

BASIC CONDITIONS STATEMENT

St Cleer
Neighbourhood
Development Plan 2019
- 2030

St Cleer NDP Steering Group
November 2019

This Basic Conditions Statement has been produced to explain how the proposed St Cleer Neighbourhood Development Plan (NDP) has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Parish and County Planning Act 1990 have been met

St Cleer Neighbourhood Development Plan Proposal

Submitted by **St Cleer** Parish as the Qualifying Body for the **St Cleer** Neighbourhood Development Plan Area comprising the Parish of **St Cleer**.

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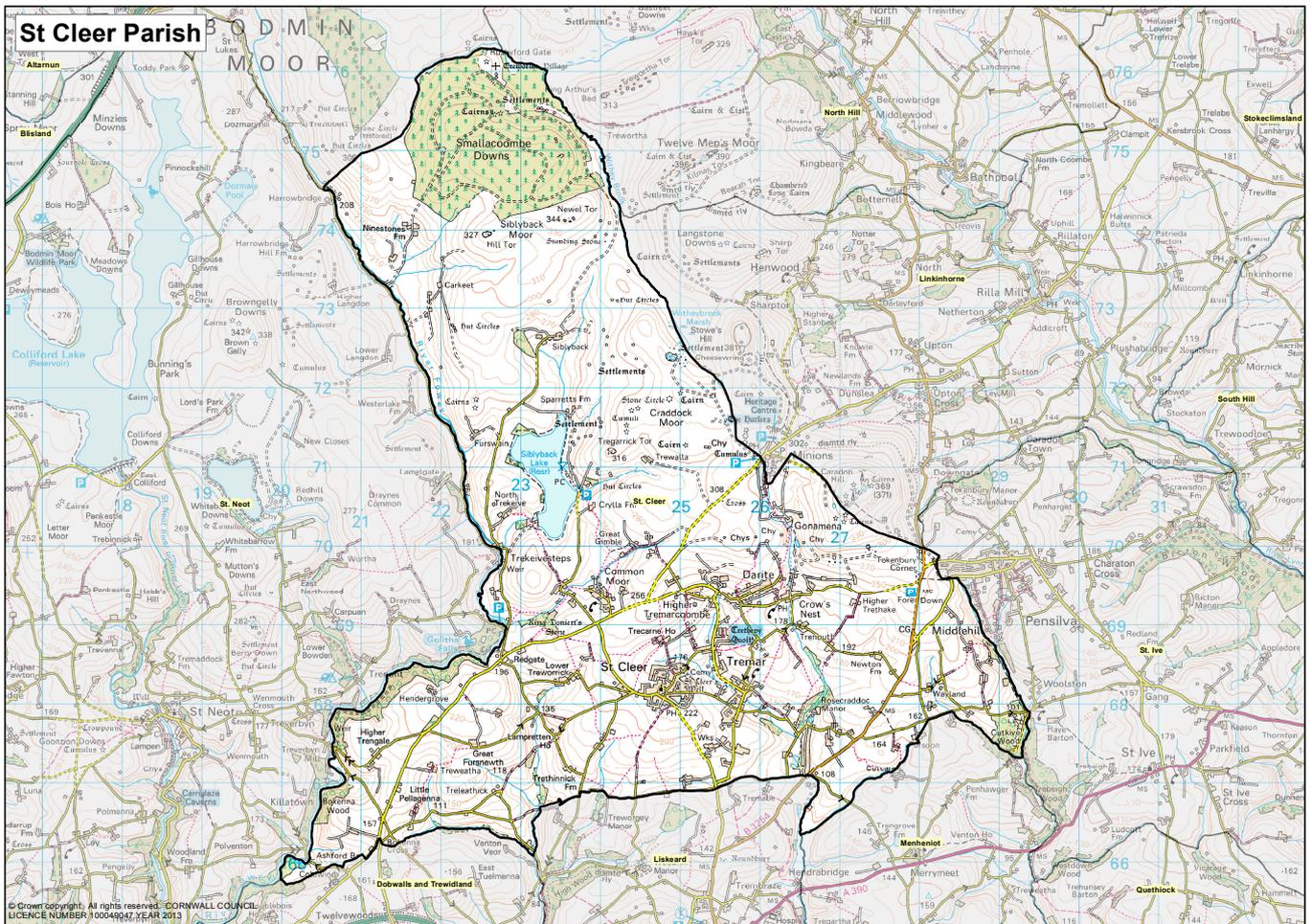


Figure 1: The St Cleer NDP Designated Area.

1. Introduction

1.1 Only a neighbourhood plan that meets each of the ‘basic conditions’ and other legal tests can be put to a referendum and, if successful, be used as the basis for determining planning applications.

1.2 This document shows how St Cleer Neighbourhood Plan meets the requirements of each legal test.

1.3 There are five basic conditions that are relevant to a neighbourhood plan. These are:

1. The plan must have regard to national policies and guidance issued by the Secretary of State; this includes the NPPF, Ministerial Statements and other government guidance and legislation
2. the ‘making’ of the neighbourhood plan contributes to the achievement of sustainable development
3. the ‘making’ of the neighbourhood plan is in general conformity with the strategic policies contained in the Cornwall Local Plan Strategic Policies and its supporting documents
4. the ‘making’ of the neighbourhood plan does not breach, and is otherwise compatible with EU obligations
5. prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

2. Statement of General legal Compliance

2.1 This draft Plan is submitted by St Cleer Parish Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for its own Parish. The Plan has been prepared by the St Cleer Neighbourhood Development Plan (NDP) Steering Group, with the support of St Cleer Parish Council.

2.2 The whole Parish of St Cleer has been formally designated as a Neighbourhood Area through an application made on 23rd May 2013 under the Neighbourhood Planning Regulations 2012 (part 2 S6) and approved by Cornwall Council on 2nd September 2013. A copy of the formal notices of designation is included at Appendix 1.

2.3 The draft Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Parish and Country Planning Act 1990 (as amended by the Localism Act 2011), the Neighbourhood Planning Regulations 2012 and the Neighbourhood Planning Act 2017.

2.4 The draft Plan identifies the period to which it relates as 2019 to 2030. The draft Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

2.5 The draft Plan relates only to the Parish of St Cleer as shown on the map on page 3 above. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.

3. Contribution to the Achievement of Sustainable Development

3.1 There are three elements to sustainable development: social, economic and environmental. These require the planning system to ensure that development performs a number of roles:

- **a social role** - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;
- **an economic role** - contributing to building a strong responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure; and
- **an environmental role** - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

3.2 The St Cleer NDP responds to these roles by through its **overarching vision** that by 2030 *“St Cleer Parish will be a place where sustainable development has met community needs, preserved and enhanced our rural moorland landscape, character and heritage, and ensured a healthy future.”*

4. Achieving Sustainability

4.1 To achieve this Vision a number of ‘Objectives’ are set which are supported by policies that will have to be taken into consideration when Planning Officers determine future Planning Applications, thereby helping to turn community aspirations into reality:

- A. Scale and Pace of Growth** - To enable appropriately scaled and paced growth of the villages of St Cleer Parish that meets the needs of the community and responds to market demand whilst protecting the heritage, character and countryside.
- B. Housing Needs** - To enable sustainable housing growth in a format and mix which meets local needs and demands
- C. Economic Development and Employment** - To support and encourage local businesses particularly the in agriculture, tourism, and light manufacturing sectors, ensuring that people have good opportunities for, and access to, local employment.
- D. Infrastructure and Community Facilities** - To provide a high quality of life in our villages with improved community facilities and leisure opportunities to meet changing circumstances

- E. **Green Infrastructure and Biodiversity** - To conserve and enhance the green infrastructure and biodiversity of St Cleer Parish.
- F. **Landscape, Heritage and Design** - To conserve and enhance the special landscape and rich heritage of St Cleer Parish and ensure that new development reflects the special 'sense of place' associated with Cornish moorland mining villages
- G. **Accessibility and transport** - To ensure that new development respects the limitations of local infrastructure and incorporates sustainable travel measures and enhancing other forms of connectivity
- H. **Sustainable Energy Production and Use** - To promote the acceptable development of renewable energy sources and the use of sustainable energy design

4.2 The NDP recognises that in addressing these the key sustainability factors, it must work within the context of the National Planning Policy Framework 2019 and the Cornwall Local Plan Strategic Policies (CLPSP). The following paragraphs summarise how this has been achieved.

4.4 The NDP Social Role NDP Objectives aim to:

- enable sustainable housing growth in a format and mix which meets local needs and demands
- seeking to ensure that people have good opportunities for, and access to, local employment.
- provide a high quality of life in our villages with improved community facilities and leisure opportunities to meet changing circumstances

4.5 The NDP includes policies that take account of the spatial strategy and the housing growth set in the apportionment of development given at Policies 2 and 2a of the CLPSP to the Looe-Liskeard Community Network Area, and the Parish's baseline share of that apportionment, as advised by Cornwall Council in 2018. They also respond to local research and the most recently available data on the need for affordable housing, using Cornwall Homechoice and Help to Buy SW information. Two sites are identified for residential development, whilst infill development and rural exception affordable housing schemes are supported at scale appropriate to the natural and cultural environment.

4.5 The NDP matches this with policies which seek to preserve and enhance the rich natural and cultural heritage and landscape of the Parish. This is socially important as a contribution to the special sense of place that local people enjoy and contributes significantly to community health and well-being

4.6 Other policies protect the valued green spaces and community facilities that support local social infrastructure, and the high quality of life enjoyed locally, with a particular emphasis on meeting the needs of both young people and the elderly. Looking further ahead, in response to the climate crisis, which could have significant impacts on community well-being for present and future generations, the NDP supports an appropriate level of sustainable energy development and encourages small carbon footprint design.

4.7 St Cleer has a significant network of footpaths and pedestrian routes which help to reduce dependence on the car, and to encourage a healthier lifestyle. Neighbourhood Plan policies aim to strengthen and improve these, and to build on the existing network.

4.8 The NDP Economic Role. NDP Objectives aim to:

- support and encourage local businesses particularly in agriculture, tourism, and light manufacturing sectors,

4.9 The NDP includes policies that recognise that tourism is an increasingly important industry and locally is based very much on visitors appreciation of the special character derived from the moorland, the AONB, and the mining heritage encompassed by the WHS designation. They seek to enable the provision of additional 'green tourism' facilities based on these factors, in ways that preserve the qualities that support its existence.

4.10 There is also policy to support the growing home entrepreneurship sector, which is very important in this rural community, designed to cover the situation when such business is very successful and begin to have impacts on their surrounding residential environment.

4.11 For those businesses that require separate workshop development, there is a policy to support the development of rural workshops, which recognises that suitable sites cannot always be well positioned in relation to existing settlements.

4.12 The NDP Environmental Role. NDP Objectives aim to:

- conserve and enhance the green infrastructure and biodiversity
- conserve and enhance the special landscape and rich heritage of St Cleer Parish
- reflect the special 'sense of place' associated with Cornish moorland mining villages
- promote the acceptable development of renewable energy sources and the use of sustainable energy design

4.13 To achieve this the NDP includes policies which establish development boundaries and rural gaps between settlements, aimed at preserving their openness, the rural character of the area, and the historic and natural assets that are present within them.

4.14 Policies cover both the built and natural environment. For the built environment, good design is encouraged, particularly in the historic core of villages, policies and guidance are set out and good practice referred to.

4.15 The key areas covered by NDP policies include: non-protected assets in the World Heritage Site, landscape, views and vistas, 'at risk' heritage, and design in the villages historic cores.

4.16. Turning to the natural environment, the NDP includes provision to protect and enhance Trees, Cornish Hedges & Hedgerows, Habitat and Biodiversity

4.17 Cross-cutting NDP Roles. The nature of sustainable development is such that the three key themes cut across development each having some influence over the way in which proposals are considered. For example, in this NDP, where potential capacity for new development has been identified, the sites have been tested against sustainability principles. The potential type of development on a site, its associated facilities, the accessibility of facilities, habitat and heritage impacts and public transport have been considered, along with its history, setting, surrounding buildings and views to and from the sites, and appropriate criteria established to ensure acceptable development. Some sites have been deemed unsuitable for development.

4.18 There is one outstanding and crucial proposal in the NDP which exemplifies the cross-cutting nature of sustainability: the proposal at Policy 22 for the Horizon Sustainable Rural Settlement. Horizon Farm, former egg production plant of an industrial format, is a significant visual intrusion on the setting of the AONB and WHS, and constitutes a massive potential problem for the area, for example if it were to revert to its former use or similar activity or into a major industrial or storage activity. This could bring significant noise, traffic and pollution that would very seriously harm the tranquillity, character and residential amenities of the nearby villages.

4.19 Alternatively, it could be a significant opportunity to create a new sustainable community which includes local needs and market housing sufficient to take pressure off less suitable land alongside existing settlements, employment opportunities, such as workshops and offices close to residential provision, with the potential to reduce travel demand to jobs elsewhere, an extra care housing development to meet the needs of the older members of the community, retail provision that would reduce the need of St Cleer Parish residents to travel to Liskeard or elsewhere outside the Parish for 'top up' food shopping and other services, leisure and play-space of benefit to the wider community, additional green infrastructure and biodiversity enhancement and which could mitigate existing contamination on the site. The NDP includes a proposal for this site which, based on a masterplan, is intended to achieve this opportunity to create a sustainable community which is entirely in accordance with the NPPF and Cornwall Local Plan.

4.20 The figure (4) below indicates how each of the policies in the Plan help to achieve sustainable development.

Figure 4: St Cleer NDP Policies Achieving Sustainable Development

Policy		Social implications / Outcomes	Economic implications / Outcomes	Environmental implications / Outcomes
Policy 1	Settlement Development Boundaries	Local housing and employment needs supported; village lifestyle preserved: CLP Policy 9 facilitated.	Local distinctiveness and rural tourism contributed to; Agricultural impacts of development reduced.	Local character, landscape qualities, the individual identity and historic settlement pattern of the villages preserved.
Policy 2	Rural Gaps	The separate identity and 'sense of place' for residents and visitors of the settlements on either side of the gaps supported. Access and recreational benefits.	Local distinctiveness and rural tourism contributed to; Agricultural impacts of development reduced.	Coalescence of the Parish's settlements reduced; The openness and landscape character of the green spaces between settlements that provide distinction between the settlements, function as wildlife corridors, sand etting for heritage assets and historic routes protected,
Policy 3	WHS Heritage Assets	The unique historic context for the lives of local people maintained and celebrated.	Rural tourism contributed to; This part of the SW as marked as internationally 'special' and its profile raised and protected.	The OUV of otherwise unprotected heritage assets in the WHS protected.
Policy 4	Landscape & Heritage Views and Vistas	Local distinctiveness promoted and reinforced, generating sense of place and belonging. Psychological and social well-being supported.	Landscape and historic environment aspects of local distinctiveness and rural tourism supported.	The context, setting and significance of heritage assets and their legibility in the landscape preserved. Impacts of development on AONB, WHS and AGLV minimised.
Policy 5	Heritage Assets at Risk	Local distinctiveness promoted and reinforced.	Environmental improvement and rural tourism supported. Cornwall's environmental reputation, a key factor in tourism and inward investment, protected.	The context, setting and significance of heritage assets and their legibility in the landscape preserved. Impacts of development on AONB, WHS and AGLV minimised.
Policy 6	Local Listing of Non-Designated Heritage Assets	Local distinctiveness promoted and reinforced, generating sense of place and belonging.	Historic environment aspects of local distinctiveness and rural tourism supported.	Quality of built environment maintained and possibly enhanced.

Figure 4: St Cleer NDP Policies Achieving Sustainable Development

Policy		Social implications / Outcomes	Economic implications / Outcomes	Environmental implications / Outcomes
Policy 7	Design in Historic Core of Settlements	Local distinctiveness promoted and reinforced, sense of place and belonging generated.	Historic environment aspects of local distinctiveness and rural tourism supported.	Local character and history, and the identity of local surroundings and materials reflected in design in the historic core.
Policy 8	Design in New Development	Enhanced sense and quality of place and pride in community. Secure by Design supported.	Enhanced sense and quality of place that attracts visitors.	Sustainable drainage, energy conservation and generation measures incorporated in new development.
Policy 9	Dark Skies	Enhanced community enjoyment and appreciation of their environment, improved quality of life and creative inspiration; promotes health through improved sleep patterns and reduced stress.	Green tourism supported	Reduced energy wastage from unnecessary or excessive lighting; more natural environment for both nocturnal and diurnal animals provided.
Policy 10	Community Infrastructure Levy	Effective community initiatives, greater cohesion and development of social capital. Enhanced road safety.	Community enterprise.	Green spaces and other facilities that are environmentally integrated.
Policy 11	Community Facilities and Social Infrastructure	Continued and enhanced access to community and cultural activity and events supporting greater community cohesion and well-being.	Community enterprise.	Reduced need to travel to facilities by car: community buildings that are more efficient; reduced carbon footprint.
Policy 12	Facilities for Young People	Young people encouraged towards pursuing a full and fulfilling life.	Community enterprise.	Environmental improvements to facilities.
Policy 13	Local Green Spaces	Community health and well-being protected. Local distinctiveness promoted and reinforced, generating sense of place and	Environmental quality and reputation, key factors in tourism and inward investment, protected.	Green spaces and other facilities that contribute to landscape setting and habitat and biodiversity. Green infrastructure supported.

Figure 4: St Cleer NDP Policies Achieving Sustainable Development

Policy		Social implications / Outcomes	Economic implications / Outcomes	Environmental implications / Outcomes
		belonging. Local environmental quality and sense of place protected.		
Policy 14	Trees, Cornish Hedges & Hedgerows	Important character forming aspects of the local landscape protected and better quality of design. Quality and sense of place secured.	Environmental quality and reputation, key factors in tourism and inward investment, protected.	Landscape setting for settlements, heritage assets, and habitat and biodiversity preserved/enhanced.
Policy 15	Habitat and Biodiversity	Important character forming aspects of the local landscape protected and better quality of design. Quality and sense of place secured.	Environmental quality and reputation, key factors in tourism and inward investment, protected.	Habitat and biodiversity preserved/enhanced.
Policy 16	Sustainable Residential Infill Development	Wider opportunities for home ownership and creation of inclusive and mixed communities that are integrated with community. Self-build plots.	Opportunities for local builders. Additional support for businesses reliant on local trade.	Character and appearance of the AONB and WHS, historic village cores, setting of listed or unlisted heritage assets protected.
Policy 17	New Housing Development Sites	Wider opportunities for home ownership and creation of inclusive and mixed communities that are integrated with community. Affordable housing needs and needs of elderly met.	Additional support for businesses reliant on local trade.	Character and appearance of the AONB and WHS, historic village cores, setting of listed or unlisted heritage assets protected.
Policy 18	Exception Sites for Affordable Housing	Affordable housing needs met.	Reduced costs and increased affordability.	Rural gaps protected (see Policy 2).
Policy 19	Green Tourism Development	Facilities provided which can also be used by the local resident. Employment opportunities.	Additional visitor spending in the local economy.	Help to maintain the fabric of important buildings: respect for the character of the countryside. Green infrastructure supported.
Policy 20	Employment in Residential Areas	Flexible working practices embraced.	Economic base broadened, support for sustainable economic growth.	Adverse environmental impacts avoided or mitigated.

Figure 4: St Cleer NDP Policies Achieving Sustainable Development

Policy		Social implications / Outcomes	Economic implications / Outcomes	Environmental implications / Outcomes
Policy 21	Rural Workshops	Local employment and income generated.	Sustainable growth and expansion of rural businesses: local incomes generated .	Sensitive features including heritage buildings and biodiversity interests and amenity of residential properties, protected.
Policy 22	Horizon Sustainable Rural Settlement Master Plan	Wider opportunities for home ownership and creation of inclusive and mixed community that is integrated with facilities and employment on site Affordable housing needs and needs of elderly met. Improved road safety. Additional community leisure opportunities.	Substantial opportunities for new business and job creation. Additional retail provision and community enterprise.	Significant environmental harm from reintroduction of intensive agriculture avoided; intrusive building forms in setting of AONB and WHS removed; existing contamination mitigated.
Policy 23	Sustainable Energy Production	Wider community benefits from reduction in climate change factors.	Opportunities for local business and income generation.	Reduced greenhouse gas emission. Protects AONB and WHS from inappropriate energy plant. Encourages sustainable energy in a way that reflects the sensitive character of St Cleer Parish.
Policy 24	Community Sustainable Energy	Community ownership/shares in renewable energy and/or cheaper energy bills. Improved take up of electric vehicles.	Reduced energy costs. Additional local disposable income.	Reduced greenhouse gas emission. Protects AONB and WHS from inappropriate energy plant. Encourages sustainable energy in a way that reflects the sensitive character of St Cleer Parish.
Policy 25	Design for Sustainable Energy Use	Wider community benefits from reduction in climate change factors. Reduced energy costs. Additional local disposable income.	Reduced energy costs. Additional local disposable income.	Reduced greenhouse gas emission, protection of habitat and water environment.

Figure 4: St Cleer NDP Policies Achieving Sustainable Development

Policy		Social implications / Outcomes	Economic implications / Outcomes	Environmental implications / Outcomes
Policy 26	Transport and Communications	Transport and connectivity need of community met in most sustainable manner. Improved road safety. Better access to facilities. Improved health and wellbeing.	Congestion and business costs reduced.	Reduction in greenhouse gas emissions,
Policy 27	Footpaths, Bridleways and Quiet Lanes	Community benefits from continued availability of footpaths and cycleways for health and recreation. Improved disability access.	Existing routes to work and services retained. Tourism asset maintained.	Retention/enhancement of important part of existing green infrastructure network.

5. Having regard to national policies and guidance

5.1 All of the policies in this neighbourhood plan have been drafted with consideration of the national planning policies set out in the NPPF 2018 and associated guidance.

5.2 The detailed consideration of the St Cleer Neighbourhood Plan policies in Appendix 3 demonstrates how each is in conformity with National Planning Policy and guidance.

6. General conformity with the strategic policies of the development plan(s) for the area

6.1 All of the policies in this neighbourhood plan have been drafted with consideration of the local planning policies set out in the Cornwall Local Plan and associated guidance.

6.2 The detailed consideration of all policies in the St Cleer Neighbourhood Plan demonstrates how each is in conformity with Local Planning Policy and guidance.

7. Compatibility with EU Regulations

7.1 The St Cleer NDP Steering Group requested that Cornwall Council screen the Neighbourhood Plan for Strategic Environmental Assessment and Habitat Regulations Assessment. Natural England, the Environment Agency and Historic England were consulted as part of the screening process. The screening opinion, issued on 6th August 2019, concluded that SEA is not required for the St Cleer NDP. A copy of the screening opinion is included at Appendix 2.

8. Prescribed conditions and prescribed matters.

8.1 Section 38A(12) of the Parish and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act 2011 sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State. Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out one basic condition in addition to those set out in the primary legislation. This is: the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species

Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects)

8.2 The St Cleer NDP has within its area or with a pathway of impact from the NDP for three European designations:

- Phoenix United Mine and Crows Nest SAC
- Tamar Estuary Complex SPA and
- Plymouth Sound and Estuaries SAC

8.3 The St Cleer NDP Screening Opinion confirms that the St Cleer NDP will not cause significant environmental effects on these areas.

9. Comprehensive Impact Assessment Implications

9.1 The Equality Act 2010 places a duty on all public authorities to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons with a “protected characteristic” and those who do not. The protected characteristics are Age, Disability, Gender Re-assignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex, Sexual Orientation and in Cornwall an additional characteristic, Cornish Status.

9.2 This NDP has been developed to be in general conformity with the Cornwall Local Plan, which was subject to Examination in Public and found to be sound. The Cornwall Local Plan provides for objectively assessed need, to meet the needs of all groups in the community.

9.3 The Cornwall Local Plan has been subject to Comprehensive Impact Assessment. This concluded that the current and future businesses and residents of, and visitors to, Cornwall will be affected by the land use policies in terms of provision of jobs, homes, infrastructure, access to services and the protection of the environment. The strategic policy objectives to 2030 are to plan for the needs of the whole community now and in the future. In addition, where evidence demonstrates a need, a number of protected characteristic groups are positively planned for with specific provision made for older people and the disabled.

9.4 In particular the economic strategy, overall housing target and affordable housing targets aim to ensure appropriate jobs and housing is available to meet local needs. Failing to provide sufficient housing will impact most on disadvantaged groups.

9.5 An Equalities Impact Assessment has been carried out for the St Cleer NDP. It concludes that that none of the policies in the NDP will have high negative impacts upon groups with protected characteristics, with most being low impact. Many of the policies will make a positive contribution to the needs of those in the community with protected characteristics.

9.6 The St Cleer NDP provides a strategy for the development of the neighbourhood area, and a range of policies, which will result in positive benefits for the local community. The key positive impacts are promoting sustainable development, protecting the built and natural environment, providing employment and housing to meet local need and promoting community engagement and involvement in planning. The policies contained within the plan do not disadvantage any minority group or group with protected characteristics.

10. Conclusion

10.1 The St Cleer Neighbourhood Development Plan has regard to National Planning Policy and is in general conformity with the strategic policies of the Cornwall Local Plan. This Plan is compatible with EU obligations and promotes sustainable development.

10.2 It is considered that the Basic Conditions as set out in Schedule 4B to the Parish and County Planning Act 1990 (as amended) have been met. The Plan complies with Paragraph 8(1)(a) of Schedule 4B to the Act and should proceed to Referendum.

Appendix 1 - St Cleer Neighbourhood Plan Confirmation of Designation

**DECISION OF THE PORTFOLIO HOLDER FOR ENVIRONMENT,
HERITAGE AND PLANNING**

In respect of attached report for and on behalf of Chloe Pitt

Dated: 30 August 2013

Subject Matter: Designation of Neighbourhood Plan Area for the St Cleer
Neighbourhood Plan

Decision:

The St Cleer Neighbourhood Area be designated in accordance with the
Neighbourhood Planning (General) Regulations 2012.

Reason for the Decision:

In accordance with the Neighbourhood Planning (General) Regulations
2012 ('The Regulations') any Neighbourhood Plan being produced must be
carried out within a Neighbourhood Area the extent of which must
submitted to, publically advertised and consulted on for prescribed period
and approved by Cornwall Council.

Alternative options considered:

None other than contained within the report.

Conflicts of interest declared:

None.

Dispensations granted in respect of a conflict of interest:

Not Applicable.

Signed *Edwina Hamford*
Portfolio Holder for Environment, Heritage and Planning

Dated *2.9.13*

Appendix 2 – Screening Opinion

Information Classification: CONTROLLED

Derris Watson
St Cleer Neighbourhood Plan
Steering Group Chair

By email: derris.watson@btinternet.com

Dear Derris,

6 August 2019

St Cleer Parish Neighbourhood Development Plan – SEA and HRA Screening

As requested Cornwall Council has screened the St Cleer Parish Neighbourhood Development Plan (NDP) to see whether the plan requires Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA.)

As required by the SEA regulations CC produced a screening opinion report for the NDP and consulted the statutory bodies: Natural England, Historic England and the Environment Agency. We also asked Natural England to confirm whether or not HRA was required under the HRA directive.

The NDP could not be screened out for impacts on the Plymouth Sound and Estuaries SAC and Tamar Estuary Complex SPA. Appropriate Assessment has therefore been carried out and concludes that, due to strategic mitigation measures in the Cornwall Local Plan to deal with recreational impacts, it can be concluded that there will be no adverse impacts on the features of these European sites arising from the NDP.

Following comments from the consultation bodies, further background evidence was submitted; the 'St Cleer Parish NDP Sustainability Check' and the 'St Cleer NDP Settlement Boundary and Development Potential Analysis.' This evidence assesses the potential impacts of development in and around the settlements of the parish on environmental assets.

Based on the scale and location of development proposed in the draft plan, and the strategic and local policy framework, Cornwall Council is of the opinion that the St Cleer Parish NDP is unlikely to have significant effects on the environment and that SEA is therefore not required. The reasons for this are set out in the attached 'SEA and HRA Screening Report, including Appropriate Assessment, updated 2 August 2019.' Please include this information in your Basic Conditions Statement as it is part of the evidence demonstrating legal compliance.

If significant changes or additions are made to your plan I would advise you to have it rescreened.

**St Cleer Parish Neighbourhood Development
Plan (consultation draft April 2019)**

**Strategic Environmental Assessment
Habitats Regulations Assessment**

**Screening Report
Including Appropriate Assessment**

23 April 2019

**St Cleer Parish NDP
SEA and HRA Screening Report
Updated 2 August 2019**

St Cleer Parish NDP SEA and HRA Screening Report

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St Cleer Parish NDP SEA and HRA Screening Report

1. Introduction

1.1 This screening report is designed to determine whether or not the St Cleer Parish 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 objectives of the NDP are to:

- A. **Scale and Pace of Growth** - To enable appropriately scaled and paced growth of the villages of St Cleer Parish that meets the needs of the community and responds to market demand whilst protecting the heritage, character and countryside.
- B. **Housing Needs** - To enable sustainable housing growth in a format and mix which meets local needs and demands
- C. **Economic Development and Employment** - To support and encourage local businesses particularly the in agriculture, tourism, and light manufacturing sectors, ensuring that people have good opportunities for, and access to, local employment.
- D. **Infrastructure and Community Facilities** - To provide a high quality of life in our villages with improved community facilities and leisure opportunities to meet changing circumstances
- E. **Green Infrastructure and Biodiversity** - To conserve and enhance the green infrastructure and biodiversity of St Cleer Parish.
- F. **Landscape, Heritage and Design** - To conserve and enhance the special landscape and rich heritage of St Cleer Parish and ensure that new development reflects the special 'sense of place' associated with Cornish moorland mining villages
- G. **Accessibility and transport** - To ensure that new development respects the limitations of local infrastructure and incorporates sustainable travel measures and enhancing other forms of connectivity
- H. **Renewable Energy** - To promote the acceptable development of renewable energy sources

In order to achieve this, the NDP has 27 policies. The strategy of the NDP is to draw development boundaries for Commonmoor, St Cleer, Hockings House, Darite, Tremar, Tremar Coombe, Higher Tremarcombe and Crows Nest. The development boundaries include land giving scope for approx. 90 housing units and indicate the extent of the settlements where infill and rounding off is supported (policy 1 and map 2.) Outside the development boundaries this is considered as open countryside, where only limited development is acceptable (in line with policy 7 of the Cornwall Local Plan.) Exception sites are generally supported on the edge of development boundaries, in line with policy 9 of the Cornwall Local Plan, but between most of the settlements green gaps are identified, to avoid coalescence and so that the area of search for exception sites must be outside these areas (Policy 2 and map 7)

The NDP also contains a series of criteria based policies to achieve high quality design and protection of historic assets. Local facilities and green spaces are

St Cleer Parish NDP SEA and HRA Screening Report

identified, to be retained and renewable energy and sustainable transport is supported.

- 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..

St Cleer Parish NDP SEA and HRA Screening Report

2. Legislative Background

2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)

2.2. The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.

2.3 However, Neighbourhood Plans are not Local Development Documents and are not required to be subject to sustainability appraisal by legislation (although it is advisable to carry out some form of sustainability assessment.) Neighbourhood plans are produced under the Localism Act 2011. The Localism Act requires neighbourhood plans to be compatible with EU and Human rights legislation, therefore, depending on their content, neighbourhood plans may trigger the Strategic Environmental Assessment Directive and Habitats Directive and unless they choose to complete a full SA plans will need to be screened for SEA separately.

2.4 National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment.

Potential triggers may be:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan

2.5 Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).

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

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3. Criteria for Assessing the Effects of the Neighbourhood Plan

3.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

SCHEDULE 1 Regulations 9(2)(a) and 10(4)(a)

CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,

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- the effects on areas or landscapes which have a recognised national, Community or international protection status.

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

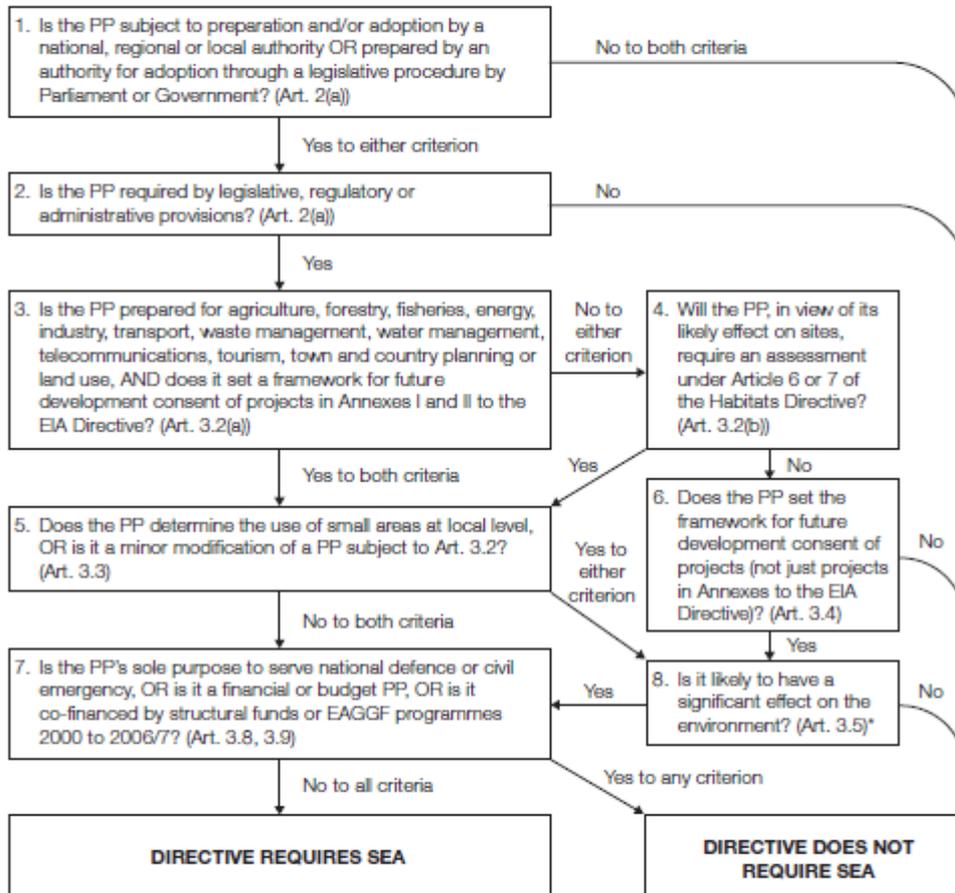
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4. Assessment

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

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

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



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

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

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

NDP Allocation or Policy 1, 17 and 22 :

European Site	Designated features/ habitats	Conservation Objectives	Pathways of impact	LSE	Screen in or out?
Phoenix United Mine and Crows Nest SAC	<p>Qualifying habitats:</p> <p>H6130 Calaminarian grasslands of the <i>Violetalia calaminariae</i> (grasslands on soils rich in heavy metals)</p>	<p>http://publications.naturalengland.org.uk/publication/5812344097603584?category=5374002071601152</p>	<ul style="list-style-type: none"> • Inappropriate scrub control • Overgrazing • Air pollution <p>None arising from the NDP. The management regime requires low intensity grazing and strict control of tipping, landscaping and motorbike scrambling. This is currently achieved through close liaison with landowners. The plan seeks to minimise further development at nearby settlements Crows Nest and Darite by drawing a tight settlement boundary and no housing sites are proposed for these settlements. A green gap is identified between the settlements and the SAC.</p>	No	out

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Tamar Estuary Complex SPA and	Qualifying species: Little Egrets Avocets	http://publications.naturalengland.org.uk/publication/6010091304124416?category=5374002071601152	Recreation	In combination	In
Plymouth Sound and Estuaries SAC	Qualifying habitats: Atlantic salt meadows Estuaries Large shallow inlets and bays Intertidal mudflats and sandflats Reefs Subtidal sandbanks Qualifying species: Allis shad Shore dock	http://publications.naturalengland.org.uk/publication/5833129793159168?category=5374002071601152	Recreation	In combination	In

Appropriate Assessment:

The HRA of the Cornwall Local Plan screened in the Tamar Estuary Complex SPA and the Plymouth Sound and Estuaries SAC for potential impacts through increased recreational use of the estuary, in combination with the growth proposed in the Plymouth Local Plan. Surveys were carried out (in conjunction with Plymouth City Council) to establish the likely distance that residents would travel to use the estuary for recreation. From this research, a 'zone of influence' was established, and it is agreed that an increase in the number of residents within this zone could have an impact on the designated habitats and species of the SAC and SPA. The features and species are listed in the above table and the potential pathways of impact

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are recreational disturbance through trampling, launching of small craft, indiscriminate anchoring and disturbance to birds either through walking, dog walking or use of small craft.

The south eastern corner of the parish is just within the zone of influence for the Tamar Estuaries Complex SPA and the Plymouth Sound and Estuaries SAC. The zone of influence will overlap the Horizon Farm development boundary. Policy 22 of the NDP foresees a rural settlement masterplan for this site with potential for up to 70 housing units.

A strategic mitigation scheme exists and is enforced by Policy 22 of the Cornwall Local Plan. A financial contribution will be taken for new residential development (including tourist accommodation) within the zone of influence and these payments will be used for a range of agreed measures, including wardening, contributions to the Tamar Estuaries Consultative Forum, a partnership of organisations and local authorities with statutory responsibility towards the management of the Plymouth Sound & Tamar Estuaries Marine Protected Area (MPA), information notices and educational materials and projects.

It is therefore possible to conclude that there will be no residual impact on the habitats or species of the European sites arising from the development proposed in the St Cleer NDP.

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

Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	Will be 'made' by Cornwall Council and used in decision making as part of the development plan.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Localism Act 2011 (as amended)
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)	Y	Appropriate assessment carried out in section 4.2.
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Plan contains land use planning policies to guide development within the parish.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	The NDP will be 'made' and used as part of the development plan for determining planning applications in the Plan area
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N/A	
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See assessment in table 2

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Table 2 likely significant effects	
SEA requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The NDP provides local criteria based policies to control the quality of development within the parish. The NDP aims to meet the apportionment of housing from the Local Plan (14% of the rural CNA apportionment) and the strategy for delivery is to draw development boundaries, which provide sufficient land to meet this apportionment through infill and small scale rounding off, redevelopment of a brownfield site at Horizon Farm and through rural exception sites if there is registered local need.
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The neighbourhood plan must be in general conformity with the National Planning Policy Framework and the Local Plan.
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	The neighbourhood development plan will be examined against four basic conditions, one of which is whether the plan contributes to sustainable development.
4. environmental problems relevant to the plan or programme,	N/A
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A

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Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
6. the probability, duration, frequency and reversibility of the effects,	The plan period runs to 2030, in line with the Cornwall Local Plan and contains policies to manage development for that period,
7. the cumulative nature of the effects,	The proposed strategy to enable a total of 120 units over the plan period (including current completions and commitments,) is commensurate with past delivery rates and projected need.
8. the transboundary nature of the effects,	The plan aims to provide employment and housing to meet need within the parish and 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),	The parish population recorded in the 2011 census was 3292 and 1597 properties were recorded in the parish. The mid year population estimate in 2016 was 3369 and the parish covers an area of approximately 4427 hectares.
<p>11. the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> -special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, <li style="padding-left: 40px;">- intensive land-use, 	<p>Environmental quality: The NDP policies have been subject to a sustainability check. The choice of sites and development boundary are evidenced by the 'St Cleer NDP Settlement Boundary and Development Potential' analysis. Both these documents include an analysis of the NDP proposals on designated features and, where necessary, recommend policy provisions. The parish contains extensive County Wildlife Sites, an area of Ancient Woodland and the Crow's Nest element (Crow's Nest SSSI) of the Phoenix United Mine and Crow's Nest SAC.</p> <p>SSSI/SAC The development boundary at Crow's Nest is remote from the SSSI/SAC and the green gap identified between Crow's Nest and Darite also extends north, providing good separation between Crow's Nest settlement and the SSSI. The SAC has been screened out (see section 4.2) as the potential pathways of impact on the features of the SAC are not related to the development proposals in this NDP.</p> <p>County Wildlife sites : St Cleer Downs to the south of St Cleer Tremarcoombe Common to the north west of Tremar Pickshill Wood to the southeast of Tremar These three sites are outside any development boundary and are further protected by policy 15, as well as the strategic policy framework. Siblyback Reservoir</p>

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	<p>Craddock Moor and Witheybrook Marsh</p> <p>These two sites are in the northern area of the parish, within the AONB on the slopes of Bodmin Moor and remote from any of the settlements or proposed development. It is unlikely that development arising from the NDP would encroach on County Wildlife sites, but in any case Policy 15 requires that: 'Developments must ensure that adverse impacts on County Wildlife Sites, Local Geological Sites and sites supporting Biodiversity Action Plan habitats and species, as recorded on the Proposals Map, are avoided, or effectively mitigated where impacts are unavoidable or, as a last resort impacts are compensated for through the creation of habitats elsewhere.'</p> <p>Ancient Woodland, Rosecraddock Wood. Research and guidance from the Woodlands Trust regarding the impact of nearby development on Ancient Woodland: https://www.woodlandtrust.org.uk/mediafile/100168350/Impacts-of-nearby-development-on-the-ecology-of-ancient-woodland.pdf identifies possible chemical effects, disturbance from light pollution, fragmentation through incursion or through roads and paths, predation of domestic animals and infiltration by non native species.</p> <p>The woodland is approx. 630 metres from the Horizon Farm site at the closest point. This does not represent fragmentation or an incursion into the woodland. Impacts from chemical effects are identified at proximities of less than 30m. Policy 9 of the NDP is a dark sky policy which requires development to minimise lighting. The location of development here will rely on the existing road network, does not propose extra roads and it does not link into the existing right of way along the edge of the woodland, which is a footpath which leads from the western edge of the woodland north to Tremar farm, away from the Horizon Farm site. The research identifies that the risk of incursion from non native species occurs at 250m or less. And studies on the predation of domestic cats identifies an average maximum hunting range of 300m. https://www.footprint-ecology.co.uk/reports/Floyd,%20L%20and%20Underhill-Day,%20J%20C%20-%202013%20-%20A%20literature%20review%20on%20the%20effects%20of%20pet%20cats%20on%20.pdf</p> <p>Policy 22 supports a masterplanning approach and includes criteria to control impacts on the environment. At 630m from the woodland, we conclude that the development of this site will not have significant impacts on the ancient woodland.</p> <p>Heritage Assets</p>
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	<p>The Minions conservation area covers almost a quarter of the parish area, along the eastern boundary. This overlaps with the Cornwall and west Devon Mining WHS designation, although the WHS extends further south to include Darite, Tremar Coombe and Lower Tremar.</p> <p>There are 153 records on the National Heritage List for England recorded in the parish. The NDP is cognisant of the rich variety of historic assets within the parish. The NDP acknowledges that national and local strategic planning policies are sufficient to protect listed heritage assets and a general policy is not needed in the St Cleer NDP. But, through policies 3-7, the NDP seeks to give local reference to the WHS guidance, provide local information on local assets at risk and local undesignated heritage assets and provide local design guidance, to add local detail to the strategic policy framework. The NDP policies have been subject to a sustainability check. The choice of sites and development boundary are evidenced by the 'St Cleer NDP Settlement Boundary and Development Potential' analysis. Both these documents include an analysis of impacts on heritage asset and the HIA in the sustainability assessment includes possible mitigations to be included in policy wording.</p> <p>The following policies in the NDP contain protections for historic assets: Policy 3 – World Heritage Site Policy 4: Landscape & Heritage Views and Vistas, Policy 5: Heritage Assets at Risk, Policy 6: Local Listing and Policy 7: Design in Historic Core which references the Cornwall Industrial Settlements Initiative Reports for Crow's Nest, Darite, Tremar Coombe, and St Cleer</p> <p>The NDP Map 3 (p32) shows the Historic Village cores and Map 4 (p34) shows historic assets in relation to the settlement boundaries. Policy 17 allocates three housing sites for development:</p> <ol style="list-style-type: none"> 1. an infill site of between 10-20 homes within the settlement of St Cleer. 2. A site for rounding off of 6-10 dwellings on the edge of Darite 3. The redevelopment of a Brownfield site, Horizon Farm, for 60-70 homes. <p>Site 1 would be enabled in any case by Policy 3 of the Cornwall Local Plan which encourages small scale infill and rounding off. But in addition the NDP identifies a historic core, using evidence from the CISI report 2004. This is shown on Map 3 and Policy 7 sets out a number of criteria for development within the Historic Core areas. Part of site 1 is within the historic core and Policy 7 will apply. On pages 17 and 18 of the Sustainability Check there is an assessment of the heritage impacts of the settlement boundary at St Cleer, taking into account setting and significance, of historic assets. Page 25 has a diagram mapping assets in and around St Cleer and on page 25 there is an assessment of the infill site (Policy 17.1, Land to the rear of the Stag.) This concludes that for this site there are none and no mitigation is required. There are no statutory historic assets within or in close proximity to site 1 and the scale of development on this site will not impact on the centre of the historic churchtown.</p>
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	<p>Site 2 is a small scale rounding off site on the edge of Darite. The eastern part of the extension has an extant planning consent for 18 dwellings. An area of greenspace is also earmarked within the extension, leaving space for around 6-10 units. This site has been chosen, as evidenced by the 'St Cleer NDP Settlement Boundary and Development Potential' analysis, because a small extension to the settlement in this direction is a natural opportunity for rounding off which preserves the historic form of the settlement and does not encroach into the Liskeard and Caradon Railway trackbed, a feature of the WHS, to the south of the settlement. The HIA in the Sustainability Check (p25/6) notes that the entire settlement is within the WHS and that surrounding development is typically mining cottages, although the immediate development to the east is a modern social housing development, to which an extension has been approved. To the north and west of the site is Hendra Manor and north of this, Hendra Farm which is built over the site of a Medieval settlement site. Because of this, the HIA notes the possibility of archaeology and suggests a watching brief. This is required in any case by Policy 24 of the CLP, but Policy 16 of the NDP places requirements on development within the development boundaries, this could be clarified to indicate that it does also apply to the sites. The scale of proposed development will not have a significant impact on historic assets in the wider area, such as the Minions Conservation Area and Caradon Copper Mine, which is a scheduled monument to the east of Darite, approx. 1km distant. See also page 22 of the Settlement Boundary and Development Potential analysis, which identifies the site and settlement boundary in relation to historic assets and constraints in the area.</p> <p>Site 3 proposes the redevelopment of a disused egg farm. Policy 22 also requires a masterplan approach to the redevelopment of the site and sets out a number of criteria that development for a number of different use types must meet. There are no historic assets within, adjacent to or in close proximity to the site. Pages 26/7 of the 'Settlement Boundary and Development Potential Analysis' maps the features and constraints and page 26 of the Sustainability check shows the HIA. This concludes that there are no designated assets on the site or in the immediate area – but that the site is prominent in the landscape and therefore has the potential to impinge on the WHS mining landscape. However redevelopment of the current buildings is an opportunity for improvement and the criteria of Policy 22 secure the quality of replacement development. A masterplanning approach is required, which can bring significant opportunities to enhance both the quality of the built form and biodiversity.</p> <p>The nearest designated assets are within the identified historic core of St Cleer and in the north of Tremar, within those settlements and surrounded by existing development. These will not be affected by the scale of development proposed at site 3, over 1km distant.</p>
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12. the effects on areas or landscapes which have a recognised national, Community or international protection status.

The majority of the parish area is undeveloped. Large areas are registered as common land and the policies of the NDP seek to control development and locate it within existing settlements and on previously developed land well related to those settlements.

Policy 9 Dark Skies encourages design which will help to preserve the quality of the 'dark sky' above its area.

Policy 18 restricts exception site proposals within the AONB

Policy 19 promotes tourism development but places a requirement that Proposals within the AONB will only be supported where they adequately demonstrate that they conserve and enhance the landscape character and natural beauty of the AONB and are appropriately located to address the AONB's sensitivity and capacity (and be compliant with the most recent AONB Management Plan) and whilst the plan promotes renewable energy installations, it does not do so within the AONB or its setting.

The northern part of the parish, north of the road from Dobwalls to Minions, is designated AONB <http://www.cornwall-aonb.gov.uk/bodminmoor/>. Commonmoor is the only settlement within the AONB and no development sites are proposed.

Darite is the settlement closest to the AONB. The site on the edge of Darite proposes development of 6-10 dwellings and is the type of small scale addition to existing settlements supported by strategic Policy 3 of the Cornwall Local Plan. It is over 1km distant from the AONB with another settlement (Higher Tremarcoombe) between the site and the AONB. Policy 16 requires development within development boundaries to respect the character and appearance of the AONB and strategic policies in the Cornwall Local Plan also operate. The 'Settlement boundary and development potential' analysis for Darite (p22) has assessed the landscapes setting of the settlement and concludes that only very small sacslle infill/rounding off is appropriate.

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5. Screening Outcome

- 5.1 HRA screening: The assessment in section 4.2 shows that there is a potential for significant effects on 2 European sites, The Plymouth Sound and Estuaries SAC and the Tamar Estuary Complex SPA, 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 impact on the integrity of the European site.
- 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.
6. The overall quantum of development is within the thresholds in the EIA regulations for any identified housing sites, either individually or cumulatively. The scale of development is therefore regarded as low scale. The screening process requires the competent authority to assess two main aspects: the scale of development proposed in the NDP and the sensitivity of the environment. We then have to decide whether any potential impacts are significant, either alone or cumulatively. The characteristics of the plan and the degree to which a plan influences other plans is also relevant – and neighbourhood plans are at the bottom of the planning hierarchy and some reliance can therefore be placed on higher level policies and the evidence underpinning them.
7. The Horizon Farm site is above the threshold in the EIA regulations for ‘other’ development, but the guidance on Indicative Screening Thresholds indicates that ‘Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.’ On this basis the Horizon Farm site is screened out.
- 5.5 The assessment in section 4.3 confirms that this NDP determines the use of a small area at local level and does not reveal any significant effects on the environment resulting from the St Cleer Parish NDP. The policy framework exists in Cornwall Local Plan policies 23 and 24 and in the emerging NDP to ensure protection of the environment. SEA is therefore not required.

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Appendix 3 – Policy analysis

DETAILED CONSIDERATION OF ST CLEER NEIGHBOURHOOD DEVELOPMENT PLAN POLICIES

This table sets out how each policy reflects the aims of local and national policy and supports the achievement of sustainable development.

Policy	Promoting Sustainable Development			Commentary	NPPF 2018	Cornwall Local Plan
	Social	Econ	Environ			
Policy 1 Settlement Development Boundaries	+	+	++	Policy 1 sets settlement development boundaries with the intention of enabling controlled housing and employment growth, facilitating the operation of rural exceptions preserving village life and the character of the parish and protecting the special landscapes of St identity of each settlement, the historically important pattern of development, and local peoples sense of their villages as small attractive and tranquil placers to live.	<ul style="list-style-type: none"> • Delivering a sufficient supply of homes • Building a strong, competitive economy • Making effective use of land • Achieving well-designed places • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment 	Policy 2 Spatial strategy Policy 3 Role and function of places Policy 5 Business and Tourism Policy 7 Housing in the countryside Policy 8 Affordable housing Policy 9 Rural Exception Schemes Policy 16 Health and wellbeing Policy 21 Best use of land and existing buildings Policy 23 Natural environment Policy 24 Historic environment
Policy 2 Rural Gaps	++	+	++	Rural Gaps are proposed to prevent coalescence of the Parish’s settlements and preserve the essentially rural/mining landscape of the Parish. They also contribute to the openness and character of their setting, help to maintain a separate identity and sense of place for residents and visitors , provide access and recreational benefits, contribute to the perceived as well as real benefits of having open countryside near to where people live, provide wildlife corridors, and maintain the setting of	<ul style="list-style-type: none"> • Making effective use of land • Achieving well-designed places • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment • Promoting Healthy and Safe Communities 	Policy 2 Spatial strategy Policy 7 Housing in the countryside Policy 12 Design Policy 13 Development standards Policy 16 Health and wellbeing Policy 21 Best use of land and existing buildings Policy 23 Natural environment Policy 24 Historic environment Policy 25 Green infrastructure

Policy	Promoting Sustainable Development			Commentary	NPPF 2018	Cornwall Local Plan
	Social	Econ	Environ			
				heritage assets and historic routes. They also support the intentions behind Policy 1.		
Policy 3 WHS Heritage Assets	+	+	++	Policy intends to ensure that the Outstanding Universal Value of the WHS is protected in the process of development, particularly where formally undesignated heritage assets are involved or could be affected. The WHS is a considerable tourism asset for Cornwall.	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment • Building a strong, competitive economy • Achieving well-designed places 	Policy 12 Design Policy 24 Historic environment Policy 5 Business and Tourism
Policy 4 Landscape & Heritage Views and Vistas	+	+	++	Policy will help mitigate negative impacts of development on the character of the AONB, WHS and Historic Cores.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the historic environment • Conserving and enhancing the historic environment 	Policy 24 Historic environment Policy 25 Green infrastructure Policy 5 Business and Tourism
Policy 5 Heritage Assets at Risk	+	+	++	The context, setting and significance of heritage assets and their legibility in the landscape preserved. Impacts of development on AONB, WHS and AGLV minimised.	<ul style="list-style-type: none"> • As above 	As above
Policy 6 Local Listing of Non-Designated Heritage Assets	+	0	+	Notable local buildings and structures which are not listed Buildings can contribute to local historic environment and settings of designated assets.	<ul style="list-style-type: none"> • As above 	As above
Policy 7 Design in Historic Core of Settlements	+	+	++	Good design can retain, protect, enhance or complement historic character of village 'townscape', landscape, buildings or features within historic environments.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the historic environment • Building a strong, competitive economy 	Policy 5 Business and Tourism Policy 12 Design Policy 13 Development standards Policy 24 Historic environment

Policy	Promoting Sustainable Development				NPPF 2018	Cornwall Local Plan
	Social	Econ	Environ	Commentary		
Policy 8 Design in New Development	++	+	+	Good design brings broad benefits in terms of character, layout, movement, adaptability, inclusiveness, resilience, diversity, and 'good neighbourliness'. It can make places more 'liveable', comfortable and well maintained and brings broad benefits in terms of mitigating any harmful effects of proposals.	<ul style="list-style-type: none"> • Promoting Healthy and Safe Communities • Making effective use of land • Achieving well-designed places • Conserving and enhancing the historic environment • Promoting Healthy and Safe Communities 	Policy 12 Design Policy 13 Development standards Policy 25 Green infrastructure Policy 27 Transport and accessibility Policy 22 European protected sites - mitigation of recreational impacts from development Policy 23 Natural environment
Policy 9 Dark Skies	+	+	++	Rural 'Dark Skies' can enhance community enjoyment and appreciation of their environment, improve quality of life and creative inspiration; promote health through improved sleep patterns and reduced stress. Reduce energy wastage from unnecessary or excessive lighting; and provide a more natural environment for both nocturnal and diurnal animals. They are also part of the tourism 'offer' for the area.	<ul style="list-style-type: none"> • Promoting Healthy and Safe Communities • Building a strong, competitive economy • Achieving well-designed places • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment • Meeting the challenge of climate change, flooding and coastal change 	Policy 5 Business and Tourism Policy 12 Design Policy 13 Development standards Policy 16 Health and wellbeing Policy 23 Natural environment
Policy 10 Community Infrastructure Levy	++	+	+	Although CIL is not yet available in St Cleer Parish, it may be in the future so policy points towards the uses to which it may be put, such as projects which could help reduce need to travel to facilities by car: community buildings that are more efficient; reduced carbon footprint, and enhanced road safety. Such projects may lead to fresh community initiatives, greater cohesion and development of social capital. Enhanced road safety.	<ul style="list-style-type: none"> • Promoting Healthy and Safe Communities • Promoting sustainable transport • Achieving well-designed places • Conserving and enhancing the natural environment 	Policy 4 Shopping, services and community facilities Policy 16 Health and wellbeing Policy 23 Natural environment Policy 25 Green infrastructure Policy 27 Transport and accessibility

Policy	Promoting Sustainable Development				NPPF 2018	Cornwall Local Plan
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Policy 11 Community Facilities and Social Infrastructure	++	+	+	Policy 11 aims to help continue and enhance access to community and cultural activity and events supporting greater community cohesion and well-being. The availability of services locally will reduced the need to travel to facilities by car: Policy may also lead to community buildings that are more efficient with a reduced carbon footprint.	<ul style="list-style-type: none"> • Promoting Healthy and Safe Communities • Promoting sustainable transport • Achieving well-designed places • Conserving and enhancing the natural environment • Meeting the challenge of climate change, flooding and coastal change 	Policy 4 Shopping, services and community facilities Policy 16 Health and wellbeing Policy 23 Natural environment Policy 25 Green infrastructure Policy 27 Transport and accessibility
Policy 12 Facilities for Young People	++	o	+	As above	<ul style="list-style-type: none"> • As above 	As above
Policy 13 Local Green Spaces	++	o	++	Protection of open spaces protects their social, environmental and economic value.	<ul style="list-style-type: none"> • Building a strong, competitive economy • Promoting Healthy and Safe Communities • Conserving and enhancing the natural environment 	Policy 4 Shopping, services and community facilities Policy 5 Business and Tourism Policy 23 Natural environment Policy 25 Green infrastructure
Policy 14 Trees, Cornish Hedges & Hedgerows	+	+	++	Policy addresses the impact of development on important character forming aspects of the local landscape, and in design terms the quality and sense of place. The policy also ensures that habitat and biodiversity are preserved/enhanced. These are part of the attractions of the are and its tourism 'offer'.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment • Promoting Healthy and Safe Communities • Building a strong, competitive economy 	Policy 12 Design Policy 16 Health and wellbeing Policy 23 Natural environment Policy 24 Historic environment Policy 25 Green infrastructure Policy 5 Business and Tourism
Policy 15	+	+	++	As above	<ul style="list-style-type: none"> • As above 	As above

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Habitat and Biodiversity						
Policy 16 Sustainable Residential Infill Development	++	+	++	This policy will support wider opportunities for home ownership, opportunities for local builders and includes criteria to help development sit with the and WHS, historic village cores, setting of listed or unlisted heritage assets.	<ul style="list-style-type: none"> • Delivering a sufficient supply of homes • Making effective use of land • Building a strong, competitive economy • Achieving well-designed places • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment 	Policy 2a Key Targets Policy 5 Business and Tourism Policy 6 Housing mix Policy 7 Housing in the countryside Policy 12 Design Policy 13 Development standards Policy 24 Historic environment
Policy 17 New Housing Development Sites	++	+	++	This policy will support wider opportunities for home ownership, the creation of inclusive and mixed communities that are close to job opportunities and generate additional support for businesses reliant on local trade. It will also help the developments to better fit with their neighbours and respect its historic setting.	As above	As above
Policy 18 Exception Sites for Affordable Housing	++	+	0	The need for local affordable housing, in the forms of both social rented and ownership homes, should be delivered by this policy. Such sites are more likely to be delivered by local builders.,	<ul style="list-style-type: none"> • As above 	As above.
Policy 19 Green Tourism Development	+	++	+	New tourism facilities, for 'green tourism' based on local distinctiveness and the moorland location, can support sustainable growth within the local environmental carrying capacity, and provide jobs, services and facilities of benefit to the local	<ul style="list-style-type: none"> • Building a strong, competitive economy • Making effective use of land • Achieving well-designed places • Promoting Healthy and Safe Communities 	Policy 4 Shopping, services and community facilities Policy 5 Business and Tourism Policy 12 Design Policy 16 Health and wellbeing Policy 21 Best use of land and existing buildings

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				community, and help clean up degraded areas.	<ul style="list-style-type: none"> Meeting the challenge of climate change, flooding and coastal change Conserving and enhancing the natural environment Conserving and enhancing the historic environment 	Policy 23 Natural environment Policy 24 Historic environment Policy 25 Green infrastructure
Policy 20 Employment in Residential Areas	++	++	0	Home based enterprise can add to community prosperity and reduce travel needs, but can have impacts on residential amenity.	<ul style="list-style-type: none"> Building a strong, competitive economy Promoting Healthy and Safe Communities Achieving well-designed places Conserving and enhancing the natural environment Conserving and enhancing the historic environment 	Policy 5 Business and Tourism Policy 12 Design Policy 21 Best use of land and existing buildings
Policy 21 Rural Workshops	++	++	+	Small scale workshops may allow improved sustainable business practices and aid economic development, and provide local employment for local people.	<ul style="list-style-type: none"> As above 	As above
Policy 22 Horizon Sustainable Rural Settlement Master Plan	++	++	++	This site provides a significant opportunity to avoid serious environmental harm from reintroduction of intensive agriculture, by creating a new sustainable community that incorporates: <ul style="list-style-type: none"> local needs and market housing sufficient to take pressure off less suitable land alongside existing settlements; employment opportunities, such as workshops and offices close to residential provision, with the 	<ul style="list-style-type: none"> Building a strong, competitive economy Making effective use of land Achieving well-designed places Promoting Healthy and Safe Communities Meeting the challenge of climate change, flooding and coastal change 	Policy 2a Key Targets Policy 5 Business and Tourism Policy 6 Housing mix Policy 12 Design Policy 13 Development standards Policy 16 Health and wellbeing Policy 21 Best use of land and existing buildings Policy 23 Natural environment Policy 24 Historic environment Policy 25 Green infrastructure

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	Social	Econ	Environ	Commentary		
				<p>potential to reduce travel demand to jobs elsewhere;</p> <ul style="list-style-type: none"> • an extra care housing development to meet the needs of the older members of the community; • retail provision that would reduce the need of St Cleer Parish residents to travel to Liskeard or elsewhere outside the Parish for 'top up' food shopping and other services; • leisure and play-space of benefit to the wider community; • additional green infrastructure and biodiversity enhancement; • the mitigation of existing contamination on the site • the removal of intrusive building forms in setting of AONB and WHS 	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment 	
Policy 23 Sustainable Energy Production	+	+	++	<p>There are both local and wider community benefits from reduction in climate change causes and thereby its impacts. Some sustainable energy generation locally could benefit local business. The policy also protects AONB and WHS from inappropriate energy plant.</p>	<ul style="list-style-type: none"> • Meeting the challenge of climate change, flooding and coastal change • Conserving and enhancing the natural environment • Building a strong, competitive economy • Conserving and enhancing the historic environment 	<p>Policy 5 Business and Tourism Policy 23 Natural environment Policy 24 Historic environment Policy 25 Green infrastructure Policy 14 Renewable and low carbon energy Policy 15 Safeguarding renewable energy</p>
Policy 24 Community Sustainable Energy	++	+	+	<p>This policy could bring about improved local incomes and/or cheaper energy bills and potentially the take up of electric vehicles. At the same time it serves to protect the AONB and WHS from inappropriate energy plant.</p>	<ul style="list-style-type: none"> • As above. 	<p>As above</p>

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Policy 25 Design for Sustainable Energy Use	++	++	++	Through sustainable design a reduction in the causes of global warming can be achieved, along with reduced energy costs leading to additional local disposable income.	<ul style="list-style-type: none"> As above 	As above.
Policy 26 Transport and Communications	+	+	++	This policy intends to address the transport and connectivity need of community in the most sustainable manner, improved road safety, give better access to facilities, thereby reducing congestion and business costs reduced. Modal shift may lead to a reduction in greenhouse gas emissions, and improved health and wellbeing.	<ul style="list-style-type: none"> Promoting Healthy and Safe Communities Achieving well-designed places Meeting the challenge of climate change, flooding and coastal change Conserving and enhancing the natural environment Conserving and enhancing the historic environment 	Policy 12 Design Policy 13 Development standards Policy 23 Natural environment Policy 24 Historic environment Policy 25 Green infrastructure Policy 27 Transport and accessibility
Policy 27 Footpaths, Bridleways and Quiet Lanes	++	+	++	Protection of footpath and bridleways and cycleways is vital to support sustainable transport and leisure, and to contribute to the green infrastructure network. The policy seeks to ensure disability access, for all forms of disability, and maintain a key tourism asset.	<ul style="list-style-type: none"> As above 	As above

