

# Habitats Regulations Assessment



Cusop  
Neighbourhood Area

Addendum

August 2017

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## 1.0 Introduction

- 1.1 To ensure that the requirements of the Habitats Directive and Regulations are met, it is necessary to consider the proposed amendments through the HRA process to the Cusop NDP. The NDP has now been through an Independent Examination by Liz Beth and within her report he has recommended a number of minor modification to ensure that the plan meets the Basic Conditions.
- 1.2 Herefordshire Council have accepted these modifications to the plan. The NDP has therefore been updated to reflect the modifications suggested. These modifications are minor in nature and have now been assessed as part of the HRA and full results can be viewed in Appendix 3.
- 1.3 The purpose of this further HRA Addendum Report is to detail the findings of the screening of proposed changes to policies and consider if they significantly affect the conclusions of the earlier HRA Report (June 2016 and February 2017).

## 2.0 Screening of draft NDP

- 2.1 Regulation 102 of the Habitats Regulations 2010 requires that a Screening Assessment be undertaken, in order to identify the 'likely significant effects' of an NDP. Accordingly, a screening matrix was prepared and this determined the extent to which any of the policies within the Cusop NDP would be likely to have a significant effect on the River Wye SAC.
- 2.2 The findings of the screening matrix can be found in Appendices 1 and 2 of that report.
- 2.3 The screening matrix took the approach of screening each policy and objective individually, which is consistent with current guidance. The results from the HRA reports for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 None of the Cusop NDP objectives and policies (June 2016 and February 2017) were concluded to be likely to have a significant effect on the European site. This conclusion is based on assumptions and information contained within the Cusop NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).
- 2.5 In many cases this is because the many of the policies themselves would not result in development, i.e. they related instead to criteria for development. In several cases the policies also included measures to help support the natural environment including biodiversity.
- 2.6 It is unlikely that the Cusop Neighbourhood Plan will have any in-combination effects with any Plans from neighbouring parish council due to the level of growth proposed is of the same that is proposed for the Golden Valley Housing Market Area in the Herefordshire Core Strategy
- 2.7 Therefore it was concluded that the **Cusop NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC.**
- 2.8 The proposed amendments within the submission NDP have been screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in June 2016. A summary of the main findings is provided below.

## 3.0 Summary of main findings – modifications to NDP

- 3.1 The Submission NDP (February 2017) incorporates additional or amended policy wording to add clarity and emphasis throughout the document.
- 3.2 Modifications made to 7 policies of the plan are considered to be minor and would not have a significant effect on the results previously assessed. These were points of clarity and minor word changes. Two new policies have been added to the document, regarding the conversion

of existing residential properties and parking. Either are considered to have a significant effect on the River Wye SAC and existing safeguards are present within the Core Strategy, Cusop NDP and the Nutrient Management Plan.

- 3.3 The revised NDP policies are therefore unlikely to result in significant effects on the European site, a conclusion of which is based on assumptions and information contained within the Cusop NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).

#### **Summary of the main findings - following examination**

- 3.4 The final NDP incorporates the modifications that the examiner has recommended within the Examiner's Report. These changes are to ensure that the plan meets the Basic Condition. Full details of the modifications can be seen in Appendix 2 of this Addendum.
- 3.5 No new policies have been introduced into the final NDP following the examination; there have been some minor word changes, none of the modifications significantly alter the direction or stance of the submission policies which were previously assessed.
- 3.6 The final NDP policies are therefore unlikely to result in significant effects on the European site, a conclusion of which is based on assumptions and information contained within the Peterchurch NDP, the Herefordshire Local Plan (Core Strategy) and the HRA for the Local Plan (Core Strategy).

#### **4.0 Conclusion**

- 4.1 With reference to section 3 above, the modification to the NDP are not considered to affect the findings of the previous HRA report.
- 4.2 Therefore the earlier conclusion that the **Cusop NDP will not have a likely significant effect on the River Wye SAC** remains valid.

#### **5.0 Next steps**

- 5.1 This Addendum Report will be published the final Cusop NDP and the earlier HRA Report and its Addendum

# Appendix 1

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**Consultation date: 9 March to 20 April 2017**

**Consultation title:** Cusop Neighbourhood Plan Regulation 16

*N.B. This consultation feedback is **only** for comments received on the HRA of the draft Neighbourhood Development Plan (June 2016)*

| Consultee               | Summary of Comments   | Response to Comments |
|-------------------------|---|----------------------|
| Natural England         | Comments received to policy text but not specifically regarding the HRA |                      |
| Heritage England        | Comments received to policy text but not specifically regarding the HRA |                      |
| Environment Agency      | No comments received  |                      |
| Natural Resources Wales | No comments received  |                      |

# Appendix 2

## Appendix 2 – Modifications following the Cusop NDP examination

| Policy                        | Modification recommended   | Justification  |
|-------------------------------|--|--|
| Modification 1<br>Front cover | The cover of the Cusop NDP is recommends to give the document title of;<br><br>'Cusop Neighbourhood Development Plan' and show the time period of 2011-2031  | For clarity  |
| Modification 2<br>Policy 3    | Policy 2 to be reworded as shown:<br><br>New dwellings may be developed elsewhere within the settlement boundary provided that they meet the requirements of all other relevant policies in this neighbourhood plan and the development plan generally.                      | To future proof the document                           |
| Modification 3<br>Policy 12   | Alter to read:<br><br>Development proposals must protect the character and scenic beauty of Cusop Hill and views of it from the Cusop settlement and Parish. The extent of this asset and their directions of views of it for the purpose of this policy are shown on Map 3. | To ensure policy only covers that within the plan area |



# Appendix 3

HRA Report – Cusop Neighbourhood Plan (Aug 2017) - HRA Screening of final Neighbourhood Development Plan Policies

Date undertaken: **Aug 2017**

| NDP objectives, policies                                 | HRA Screening of final NDP objectives and policies                                       |   |                                     |  |   |
|--|--|---|-------------------------------------|--|---|
|  | Likely activities (operations) to result as a consequence of the objective/option/policy | Likely effect if objective/option/policy implemented. Could they have Likely Significant Effects (LSE) on European Sites? | European Sites potentially affected | Mitigation measures to be considered, as necessary, through redraft of objective/option/policy.  | Could the policy have any likely significant effects on European sites (taking mitigation into account)?  |
| Policy 3<br>New dwellings within the settlement boundary | Criteria for new homes within the settlement boundary                                    | No significant effects  | River Wye SAC                       | The implementation of policy SD3 and SD4 should help to avoid any adverse impacts in relation to the hydrological regimes of the River Wye SAC. Water quality is also addressed through the Nutrient Management Plan produced by Natural England and the Environment Agency. | No, this policy will allow for small scale development in line with policy RA2 of the Core Strategy. Safeguards exist with the Core Strategy and the Nutrient Management plan |
| Policy 12<br>Cusop Hill                                  | Protection of Cusop Hill   | n/a   | n/a                                 | n/a  | No; this policy is seeking to protect the character and views of Cusop Hill   |

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