

**Liskeard 2030  
Liskeard Neighbourhood Development Plan**

**Strategic Environmental Assessment  
Habitats Regulations Assessment**

**Screening Report**

**7<sup>th</sup> December 2016  
Amended 21<sup>st</sup> August 2017**

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Strategic Environmental Assessment Screening Report**

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# **Liskeard Neighbourhood Plan Strategic Environmental Assessment Screening Report**

## **1. Introduction**

- 1.1 This screening report is designed to determine whether or not the Liskeard Neighbourhood Development Plan (NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also considers whether Habitats Regulations Assessment is required under Article 6 or 7 of the Habitats Directive.
- 1.2 The purpose of the Liskeard NDP is to set out objectives for the town and parish and policies for development within the NDP area. The vision is for Liskeard to be a thriving market town at the heart of South East Cornwall and the NDP aims to 'build social, economic and environmental resilience in anticipation of future changes and challenges.'
- 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.

## **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.

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- 2.4 Although the Liskeard NDP has not been subject to full SA the steering group have produced a Sustainability Checklist to show how their planning objectives and policies contribute to sustainable development. The SA checklist uses the objectives from Cornwall Councils Sustainability Appraisal and tests the Liskeard NDP objectives against these. The checklist occasionally identifies impacts that are both positive and negative, but no entirely negative impacts have been identified for any of the NDP's objectives. In addition the evidence base contains a number of assessments and is available at <http://www.planliskeard.co.uk/>
- 2.5 The checklist also states that any significant developments that come forward because of the NDP will have to complete their own sustainability appraisals or SEAs. This is incorrect. If SEA is required it must be carried out at plan making stage: an individual development may trigger the need for Environmental Impact Assessment at application stage.
- 2.6 This report focuses on screening for SEA and HRA and the criteria for establishing whether a full assessment is needed.

### **3. Criteria for Assessing the Effects of the Neighbourhood Plan**

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

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

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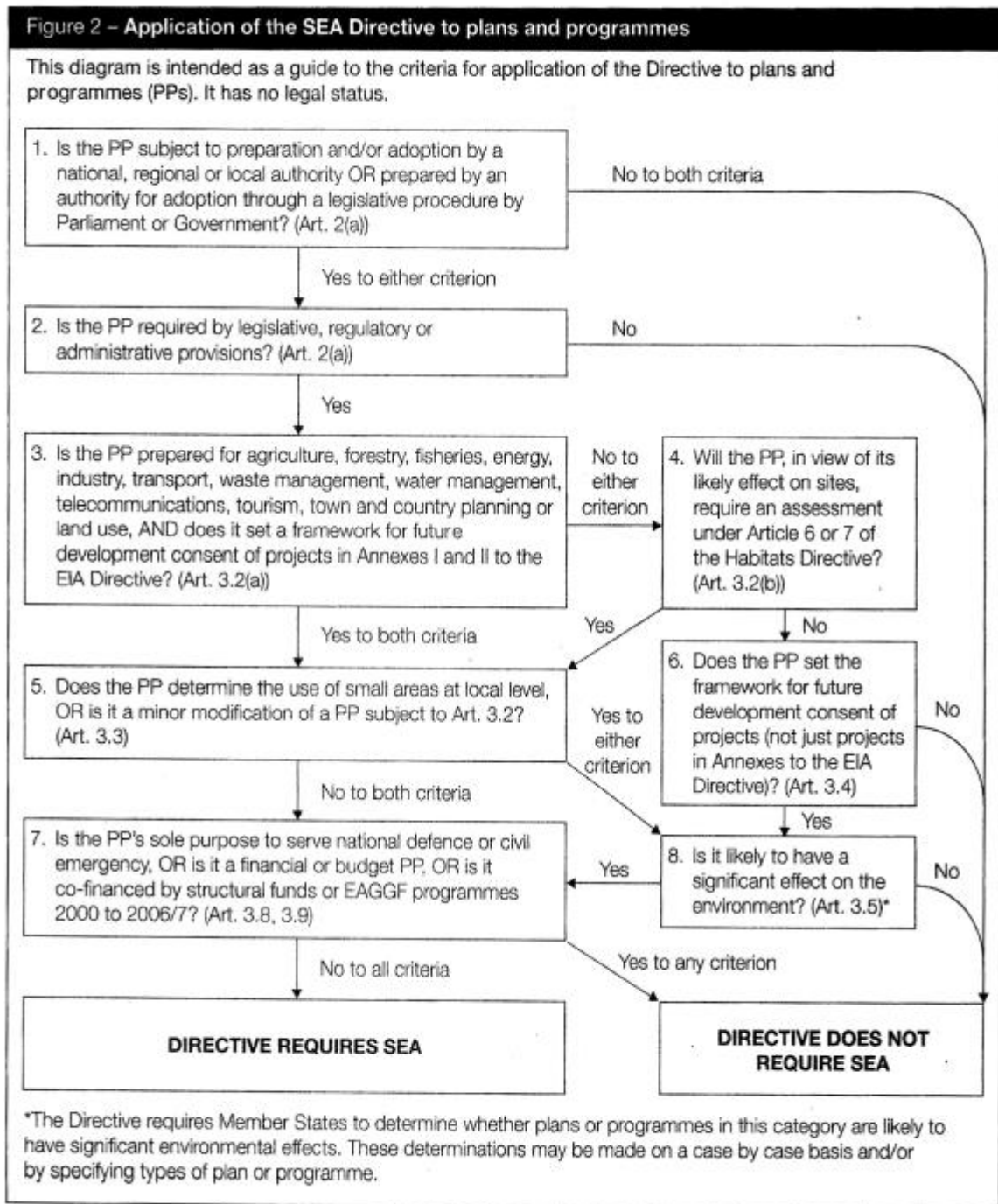
- the value and vulnerability of the area likely to be affected due to:
- special natural characteristics or cultural heritage,
- exceeded environmental quality standards or limit values,
- intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

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

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## 4. Assessment

4.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required<sup>1</sup>.



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

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

Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	Will be 'made' by Cornwall Council and used in decision making as part of the development plan.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Localism Act 2011 Neighbourhood Planning Act 2017
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N	Annex I and II projects are (typically) large scale industrial and commercial processes – the plan does not deal with this scale of development.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	The NDP area currently lies outside the precautionary ZOI for the Tamar Estuaries Complex SAC and Plymouth Sound and Estuaries SAC. This zone may be extended once the study into recreational impacts is completed. If it does extend to incorporate Liskeard, the strategic mechanism to require mitigation will be in place before the Liskeard NDP is adopted.
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 NDP contains policies to guide development within the NDP area, which is the parish of Liskeard.
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	Development is not proposed in environmentally sensitive areas and policies require protection and enhancement



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	of the environment.
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<b>Table 2 likely significant effects</b>	
<b>SEA requirement</b>	<b>Comments</b>
The characteristics of plans and programmes, having regard, in particular, to:	
1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The NDP contains policies which guide the location, nature and quality of development in the NDP area. The NDP has to provide land or policies to deliver the targets for development identified in the Cornwall Local Plan: Strategic policies, but can influence the precise location and style of that development.
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The NDP must be in general conformity with the National Planning Policy framework and the Cornwall Local Plan: Strategic Policies.
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	The Cornwall Local Plan has been subject to SA and HRA and so the targets of housing and employment growth have been tested with reference to environmental considerations. The NDP contains policies which require consideration of the setting and features of historic assets and mitigation of any impacts. The NDP also has policy to conserve and enhance greenspaces, with criteria relating to biodiversity and landscape features.
4. environmental problems relevant to the plan or programme,	There are no national or European environmental designations within the plan area.
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
6. the probability, duration, frequency and reversibility of the effects,	The aim of the NDP is to deliver development, but the policies are also designed to avoid, minimise and mitigate effects on the environment. The effects of development are permanent (in terms of the lifetime of the plan) but the aim of the plan is to minimise negative impacts.
7. the cumulative nature of the effects,	The NDP makes provision to meet the target of 1400 homes required by the Cornwall local plan. Approximately 840 of these are already committed and a substantial number are likely to be provided

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	<p>outside the plan area. The plan proposes that approx. a further 130 can be accommodated within the settlement boundary and the remainder in urban extensions some of which they presume will be in Menheniot. This is commensurate with past delivery rates and is the delivery mechanism for the Cornwall Local Plan, The NDP works with the CLP but does not produce additional development.</p>
8. the transboundary nature of the effects,	<p>Development of Liskeard town centre may provide facilities for residents in south east Cornwall. The immediate effects of the development on the environment are contained within the parish.</p>
9. the risks to human health or the environment (e.g. due to accidents),	<p>N/A</p>
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	<p>The population of Liskeard was 9,417 with a record of 4,381 dwellings in the 2011 census. The parish area is approx. 11,000 hectares,</p>
<p>11. the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> <li>-special natural characteristics or cultural heritage,</li> <li>- exceeded environmental quality standards or limit values,</li> <li>- intensive land-use,</li> </ul>	<p>The trackbed of the Liskeard and Caradon railway is designated as WHS. Allocations in the plan do not impact on this and there are projects within the plan that aim to increase accessibility to heritage assets, to link to them with trails and provide interpretation to increase enjoyment of them.</p> <p>The plan promotes high density development in the town centre to minimise the land take in urban extensions and thereby protect the setting of Liskeard. The line of the development boundary includes space for development and the area has been chosen to reflect extant permission and the natural limits of the landscape.</p> <p>The plan identifies sites within the town centre for infill development and prioritises brownfield land. There is a risk that this type of development could impact more on Historic Assets than urban extensions. Site assessments have been carried out for these sites. And can be viewed in the evidence base 'A place to live Report'</p> <p><a href="http://www.planliskeard.co.uk/a-place-to-live/">http://www.planliskeard.co.uk/a-place-to-live/</a> which considered historic assets and concluded that there could be benefits from regeneration of the town centre. Policy requires development to</p>

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	<p>respect the historic character of the town centre (TC3, TC8 and TC9, TC10 TC11 and especially TC12) Following discussion with Historic England, the presentation of infill sites has been amended to show those which have consent and to remove any specific numbers on other potential sites. It has been confirmed that the allocation referred to in Policy H4 is now a commitment. The wording of Policy TC4 has been amended with input from HE and CC's Historic Environment officer.</p>
<p>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>There are no international or national landscape designations, but local designation Area of Great Landscape value (AGLV). The community value the local landscapes and policies are designed to respect this and minimise the impact of growth on the landscape and protect the rural hinterland. This is achieved by drawing a settlement boundary to indicate the areas that are suitable for development and designating an area of Local Landscape value (Policy OSL10) to extend the AGLV.</p>

## 5. Screening Outcome

5.1 The Liskeard NDP allocates sites and provides for a level of development for one of the main towns of Cornwall, which are both factors that could trigger the need for SEA. However, the strategic impact of the quantum of development has been assessed by the Cornwall Local Plan and the NDP group has assessed the environmental impacts of their choice of location of development in their 'Place to Live' report and have summarised this in their Sustainability Checklist. Amendments have also been made to the draft Plan so that the July 2017 draft provides robust policies for the protection of the historic environment.

In addition, the plan area does not contain many sensitive environmental designations.

As a result of the assessment in section 4, it is unlikely there will be any significant environmental effects arising from the Liskeard Neighbourhood Plan and the NDP does not require a full SEA to be undertaken.

The NDP will not impact on European Sites and HRA is not required.