



Crowan NDP May 2018 pre-submission version

**Strategic Environmental Assessment
Habitats Regulations Assessment**

Screening Report

4 June 2018

**Crowan Neighbourhood Plan
SEA and HRA Screening Report**

Crowan Neighbourhood Plan SEA and HRA Screening Report

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1. Introduction

1.1 This screening report is designed to determine whether or not the contents of the Crowan Neighbourhood Development Plan (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 Crowan NDP is to achieve the vision:

‘In 2030, the Crowan Parish will be an even better area to live and /or work as the character of the Crowan Parish countryside will have been retained, whilst in the five main settlement communities at Crowan, Leedstown, Praze-an-Beeble, Nancegollan and Townshend the community facilities and services will have been improved. ‘

The key objectives of the NDP are

a) Housing Objective.

To ensure that new housing matches the needs of local people and is located in harmony with the surrounding environment and existing buildings;

b) Community Facilities, Amenities & Services Objective.

To provide a good quality of life in our villages with enhanced community facilities to meet changing needs whilst ensuring that the infrastructure of Crowan is developed and maintained to support the expectations and needs of parish residents;

c) Employment & Tourism Objective.

To support and encourage local businesses particularly those in agriculture, tourism, leisure and light industry together with micro-business start-ups, ensuring that people have good access to and opportunities for local employment;

d) Heritage, Landscape & Environment Objective.

To protect the Crowan heritage, biodiversity and its unique landscape character and the protected Wildlife Areas as well as the WHS, AGLV, and other environmental designations;

e) Renewable Energy Objective.

To encourage the solar generation of electricity, but with minimal impact on the landscape, agriculture & environment. ...

The NDP draws development boundaries around the main settlements of Townsend, Nancegollan, Praze an Beeble, Leedstown and Crowan. to accommodate a small amount of infill and rounding off (approx. 12 dwellings.) and has criteria based policies to protect the natural and historic environment, preserve community facilities and retain employment use.

1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the Neighbourhood Plan and the need for a full SEA or HRA.

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2. Legislative Background

2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment 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. The Localism Act 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 and unless they choose to complete a full SA plans will need to be screened for SEA separately.

2.4 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

2.5 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.) If the screening identifies likely significant effects Appropriate Assessment of the Plan will be required and the need for SEA is also automatically triggered.

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2.6 This report therefore includes screening for SEA and HRA and uses the SEA criteria and the European Site Citations and Conservation Objectives/Site Improvement Plans to establish whether a full assessment is needed.

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3. Criteria for Assessing the Effects of the Neighbourhood Plan

3.1 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

1. The characteristics of plans and programmes, having regard, in particular, to
 - 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).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - 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:
 - 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

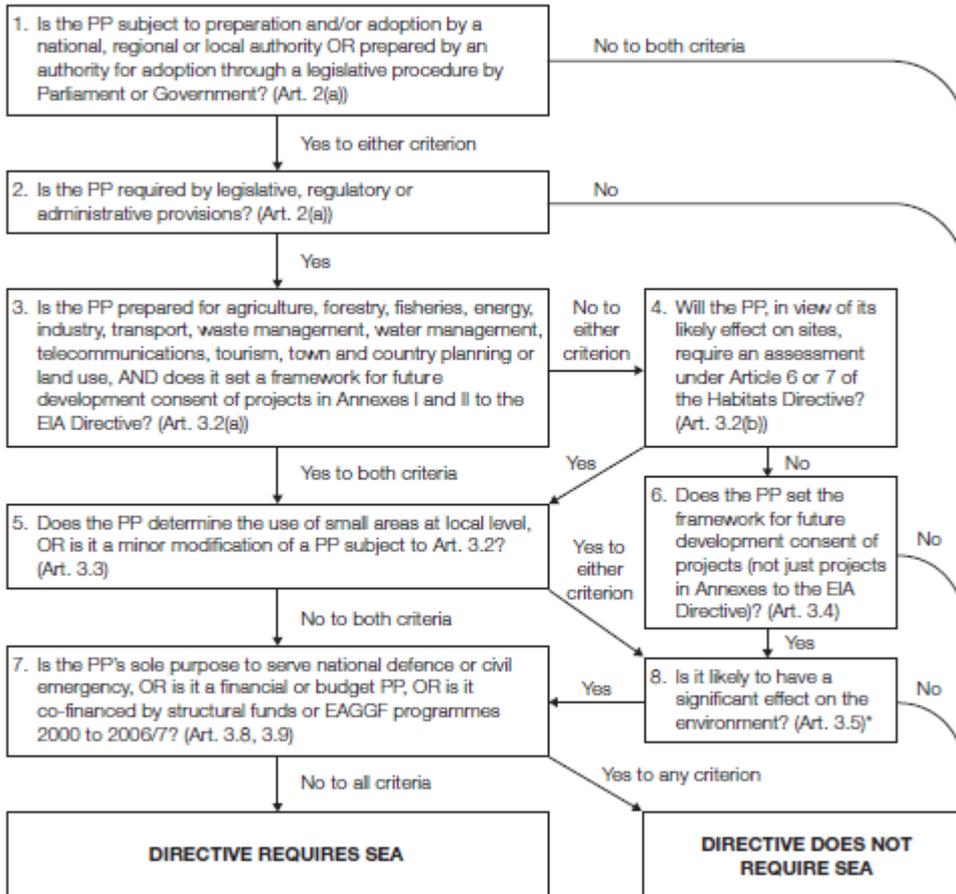
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4. Assessment

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

Figure 2 – Application of the SEA Directive to plans and programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

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

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4.2 HRA screening: 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(s) 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.

NDP Allocation or Policy : Settlement Boundaries Policy HT1

European Site	Designated features/ habitats	Conservation Objectives	Pathways of impact	Mitigation	LSE	Screen in or out?
Fal and Helford SAC	Qualifying habitats: <input type="checkbox"/> Atlantic salt meadows <input type="checkbox"/> Estuaries <input type="checkbox"/> Large shallow inlets and bays <input type="checkbox"/> Intertidal mudflats and sandflats <input type="checkbox"/> Reefs <input type="checkbox"/> Subtidal sandbanks Qualifying	European Site Conservation Objectives for Fal & Helford SAC 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; <input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species <input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats <input type="checkbox"/> The structure and function of the habitats of qualifying species <input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely	Recreation	Strategic solution in place through Local plan Policy22: European Protected Sites – mitigation of recreational impact from development	No	Out

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	species: <input type="checkbox"/> Shore dock	<input type="checkbox"/> The populations of qualifying species, and, <input type="checkbox"/> The distribution of qualifying species within the site.				

There are no European Sites within the parish, but the Fal and Helford SAC lies approximately 15 km to the south east of the NDP area. Screening of the Cornwall Local Plan revealed the potential for Likely Significant Effects (LSE) on the features of this site due to a possible increase in recreation and Appropriate Assessment was therefore carried out. Policy 22 puts in place a strategic solution for mitigation of recreational impacts. Surveys were carried out over the period of a year to establish the Zone of influence for recreational impact. The south eastern corner of Crowan parish lies within this zone of influence: of the settlements identified with a development boundary only Nancegollan lies within this zone and the development boundary only gives scope for very limited infill. But for any new housing development a financial contribution is taken from new development to fund mitigation measures which include an estuary officer, information signs and leaflets and education.

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4.3 SEA screening: The table below shows the assessment of whether the neighbourhood plan will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

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)	N	See section 4.2
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/A	
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See evaluation in table 2

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Table 2 likely significant effects	
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. The Plan aims to meet, but not exceed the Local Plan target for housing. The strategy for delivery of development is through settlement boundary with criteria based policies to ensure quality of development and protection of the environment.
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.
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 development plan 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,	N/A
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

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Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
6. the probability, duration, frequency and reversibility of the effects,	The plan period runs from adoption to 2030, to reflect the plan period of the Cornwall Local Plan. No allocations are proposed, but limited infill is envisaged.
7. the cumulative nature of the effects,	The housing statement of the NDP proposes a strategy to provide around 12 dwellings during the plan period – approximately 1 dwelling per year. Exceptions sites will also be permitted, in line with Cornwall Local Plan Policy 9, but only if local need is demonstrated. This is lower than past delivery rates of 6 per year (based on data since 2001.)
8. the transboundary nature of the effects,	Crowan is a rural parish with 5 small villages and a scattering of hamlets, in an inland rural area of Cornwall. The nearest larger towns are Camborne, approx. 5 km to the north and Helston, approx. 9 km to the south. Growth in these larger towns is unlikely to affect Crowan parish, since it is not a service, employment or leisure destination for those populations, and Crowan's NDP is unlikely to give rise to transboundary effects.
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),	The parish covers an area of approx. 31 square kilometres and the population on the 2011 census was 2,454.
11. 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, 	<p>A small area of West Cornwall Bryophytes SSSI encroaches over the boundary of the parish from Breage, close to Godolphin Estate. This is one of seven units making up this SSSI which are scattered across West Cornwall on former mine working sites. Designated for its population of rare and scarce bryophytes (mosses and liverworts) the condition of this part of the site was assessed on 2010 as unfavourable – recovering. https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S2000365 the settlement boundaries do not encroach on this site</p> <p>There are several County Wildlife sites within the parish: Clowance House and Park Polcrebo Downs Boquio Downs Crowan Beacon Crowan Reservoirs Nine Maidens Downs</p>

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	<p>And parts of Pendarves Wood & Trevoole Moor Relubbus Ponds</p> <p>The settlement boundaries do not encroach on the County Wildlife sites. Policy HE1 requires development to preserve or improve biodiversity, consider and protect wildlife corridors and retain trees, Cornish hedges, hedgerow and hedge bank. Proposals which meet other planning policies will normally be supported where they can demonstrate a significant improvement in biodiversity value and connectivity of wildlife sites.</p> <p>About a quarter of the parish area is part of the Tregonning and Gwinear Mining Districts, which are part of the Cornwall and West Devon Mining WHS. WHS status is valued by the local community and this is reflected in the NDP. http://www.cornish-mining.org.uk/areas-places-activities/tregonning-and-trewavas-mining-district</p> <p>Policy HLE2 requires: All developments within the parish should be in keeping with the heritage characteristics of their environment and be informed by a suitably detailed heritage assessment using the adopted WHS Supplementary Planning Document (2017) where appropriate. Proposed developments within or affecting the setting of the AGLV will not be supported unless they are of a scale, design and location to be in keeping with the distinctive landscape and heritage characteristics of the surrounding area. Development within or affecting the setting of the WHS should accord with the WHS management plan, respect key attributes and their settings and should not harm their ability to express the Outstanding Universal Value of the World Heritage Site. Such development should not negatively impact on the wider heritage value of the site or the surrounding area. All development should seek to conserve and enhance the quality and distinctiveness of the World Heritage Site as well as the wider historic environment.</p> <p>The WHS officer has advised on the wording of the policy.</p> <p>The National Heritage List for England shows 90 records for Crowan Parish https://www.heritagegateway.org.uk/Gateway/Results.aspx</p> <p>These include mining works and associated buildings, Clowance estate and cottages as well as Godolphin House and various churches. There are 5 scheduled monuments: Crowan Beacon - two burial cairns Nancegollan Mine engine house Three crosses at Clowance Hangman's Barrow</p>
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	<p>The settlement boundaries do not impinge on the scheduled monuments or their setting. Some of the listed buildings are within settlement boundaries and therefore there is scope for infill development in these areas. National and Local Planning policies provide a protective statutory framework – the NDP policy HLE2 does not replicate this but requires general protection for the historic environment.</p>
<p>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>Small areas at the Eastern boundary of the parish, including Crowan Beacon, are designated AGLV. None of the settlement boundaries are located within the AGLV. Policy HLE2 requires ‘Proposed developments within or affecting the setting of the AGLV will not be supported unless they are of a scale, design and location to be in keeping with the distinctive landscape and heritage characteristics of the surrounding area.’</p>

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5. Screening Outcome

5.1 As a result of the assessment in section 4.2, it is unlikely there will be any significant environmental effects on European Sites arising from the Crowan NDP and HRA is therefore not required.

5.2 The assessment in section 4.3 shows that the strategy and policies of the Crowan NDP are unlikely to give rise to significant effects on the environment and SEA is therefore not required.