

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

**Pelynt Neighbourhood Plan  
(v4, July 2023)**

**Strategic Environmental Assessment  
Habitats Regulations Assessment**

**Screening Report**

**November 2023**

# **Pelynt Neighbourhood Plan SEA and HRA Screening Report**

## **Contents**

1. Introduction	3
2. Legislative Background	4
3. Habitats Regulation Assessment	6
4. Strategic Environmental Assessment Screening	8
5. Screening Outcome	17

# Pelynt Neighbourhood Plan SEA and HRA Screening Report

## Introduction

1.1 This screening report is designed to determine whether or not the Pelynt Neighbourhood Plan 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 (HRA) is required under Article 6 or 7 of the Habitats Directive.

1.2 The purpose of the Pelynt Neighbourhood Plan is to set out planning policies to be used as part of the development plan, for determining applications in Pelynt parish. The Neighbourhood Plan provides local criteria-based policies to shape the quality and type of development within the parish. The plan does not set any target for housing, but supports small scale housing development through infill and rounding off and exception sites as per the Local Plan. The plan's objectives are stated as:

- **Housing**
  - Provide for an appropriate amount of new housing to meet local needs and local demand, in a mix that includes good quality locally distinctive homes for elderly villagers, young singles, couples and families needing their first home
  - Contribute to the housing and employment needs of the Looe-Liskeard Community Network Area.
- **Business and Jobs**
  - Support, strengthen and diversify the wider local economy and local businesses, particularly in agriculture, tourism, leisure and light industry at a scale appropriate to the area. Support opportunities for local people to access local employment
  - Encourage improvement of digital connectivity
- **Environment and Heritage**
  - Retain and enhance the highly valued natural environment, habitat and landscape of the Parish
  - Protect and enhance the architectural and historic character of the area
  - Improve the quality of design of all development and change
- **Community Facilities and Infrastructure**
  - Ensure that community facilities and infrastructure are retained, enhanced and/or improved to meet the changing needs of all parts of the local community
  - Ensure new development is appropriate in scale to the ability of infrastructure to support it
- **Climate Change**
  - Support local actions to tackle the causes and effects of climate change
  - Encourage new development to incorporate on site provision of renewable energy, low energy and low carbon technologies
  - Encourage public transport facilities and non-motorised parish travel with safer walking routes within the village

## **Pelynt Neighbourhood Plan SEA and HRA Screening Report**

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.

### **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)

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

## **Pelynt Neighbourhood Plan SEA and HRA Screening Report**

### 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

- 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.

## Pelynt Neighbourhood Plan SEA and HRA Screening Report

### 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.).

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: 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 Neighbourhood Plan which have the potential to significantly affect European sites within or with a pathway of impact from the Neighbourhood Plan. 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 NP)	Likely significant effects (including in combination)	Screen in or out
Polruan to Polperro SAC	<ul style="list-style-type: none"> <li>• European dry heaths</li> <li>• Vegetated sea cliffs of the Atlantic and Baltic coasts</li> <li>• Shore dock <i>Rumex rupestris</i></li> </ul>	<ul style="list-style-type: none"> <li>• Impediment to management</li> <li>• Inappropriate scrub control</li> <li>• Undergrazing</li> <li>• Water pollution</li> <li>• Invasive species</li> <li>• Feature condition/location/extent unknown</li> <li>• Air pollution</li> </ul>	No	No	Out
Plymouth Sound and Estuaries Zone	<ul style="list-style-type: none"> <li>• Atlantic salt meadows</li> <li>• Estuaries</li> </ul>	<ul style="list-style-type: none"> <li>• Coastal Squeeze</li> <li>• Inappropriate weirs, dams and other structures</li> </ul>	No	No	Out

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

<p>of Influence (as defined by the Appropriate Assessment of the Local Plan) overlaps the very eastern edge of the parish</p>	<ul style="list-style-type: none"> <li>• Large shallow inlets and bays</li> <li>• Mudflats and sandflats not covered by seawater at low tide</li> <li>• Reefs</li> <li>• Sandbanks which are slightly covered by sea water all the time.</li> <li>• Allis shad <i>Alosa alosa</i></li> <li>• Shore dock <i>Rumex rupestris</i></li> </ul>	<ul style="list-style-type: none"> <li>• Planning permission – general</li> <li>• Water pollution</li> <li>• Public access</li> <li>• Invasive species</li> <li>• Direct land take</li> <li>• Fisheries: commercial marine and estuarine</li> <li>• Air pollution</li> </ul>			
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## Pelynt Neighbourhood Plan 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"> <li>- 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,</li> <li>- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,</li> <li>- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,</li> <li>- environmental problems relevant to the plan or programme,</li> <li>- 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).</li> </ul> <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"> <li>- the probability, duration, frequency and reversibility of the effects,</li> <li>- the cumulative nature of the effects,</li> <li>- the transboundary nature of the effects,</li> <li>- the risks to human health or the environment (e.g. due to accidents),</li> <li>- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),</li> <li>- the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> <li>- special natural characteristics or cultural heritage,</li> <li>- exceeded environmental quality standards or limit values,</li> <li>- intensive land-use,</li> <li>- the effects on areas or landscapes which have a recognised national, Community or international protection status.</li> </ul> </li> </ul>

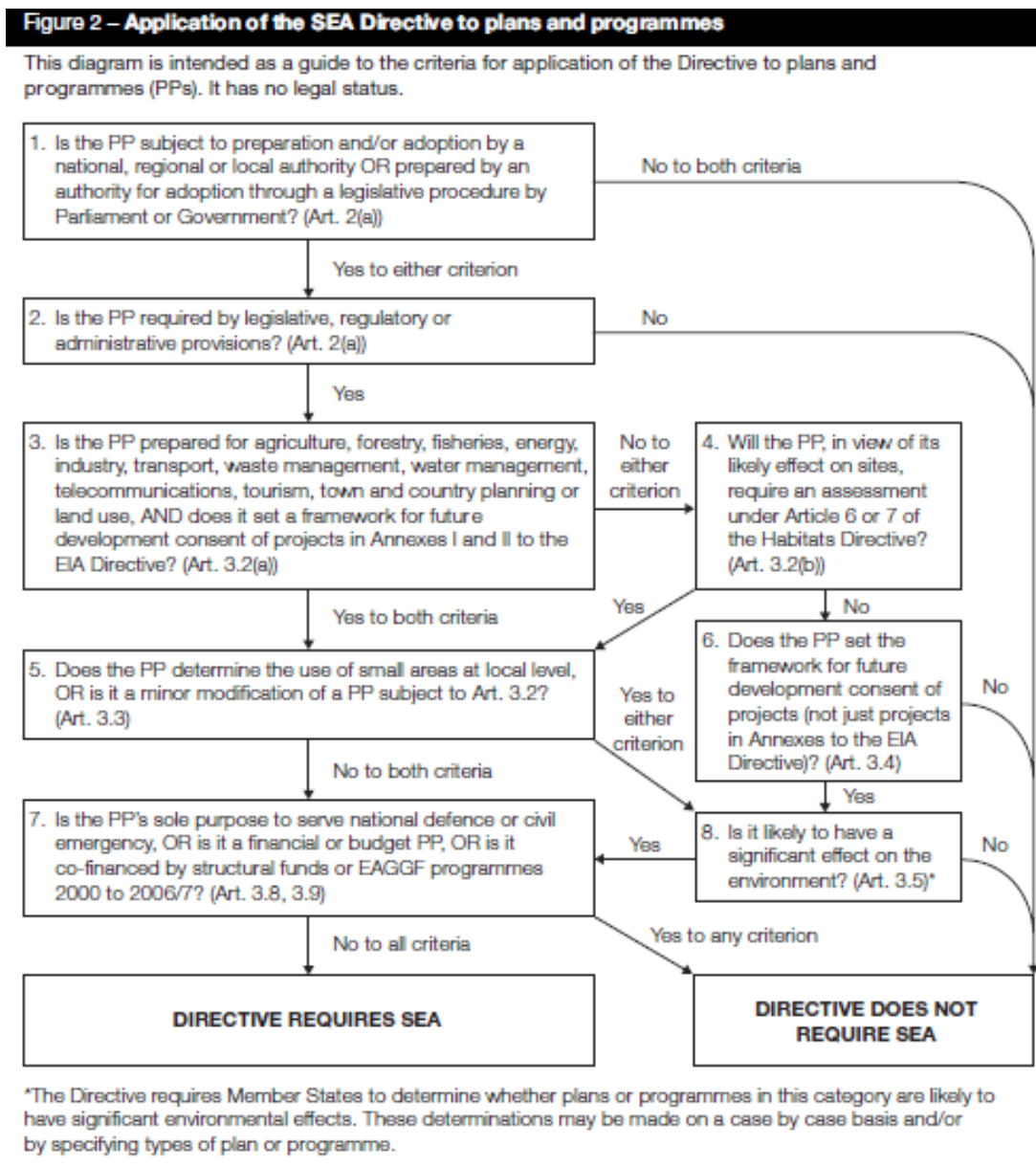
Source: Annex II of SEA Directive 2001/42/EC



## Pelynt Neighbourhood Plan 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 required<sup>1</sup>.



<sup>1</sup> Source: A Practical Guide to the Strategic Environmental Assessment Directive

## Pelynt Neighbourhood Plan SEA and HRA Screening Report

<b>Table 4.1 Establishing the Need for SEA</b>		
<b>Stage</b>	<b>Y/N</b>	<b>Reason</b>
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 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 Neighbourhood plan 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	<b>See Table 4.2</b>

## Pelynt Neighbourhood Plan SEA and HRA Screening Report

<b>Table 4.2 Likely significant effects on the environment</b>	
<b>SEA requirement</b>	<b>Comments</b>
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	<p>The Plan provides local criteria based policies to control the quality of development within the parish. The Plan aims to provide small scale housing growth to meet local need, through infill, rounding off and exception sites, in accordance with the Cornwall Local Plan.</p> <p>There are some gaps and inaccuracies in the supporting text of the draft plan relating to the Local Plan housing figures, however this will be picked up through the policy review and does not impact this screening opinion.</p>
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> <ul style="list-style-type: none"> <li>• Zone of Influence for Plymouth Sound and Estuaries SAC (as identified by Cornwall Local Plan Appropriate Assessment) overlaps the parish to the eastern edge</li> <li>• Coastal Vulnerability Zone on Eastern edge of Parish</li> </ul>
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:	

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

6. the probability, duration, frequency and reversibility of the effects,	The plan period runs until 2030, to align with the Cornwall Local Plan. The Plan aims to provide small scale housing growth to meet local need, through infill, rounding off and exception sites, in accordance with the Cornwall Local Plan.
7. the cumulative nature of the effects,	The plan area itself is a rural parish which is not a target for strategic development. The Cornwall Local Plan sets housing targets and delivery is monitored annually. For the purposes of Local Plan development, at that time, Pelynt fell within the Liskeard-Looe Community Network Area (now part of the Liskeard, Looe and Cornwall Gateway Community Area Partnership) which has a minimum housing requirement of 2,900 homes for the period 2010-2030, of these 1,400 were allocated to Liskeard and the remaining 1,500 to the rest of the Parish. The former Liskeard-Looe CNA is on track to meet or exceed the minimum housing target. As of October 2023, 104 homes have been completed in the parish between 2010 and the present day. The neighbourhood plan does not propose growth in excess of the Local Plan.
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 parish has a population of 1,427 (ONS, 2021) and is 1,893 hectares in size.
11. 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,	<p><i>Please see Appendix 1 for the full baseline review.</i></p> <p><b>Special Area of Conservation (SAC)</b></p> <p>The very Eastern edge of the parish falls within the Zone of Influence for Plymouth Sound and Estuaries SAC. This is not in close proximity to the main settlement of Pelynt. No pathways of impact have been identified.</p> <p>Polruan to Polperro SAC lies approx. 2km to the south of the parish on the coast, however, as per the HRA carried out for the Cornwall Local Plan there is no 'zone of influence' around this SAC. No pathways of impact have been identified.</p>

## Pelynt Neighbourhood Plan SEA and HRA Screening Report

<p>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p><b>Sites of Special Scientific Interest (SSSI)</b></p> <p>No SSSIs in the Parish, but the Parish is covered by the impact risk zones for:</p> <p>Polyne Quarry is located just outside the southern parish boundary. This site is a geological SSSI, designated for its exposure of fossiliferous horizons of the Lower Devonian Meadfoot Group in North Cornwall. This site is in a 'favourable' condition.</p> <p>The impact risk zones relating to Polyne Quarry overlaps the southern part of the parish and is triggered by rural residential development in excess of 100 dwellings, infrastructure proposals, waste, Industrial/Agricultural process resulting in air pollution, combustion processes, mining and aviation proposals in addition to some other industrial activities/development.</p> <p>Polruan to Polperro SSSI - This site is designated for European dry heaths, its vegetated sea cliffs and shore dock. The site is in a 'favourable' condition.</p> <p>Talland Barton Farm SSSI this site is designated for its population of the many-fruited beardless-moss <i>Weissia multicapsularis</i>, a critically endangered species known from only two sites globally, and for its assemblage of nationally rare and nationally scarce bryophytes. The site is in an 'unfavourable declining' condition due to scrub and coarse vegetation.</p> <p>The risk zones in Pelynt relating to Talland Barton Farm and Polruan to Polperro SSSIs would only be triggered by activities such as Industrial/Agricultural process resulting in air pollution, combustion processes, mining and aviation proposals.</p> <p>No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Local Nature Reserves (LNR)</b></p> <p>Not within Parish but one adjacent to eastern parish boundary (Kilminorth Woods). This is not in close proximity to the main settlement of Pelynt.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill</p>
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## Pelynt Neighbourhood Plan SEA and HRA Screening Report

	<p>and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>County Wildlife Sites (CWS)</b></p> <p>There are CWS scattered across the Parish, These areas are not in close proximity to the main settlement of Pelynt.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Ancient Woodland</b></p> <p>There are areas of ancient woodland scattered across the Parish, predominantly the same areas as the CWS.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Biodiversity Action Plan Habitat</b></p> <p>Habitat Action Plan Woodland found across the parish. As expected, these areas often are also designated as ancient woodland and CWS.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Area of Outstanding Natural Beauty (AONB)</b></p> <p>None in the parish, but the AONB meets the parish boundary in the SE.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p>
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## Pelynt Neighbourhood Plan SEA and HRA Screening Report

	<p><b>Area of Great Landscape Value (AGLV)</b></p> <p>Yes, the Eastern half of the parish is designated as AGLV.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Scheduled Monuments</b></p> <p>Several across Parish:</p> <ul style="list-style-type: none"> <li>• Hall Rings</li> <li>• 10 barrows S of Wilton Mill</li> <li>• Group of 3 round barrows N of Hendra</li> <li>• Round barrows 160yds (150m) SE of Cartole</li> <li>• Bake rings later prehistoric-roman round with attached enclosure and outwork</li> </ul> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Agricultural Land</b></p> <p>Mix of Grade 2, 3 and 4 across the parish. The higher quality grade 2 land is predominantly found in the west and south of the parish.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Flooding and Drainage</b></p>
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**Pelynt Neighbourhood Plan  
SEA and HRA Screening Report**

	<p>Areas of Flood Zone 3 and 3b close around the rivers and streams, not in close proximity to the main settlement of Pelynt.</p> <p>There are no site allocations or development boundaries set in this NP which plans for small scale infill and rounding-off development. No impacts beyond that covered by the Local Plan are anticipated.</p> <p><b>Coastal Vulnerability Zone (CVZ)</b></p> <p>CVZ extends up the West Looe river and as far as the eastern parish boundary.</p> <p>No proposals in the CVZ and no impacts identified.</p>
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## **Pelynt Neighbourhood Plan 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 Pelynt Neighbourhood Plan and Appropriate Assessment (HRA) is therefore not required.
- 5.2 The assessment in section 4 does not reveal any significant effects on the environment resulting from the Pelynt Neighbourhood Plan. There are environmentally sensitive areas as detailed in section 4, however no likely significant effects have been identified due to the nature of the plan policies and the small scale of development proposed. Furthermore, the policy framework exists in Cornwall Local Plan policies 23 and 24 and in the emerging Neighbourhood Plan to ensure protection of the environment. SEA is therefore not required.