

**Lostwithiel Neighbourhood Development Plan**  
**July 2017 draft**  
**Strategic Environmental Assessment**  
**Habitats Regulations Assessment**

**Screening Report**

**25th July 2017**

**Lostwithiel Neighbourhood Plan  
Strategic Environmental Assessment Screening Report**

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# Lostwithiel Neighbourhood Plan

## Strategic Environmental Assessment Screening Report

### 1. Introduction

- 1.1 This screening report is designed to determine whether or not the contents of the Lostwithiel 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 Lostwithiel NDP is to add local policies to the Cornwall Local Plan strategic policy framework, to direct the location, type and quality of development in the NDP area, which is the parish of Lostwithiel. The Plan's vision is:  
'Lostwithiel as a vibrant and sustainable place to live with a strong communal spirit and sense of its history, embedding its heritage of townscape and landscape in a prosperous and healthy community.'  
and it has objectives relating to Heritage Landscape, Housing, Employment and Local Economy, Transport and Travel, Community Wellbeing and Recreation.
- 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

- 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

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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 This report focuses on screening for SEA and HRA and the criteria for establishing whether a full assessment is needed.

### **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:

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

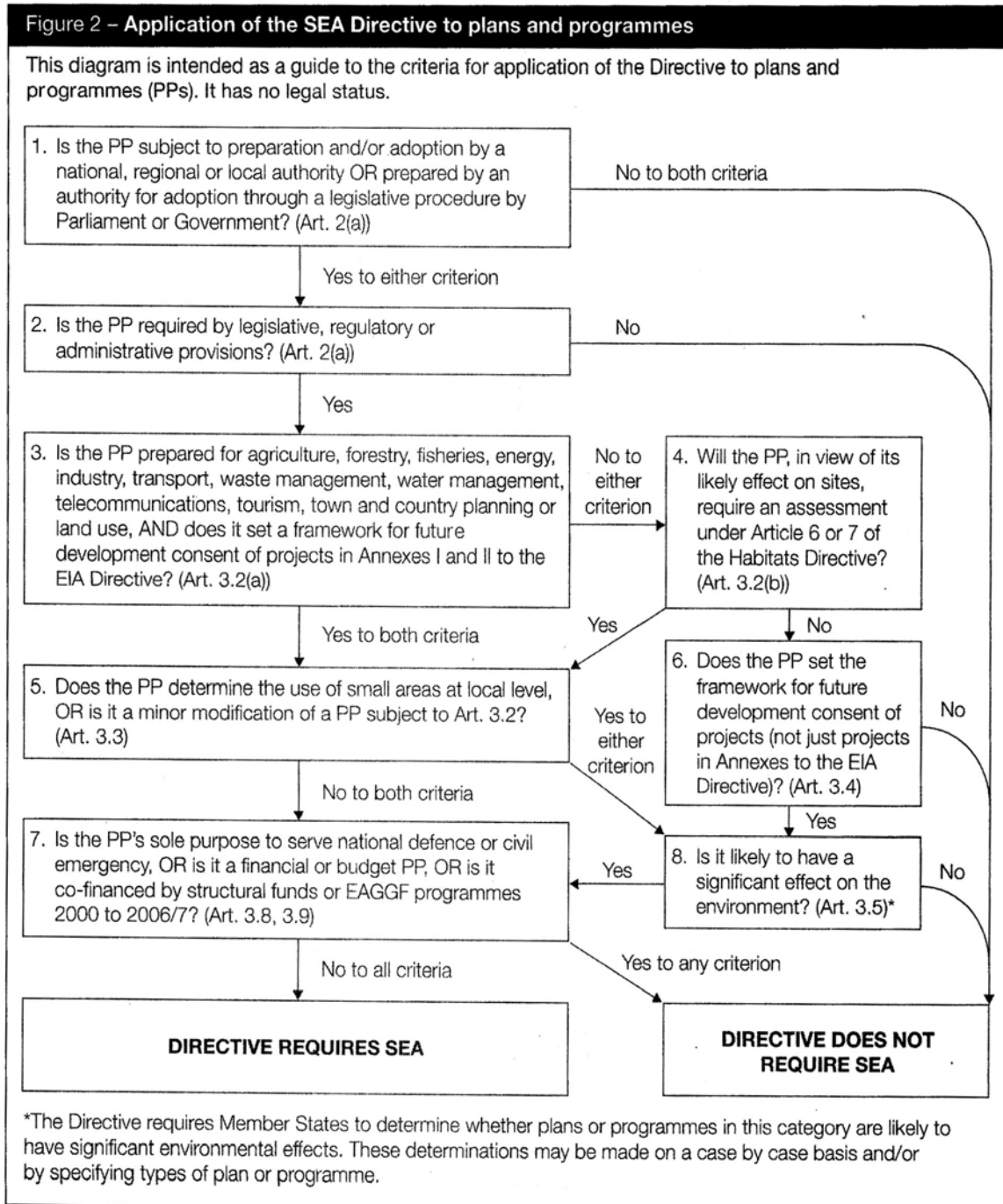
- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and 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 required<sup>1</sup>.



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

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4.2 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))	N	There are no SACs or SPAs within the NDP area and the parish is not within a strategic zone of influence identified in the local plan. There are no pathways of impact to the nearest European Sites (Brenay Common and Goss and Tregoss Moors; Phoenix United Downs)
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	The plan policies control the location and quality in a way to avoid sensitive areas and to respect the character of the settlement.

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<b>Table 2 likely significant effects</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	The Plan provides local criteria based policies to control the quality of development within the parish and draws a settlement boundary to guide the location of development.
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,	<p>There are County Wildlife sites at Lantyan, Woodgate &amp; Penquite Woods, Pelyn Woods, Poldew Woods and Lanhydrock.</p> <p>Parts of Lanhydrock Grade II* listed park are in the north of the parish:  <a href="http://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=1000449&amp;resourceID=5">http://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=1000449&amp;resourceID=5</a></p> <p>Restormel Castle is a scheduled Monument  <a href="http://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=1017574&amp;resourceID=5">http://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=1017574&amp;resourceID=5</a>            As is a Roman fortlet SW of Restormel Farm  <a href="http://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=1004660&amp;resourceID=5">http://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=1004660&amp;resourceID=5</a>            Lostwithiel Town centre is a Conservation Area and Lostwithiel is a Historic Settlement.</p> <p>There are 109 listed buildings and features in Lostwithiel parish, many of which are clustered within the town centre.  <a href="http://www.heritagegateway.org.uk/Gateway/Results_Application.aspx?resourceID=5">http://www.heritagegateway.org.uk/Gateway/Results_Application.aspx?resourceID=5</a></p>



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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:	
6. the probability, duration, frequency and reversibility of the effects,	The plan period is up to 2030, reflecting the plan period of the emerging Local Plan and aims to provide for development demand within that period .The NDP defines a settlement boundary to accommodate the housing target required by the Cornwall Local Plan.
7. the cumulative nature of the effects,	The plan does not seek to increase development rates above local need, or the requirements of the Cornwall Local Plan. Cumulative impacts will be phased over the plan period and are subject to design and natural environment policies to control, avoid and mitigate adverse effects.
8. the transboundary nature of the effects,	The plan concentrates development around the main settlement within the parish, Lostwithiel. The location and quantum of development will not 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),	Lostwithiel parish covers an area of approximately 1292 hectares. The 2011 census records 1355 dwellings and a population of 2899.
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,	The historic core of Lostwithiel is a very important aspect of the town's character. 'Part 1' of the NDP, which summarises the evidence base, context and framework for the NDP identifies key Character Zones in the Town Centre based on the historical characterisation of Lostwithiel undertaken by Cornwall Archaeological Unit. The group plan to develop this into a comprehensive Conservation Area Appraisal and management Plan, to provide further guidance for development within the historic centre. Policy HH2 requires proposals for development within the conservation area to demonstrate regard for the Appraisal and Management Plan. Policy EH2 requires applications have regard to the character zones.
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	There are few designated landscapes within the parish. Development proposed in the plan will not affect the Historic park of Lanhydrock. The settlement boundary has been drawn to contain development within the limits of the valley setting, whilst also protecting the natural open areas around the River Fowey.

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	<p>Policy EH1 requires any proposals for solar panels, whether rooftop or ground arrays, to demonstrate that any significant adverse impacts to the local landscape and environment are avoided and where necessary, mitigated, and to use Cornwall Council's Supplementary Planning Document on Renewable Energy Annexes 1 &amp; 3 and the landscape descriptions contained within CA05 and CA06 (Cornwall Landscape Character Study 2007) to inform their impact assessments.</p>
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**5. Screening Outcome**

5.1 As a result of the assessment in section 4, it is unlikely there will be any significant environmental effects arising from the Lostwithiel Neighbourhood Development Plan; SEA and HRA are not required.