



## 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 authority to make the assessment.

### **The Project / Plan**

#### 1.1 Planning Application Reference Number, Description and Address

Application reference number: 252059  
Address: Temeside Inn, Little Hereford, Ludlow, Herefordshire, SY8 4AT  
Description: Proposed change of use of public house to a single dwellinghouse with new porch, partial demolitions and associated external works  
Applicant: Mr John Leonard  
Case officer: Mr Jack Dyer

Location OSGR: 354715, 268187  
Link to Planning Application on Herefordshire Council Website:  
[Planning Application Details - Herefordshire Council](#)

#### 1.2 Description of the plan or project (details)

Proposed change of use of public house to a single dwellinghouse with new porch, partial demolitions and associated external works

#### 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:

n/a

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

0.37 public house

#### 1.6 Surrounding land use and context in relation to designated sites

River Teme - agricultural

## **Relevant Habitats (Natura 2000) site(s)**

*Please select all that apply from:*

- River Wye Catchment SAC (including schemes impacting on the linked River Lugg SSSI)
- River Clun SAC
- Wye Valley Woodlands SAC
- Downton Gorge SAC
- Wye Valley & Forest of Dean Bat Sites SAC (Wigpool Iron Mines SSSI)
- Other site (River Teme SSSI)

### **Details of the Site:**

#### **2.River Clun SAC**

The River Clun SAC covers 14.93ha in Shropshire and Herefordshire.

#### **Designated features**

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:

- Freshwater pearl mussel *Margaritifera margaritifera*

#### **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 the habitats of qualifying species
- The structure and function of the habitats of qualifying species
- The supporting processes on which the 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 Clun SAC - UK0030250 \(naturalengland.org.uk\)](http://naturalengland.org.uk)

#### **Site Condition**

Site condition is taken from the constituent SSSI units for the River Teme SSSI

# River Teme SSSI

Unit	Unit name	Condition	Condition Threat Risk	Habitat	Area (ha)	GridRef
006	RIVER CLUN	Unfavourable - Declining	High	RIVERS AND STREAMS	14.9628 ha	SO 395 753
007	Source to confluence Ffrwdwen Brook	Unfavourable - No change	High	RIVERS AND STREAMS	47.3846 ha	SO 218 780
008	Conflu with Ffrwdwen Brook to conflu River Clun	Unfavourable - No change	High	RIVERS AND STREAMS	61.8476 ha	SO 327 731
009	Confluence River Clun to confluence River Onny	Unfavourable - No change	High	RIVERS AND STREAMS	65.1889 ha	SO 436 736
010	Confluence River Onny to confluence River Rea	Unfavourable - No change	High	RIVERS AND STREAMS	94.2148 ha	SO 545 707
011	Confluence River Rea to confluence River Severn	Unfavourable - No change	High	RIVERS AND STREAMS	157.3202 ha	SO 741 595

## Other Relevant Documents

There is a Site Improvement Plan for the River Clun which can be found at [Site Improvement Plan: River Clun - SIP188 \(naturalengland.org.uk\)](#)

## Stage1: Preliminary Screening including Likely Significant Effects (LSE)

Completed by:

Ecology (J Bisset)

Date: 14/11/2025

### 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?	NA/Not exempt

### Table 2: Screening for Likely Significant Effects (LSE)

Key issues considered:

- Foul water
- Water pollution
- Surface water
- Construction or Demolition processes
- Protected species impacts (direct)
- Protected species impacts (indirect)
- Impacts upon supporting habitats

Details of key issues & identification of potential effect pathways

New-additional nutrient pathways  
Directly adjacent to River Teme SSSI  
Impacts on species of the Clun SAC due to effects on linked River Teme SSSI

**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).

<p>Are there any potential effects of the project or plan when considered alone?</p>	<p>Yes -</p> <p><i>If 'yes' then proposal must be carried forward to the Appropriate Assessment Stage.</i></p> <p><i>If 'no' then proposal must still be considered in-combination below.</i></p> <p><i>The identification of a potential effect pathway is sufficient to require an Appropriate Assessment i.e. no judgement on significance/ or threshold is applied at screening stage. Existence of a pathway is considered to be an LSE.</i></p>
<p>Are there any potential effects of the project or plan <u>in combination</u> with other projects or plans?</p>	<p>Yes as potential effects alone and in-combination/cumulatively with other relevant projects.</p> <p><i>If 'yes' then proposal must be carried forward to the Appropriate Assessment Stage.</i></p>

Natural England consultation reference and summary (if available):

XXXXXX

**Summary of LSE test conclusions**

**Likely significant effects – Appropriate Assessment required.**

**Stage 2: Appropriate Assessment**

Completed by:

Ecology (J Bisset)

Date: 14/11/2025

**Appropriate Assessment statement including alone, impacts in-combination and discussion of proposed mitigation measures**

Complete the tables and boxes below, deleting as necessary. Where information is taken from supporting documents this should be quoted and fully referenced. Any documents not available on the Council’s website should be provided to Natural England when they are consulted.

**Table 3: Impacts of the plan/ project alone + mitigation measures**

Complete boxes as appropriate below and delete boxes for potential effect pathways which are not relevant:

The River Clun is currently in full nutrient neutrality in respect of Nitrogen and Phosphate pathways. The River Teme SSSI (currently in unfavourable condition as assessed by Natural England including due to identified excess of nutrients). This unfavourable condition potentially has an effect on Salmon species populations that are intrinsically linked to the Fresh Water Pearl Mussel that is a notified feature species of the River Clun SAC that forms part of the catchment of the Teme linked by the two rivers confluence at Leintwardine. The LPA needs to ensure developments do not contribute further to

this unfavourable condition or would hinder improvements away from unfavourable status. In this specific case nutrient flows/pathways are the considered effect.

**Notes in respect of HRA**

The proposal is for one new residential dwelling with change of use of the complete curtilage to residential use.

- The existing building is a Public House with linked staff/owner residential accommodation located on the upper floors. An existing residential use is identified.
- The existing residential use provides a baseline for consideration of effects of residential foul water flows on the River Teme SSSI (linked Clun SAC).
- This is considered as a ‘like for like’ change of use in respect of residential usage of the site.
- As a ‘like for like’ project there are no identified additional or new residential foul water flows created by the proposed development.
- No new or additional nutrient pathways into the River Teme SSSI are identified from the proposed development and this adverse effect is considered as being ‘screened out’ at stage 1 of the HRA process.

The proposed development’s construction phase is identified as having a potentially direct and indirect effect on the immediately adjacent River Teme SSSI.

A fully comprehensive ecological and environmental ‘Construction Environmental Management Plan should be secured as a pre-commencement condition. The CEMP must ensure all potential environmental effects are fully considered alongside detailed ecological working methods and species specific Risk Avoidance Measure are implemented.

The River Teme is known to support an active Otter population and any works impacting the river bank or other accessible areas of land in anyway will likely require a specific Otter Mitigation Licence to be obtained from Natural England. If not obtained a clear, scientifically evidenced, demonstration as to why it is not required should be included in the CEMP supplied for approval.

There is also potential for changed/increased external illumination to directly impact local protected species, including those associated with the River Teme SSSI.

A condition to ensure there is NO illumination of the river or its immediate bank and any new lighting associated with the residential dwelling are controlled is requested on any planning permission granted.

**Table 4: Remaining Impacts**

None
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**Table 5: Consequences for Conservation Objectives of the Designated Site**

Impacts on maintaining the favourable condition of the site	No
Disruptions or delays in progress towards achieving the conservation objectives of the site	No
Alterations to natural progression or other natural changes within the site	No
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	No

indicators of the favourable condition of the site, including from disturbance	
Alterations to the ecological relationships and balance between species and habitats that are key to the structure/ function of the site	No
Alterations to nutrient balance or other processes vital to the functioning of the ecosystem	No

**Table 6: Integrity Test**

Will there be an impact upon the Integrity of the Designated Site?

No

**Table 7: Are there Alternative Solutions to the proposal?**

If adverse effects on the integrity of the site, either alone or in combination, cannot be ruled out through avoidance or mitigation then alternative solutions must be considered.

No

**Please Note:** Where there are no satisfactory alternatives then consideration may be given to whether the proposal could follow the Imperative Reasons of Overriding Public Interest (IROPI) route. Is this option is under consideration for a plan or project then specialist legal advice should be sought and followed.

**Table 9: Recommended planning conditions to secure mitigation which is required in order to achieve no effect on integrity of the Designated Site.**

<p><b>River Teme SSSI (River Clun SAC) –Construction Environmental Management Plan</b>  Before any works, including site clearance or demolition begin; or equipment and materials are moved onto site, a Construction Environmental Management Plan (CEMP) including a full Ecological Working Method Statement and a specified 'responsible person', shall be submitted to the local planning authority for written approval. The Ecological working measures section shall be based on an ecological assessment no more than SIX months old. The approved CEMP shall be implemented and remain in place throughout the construction phase until all works are complete on site and all equipment and spare materials have finally been removed.</p> <p>Within three months of receiving the protected species licence(s) from Natural England, a copy of the issued licence and results of any additional supporting survey works completed, shall be submitted to, and acknowledged in writing by the planning authority. If post implementation monitoring surveys are required by Natural England Licence a copy of all survey results should be submitted to the planning authority within 3 months of any such surveys being completed.</p> <p>Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and the council's declared Climate Change &amp; Ecological Emergency.</p> <p><b>River Teme SSSI and Protected Species – Illumination and Dark Skies (external illumination)</b>  No external or internal transmitted lighting resulting from the approved development or its use shall at any time cause any illumination of the River Teme or 10m of bank from the river edge.</p> <p>Subject to previous constraint, no external lighting or external luminaires of any kind shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and</p>
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below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

*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; and the council's declared Climate Change and Ecological Emergency*

#### **Conclusion of the Appropriate Assessment:**

**Herefordshire Council, as a Competent Authority under the Habitat Regulations 2017, Part 6, section 63(5) concludes that **there would be NO** adverse effects on the integrity of the Special Area of Conservation; subject to appropriate mitigation being secured via the planning conditions listed above. Planning Permission can legally be granted.**

**Please Note:** The authority must consult Natural England on the draft HRA and must have regard to the advice of Natural England before granting planning permission.