

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

**Perranzabuloe NDP (Community Consultation Draft,
September 2021)**

**Strategic Environmental Assessment
Habitats Regulations Assessment**

Screening Report

January 2022

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1. Introduction

- 1.1 This screening report is designed to determine whether or not the Perranzabuloe Neighbourhood Development Plan (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 set policies to meet a number of locally important objectives, to help meet the challenges of climate change by ensuring that all new development is sustainable and to ensure that new housing development has a positive impact on the community. The plan seeks to ensure that the natural environment is conserved and enhanced, to protect water quality and to encourage the use of renewable energy sources and to reduce waste. It has aims to improve health, encourage active and sustainable transport, to preserve historic character and to support the local economy.
- 1.3 The Plan includes settlement boundaries for the villages of Perranporth, Goonhavern and Bolingey with limited development supported outside these boundaries. No housing sites are allocated; a Principal Residence policy is proposed. The parish sits within the St Agnes and Perranporth CNA which is defined as a rural area; in the Local Plan, a target of 1100 homes was set for the CNA (to 2030) and this has already been exceeded. The NDP does not propose building more homes than those allocated in the Local Plan.
- 1.4 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.

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 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)

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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.

Sustainability Appraisal

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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 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.

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3. Habitats Regulation Assessment

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.).

5.2 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.

5.3 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.

Table 5.1 European Sites

European Site	Designated features	Threats/pressures	Pathways of Impact (arising from development relating to the NDP)	Likely significant effects ((LSE) including in combination)	Screen in or out
Penhale Dunes SAC	H2120. Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes"); Shifting dunes with marram H2130. Fixed dunes with	<ul style="list-style-type: none"> • Inappropriate coastal management • Invasive species • Change in land management 	Recreational Impact from additional residents and tourists	Potential risks Strategic solution in place through Local plan Policy 22: European Protected Sites – mitigation of	In

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	<p>herbaceous vegetation ("grey dunes"); Dune grassland</p> <p>H2170. Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>); Dunes with creeping willow</p> <p>H2190. Humid dune slacks S1395. <i>Petalophyllum ralfsii</i>; Petalwort</p> <p>S1441. <i>Rumex rupestris</i>; Shore dock</p> <p>S1654. <i>Gentianella anglica</i>; Early gentian</p>	<ul style="list-style-type: none"> Public Access / Disturbance 		recreational impact from development ¹	
Bristol Channel Approaches ²	Harbour Porpoise			None	Out

¹ Notes: Penhale Dunes SAC lies within 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. 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 and therefore a financial contribution is taken from new development to fund mitigation measures which include dog wardening, dog bins, information and education, notices and parking restrictions. [European Sites Mitigation, Supplementary Planning Document \(cornwall.gov.uk\)](#)

² Notes: The Bristol Channel Approaches CSAC was screened out at Local plan level for the following reasons;

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SAC / Dynesfeydd Mor Hafren					
Fal and Helford SAC	Sub tidal Sandbanks Reefs Estuaries Intertidal mudflats and sands shallow inlets and bays		Recreational	Potential Risks This SAC is mostly outside of the 10km boundary but the closest point is within 10km of the parish boundary. Mitigation plan is in place for recreational impacts arising from development within 12.5km of the SAC. European Sites Mitigation, Supplementary Planning Document	In

The Draft Conservation Objectives and Advice on Activities⁴ document for the Bristol Channel Approaches pSAC 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'.

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				(cornwall.gov.uk)	
Godrevy Head to St Agnes SAC	Temperate Atlantic Wet Heaths European Dry Heaths Species: Early Gentian	Change in land management Air pollution- risk of atmospheric nitrogen	None	None In neighbouring St Agnes parish but within 10km of parish boundary.	Out
Carrine Common	Habitats: Temperate Atlantic Wet Heaths European Dy Heaths	Inappropriate coastal management Invasive species Change in land management Public Access/ Disturbance	Recreation	Potential risk In Kea Parish but within 10km of Perranzabuloe	In
Newlyn Downs SAC	Temperate Atlantic wet heaths; Wet heathland European dry heaths	Invasive species Air pollution (risk of atmospheric nitrogen deposition) Public access / disturbance	Recreational	Potentially In St Newlyn East parish but within 10km	In

The Local Plan HRA (Oct 2014) identifies that Penhale SAC is particularly vulnerable due to recreational pressures (especially from tourists rather than local residents). It concludes that restrictions on new housing are not appropriate (p62) even though some additional recreational pressure would be likely from Local Plan development. It states

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4.4.28 *This site lies within the St Agnes and Perranporth CNA. Both key settlements within the CNA (St Agnes and Perranporth) lie within 10km of the SAC. Discounted for existing housing commitments, the Local Plan intends to deliver approximately 610 new dwellings within these two settlements. The current and committed housing stock is 8,933 dwellings³ so the Local Plan would result in a 7% increase in housing stock and potentially (as a worst) case, a similar increase in the population.*

This site also lies adjacent to the Newquay and St Columb CNA. The CNA has a population of approximately 27,000, of whom the majority (around 80%) live in Newquay itself. Most of the CNA lies well within the large core catchments that surveys indicate are more typical of coastal sites (e.g. c.10km), with Newquay approximately 5km from the SAC. Discounted to allow for sites delivered since 2010 and existing commitments (i.e. sites with planning permission) means that the Local Plan seeks delivery of approximately 1,920 new dwellings within the CNA. The current existing and committed housing stock within the CNA is 15,907⁴. Therefore the Local Plan would result in a 12% increase in housing stock within the CNA (as a worst-case scenario as that assumes that all currently uncommitted housing would be additional to existing housing rather than replacement dwellings).

The Site Allocations HRA (2017)⁵ identified that Penhale Dunes SCA was at risk from a number of pressures including:

- *Impedance of natural dune processes; visitor pressure (e.g. sand extraction, visitor trampling impacts, ploughing or conversion to improved grassland); hydrological balance; grazing; uncontrolled fires; mechanical beach clearing or 'tidying-up'; and scrub invasion are key threats.*
- *Shore dock specifically, requires available habitat through coastal erosion and slumping.*
- *Early gentian vulnerable to competition (therefore change in dynamics from for example, increased nutrients).*
- *The site is considered vulnerable to recreational disturbance, particularly erosion resulting from horse riders, walkers, and also nutrient enrichment (from dog fouling). The site is identified in the Local Plan HRA as requiring a strategic approach to mitigation for in-combination effects as a result of recreational disturbance. In-combination visits from residents occupying housing within 12.5 km are considered likely to result in significant effects.*

A more recent HRA, carried out as part of our Climate Emergency DPD, identified a number of pressures on the SAC but concluded that as no additional development was proposed, no new risks had been identified for Penhale Dunes.

³ 8,443 dwellings as of 2010, with a further 490 housing commitments

⁴ 13,677 existing dwellings and 2,230 committed dwellings

⁵ [d2-allocations-dpd-hra_final-draft_240217.pdf \(cornwall.gov.uk\)](#)

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- *Yes – the site is sensitive to the impact pathway coastal squeeze as a result from brownfield development immediately inland from the SAC, which could restrict qualifying habitats to a narrowing zone.*
- *Furthermore, ammonia / nitrogen deposition from agricultural developments may lead to changes in species abundance and community composition.*
- *While the site is sensitive to changes in its hydrological regime, specifically a lowering of the water table, the DPD is not associated with increases in water abstraction (as no residential or employment sites are being proposed).*
- *Recreational trampling) will not arise from the DPD.*

The HRA also identifies that the Penhale SAC may be vulnerable to ‘coastal squeeze’, although this would not be exacerbated by any of the policies in the NDP as they do not propose additional housing.

A European Sites mitigation SPD was produced by Cornwall Council in June 2021, covering both Penhale Dunes and the Fal and Helford SAC for any new development within 12.5km. [European Sites Mitigation, Supplementary Planning Document \(cornwall.gov.uk\)](https://www.cornwall.gov.uk/european-sites-mitigation-supplementary-planning-document)

As the Perranzabuloe NDP does not contain any additional allocations over and above the Local Plan targets, or policies which would allow housing in addition to that which would already be permitted through policies 3, 7 and 9 of the CLP, it is therefore possible to conclude that there will be no residual impact on the habitats or species of any of the identified European sites as a result of the NDP.

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Appropriate Assessment

Screening of the Cornwall Local Plan revealed the potential for Likely Significant Effects (LSE) on the features of these sites due to a possible increase in recreation. The Fal and Helford SAC is to the South East (on the south coast) of the parish area the edge of the parish is within the zone of influence but the main settlements of Perranporth, Bolingey and Goonhavern are outside of the ZOI.

All settlements within the parish are within the ZOI of the Penhale Sands SAC; the Local Plan HRA notes that as all nearby settlements are relatively small, the most significant recreational pressure on the SAC is likely to come from tourists, rather than from an increased population due to housing development.

The St Agnes and Godrevy Head SAC is sensitive to recreational pressures and most of Perranzabuloe parish is within its ZOI. However, the primary pressure on this site is from tourists rather than the local resident population. Policies (TO1 and TO2) in the NDP support the development of new tourist accommodation (hotels, holiday lets and lodges but not camping and caravan sites) but do not set any targets for development and only where 'there would be no adverse impact on the landscape character of the area or impacts can be satisfactorily mitigated'

Both Carine Common SAC and Newlyn Downs SAC have parts of the parish within the ZOI but as there are closer recreational sites, new development within Perranzabuloe is unlikely to lead to any significant increase in recreational use.

The plan does not propose any additional housing beyond that in the Cornwall Local Plan, nor does it allocate any specific sites for housing.

Cornwall's Local Plan, Policy 22, puts in place a strategic solution for mitigation of recreational impacts influence and therefore a financial contribution is taken from new development to fund mitigation measures e.g. dog wardening, dog bins, information and education, notices and parking restrictions. Therefore in combination with the Cornwall Local Plan the NDP should have no adverse effect on the integrity of the Fal and Helford SAC, Penhale Sands SAC or the other SAC identified in table 5.1 A standard AA is available for new residential development within the ZOI.

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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

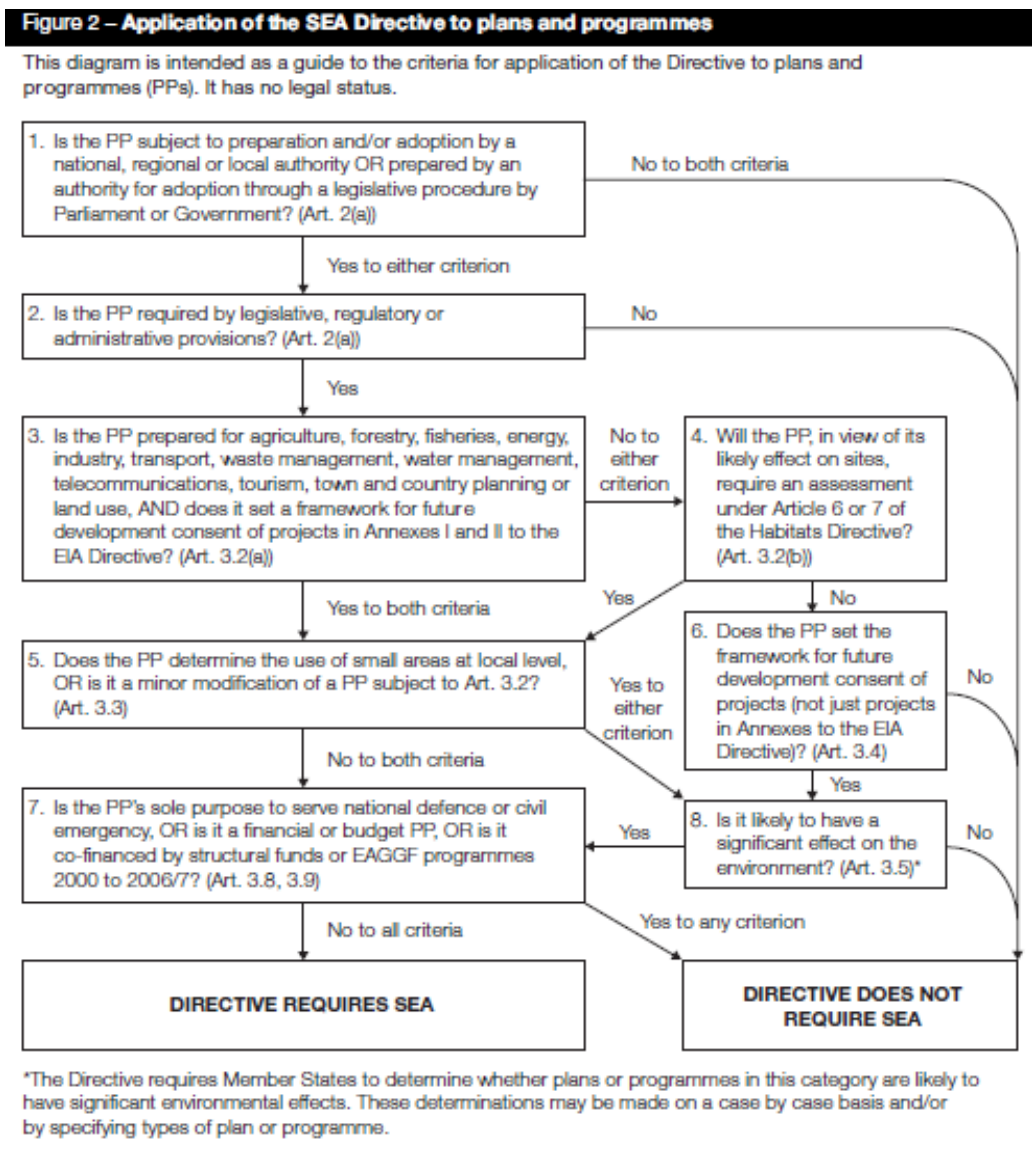
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which 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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Figure 2 SEA screening flowchart

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required⁶.



⁶ Source: A Practical Guide to the Strategic Environmental Assessment Directive

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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)	N	See section 4.2: An appropriate assessment has been carried out. The findings are that a strategic solution is in place to mitigate against recreational impacts.
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)	N	See Table 4.2

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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.
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,	<p>The following environmental problems have been identified in the neighbourhood plan area:</p> <p>Areas prone to flooding – zone 3 and 3b including through Bolingey and Perranporth where development is likely.</p> <p>Small area of AONB and Heritage Coast along the coast where the parish joins St Agnes. AGLV designation around Penhale Dunes</p> <p>SSSI around Penhale and smaller sites in the south of the parish</p> <p>Penhale SAC at potential risk of damage from recreational users (see HRA section above)</p> <p>Relatively high numbers of second and holiday homes.</p> <p>Map 6 in the NDP shows the important designations and constraints within the parish.</p>
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:	

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6. the probability, duration, frequency and reversibility of the effects,	The plan period runs to 2030, in line with the Cornwall Local Plan, and contains policies to manage development for that period. The plan does not propose housing above the allocations in the LP.
7. the cumulative nature of the effects,	The Local Plan set a minimum target of 1100 homes for the St Agnes and Perranporth Community Network Area; this number has already been exceeded and there is no intention to increase the allocation through the NDP; indeed the focus for any additional homes is on sustainability and meeting local need. There are unlikely to be any significant cumulative effects stemming from the policies in the NDP.
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),	The Local Plan set a minimum target of 1100 homes for the St Agnes and Perranporth Community Network Area; this number has already been exceeded and there is no intention to increase the allocation through the NDP. No sites have been allocated for additional housing. In 2011, the parish had a population of 5407 residents and 2750 homes.
11. the value and vulnerability of the area likely to be affected due to: -special natural characteristics or cultural heritage, - exceeded environmental quality	Map 6 in the NDP shows the important designations and constraints within the parish. <ul style="list-style-type: none"> • The following SAC⁷ sites are either in or within 10km of Perranzabuloe parish: Penhale Dunes SAC is with the parish boundary; the following SACs are within 10km of the parish boundary: Godrevy Head to St Agnes SAC, Carrine Common SAC, Newlyn Downs, Fal and Helford SAC (partly), Bristol Channel Approaches SAC • SSSI – Penhale Dunes, Cligga Head, Carnkief Pond, Ventongimps Moor, Carrick Heaths • Biodiversity Action Plan habitats – there are several areas designated as BAP habitats including Maritime cliffs and slopes and Woodland.

⁷ Penhale Dunes [Penhale Dunes - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk); Godrevy Head [Godrevy Head to St Agnes - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk); Carrine Common [Carrine Common - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk); Newlyn downs [Newlyn Downs - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk); Fal and Helford SAC [Fal and Helford - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk); Bristol Channel [Bristol Channel Approaches / Dynesfeydd Môr Hafren - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk)

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<p>standards or limit values, - intensive land-use,</p>	<ul style="list-style-type: none"> • Perranporth Dunes, Carn Moor (near Goonhavern), Bolingey Marsh, Treen Farm, Carnkief Pond, Lelight and Brickmoor Plantation, Plovenna Woods, Park Hoskyn and Callestick Vean are all county wildlife sites within the parish. The protected Gannel Estuary is in nearby Crantock Parish. • There are areas of flood zone 2, 3 and 3a in the parish, including around Perranporth and Bolingey – the NDP does not propose additional homes in these areas although as larger settlements, they are likely to attract some additional development.
<p>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>Heritage Assets Listed buildings – there are a small number of listed buildings and other heritage asset in the parish, including several scheduled monuments. There are 2 conservation areas within the parish boundary (Callestick and Mithian). A small corner of the parish (where it shares a boundary with St Agnes) is part of the C&WD Mining World Heritage Site TPNDP01-EH_LLCA-Heritage-Assets_FINAL-DRAFT-210719.pdf (perranplan.co.uk)</p> <p>Landscape Designations Part of the parish (where it shares a boundary with St Agnes) is part of the AONB Management Plan – The Cornwall Area of Outstanding Natural Beauty (cornwall-aonb.gov.uk) and the area around Penhale Sands is designated as AGLV.</p>

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5. SEA Screening Outcome

- 5.1 HRA screening: The assessment in section 3 shows that there is potential for significant effects on a number of European sites [Penhale Sands SAC, Carine Common SAC, Fal and Helford SAC and Newlyn Downs SAC], through recreational disturbance. An Appropriate Assessment has been carried out and strategic mitigation is in place through Policy 22 of the Cornwall Local Plan. It is therefore possible to conclude that, in combination with the Local Plan Policy, there will be no adverse effect on the integrity of these European sites.
- 5.2 SEA screening: Regulation 5 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”) provides that an environmental assessment (an SEA) must be carried out in a number of circumstances, including where the plan or programme, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (i.e. appropriate assessment by way of an HRA).
- 5.3 However, this requirement is subject to an exception contained in Regulation 5(6) which provides that an environmental assessment need not be carried out for a plan or programme “which determines the use of a small area at local level” unless the plan has been determined to be likely to have significant environmental effects. Whether the plan is likely to have significant environmental effects needs to be determined by reference to the criteria in Schedule 1 of the 2004 Regulations. These criteria are set out in a series of questions in section 4.3 of this report.
- 5.4 The assessment in section 4 does not reveal any likely significant effects to the environment resulting from the Perranzabuloe NDP. The plan is relatively small scale and does not propose development above that proposed in the Cornwall Local Plan which has been through a screening process. Although there are several environmentally sensitive areas within and close to the parish, they are not in areas likely to be suitable for large scale development.
- Existing environmental problems will not be made worse by the plan.. Furthermore, the policy framework exists in Cornwall Local Plan policies 23 and 24 and in the emerging NDP to ensure protection of the environment, including protection for the historic environment and heritage assets. SEA is therefore not required.