Saltash Draft NDP (August 2018)

Strategic Environmental Assessment (SEA) & Habitats Regulations Assessment (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 Saltash Draft 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 Saltash NDP is to guide development within the parish. The vision of the parish is that '... by 2030 Saltash will be an envied riverside town, being more sustainable and greener in all respects with a reinvigorated Town Centre and Waterfront, award winning new housing, a prosperous and diverse economy, with an excellent quality of life and lifestyle for all ages.' There are objectives in order to deliver this vision, which are:
 - Secure a diverse and prosperous Local Economy;
 - Regenerate the Town Centre, especially Fore Street, and Manage the Growth of "Out of Town" shopping;
 - Create and Support Sustainable Neighbourhoods;
 - · Revitalise the Waterfront;
 - Ensure a Balanced Range of Quality New Housing;
 - Protect and Enhance the Built Environment;
 - Enhance the Natural Environment of the Parish;
 - Manage the Rural Areas of the Parish in a Sympathetic Manner;
 - Meet the Changing demand for Health, Education, and Community Ser- vices and Facilities;
 - Meet the growing demand for additional Sport, Recreation and Leisure facilities; and,
 - Improved and sustainable connectivity.
- 1.3 The NDP proposes over fifty planning policies. Within these, development boundaries are proposed for the town of Saltash and the villages/hamlets of Trematon, Forder and Trehan. Small scale site allocations are identified at both Trematon and Trehan.
- 1.4 Saltash NDP does not propose policies to meet key Local Plan targets for the town (including the housing target of 1,200 dwellings); instead, Cornwall's emerging Site Allocation Development Plan Document (Allocations DPD) allocates sites for housing and employment. The emerging Allocations DPD is currently subject to independent examination. Whilst Saltash NDP is progressing, it is with the caveat that policies will be adjusted to reflect the policies of the final adopted Allocations DPD. This may mean, for instance, that the proposed development boundary at Saltash will extend to include an additional allocation at North Pill (this new allocation is emerging through the Allocations DPD examination process). However, as any policies of the

Allocations DPD are subject to successful independent examination, impacts of these (and resulting amendments in a subsequent revision of the NDP) will not affect the outcome of this SEA/HRA Screening Opinion.

1.5 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 Draft NDP 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 SA by legislation (although it is advisable to carry out some form of SA). 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 SEA. 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 Regulations 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). Where the HRA Screening concludes that a HRA is required, this requirement will trigger the need for a SEA.

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.

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

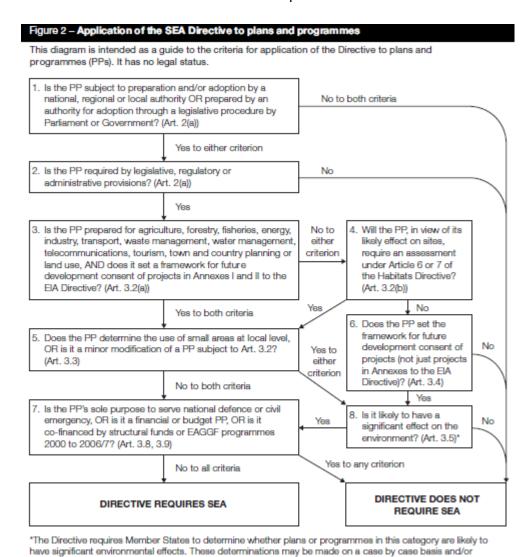
- 1. The characteristics of plans and programmes, having regard, in particular, to
- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which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

4. Assessment

by specifying types of plan or programme.

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



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

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

NDP Allocation or Policy: Policy NP1 - Saltash Settlement Boundary

Policy RUR2 - Village Settlement Boundaries and Rural Housing Sites.

European	Designated features/	Conservation Objectives	Pathways of	LSE	Screen in or
Site	habitats		impact		out?
Tamar	Little Egrets, Avocet,	Tamar Estuaries Complex SPA			
Estuaries	Overwintering shelduck, black				
Complex	tailed godwit, whimbrel, dunlin,				
SPA	curlew and redshank (SPA)		Recreation		
			Other likely impacts, e.g.	Potential	In
Plymouth	Atlantic salt meadows, Estuaries,	Plymouth Sound and Estuaries	via run-off		
Sound and	Large shallow inlets and bays,	SAC			
Estuaries	Intertidal mudflats and sandflats,				
SAC	Reefs, Subtidal sandbanks				

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 Tamar Estuaries Complex SPA borders the parish of Saltash to the north east and to the south, whilst all of the rivers which enclose the majority of the parish (the exception being the land border at its northern boundary) are designated as part of the Plymouth Sound and Estuaries SAC. Saltash lies entirely within the associated zones of influence for these sites.

Saltash NDP does not propose large scale growth in order to meet the Local Plan housing target; the emerging Allocations DPD (which is currently at independent examination) allocates strategic sites at Saltash which instead satisfies the Local Plan housing target for the town through to 2030. Therefore, the actual level of proposed development within the NDP is very small:

NDP Policy NP1 proposes a development boundary at Saltash and the supporting evidence to this policy (see http://plan4saltash.co.uk/category/evidence/boundary/) sets out useful information demonstrating that, although there appears to be large gaps in this, the NDP does not facilitate development in these locations, as set out below (and working clockwise around the perimeter of the development boundary):

- The large expanse of undeveloped land to the north west of the town is proposed as site allocations SLT-E1 (Stoketon) and SLT-UE1 (Broadmoor) in the Allocations DPD. The proposals for this land will have to satisfy a process of examination independent of the NDP in order to progress and be adopted (if the site allocations are rejected through this examination process, and/or additional/alternative sites added, it has been confirmed that the NP1 development boundary will be amended to reflect this, but such amendments would not need to be considered through this SEA/HRA Screening process);
- The undeveloped land on the edge of the River Tamar at South Pill is identified under NDP Policy LEI1 as a key strategic open space (Saltmill Park);
- The undeveloped land to the north of the A38 and either side of Old Ferry Road is identified under NDP Policy LEI1 as a key strategic open space (Brunel Green);
- The undeveloped pocket of land to the south of the railway station comprises a number of private gardens to existing properties on Coombe and Culver Roads;
- The undeveloped land at Wearde is the grounds of Saltash.net Community School;
- The two parcels of undeveloped land at St Stephens are a cemetery and a site with planning approval for 17 dwellings (PP17/07469). However, it should be noted that there is a minor error in NDP Figure 4, that the development boundary should be drawn in around the cemetery at St Stephens, as shown in the evidence base map (the remainder of the development boundary on Figure 4 is correct).

NDP Policy RUR2 sets out Village Settlement Boundaries and Rural Housing Sites at the villages/hamlets of Trematon, Forder and Trehan. Within these there is scope for small scale development and the supporting evidence to this policy http://plan4saltash.co.uk/category/evidence/sites-appraisal/ considers the impacts of proposals (including on the Tamar Estuaries Complex SPA and the Plymouth Sound and Estuaries SAC).

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 Local Plan the NDP is unlikely to cause significant recreational impacts on the features of Tamar Estuaries Complex SPA or the Plymouth Sound and Estuaries SAC.

In terms of other impacts, e.g. surface water runoff, the development boundary of Saltash abuts the boundary of the SAC and the SPA, extending within the estuary in places. We have to assume that the development boundary provides a presumption for development within the boundary. The Saltash Waterfront policy WF1 does not provide for effects from development on the SAC and SPA, other than recreational impacts under policy 22 of the Cornwall Local Plan and a requirement for a CEMP for the development construction phase. For this reason further HRA of the Neighbourhood Plan is required in this respect.

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))	Υ	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)	Υ	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)	Υ	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)	Υ	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)	Yes	See Table 2

Table 2 likely significant effects	
SEA requirement	Comments
The characteristics of plans and programmes, h	aving 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 NDP provides policies to guide the quality of development within the parish; many such policies are location specific (e.g. Policy TC1 – Development at Carkeel and Policy HWB3 – Future of St Barnabas Hospital) whist others are general and not location specific (e.g. Policy SN2 – Neighbourhood Shops and Facilities and Policy H6 – Extensions to Existing Dwellings).
	The NDP also guides the location of small scale development in rural areas and at Saltash (through the development boundaries in NDP Policies NP1 and RUR2) and identifies Key Strategic and Local Green Spaces (Policies LEI1 and GRN3). Local listings of non-designated heritage assets are set out in Policy ENV4.
	Large scale development at Saltash is planned for through the emerging Allocations DPD, but reflected in the NDP.
	The NDP doesn't plan to meet the Local Plan target for housing or employment as this is addressed through the emerging Allocations DPD.
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NDP 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 NDP 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	N/A
the implementation of Community legislation	
on the environment (e.g. plans and	
programmes linked to waste-management or	
water protection).	

Characteristics of the effects and of the area like	ely to be affected, having regard, in particular, to:
6. the probability, duration, frequency and reversibility of the effects,	The NDP provides for small scale growth above that set out in the Cornwall Local Plan: Strategic policies 2010-2030 (which is planned for through the emerging Allocations DPD).
7. the cumulative nature of the effects,	The NDP does not seek to significantly increase development rates above local need, or the requirements of the Cornwall Local Plan. Cumulative impacts will be phased over the plan period and although Policy RUR2 identifies site allocations at Trematon and Trehan these are for small scale development of up to 5 dwellings each.
8. the transboundary nature of the effects,	The level of development proposed through the NDP at Saltash 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),	Saltash Parish covers an area of approximately 2,200 hectares. The 2011 census recorded 7,281 households, with a population of around 16,184.
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 Tamar Estuaries Complex SPA (http://jncc.defra.gov.uk/default.aspx?page=2033) borders the parish of Saltash to the north east and to the south (as does the Tamar/Tavy Estuary SSSI), whilst all of the rivers which enclose the majority of the parish (the exception being the land border at its northern boundary) are designated as part of the Plymouth Sound and Estuaries SAC (http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0013111).
	Tamar Estuary Sites Marine Conservation Zone borders the parish of Saltash to the north east and to the south: http://publications.naturalengland.org.uk/publication/6037040860758016
	Approximately the southern half of the parish and an area to the north is designated as part of the Tamar Valley AONB: http://www.tamarvalley.org.uk/care/aonb-management-plan/
	Notter Bridge Section County Wildlife Site lies on the parish's western boundary.

	Broadmoor and Ball Woods County Wildlife Site lies to the north of the main urban settlement and Tincombe Reserve County Wildlife Site lies within the town. There are areas of Floodzone 2, 3a and 3b within the parish. There is one conservation area in the parish (Forder & Antony Passage Conservation Area). There are 106 listed buildings and sites in Saltash Parish: https://www.heritagegateway.org.uk/Gateway/Results Application.aspx?resourceID=5 &index=1
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	 NDP proposes a low level of development, the most significant being through: NDP Policy NP1 - Saltash Settlement Boundary; and, NDP Policy RUR2 – Village Settlement Boundaries and Rural Housing Sites. Growth within the proposed development boundary of Saltash (NDP Policy NP1) This is unlikely to have any significant effects on areas or landscapes which have a recognised national, community or international protection status – NDP Policy NP1 proposes a development boundary at Saltash and the supporting evidence to this policy (see http://plan4saltash.co.uk/category/evidence/boundary/) sets out useful information demonstrating that, although there appears to be large gaps in this, the NDP does not facilitate development in these locations, as set out below (and working clockwise around the perimeter of the development boundary):

- The undeveloped land on the edge of the River Tamar at South Pill is identified under NDP Policy LEI1 as a key strategic open space (Saltmill Park);
- The undeveloped land to the north of the A38 and either side of Old Ferry Road is identified under NDP Policy LEI1 as a key strategic open space (Brunel Green);
- The undeveloped pocket of land to the south of the railway station comprises a number of private gardens to existing properties on Coombe and Culver Roads;
- The undeveloped land at Wearde is the grounds of Saltash.net Community School;
- The two parcels of undeveloped land at St Stephens are a cemetery and a site with planning approval for 17 dwellings (PP17/07469). However, it should be noted that there is a minor error in NDP Figure 4, that the development boundary should be drawn in around the cemetery at St Stephens, as shown in the evidence base map (the remainder of the development boundary on Figure 4 is correct).

Local Plan Policies 23: Natural Environment and 24: Historic Environment also provide a strategic framework to protect natural and historic environment assets.

Growth within the proposed development boundaries at Trematon, Forder and Trehan and site allocations at Trematon and Trehan (NDP Policy RUR2)

NDP Policy RUR2 sets out development boundaries and rural housing sites at the villages/hamlets of Trematon, Forder and Trehan. Within these there is scope for small scale development and the supporting evidence to this policy http://plan4saltash.co.uk/category/evidence/sites-appraisal/ considers the impacts of proposals on heritage assets and natural assets, including the AONB. Taking each settlement in turn:

Trematon

At Trematon there is one **site allocation RUR2-3-1** (NDP Figure 18. RUR2-3-1). Whilst the evidence sets out that this is outside of the AONB there is no evidence considering the impact of future development on the setting of this. It's noted also that the evidence refers to the site being well enclosed, however there isn't any basis set out to assume that this will continue to be the case (e.g. redevelopment could open the site out by removing tree cover).

Although NDP Policy RUR2.2 ensures that proposals '...respect the character and appearance, where appropriate, of the AONB and Conservation Areas and the setting of Listed Buildings within the parish.' there is no reference to the setting of the AONB being respected.

The evidence base considers the impact of the proposal on heritage assets and concludes that there is likely to be minor impacts (less than substantial harm to the heritage asset) and that there is the potential for either minor negative impact on the significance of undesignated assets, or of less than substantial harm to the significance of designated assets. However, the assessment does not set out the significance of the assets in proximity to the site and so it's unclear on what judgement this conclusion is based. The recommendations from the assessment are that proposals should include basic heritage impact assessment and demonstrate how design will improve setting of the Listing Buildings opposite, in accordance with SNDP Policies RUR2.2, ENV 2 &ENV3 and CLP policies 12 and 24.

When NDPs allocate sites for development, in effect they are giving the green light for development in that location and therefore the evidence base will need to have been thoroughly examined ahead of designating a site. It doesn't appear that the significance of the heritage assets in vicinity of site RUR2.2 has been fully explored and so it is difficult to be confident that there will be only the potential for either minor or negative impacts or less than substantial harm to the significance of these. Similarly, there doesn't appear to be sufficient evidence setting out that site allocation RUR2-3-1 will

not have a negative impact on the setting of the AONB.

The **development boundary at Trematon** does provide scope for other small scale pockets of development and it's not clear what impact, if any, potential development would have on the setting of the AONB.

On this basis and as the SEA screening has to take a precautionary approach, it can't be assumed that there will be no negative effects on the AONB or heritage assets as a result of proposals for Trematon.

Trehan

At Trehan there are two site allocations:

RUR2-3-2 lies to the west of Trehan (see Trehan evidence base map and NDP Figure 19 (although not labelled on this)). Whilst the evidence sets out that there is the potential to enclose a section of field already partially enclosed on three sides, to accommodate limited growth, there is insufficient evidence to conclude that there will not be any adverse impact on the AONB. Also there is no policy provision setting out that the site should be enclosed.

As mentioned in regard to Trematon, when NDPs allocate sites for development, in effect they are giving the green light for development in that location and therefore the evidence base will need to have been thoroughly examined ahead of designating a site.

The evidence base considers the impact of the proposal on heritage assets and concludes that there is likely to be minor impacts (less than substantial harm to the heritage asset) and that there is the potential for either minor negative impact on the significance of undesignated assets, or of less than substantial harm to the significance of designated assets. There is reference to the thatch roof of the asset but it's unclear whether this is the only significant aspect of the listing. The recommendations from the assessment are that proposals should include basic heritage impact assessment and

demonstrate how design will improve setting of the Listing Buildings opposite, in accordance with SNDP Policies RUR2.2, ENV 2 &ENV3 and CLP policies 12 and 24. The final recommendation is that the development may provide opportunity to remove the electricity infrastructure that currently dominates the property and improve listed buildings setting. It is welcomed that the authors have also considered opportunity to improve the setting of this heritage asset; however, this is not mentioned in the associated policy.

RUR2-3-3 lies to the east of Trehan (NDP Figure 19).

The evidence base considers the impact of the proposal on heritage assets and notes that there are none in vicinity of this site and therefore concludes that there are likely to be neutral / negligible impacts, due to there being no known heritage asset on, adjacent to or near site. Although a very small scale site there is insufficient evidence to conclude that there will not be any adverse impact on the AONB.

The **development boundary at Trehan** does provide scope for other small scale pockets of development and it's not clear what impact, if any, potential development would have on the setting of the AONB.

On this basis and as the SEA screening has to take a precautionary approach, it can't be assumed that there will be no negative effects on the AONB or heritage assets as a result of proposals for Trehan.

Forder

The development boundary at Forder provides limited scope for future development. However there appears to be potential for redevelopment of some plots and scope for intensification. The evidence base doesn't set out a consideration of the impacts of this, particularly in relation to any adverse impacts on the AONB and the setting of this.

On this basis and as the SEA screening has to take a precautionary approach, it can't be assumed that there will be no negative effects on the AONB as a result of proposals

for the development boundary at Forder.

5. Screening Outcome

- 5.1 The screening assessment in section 4.2, identifies that there will be Likely Significant Effects on European Sites arising from the Saltash Parish NDP in combination with other development in the area. It concludes that HRA will be required to deal with surface water run off impacts on the European sites.
- 5.2 The assessment in section 4.3 does not rule out that significant environmental effects may arise from the NDP, in particular as a result of NDP Policy RUR2. SEA Screening needs to adopt a precautionary approach and consequently the conclusion is that Saltash NDP should be subject to SEA.