

**Penzance Parish Neighbourhood Plan
SEA and HRA Screening Report**

Penzance Parish Draft NDP (April 2022)

**Strategic Environmental Assessment
Habitats Regulations Assessment**

Screening Report

June 2022

Penzance Parish Neighbourhood Plan SEA and HRA Screening Report

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1. Introduction

1.1 This screening report is designed to determine whether or not the Penzance 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 purpose of the NDP is to set out planning policies to be used as part of the development plan, for determining applications in Penzance parish. The Parish is also covered by the Local Plan Site Allocations DPD (LP:SA), which provides a strategic framework to housing delivery, economic growth, infrastructure, green infrastructure and transport. The NDP builds on the LP:SA, providing local criteria-based policies to encourage and shape the quality and type of development within the parish. The overall community vision laid out in the NDP is to:

- reconnect with the sea - driving sustainable economic regeneration and growth;
- see the main centre for the Parish, the town of Penzance, as a place where people have improved opportunities to live, work, meet, shop and visit;
- have a built environment which is easy for people to get around on foot, by bicycle and using mobility aids;
- be a place where people have the opportunity to access and enjoy the natural environment across the Parish and pursue a healthy and active lifestyle;
- have new housing development which meets the needs of the local community, as well as supporting economic growth and responds positively to the challenges posed by a changing climate; and,
- see future development within the Parish which respects the quality and heritage of the built and natural landscape and the distinct identities of the communities that make it up.

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.

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2. Legislative Background

Strategic Environmental Assessment

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

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

2.3 However, Neighbourhood Plans are not Local Development Documents and are not required to be subject to Sustainability Appraisal by legislation (although it is advisable to carry out some form of sustainability assessment.) Neighbourhood Plans are produced under the Localism Act 2011. In SEA terms, Neighbourhood Plans are treated as components of Local Plans. National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require Strategic Environmental Assessment. The Localism Act 2011 also requires Neighbourhood Plans to be compatible with EU and Human Rights legislation, therefore, depending on their content, Neighbourhood Plans may trigger the Strategic Environmental Assessment Directive and Habitats Directive

2.4 Figure 2.1 shows the SEA screening process, and Box 2.1 shows the criteria to be used for the main test that applies to Neighbourhood Plans, namely whether the plan is likely to have a significant environmental effect.

2.5 National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require Strategic Environmental Assessment. Potential triggers may be:

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

Habitats Regulation Assessment

2.6 Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the

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conservation management of a European site's qualifying features. This process also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).

2.7 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. Table 3.1 lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

Sustainability Appraisal

2.8 The NPPG explains that there is no legal requirement for a Neighbourhood Plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A Sustainability Appraisal may be a useful approach for doing this.

2.9 This report therefore includes screening for HRA and SEA. Section 3 sets out the HRA screening and provides that Appropriate Assessment if required. Section 4 shows the SEA screening process (fig 2.1), and Box 2.1 shows the criteria to be used for the main test that applies to neighbourhood plans, namely whether the plan is likely to have a significant environmental effect.

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3. Habitats Regulation Assessment

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

3.2 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. The table below lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

3.3 HRA screening: Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites? The table(s) below appraises the effect of allocations or policies within the 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.

Policies within the NDP which have a spatial element are:

Economy: EC3: Protecting Maritime Industries; EC4: Supporting a Sustainable Tourism / Visitor Economy; EC6: Development Proposals on the Coastline Outside of Penzance and Newlyn Harbours; EC7: Development Proposals on the Stable Hobba (PZ-E2) and Sandy Cove (PZ-E3) Allocated Sites; EC8: Supporting a Sea Taxi Service

Housing: H11: Local Development Site Supplementary Briefing Notes

Green Infrastructure and Environment: Policy GI1: Local Green Spaces; Policy GI2: Protecting, Enhancing and Extending Green Routes, Churchways and other Public Rights of Way in the Countryside; Policy GI3: Development on the Coast and Accessibility; Policy GI4: Biodiversity Corridors and Habitats; Policy GI6: Green Buffers.

Penzance: PEN1: Penzance Transport, Accessibility and Public Realm Plan; PEN 4: Heart of the Town Centre; PEN5: Harbour and Headland; PEN6: Wharveside Carpark; PEN7: Vitality of the Promenade; PEN8: Mounts Bay Linear Park; PEN9: Town Centre Mixed-use Development and Conversion of Retail and other Town Centre Uses; PEN10: New Retail Premises; Policy PEN11: Supporting Town Centre Living; PEN12: Protecting Facilities which support the Creative, Arts and Culture Sectors in Penzance; PEN13: Penzance (Wherry Town / Waterfront) Local Development Site Supplementary Briefing Note.

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Newlyn: NEW1: Newlyn Transport, Accessibility and the Public Realm Plan; NEW2: Stable Hobba and Sandy Cove Park and Walk / Cycle Hubs; NEW3: Access to the South Pier and Observatory; NEW4: Parking for Residents at Chywoone Hill; NEW5: Newlyn Local Development Site Supplementary Briefing Note; NEW6: The Old Bottle Top Factory; NEW7: Enhancements at Newlyn Green; NEW8: Penlee Quarry (Pippoon Lagoon); NEW9: The Heritage Harbour (Old Quay); NEW10: The Village Square; NEW11: The Old Iceworks; NEW12: The Fradgan; NEW13: The Seafood Training Hub Facility; NEW14: The Fishermen’s Mission; NEW15: Protecting Facilities which support the Creative, Arts and Culture Sectors in Newlyn; NEW16: Boathouse Storage for Gig Rowing; NEW17: Protecting the Village Centre Retail Core.

Table 3.1 European Sites within 10km of the Plan Area

| European Site | Designated features | Threats/pressures | Pathways of Impact (arising from development relating to the NDP) | Likely significant effects (including in combination) | Screen in or out |
|----------------------------------|---|--|---|---|------------------|
| Marazion Marsh SPA | Just outside the Parish boundary, Marazion Marsh is approximately 5 km east of Penzance and is designated for its populations of aquatic warbler and wintering bittern. | <ul style="list-style-type: none"> • Hydrological changes • Water pollution • Public access/disturbance • Invasive species • Climate change | Water pollution and public access/disturbance | Yes | In |
| Lower Bostraze and Leswidden SAC | Located approximately 6km to the North West of the Parish and is designated for western rustwort. | <ul style="list-style-type: none"> • Change to site conditions • Impediment to management | None – the plan area is wholly outside of the impact risk zones. | No | Out |

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The HRA undertaken for the LP:SA recognised that there could be an impact on Marazion Marsh SPA and SSSI through increased recreation and pollution from Local Plan site allocations PZ-H1 and PZ-E4. It was decided that with mitigation the impact on the SPA/SSSI can be managed to an acceptable level and concluded that the potential adverse impacts from development of these sites are outweighed by the benefits of providing housing (including affordable housing) and employment and economic growth. These sites are not within the NDP plan area and are located in the neighbouring parish of Ludgvan.

Most of the NDP policies are not proposing development that is additional to the LP:SA and therefore should be screened out. The notable exception is the section on Newlyn. Many of the Newlyn policies are in addition to the LP:SA and as such have not been subject to HRA screening or Appropriate Assessment. Newlyn falls within the impact risk zone in relation to Marazion Marsh SPA/SSSI. For this reason, Appropriate Assessment will be required.

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4. SEA screening

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

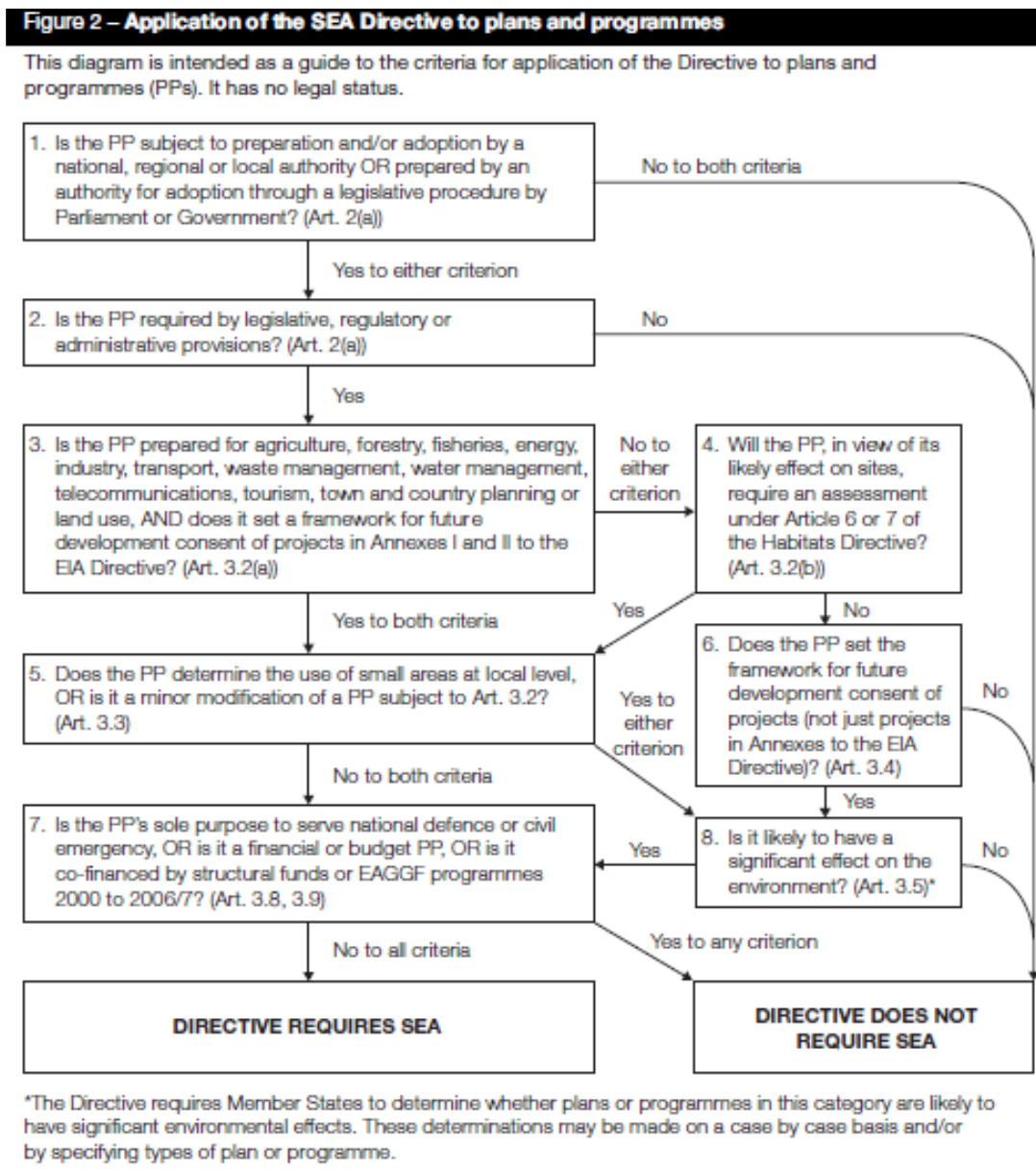
| SCHEDULE 1 Regulations 9(2)(a) and 10(4)(a) CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT |
|---|
| <p>1. The characteristics of plans and programmes, having regard, in particular, to</p> <ul style="list-style-type: none"> - the degree to which the plan or programme 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). <p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</p> <ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> - special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use, - the effects on areas or landscapes which have a recognised national, Community or international protection status. |

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

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Figure 2 SEA screening flowchart

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



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

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| Table 4.1 Establishing the Need for SEA | | |
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| Stage | Y/N | Reason |
| 1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | Y | Will be 'made' by Cornwall Council and used in decision making as part of the development plan. |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Y | Localism Act 2011 |
| 3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a)) | N | Annex I and II projects are (typically) large scale industrial and commercial processes – the plan does not deal with this scale of development. |
| 4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) (See para 4.2 above) | Y | See Section 3 on Habitats Regulations Assessment |
| 5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3) | Y | The Plan contains land use planning policies to guide development within the parish |
| 6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) | Y | The NDP will be 'made' and used as part of the development plan for determining planning applications in the Plan area |
| 7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) | N | |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5) | Y | See Table 4.2 |

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| Table 4.2 Likely significant effects on the environment | |
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| 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 | <p>The Cornwall Local Plan has set the following targets for Penzance and Newlyn:</p> <ul style="list-style-type: none"> • To develop 2,150 dwellings between 2010 and 2030 • To support the provision of around 16,083sqm of B1a office accommodation and 16,083sqm of B1c / B2 / B8 Industrial space <p>The NDP provides local criteria-based policies to control the quality of development within the parish.</p> <p>Whilst the NDP does not aim to exceed the Local Plan target for housing, it does include a number of site-specific economic regeneration policies in Newlyn which are in addition to the LP:SA. The sites in question were mainly excluded from the LP:SA because of the potential impact on the highway network, access issues and site topography due to the steep gradients of the area. As such they have not been subject to SEA as part of the Local Plan.</p> |
| 2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy | The Neighbourhood Plan must be in general conformity with the National Planning Policy Framework and the Local Plan. It does not influence other plans. |
| 3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development, | The Neighbourhood Plan must be in general conformity with the National Planning Policy Framework and the Local Plan which promote sustainable development. It will be examined against four basic conditions, one of which is whether the plan contributes to sustainable development. |
| 4. environmental problems relevant to the plan or programme, | <p>The following environmental problems/sensitivities have been identified in the Neighbourhood Plan area:</p> <ul style="list-style-type: none"> • Marazion Marsh SPA/SSSI is in an unfavourable recovering condition. Located approximately 5 km east of Penzance and is designated for its populations of aquatic warbler and wintering bittern. The site is located outside of the plan area, but the plan area is within the impact risk zones for the site. • Chyenhal Moor SSSI is in an unfavourable declining condition. Situated in a poorly drained valley 3 km south west of Penzance, it supports a diverse range of habitats including willow carr (the predominant vegetation type), heath, stream, pond, areas of Juncus vegetation and scrub. It is of particular interest as a locality of several rare plant species which are mainly associated with the wet heath areas. The site is in an unfavourable declining condition. The SSSI is located outside of |

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| | <p>the plan area, but the plan area is within the impact risk zones for the site.</p> <ul style="list-style-type: none"> • Mounts Bay Marine Conservation Zone was designated in 2016. MCZs, together with other types of marine protected areas, form the UK contribution to an international network of protected sites in the north east Atlantic. The network will help to deliver the government's vision of clean, healthy, safe, productive and biologically diverse oceans and seas. MCZs protect typical, rare or declining habitats and species found in our seas. The government guidance states that '<i>Now that this site has been designated, some activities may need additional management. Activities and the management measures used to regulate them may need to change if new evidence becomes available</i>' and as such it is important to take this into account when looking at the plan policies. • The Index of Multiple Deprivation 2019 shows significantly high levels of deprivation in central and east Penzance, including Treneere, Eastern Green and parts of Heamoor, with low and middle levels in other parts of the parish • Traffic congestion and parking issues within the plan area - Newlyn has been highlighted by development management colleagues as being of particular concern regarding capacity to accommodate new development. |
| <p>5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</p> | <p>N/A</p> |
| <p>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p> | |

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| 6. the probability, duration, frequency and reversibility of the effects, | The plan period runs until 2030, to align with the Cornwall Local Plan. The level of development planned for in terms of residential development and Penzance itself is consistent with the LP:SA. Several additional economic regeneration sites and mixed-use development policies are included in Newlyn. |
| 7. the cumulative nature of the effects, | <p>The Cornwall Local Plan has set the following targets for Penzance and Newlyn:</p> <ul style="list-style-type: none"> • To develop 2,150 dwellings between 2010 and 2030 • To support the provision of around 16,083sqm of B1a office accommodation and 16,083sqm of B1c / B2 / B8 Industrial space <p>The LP:SA sets the following vision for Penzance and Newlyn <i>'To celebrate the setting of Mount's Bay, maximising its economic potential and in doing so becoming West Cornwall's premiere tourism destination, whilst a thriving economy in the marine, creative and leisure industries'</i>.</p> |
| 8. the transboundary nature of the effects, | N/A |
| 9. the risks to human health or the environment (e.g. due to accidents) | N/A |
| 10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), | <p>The population recorded in the 2011 census was 21,045 and the 2019 mid-year estimate was 20,864 residents. The parish has an area of approximately 1290 hectares. As Penzance and Newlyn are covered by the LP:SA, the NDP does not set a target for development, but focuses on meeting local need in line with strategic policies and on criteria based policies for quality of development.</p> <p>Whilst the NDP does not aim to exceed the Local Plan target for housing, it does include a number of site-specific economic regeneration policies in Newlyn which are in addition to the LP:SA. The sites in question were mainly excluded from the LP:SA because of the potential impact on the highway network, access issues and site topography due to the steep gradients of the area</p> |
| <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 | <p>Special Areas of Conservation:</p> <p>There are no SACs within the plan area.</p> <p>Lower Bostraze and Leswidden SAC lies approximately 6km to the North West of the Parish (designated for western rustwort). This has been considered in the HRA screening in section 3 and no pathways of impact from the NDP to the features of the SAC have been identified (the plan area is outside of impact</p> |

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| <p>standards or limit values, - intensive land-use,</p> | <p>risk zones).</p> <p>Special Protection Areas:</p> |
| <p>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</p> | <p>Just outside the Parish boundary, Marazion Marsh is approximately 5 km east of Penzance and is designated for its populations of aquatic warbler and wintering bittern. This has been considered in the HRA screening in section 3. It was concluded that most of the NDP policies are not proposing development that is additional to the LP:SA and therefore should be screened out. The notable exception is the section on Newlyn. Many of the Newlyn policies are in addition to the LP:SA and as such have not been subject to HRA screening or Appropriate Assessment. Newlyn falls within the impact risk zone and for this reason, Appropriate Assessment (and consequently SEA) will be required.</p> <p>Sites of Special Scientific Interest:</p> <p>Penlee Point SSSI is designated for geological conservation reasons. It is predominantly in a favourable condition with the unfavourable areas 'recovering'. Due to its location, no pathways of impact from the NDP to the features of the SSSI have been identified.</p> <p>Penlee Quarry SSSI is designated for geological conservation reasons. It is in a favourable condition. Policy NEW8 supports the development of the quarry which provides a mix of leisure, recreation, marina and housing. The SSSI status of the site and the geological conservation value are not mentioned in the policy or supporting text. Penlee Quarry/Pippoon Lagoon is not mentioned in the LP:SA and therefore any potential impact of this policy has not been assessed previously. It is considered that there is potential for impact which should be assessed through SEA.</p> <p>Chyenhal Moor SSSI sits just outside the Parish to the west. Situated in a poorly drained valley 3 km south west of Penzance, it supports a diverse range of habitats including willow carr (the predominant vegetation type), heath, stream, pond, areas of Juncus vegetation and scrub. It is of particular interest as a locality of several rare plant species which are mainly associated with the wet heath areas. The site is in an unfavourable declining condition. Newlyn is within the impact risk zone and as such, the site specific, economic regeneration policies in Newlyn should also be assessed through SEA.</p> |

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| | <p>County Wildlife Site:</p> <p>Mounts Bay CWS is located along the coastline of the eastern part of the Parish. It is considered there could be some potential for impact due to policies such as EC6 (development on the coastline) and G13 (development on the coast and accessibility).</p> <p>A small part of Trevalyor stream woods sits just inside the Parish boundary to the north. This is located away from any site-specific policies within the NDP.</p> <p>Ancient Woodland:</p> <p>Ancient woodland to the west of Penzance in a rural part of the parish near Rosehill Manor. The NDP policies do not affect this area.</p> <p>Marine Conservation Zone</p> <p>Mounts Bay MCZ lies to the east of the parish around the Marazion Marsh area. A range of habitats can be found here but the most dominant is high energy rock and sand. This high energy environment is home to several important species such as seagrass, stalked jellyfish and crayfish, as well as being a well recognised area for dolphins, porpoises and basking sharks. NDP policies such as DDH4, EC4, EC6, G12, G13 and PEN8 support proposals to increase access to the coast/shore and surrounding countryside which may have a negative effect on the MCZ. There is also a lot of support for increasing marine industries in the plan area (clearly very important to the local economy) which could also impact upon the MCZ. It is considered that there is potential for impact which should be assessed through SEA.</p> <p>Listed Buildings:</p> <p>There are numerous listed buildings across the plan area , particularly clustered in the centre of Penzance, Paul, Mousehole and Newlyn, these can be viewed on Cornwall interactive mapping Cornwall Council Interactive Map. The plan places emphasis on the need to respect the historic environment, specifically through Policy DDH2 but also throughout the plan where relevant.</p> <p>Conservation Areas:</p> <p>There are 5 Conservation Areas in the plan area: Gulval; Penzance; Newlyn; Paul Churchtown and</p> |
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Mousehole. The plan places emphasis on the need to respect the historic environment and conservation areas, specifically Policy DDH2 which references Conservation Area Appraisals, Heritage Impact Assessment and Historic England Guidance.

Scheduled Monuments:

There are a number of scheduled monuments in the plan area including Market cross (Penzance), Lescudjuck castle, Lesigney round (rural part of parish), Wayside Cross in Newlyn Churchyard, Faugan Round and 2 crosses in Paul. The plan places emphasis on the need to respect the historic environment, for example Policy DDH2, which is concerned with designated and non-designated heritage assets and their settings.

Registered Parks and Gardens:

Morrab Gardens in Penzance in proposed as a Local Green Space by Policy G11.

Area of Outstanding Natural Beauty:

An area to the South of the Parish around Mousehole is in the Area of Outstanding Natural Beauty (AONB). This also abuts the northern part of the parish near Gulval. The LP:SA and NDP focuses development away from Mousehole and towards Newlyn and Penzance.

Area of Great Landscape Value:

The St Buryan AGLV lies along the western side of the Parish, within the parish boundary in some places. The LP:SA and NDP predominantly focuses development away from the more rural Western parts of the Parish and towards Newlyn and Penzance. PZ-E2 (allocated employment site) is adjacent to the AGLV and PZ-H8 (allocated housing site) is also nearby. However, these sites have been allocated through the LP:SA, not the NDP itself, and have already been subject to SEA.

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5. SEA Screening Outcome

5.1 HRA screening: The assessment in section 3 shows that there is a potential for significant effects on a European site, Marazion Marsh SPA. Appropriate Assessment is therefore required.

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). Table 4.2 suggests that SEA is also required for the Penzance Parish NDP for other reasons. Although the plan does not propose any additional homes to those in the LP:SA, a number of economic regeneration policies are included in Newlyn which could affect the following environmentally sensitive areas:

- Marazion Marsh SPA/SSSI*
- Chyenhal Moor SSSI
- Penlee Quarry SSSI
- Mounts Bay MCZ*
- Mounts Bay CWS*

**Also potentially impacted by policies such as DDH4, EC4, EC6, G12, G13 and PEN8 which support development proposals and access to the coast/shore and surrounding countryside.*

Historic England have also stated that their opinion is that SEA should also be required to avoid potential harm to heritage assets as they have some concerns about policy wording in the draft plan. Further detailed feedback from Historic England will be forwarded to the Steering Group for their consideration.