

**St Wenn Parish
SEA and HRA Screening Report**

**St Wenn Parish NDP
(March 2020 presubmission version)**

**Strategic Environmental Assessment
Habitats Regulations Assessment**

Screening Report

July 2020

St Wenn Parish SEA and HRA Screening Report

Contents

1. Introduction	4
2. Legislative Background	4
3. Habitats Regulation Assessment	6
4. Strategic Environmental Assessment Screening	7
5. Screening Outcome	15

St Wenn Parish SEA and HRA Screening Report

1. Introduction

- 1.1 This screening report is designed to determine whether or not the St Wenn Parish NDP (the NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also considers whether Habitats Regulations Assessment is required under Article 6 or 7 of the Habitats Directive.
- 1.2 The purpose of the NDP is to provide a level of local detail to the development plan, proposing policies to be used in determining applications within the parish.
- 1.3 The NDP Vision is: 'By 2030 we will ensure that the special characteristics of the Parish area, including its rural feel, distinctive buildings and relationship with the surrounding countryside and wildlife, are enhanced and protected, and that the local causes and impacts of climate change are effectively tackled'
- 1.4 This vision is underpinned by 6 objectives covering the topics of Natural Environment and Landscape, Heritage and Design, Housing, Employment and Business, Community Facilities and Climate Change. Under these themes sit 21 policies. There are no site allocations and no development boundaries are drawn; housing need is to be met through infill, brownfield and exception sites where required, although the level of registered local need is extremely low. The policies are criteria based, focusing on the quality of development, protection of the environment, combatting climate change, promoting small scale development to meet local needs and retaining community facilities.
- 1.5 The NDP Group have also commissioned the production of a Design Code, based on landscape and settlement character appraisal and have produced a combined evidence base document for ease of reference. These documents are attached.
- 1.6 The legislative background set out below outlines the regulations that require this screening exercise. Section 3 considers the need for Appropriate Assessment and Section 4 provides a screening assessment of the likely significant environmental effects of the Neighbourhood Plan and the need for a full SEA.

2. Legislative Background

Strategic Environmental Assessment

- 2.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment

St Wenn Parish SEA and HRA Screening Report

of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)

- 2.2. The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 2.3 However, Neighbourhood Plans are not Local Development Documents and are not required to be subject to sustainability appraisal by legislation (although it is advisable to carry out some form of sustainability assessment.) Neighbourhood plans are produced under the Localism Act 2011. In SEA terms, neighbourhood plans are treated as components of Local Plans. National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. The Localism Act 2011 also requires neighbourhood plans to be compatible with EU and Human rights legislation, therefore, depending on their content, neighbourhood plans may trigger the Strategic Environmental Assessment Directive and Habitats Directive
- 2.4 Figure 2.1 shows the SEA screening process, and Box 2.1 shows the criteria to be used for the main test that applies to neighbourhood plans, namely whether the plan is likely to have a significant environmental effect.
- 2.5 National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Potential triggers may be:
- **a neighbourhood plan allocates sites for development**
 - **the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan**
 - **the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan**

Habitats Regulation Assessment

- 2.6 Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This process also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).
- 2.7 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. Table 5.1 lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

St Wenn Parish SEA and HRA Screening Report

Sustainability Appraisal

2.8 The NPPG explains that there is no legal requirement for a neighbourhood plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A sustainability appraisal may be a useful approach for doing this.

2.9 This report therefore includes screening for HRA and SEA . Section 3 sets out the HRA screening, and provides that Appropriate Assessment if required. Section 4 shows the SEA screening process (fig 2.1), and Box 2.1 shows the criteria to be used for the main test that applies to neighbourhood plans, namely whether the plan is likely to have a significant environmental effect.

St Wenn Parish SEA and HRA Screening Report

3. Habitats Regulation Assessment

3.1 Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).

3.2 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. Table 5.1 lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

3.3 HRA screening must address the question, 'Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?' The table below appraises the effect of allocations or policies within the NDP which have the potential to significantly affect European sites within or with a pathway of impact from the NDP. The precautionary principle must be used when assessing whether adverse effects are significant.

European Site	Designated features	Threats/pressures	Pathways of Impact (arising from development relating to the NDP)	Likely significant effects (including in combination)	Screen in or out
River Camel SAC	Designated Habitats: <ul style="list-style-type: none"> • Alluvial Forests • European dry heaths • Old sessile oak woods Qualifying Features: <ul style="list-style-type: none"> • Atlantic Salmon • Bullhead 	<ul style="list-style-type: none"> • Water pollution • Water Abstraction • Weirs/dams/other structures • Invasive Species • Forestry and woodland management • Deer 	Water pollution	None	Out

St Wenn Parish SEA and HRA Screening Report

	<ul style="list-style-type: none"> • Otter 				
<p>The HRA of the Cornwall Local Plan concluded that unless it can be confirmed that the proposed levels of development can be accommodated within the existing STW consents then it would not be possible to confirm that no adverse effects on the integrity of the SAC would result from development.</p> <p>NE and the EA reported that ‘housing growth in Bodmin, up to the current permitted flow of the STW (approximately 1550 homes) is dependent on the improvements to Nanstallon STW which have been included in PR14 and the South West Water Business Plan, to protect the integrity of the River Camel SAC.’</p> <p>Development beyond the current permitted flow of the STW would require a permit variation and through this process the EA will ensure that there is no adverse effect on the River Camel as a result. Appropriate Assessment was carried out for the Local Plan and concluded no adverse impact resulting from development proposed by the Local Plan. The NDP does not propose development above that of the Local Plan. The NDP is therefore screened out for LSE on this SAC.</p>					
European Site	Designated features	Threats/pressures	Pathways of Impact (arising from development relating to the NDP)	Likely significant effects (including in combination)	Screen in or out
Breney Common and Goss & Tregoss Moors	<p>Qualifying habitats:</p> <ul style="list-style-type: none"> • European Dry Heaths • Atlantic Wet Heaths • Quaking Bogs <p>Qualifying Species:</p> <ul style="list-style-type: none"> • Marsh fritillary 	<ul style="list-style-type: none"> • Undergrazing • Inappropriate Scrub Control • Water pollution • Air pollution • Drainage/ Hydrocological Changes • Arson • Habitat Fragmentation 	None	None	Out

St Wenn Parish SEA and HRA Screening Report

European Site	Designated features	Threats/pressures	Pathways of Impact (arising from development relating to the NDP)	Likely significant effects (including in combination)	Screen in or out
Bristol Channel Approaches candidate SAC	Harbour porpoise	Disturbance from underwater noise Collision with vessels Tidal energy installations	None	None	Out

The Bristol Channel Approaches SAC was screened out at Local Plan level for the following reasons;

'The Draft Conservation Objectives and Advice on Activities document for the Bristol Channel Approaches SAC notes that 'Disturbance of harbour porpoise generally, but not exclusively, originates from activities that cause underwater noise' (which won't be associated with the Cornwall Plan) and that 'Any disturbance should not lead to the exclusion of harbour porpoise from a significant portion of the site for a significant period of time'. So in other words any disturbance would have to be substantial for it to potentially affect the population.

Collision with recreational boats (and shipping and tidal energy installations etc.) is mentioned as an activity that may have an impact but this is also noted as being 'medium/low' risk. The Draft Conservation Objectives and Advice on Activities document adds that 'Post-mortem evidence indicates that few collisions between harbour porpoise and vessels occur and is not a significant pressure for this species'. Based on this information, the above noted pressures upon the newly proposed Bristol Channel Approaches SAC designated for harbour porpoises can be screened out from further consideration.'

The St Wenn NDP does not propose any additional development over and above the Local Plan, nor are any activities proposed by the plan which could cause underwater noise and trigger disturbance. The NDP is therefore screened out for LSE on this SAC.

St Wenn Parish SEA and HRA Screening Report

4. SEA screening

4.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

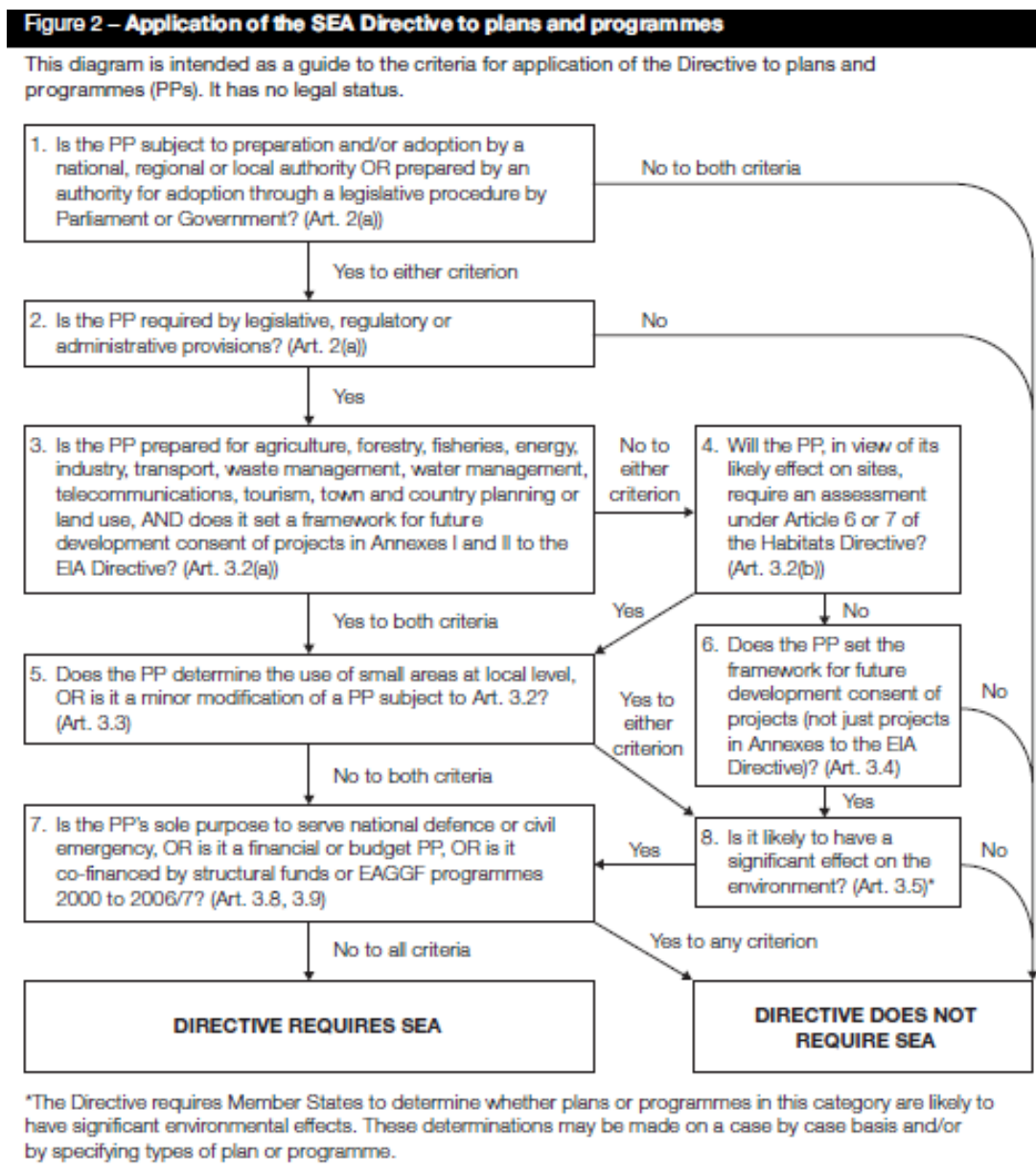
SCHEDULE 1 Regulations 9(2)(a) and 10(4)(a) CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT
<p>1. The characteristics of plans and programmes, having regard, in particular, to</p> <ul style="list-style-type: none"> - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources, - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy, - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development, - environmental problems relevant to the plan or programme, - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection). <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</p> <ul style="list-style-type: none"> - the probability, duration, frequency and reversibility of the effects, - the cumulative nature of the effects, - the transboundary nature of the effects, - the risks to human health or the environment (e.g. due to accidents), - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), - the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> - special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use, - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

St Wenn Parish SEA and HRA Screening Report

Figure 2 SEA screening flowchart

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required¹.



¹ Source: A Practical Guide to the Strategic Environmental Assessment Directive

St Wenn Parish SEA and HRA Screening Report

Table 4.1 Establishing the Need for SEA		
Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	Will be 'made' by Cornwall Council and used in decision making as part of the development plan.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Localism Act 2011
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N	Annex I and II projects are (typically) large scale industrial and commercial processes – the plan does not deal with this scale of development.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) (See para 4.2 above)	No	See Section 3 on Habitats Regulations Assessment
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Plan contains land use planning policies to guide development within the parish
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	The NDP will be 'made' and used as part of the development plan for determining planning applications in the Plan area
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See Table 4.2

**St Wenn Parish
SEA and HRA Screening Report**

Table 4.2 Likely significant effects on the environment	
SEA requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The Plan provides local criteria based policies to control the quality of development within the parish. There are no site allocations and the NDP does not plan for a specific apportionment of housing, but will support very small scale infill or exceptions sites should local need arise, essentially relying on and not adding to strategic policies.
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The neighbourhood plan must be in general conformity with the National Planning Policy Framework and the Local Plan. It does not influence other plans.
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	The neighbourhood plan must be in general conformity with the National Planning Policy Framework and the Local Plan which promote sustainable development. It will be examined against four basic conditions, one of which is whether the plan contributes to sustainable development.
4. environmental problems relevant to the plan or programme,	None
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	

St Wenn Parish SEA and HRA Screening Report

6. the probability, duration, frequency and reversibility of the effects,	The plan period is 2020-2030, to tie in with the Cornwall Local Plan.
7. the cumulative nature of the effects,	This is an extremely rural parish and there are no other plans, programmes or policies promoting development in this area. The NDP itself supports only a very low level of development and its main focus is on quality and preservation, so cumulative effects are minimal.
8. the transboundary nature of the effects,	N/A
9. the risks to human health or the environment (e.g. due to accidents)	N/A
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	<p>The Local Plan apportions a minimum of 400 units to the rural parishes in the Newquay and St Columb community network area and proportionately St Wenn represents 5% of this area's housing stock, so might expect to deliver approximately 20 units over the plan period. Since the start of the plan period (2010) sufficient housing has been delivered to meet the minimum apportionment in the network area, and St Wenn parish itself has had 13 completions and there are 9 commitments, as at March 31 2020. The NDP does not plan specifically for additional development, and any development likely to emerge from the neighbourhood plan would be very small scale.</p> <p>The parish covers an area of 1900 hectares; the resident population recorded in the 2011 census was 368 and the 2016 mid year estimate was 401.</p>
<p>11. the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> -special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use, 	<p><u>European Sites</u> Part of the River Camel SAC is within the parish and Breney Common and Goss and Tregoss Moor SAC and the Bristol Channel Approaches SAC are within 10 miles of the parish. These have been assessed in section 3 of this report and no impacts on their features arising from the NDP have been found.</p> <p><u>National and Local Designations</u> There are no National or Local Nature reserves within the parish.</p> <p>Rosenannon Bog and Downs SSSI covers an area of approx. 120 ha adjacent to the northern boundary of the parish. A stream flows down the exposed downs and the valley-bog is enclosed by a fringe of broad-leaved woodland. Rosenannon Bog and Downs provide important feeding and nesting habitat for a number of heathland birds</p>
12. the effects on areas or	Tregonetha & Belowda Downs SSSI lies along the southern boundary of the parish. It is of special interest principally because of the extensive area of lowland south-western heath and the associated

St Wenn Parish SEA and HRA Screening Report

landscapes which have a recognised national, Community or international protection status.

range of valley mire, bog and fen communities. The site forms one of the largest remaining tracts of heath and associated fen habitats within the mid-Cornwall moors. It also supports several nationally rare and scarce plants.

Rosenannon Valley County Wildlife Site lies in the centre of the parish, covering approx. 12 hectares and supporting BAP Priority Habitats: Wet Woodland, Purple Moor Grass and Rush Pastures and BAP Priority Species: otter.

No development is proposed affecting these designated sites and Policy 1: Green Infrastructure specifically recognises and protects them (page 23 and Map 2,p24) whilst Policy 2 promotes Biodiversity Net Gain and Policy 3 seeks to retain trees and hedges.

Landscape

The northern half of the parish is part of the Camel & Allen Valleys AGLV. This local landscape designation is protected by Policy 23 of the Cornwall Local Plan and by Policy 4 of the NDP (p.28) There is no AONB within the parish.

Heritage Assets

There are 21 entries on the National Heritage List for England including the Grade I listed church of St Wenna and 6 scheduled ancient monuments. A number of barrows and burial chambers are found on the downs along the northern boundary of the parish, close to the route of the Saints Way, a coast to coast Pilgrim's route from Padstow to Fowey. In the south eastern corner of the parish is the 'Demelza Castle' hillfort, commanding a strategic view over the River Camel.

Other listed buildings are predominantly farmhouses, reflecting the rural and agricultural nature of the parish. There are no site allocations which could specifically affect these assets, but the NDP has a focus on design, including local distinctiveness. Whilst the NDP recognises that strategic policies provide a strong protection for heritage assets, Policy 6: Design requires new development to take its cues from the accompanying Design Code and thereby reflect, respect and reinforce local architectural characteristics and historic distinctiveness.

St Wenn Parish SEA and HRA Screening Report

5. SEA Screening Outcome

- 5.1 As a result of the assessment in section 3, it is unlikely there will be any significant environmental effects on European Sites arising from the St Wenn Parish NDP and HRA is therefore not required.
- 5.4 The assessment in section 4 does not reveal any significant effects in the environment resulting from the St Wenn Parish NDP. The plan is for development of very small scale which does not impinge on environmentally sensitive areas within the parish. Furthermore, the policy framework exists in Cornwall Local Plan policies 23 and 24 and in the emerging NDP to ensure protection of the environment. SEA is therefore not required.