Richards Castle Plan will not have a likely significant effect on the River Wye (inc River Lugg) SAC nor on Downton Gorge SAC.
- 8.7 Any further amendments to policies (post April 2016) will be rescreened if required and an addendum to this report will be produced.

# Appendix 1

Option 1 – producing a Neighbourhood Plan that provides a range of house types, but concentrate development in Orleton and minimal provision in Richards Castle
Option 2 - producing a Neighbourhood Plan that provides a range of house types, spread development on a pro-rata basis between the two villages
Option 3 – limit the development to the minimum required to meet CS growth targets
Option 4 – No NDP and rely on CS policies
Option 5 – Allocate housing sites within the Villages
Option 6 – Identify a settlement Boundary

# Appendix 2

**Table 1: HRA Screening of Emerging Neighbourhood Development Plan Objectives, Options and Policies**

Parish Council Name: Orleton and Richards Castle

NDP Title: Orleton and Richards Castle Neighbourhood Plan

Date undertaken: April 2016

NDP objectives, options policies	HRA Screening of Emerging NDP options				
	Likely activities (operations) to result as a consequence of the objective/option/policy	Likely effect if option implemented. Could they have Likely Significant Effects (LSE) on European Sites? (Yes/No, with reasons)  <i>(If no, progress on to next objective/option/policy. If yes, progress on to next set of columns in row)</i>	European Sites potentially affected	Mitigation measures to be considered, as necessary, through redraft of objective/option/policy and to be considered as part of Appropriate Assessment	If recommendations are implemented, would it be possible that it would result in no LSE? (Yes/No with reasons)
Option 1 – producing a Neighbourhood Plan that provides a range of house types, but concentrate development in Orleton and minimal provision in Richards Castle	Increase of a range of housing types, but Concentrate the housing within the larger village	Uncertain as to the impact on the European sites as dependant on the location of the development.  Physical Disturbance  Non-physical such as noise and light pollution  Interruption to hydrological regimes  Air pollution	River Clun SAC  Downton Gorge SAC	Good practice construction techniques.  Utilise mitigation methods that other options are proposing and include within the policy, particularly sustainable design and energy efficient buildings  Improved water efficiency methods	The scale and location of these new facilities will be key. Mitigation methods provided by the other options and Core Strategy put forward would need to be incorporated into a proposed policy.

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		Increased traffic levels			
Option 2 - producing a Neighbourhood Plan that provides a range of house types, spread development on a pro-rata basis between the two villages	Small scale proportionate growth split across the villages	<p>Uncertain as to the full impact on the European sites as dependant on the location of the development.</p> <p>Physical Disturbance</p> <p>Non-physical such as noise and light pollution</p> <p>Interruption to hydrological regimes</p> <p>Air pollution</p> <p>Increased traffic levels</p>	<p>River Clun SAC</p> <p>Downton Gorge SAC</p>	<p>Good practice construction techniques.</p> <p>Utilise mitigation methods that other options are proposing and include within the policy, particularly sustainable design and energy efficient buildings</p> <p>Improved water efficiency methods</p>	<p>The scale and location of these new facilities will be key. Mitigation methods provided by the other options and Core Strategy put forward would need to be incorporated into a proposed policy.</p>
Option 3 – limit the development to the minimum required to meet CS growth targets	Small scale proportionate growth	<p>Uncertain as to the full impact on the European sites as dependant on the location of the development.</p> <p>Physical Disturbance</p> <p>Non-physical such as noise and light pollution</p> <p>Interruption to hydrological regimes</p> <p>Air pollution</p>	<p>River Clun SAC</p> <p>Downton Gorge SAC</p>	<p>Good practice construction techniques.</p> <p>Utilise mitigation methods that other options are proposing and include within the policy, particularly sustainable design and energy efficient buildings</p> <p>Improved water efficiency methods</p>	<p>The scale and location of these new facilities will be key. Mitigation methods provided by the other options put forward and Core Strategy would need to be incorporated into a proposed policy.</p>

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		Increased traffic levels			
Option 4 – No NDP and rely on CS policies	No NDP to determine planning applications.	Criteria policies within the Core Strategy would guide further development. Specific policies and proposals for the parish would not exist.	N/A	N/A	N/A
Option 5 – Allocate housing sites within the village	Small scale proportionate growth on specific sites identified on a proposals map.	Greater degree of certainty over the impact of future development on the European sites, as the location of housing would be pre-determined and not left to market forces.	River Clun SAC Downton Gorge SAC	Specific environmental issues could be investigated during the site search and be positively addressed within the policy wording.	No, development in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects.  Policy criteria should be included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
Option 6 – Identify a settlement boundary	Small scale proportionate growth within a defined settlement boundary area.	Uncertain as to the impact on the European sites as dependant on the location of the development.	River Clun SAC Downton Gorge SAC	Additional criteria would be required when formulating the accompanying settlement boundary policy to ensure that no likely significant effects could occur.	No, development in line with the Local Plan (Core Strategy) and the policy safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects.  Policy criteria should be

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					included within the NDP which reflects this. Further assessments will be undertaken at draft policy stage.
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**Table 1: HRA Screening of Emerging Neighbourhood Development Plan Objectives and Policies**

Parish Council Name: Orleton and Richards Castle

NDP Title: Orleton and Richards Castle

Date undertaken: April 2016

NDP objectives and policies	HRA Screening of Emerging NDP objectives and policies				
	Likely activities (operations) to result as a consequence of the objective/policy	Likely effect if objective/option/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites? (Yes/No, with reasons)  <i>(If no, progress on to next objective/option/policy. If yes, progress on to next set of columns in row)</i>	European Sites potentially affected  (Refer to Initial Screening)	Mitigation measures to be considered, as necessary, through redraft of objective/option/policy and to be considered as part of Appropriate Assessment	Could the policy have likely significant effects on European sites (taking mitigation into account?)
Objective 1 – to develop the built environment in a way that maintains and enhances its distinctiveness and attractiveness whilst catering for the housing needs of all age groups	Proportional growth in line with Policy RA2 of the Local Plan (Core Strategy).	N/A	N/A	N/A	No, this objective will not lead to development; rather it acknowledges that proportional growth will occur across the neighbourhood area in line with the Local Plan (Core Strategy).
Objective 2 – To encourage successful	More people will be encouraged to work closer	Reducing the need to travel will have a positive impact	N/A	N/A	No, the policies involved in delivering this

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<p>farming and small businesses, where members of the community can find employment</p>	<p>to their work. The plan will attract employment opportunities that are suitable for a rural area, and support agricultural diversification.</p>	<p>upon European sites.</p>			<p>objective would only have positive impacts upon the European sites if they are successfully implemented.</p>
<p>Objective 3 – To maintain and enhance the natural environment and the local heritage</p>	<p>Protect and enhance the existing natural environment, and local heritage assets within the Parish.</p>	<p>If objective is realised then the policies that deliver it could have a positive impact upon European sites.</p>	<p>N/A</p>	<p>N/A</p>	<p>No, the policies involved in delivering this objective would only have positive impacts upon the European sites if they are successfully implemented.</p>
<p>Policy ORC1: Promoting Sustainable Development</p>	<p>Encourages sustainable development and communities</p>	<p>No likely significant effects expected</p>	<p>N/A</p>	<p>N/A</p>	<p>No. The policy would itself not lead to development; instead it relates to criteria for encouraging sustainable development and sustainable communities.</p>
<p>Policy ORC2: Development Strategy</p>	<p>Policy that states where the main focus for housing development and employment should be. It also outlines the approach to be taken to residential development throughout the parish</p>	<p>No likely significant effects expected.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>Policy ORC3: Local Green</p>	<p>Policy seeks to protect important green areas</p>	<p>No likely significant effects</p>	<p>N/A</p>	<p>N/A</p>	<p>No. The policy would itself not lead to</p>

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Space	within the villages.	expected			development; instead it relates to criteria for protection of local green spaces.
Policy ORC4: Protection from flood risk	N/A	No Likely Significant effect on the River Wye (including the River Lugg) SAC	N/A	N/A	No. This policy will not lead to new development; but rather it will ensure that any new development has no or little impact upon surface water flooding or fluvial flooding due to the mitigation methods encouraged. This policy will also ensure that within flood zones 2 and 3 new development should not be permitted.
Policy ORC5: Sewerage infrastructure	Policy seeks to ensure that there is sufficient capacity within the Sewage treatment works prior to development.	This policy is looking to restrict any development should there not be sufficient capacity therefore no likely significant effects expected.	No likely significant effect on the River Clun SAC or Downton Gorge SAC	This policy is helping to mitigate against the effect of development by ensuring there is capacity at the Sewage treatment works, and if insufficient capacity then development should be resisted.	No. The policy would itself not lead to development; instead it relates to criteria for ensuring sufficient capacity in the sewage treatment works.
Policy ORC6: Sustainable Design	Policy that imposes the need for new housing to conform to high standards of sustainable design and architecture that includes maximum carbon	No likely significant effects expected	N/A	N/A	N/A

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	reductions and an integrated package of identified design measures.				
Policy ORC7: Housing Development in Orleton	Policy that lays out the criteria for further residential development in the village of Orleton for a minimum of 14%. Includes a settlement boundary around the village.	No likely significant effects expected	N/A	N/A	N/A
Policy ORC8: Housing Sites in Orleton	Housing Development Increased in vehicle traffic	This policy does propose three sites to the north east of the village for approx. 2.8 hectares north of Kings Road; 0.9 hectares to the north west of Halleys Well; and 2.6 hectares land to the north of Orleton Primary School this is still within the threshold of the Core Strategy. These sites are not directly adjacent to either of the SACs.	No likely significant effect on the River Wye (Including the River Lugg) SAC or Downton Gorge SAC	Within this policy there are mitigation methods to help reduce the potential impacts arising from this development.  Ensure during development phase that there are mitigation methods in place to reduce any adverse impact that could occur during the development.	No. Although this policy is identifying two sites for housing development within the village, it does include mitigation methods as well as the additional policies within the NDP and Core Strategy that have measures to mitigate against the impact of the development. In addition, the development is not over and above the Core Strategy requirement which has been identified as not having a significant effect on the River Wye (including River Lugg) SAC and Downton Gorge SAC.

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Policy ORC9: Housing Development in Richards Castle	Policy that lays out the criteria for further residential development in the village of Richards Castle for a minimum of 14%. Includes a settlement boundary around the village.	No likely significant effects expected	N/A	N/A	N/A
Policy ORC10: Housing Sites in Richards Castle	Housing Development Increased in vehicle traffic	This policy does propose two sites to the north of the village for approx. 0.55 hectares at Spout House Field; and 0.44 hectares to the north of Westbrook House this is still within the threshold of the Core Strategy. These sites are not directly adjacent to either of the SACs.	No likely significant effect on the River Clun SAC or Downton Gorge SAC	Within this policy there are mitigation methods to help reduce the potential impacts arising from this development.  Ensure during development phase that there are mitigation methods in place to reduce any adverse impact that could occur during the development.	No. Although this policy is identifying two sites for housing development within the village, it does include mitigation methods as well as the additional policies within the NDP and Core Strategy that have measures to mitigate against the impact of the development. In addition, the development is not over and above the Core Strategy requirement which has been identified as not having a significant effect on the River Clun SAC and Downton Gorge SAC.
Policy ORC11: Provision of a range and mix of housing	N/A	No significant effect on the River Wye (including the River Lugg) SAC	N/A	N/A	No. The policy would itself not lead to development; instead it

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					relates to criteria for development, i.e. the size, type and tenure to be provided within the overall housing development, the effects of which are assessed separately under other policies.
Policy ORC12: Traffic measures within parishes	Policy that specifies the measures that are required to improve traffic and resident safety within the parish.	No likely significant effects expected	N/A	N/A	N/A
Policy ORC13: Highway Design Requirements	Policy that specifies the measures that are required from development proposals to improve traffic and access.	No likely significant effects expected	N/A	N/A	No. This policy will not lead to new development.
Policy ORC14: Agricultural diversification, workshops, services and facilities	<p>Increase in home working</p> <p>Small work premises</p> <p>Reduced vehicle traffic</p> <p>Retaining existing employment sites</p> <p>Farm diversification</p>	No likely significant effect on the River Wye (including the River Lugg) SAC or Downton Gorge SAC	N/A	This policy should help to mitigate the potential impacts of other NDP policies in relation to increased traffic due to reducing the extent to which people need to travel for work.	No. Although this policy encourages some development it is of small scale and encourages home working thereby reducing the need to travel in both instances. There are measures in other policies in the Plan that will help to mitigate against any negative impact the policy may

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					have.
Policy ORC15: Use of Community Infrastructure Levy	N/A	No significant effect on the SACs.	N/A	This policy should help to mitigate the potential impacts of other NDP policies as it will help to address the demands that development places on the area.	No. This policy will not lead to new development.

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# Appendix 3

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**Initial Habitat Regulations Assessment and Strategic Environmental  
Assessment Screening Notification**

**The Neighbourhood Planning (General) Regulation 2012 (Reg. 32)**

**Conservation of Habitats and Species Regulations 2010 (d)**

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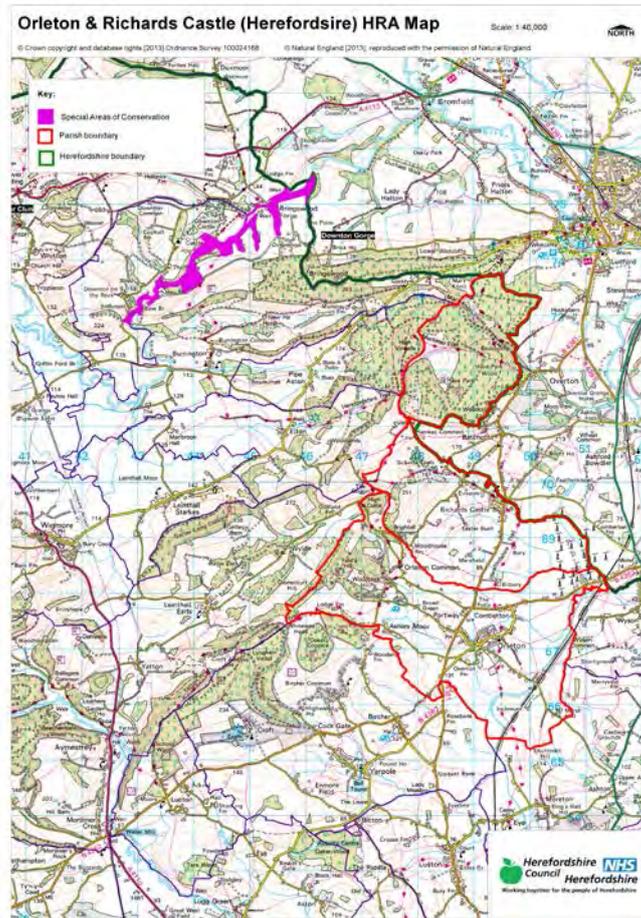
<b>Neighbourhood Area:</b>	Orleton & Richards Castle (Herefordshire) Neighbourhood Area
<b>Parish Council:</b>	Orleton Parish Council and Richards Castle (Herefordshire) Parish Council
<b>Neighbourhood Area Designation Date:</b>	29/07/2013

### **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)**



**Initial HRA Screening**

**River Wye (including the River Lugg) SAC:**

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	N	The River Lugg SAC is 12.8m away from the Parishes
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The south of Orleton Parish is within the Lugg hydrological catchment area
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	N	There is no mains drainage within the Parishes

**Downton Gorge SAC:**

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	Y	Downton Gorge is 4.5km away from the Parish
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**River Clun SAC:**

Does the Neighbourhood Area include: Border Group Parish Council or Leintwardine Group Parish Council?	N	River Clun does not border the Group Parish
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**Usk Bat Sites SAC:**

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 57.5km away from the Group 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	The Parish is 47.4km away from Wye Valley and Forest of Dean Bat Sites
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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	The Parish is 51.4km away from the Wye Valley Woodlands
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**HRA Conclusion:**

The assessment above highlights that the following European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Orleton & Richards Castle (Herefordshire) 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

Downton Gorge 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 Orleton & Richards Castle (Herefordshire) 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.

<b>SEA features</b>	<b>Total</b>	<b>Explanation</b>	<b>SEA required</b>
Air Quality Management Areas	0	There are no AQMA's within the Parishes	N
Ancient Woodland	6	Bircher Coppice (border); Unlabelled land at Woodcock Hill; Goggin Copse & Green Wood; Bathurst Coppice (border); Whitcliffe Wood; Brush Wood (border)	Y
Areas of Archaeological Interest	0	There are no AAI's within the Parishes	N
Areas of Outstanding Natural Beauty	0	There are no AONB's within the Parishes	N
Conservation Areas	1	There is a Conservation Area covering Orleton village	Y
European Sites	0	There are no SAC's within the Parishes	N
Flood Areas		Flood Zones follow a brook/stream that runs from Bromyard to Orleton and also a tributary off this running north into Richards Castle Parish	Y
Listed Buildings	Numerous	There are numerous listed buildings within the Parishes	Y
Local Sites (SWS/SINCS/RIGS)	3 (RIGS) 6 (SWS)	RIGS: Sunny Hill Section; Deer Park Road Section; Goggin Road Section. SWS: Land at Patricks Hill; Woodlands and Commons centred on Croft Ambrey; Land adjoining Killhorse Lane x 2 (border); Land at Ryecroft; Land at Sunnyside; Richards Castle mound and churchyard	Y
Long distance footpaths/trails	2	Herefordshire Trail; Mortimer Trail	Y
Mineral Reserves	4	Mary Knoll to Hayes Park; Leinthall Earls to Richards Castle; Yarpole to Orleton; Mortimers Cross to Croft	Y
National Nature Reserve	0	There are no NNR's within the Parishes	N
Registered & Unregistered parks and gardens	1 Registered 1 Unregistered	Registered: Croft Castle (border) Unregistered: Haye Park	Y
Scheduled Ancient Monuments	3	Churchyard Cross in St Georges Churchyard; Dovecote at Court House; Richards Castle: a Motte and Bailey with an enclosed settlement	Y
Sites of Special Scientific Interest	4	Mortimer Forest x 4 sections (Favourable)	Y

**Decision Notification:**

The initial screening highlights that the Neighbourhood Development Plan for the Orleton & Richards Castle (Herefordshire) Neighbourhood Area:

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

**Assessment date: 20/06/2013**

**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.

<b>Downton Gorge</b>
<b>Site Features:</b> <i>Tilio-Acerion</i> forests of slopes, screes and ravines
<b>Vulnerability data:</b> 10km for air quality associated with poultry units or other intensive agricultural practices.
<b>River Clun</b>
<b>Site Features:</b> Freshwater pearl mussel <i>Margaritifera margaritifera</i>
<b>Vulnerability data:</b> Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
<b>River Wye</b>
<b>Site Features:</b> 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>
<b>Vulnerability data:</b> 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." (Source: EA website: <a href="http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf">http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf</a> accessed 09/04/2013)

### Usk Bat Site

**Site Features:** Annex I habitats present as a qualifying feature, but not a primary reason for site selection: European dry heaths, Degraded raised bogs still capable of natural regeneration, Blanket bogs, Calcareous rocky slopes with chasmophytic vegetation, Caves not open to the public, *Tilio-Acerion* forests of slopes, screes and ravines. Annex II species of primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*, UK population 5%, although it is suggested this is an underestimate.

**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.

### 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: Wye Catchment Map

