

# Habitats Regulations Assessment



Cusop  
Neighbourhood Area

Addendum

February 2017



**Herefordshire  
Council**

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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 was refined by the NDP steering group to reflect feedback from consultation on the Draft Plan and Draft Environmental and Habitat Regulations Assessment (HRA) Reports, refer to Appendix 2.
- 1.2 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).
- 1.3 The majority of refinements are not considered to significantly affect the conclusions of the earlier HRA report as many were points of clarification. A number of policies have been modified to make minor clarification as a result of the representations to the draft consultation. Two policies have been added following the consultation, however there were no changes to the overall vision and objectives of the existing planning policies.

## 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) 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).

#### **4.0 Conclusion**

- 4.1 With reference to section 3 above, the additional criteria added to a number of policies and the two new policies are not considered to affect the findings of the previous HRA report and strengthen the likelihood of there being no adverse impacts.

- 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 alongside both the Submission NDP and earlier HRA Report for consultation. Any changes to the plan that arise from this consultation and the examination will be subject to further screening, in order to consider their impact on protected sites.

# Appendix 1

HRA Report – Cusop Neighbourhood Plan (February 2017) - HRA Screening of submission Neighbourhood Development Plan Policies

Date undertaken: **February 2017**

Core Strategy HRA version: **Herefordshire Core Strategy (October 2015)**

NDP objectives, policies	HRA Screening of Emerging 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 New dwellings within the settlement boundary Minor word change	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 5 Extension of dwellings Additional wording	Extensions to existing properties	n/a	n/a	n/a	No, although there may be a small rise in the use and disposal of water, policy safeguards existing within

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to ensure original building remains dominate					policy SD3 and SD4 of the Core Strategy and the Nutrient Management Plan.
Policy 6 Conversion of residential buildings New policy	Conversion of existing properties	n/a	n/a	n/a	No, existing policy safeguards exist.
Policy 8 Parking New policy	Ensure parking is included within schemes	n/a	n/a	n/a	No, this policy is seeking to ensure adequate parking is provided
Policy 10 Extension to Newport Street employment land Additional criteria regarding flood risk assessment	Allocation of employment land Increase traffic levels Potential increase in abstraction and water use	This site is not within 100m of the River Wye SAC, it is close to the flood plain  The criteria is now added to require a flood risk assessment to be undertaken	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, policy safeguards within the Core Strategy will help mitigate any issues.
Policy 11	Employment outside the	No likely significant	River Wye SAC	Core Strategy policy	No, this policy is

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<p>Employment generating proposals outside of the settlement boundary</p> <p>Minor word change</p>	<p>settlement boundary</p>	<p>effects</p>		<p>LD2 will aim to help avoid any adverse impacts on the River Wye SAC.</p> <p>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.</p>	<p>seeking to support small scale rural employment in line with Policy RA6.</p> <p>Policy safeguards exist within the Core strategy policies that will help mitigate potential effects.</p>
<p>Policy 12</p> <p>Cusop Hill</p> <p>Minor word change</p>	<p>Protection of Cusop Hill</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	<p>No; this policy is seeking to protect the character and views of Cusop Hill</p>
<p>Policy 14</p> <p>Dulas Brook</p> <p>Minor word change</p>	<p>Protection of Cusop Dingle and Dulas Brook</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	<p>No, this policy will have a positive effect on the SAC as the Dulas Brook is part of its catchment</p>
<p>Policy 15</p>	<p>Reduction in lighting</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	<p>No, although this policy will have a</p>

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Avoiding light pollution  Wording change for clarification and flexibility					positive effect on many species particularly those who are nocturnal
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# Appendix 2

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**Consultation date: 15 August to 25 September 2016**

**Consultation title:** Cusop Neighbourhood Plan Regulation 14

*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	
English Heritage / Heritage England	Comments received to policy text but not specifically regarding the HRA	
Environment Agency	Comments received to policy text but not specifically regarding the HRA	
Natural Resources Wales	No comments received	