

**The Conservation of Habitats and Species Regulations (2017)
Part 6, section 63**

'Assessment of implications for European sites and European offshore marine sites'

HRA Screening Assessment

APPLICATION NO: 222006
SITE: Lower Daffaluke, Daffaluke Road, Glewstone, Herefordshire, HR9 6BB
DESCRIPTION: Proposed conversion of 1 stone barn (listed by curtilage), to provide holiday accommodation. Demolition of one tin barn (unlisted), to be re-built to provide holiday accommodation and laundry/bike storage area. Raising the south roof of a 'pig-shed' building (unlisted), to the ridge height of the North roof, installing solar panels, no change of usage. Associated work to the site including demolition of blockwork pens.
GRID REFERENCE: OS 355195, 222969

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 to authority to make this assessment.

The Project / Plan

1.1 Planning Application Reference Number, Description and Address

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GRID REFERENCE: OS 355632, 218567

Link to Planning Application on Herefordshire Council Website:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=222006

1.2 Description of the plan or project (details)

Proposed conversion of 1 stone barn (listed by curtilage), to provide holiday accommodation. Demolition of one tin barn (unlisted), to be re-built to provide holiday

accommodation and laundry/bike storage area. Raising the south roof of a 'pig-shed' building (unlisted), to the ridge height of the North roof, installing solar panels, no change of usage. Associated work to the site including demolition of blockwork pens.

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, Wye Valley Woodlands 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')

1.3 Planning Policy context:

Required to comply with National Planning Policy Framework (2019).
Required to comply with Herefordshire's Core Strategy 2011-2031

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

0.10 ha

1.5 Surrounding land use and context in relation to designated sites

Agricultural

Relevant Habitats (Natura 2000) site(s)

River Wye Catchment SAC
Wye Valley Woodlands SAC

Details of the Site:



River Wye SAC
combined (March 20



Wye Valley
Woodlands SAC cor

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

Other developments creating foul water within the catchment or impacting relevant Bat Core Sustainance areas.

Natural England consultation reference and summary (if available):

NONE

Stage1: Preliminary Screening including Likely Significant Effects (LSE)

Completed by:

Ecology (C. Nikitik)

Date: 22/07/2022

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)? | YES All planning applications within the Wye Catchment may have an effect but these are subject to relevant HRA processes of their own. There are no specific 'in combination' planning applications immediately relevant to this case and assessment |
| 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:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Foul water | <input type="checkbox"/> Water pollution |
| <input checked="" type="checkbox"/> Surface water | <input type="checkbox"/> Water abstraction |
| <input type="checkbox"/> Emissions | <input type="checkbox"/> recreational impacts |
| <input type="checkbox"/> Construction or Demolition processes | <input checked="" type="checkbox"/> Protected species impacts |
| <input type="checkbox"/> Direct impacts inside SAC boundary | <input checked="" type="checkbox"/> Other - Lighting |

Details of key issues

Additional nutrient pathways due to increased foul water flows
Effects of additional surface water that may be created
Effects on bat activity-core sustenance zone

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 Additional surface water Effects on bat core sustenance zone (nocturnal illumination and impacts on/loss of foraging) |
| Are there any potential effects of the project or plan <u>in combination</u> with other projects or plans? | YES Any development within the Wye Catchment has potential for 'in combination effects' – including outfall from foul water treatment systems (phosphate pathways) Cumulative effects on bat core sustenance zone – eg lighting and loss of foraging habitat |
| Are the effects, either alone, in combination, or both, likely to be significant? | YES Alone effects are likely to be locally significant. 'in combination' not likely to be significant – subject to local mitigation. |
| 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? | YES – not within LPA control Building Regulations |
| Is any <u>further information and/ or mitigation required</u> (<i>Regulation 63(2)</i>) to inform the Appropriate Assessment? | NO But: additional and detailed information can be secured and considered at Technical Design approval stages to ensure compliance with outcome of this assessment process |

Summary of LSE test conclusions

- Likely significant effects – Appropriate Assessment required**
And, where relevant;

Stage 2: Appropriate Assessment

Completed by:

Ecology (C. Nikitik)

Date: 22/07/2022

Appropriate Assessment information, discussion and proposed mitigation measures:

Table 3. Impacts of the plan/ project alone

| | |
|--|---|
| Designated site features which may be potentially affected | Likely effect of Impacts |
| All Habitats and Species | Impacts to habitat quality through pollution (additional nutrients) of SAC river and tributaries impacting all habitats and species present |
| Horseshoe Bat species | Reduction in foraging/core sustenance habitat area. |

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

| | |
|---|--|
| Disruptions or delays in progress towards achieving the conservation objectives of the site | YES potential effects on qualifying habitats and species as identified in Table 3 |
| 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 and balance between species and habitats that are key to the structure/ function of the site | YES potential effects on qualifying habitats and species as identified in Table 3 |
| 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:

The proposal is to convert existing stone barn into self-contained holiday accommodation and to demolish one tin barn to be re-built to provide laundry/bike storage area and renovation of existing pig shed.

River Wye SAC

- All new foul water flows created will be managed through the existing existing package treatment plant which has been confirmed as being able to accommodate the additional input.
- No additional surface water will be created as the footprint area of the buildings will be slightly reduced.
- Surface water drainage will be by existing soakaways from the buildings.
- The use of the existing foul water and surface water management systems can be secured by a condition on any planning consent granted.

Wye Valley Woodlands SAC (Horseshoe bat species)

- The Ecology Survey Report by Environmental Methods dated September 2021 is noted.
- The main barn is a place of rest or shelter as summer day roosts for common and soprano pipistrelle and brown long-eared bats.
- However, no Horseshoe bats were recorded roosting, foraging or commuting at this location.
- Subject to relevant controls on external lighting no effects on Horseshoe bat populations in respect of the immediate locality of wider in respect of the WvW SAC are identified as a result of this development.
- A relevant control of type and use of external lighting associated with the development can be secured by a condition on any planning permission granted.
- Based on proposed plans and with any additional lighting controlled by condition there are no unmitigated effects identified that could impact Horseshoe or other bat activity in the area on and around the site.

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?

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

Habitat Regulations (River Wye SAC) – Foul Water

Unless otherwise approved in writing by the planning authority, all foul water created by any development permitted under this permission shall discharge through connection to the existing private foul water system discharging to a soakaway drainage field located on land under the applicant's control.

Reason: *In order to comply with 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'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD4.*

Protected Species and Lighting (Dark Skies)

At no time shall any external lighting except low power (max 550 lumens/5watts), 'warm' LED lighting in directional down-lighter luminaires, on motion operated and time-limited switches required in relation to the immediate safe use of the approved holiday accommodation and associated facilities be installed and no permanently illuminated external lighting shall be operated at any time, without the written approval of this local planning authority.

All lighting installed shall demonstrate compliance with latest best practice guidance relating to lighting and protected species-wildlife available from the Institution of Lighting Professionals.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to 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'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3.