

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Decision

17<sup>th</sup> Jan 2023

Dear Sue

### **Marhamchurch Neighbourhood Plan – SEA and HRA Screening**

As requested I have screened the Marhamchurch Neighbourhood Development Plan to see whether the plan requires Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA).

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

Based on the scale of development proposed, Cornwall Council is of the opinion that the Marhamchurch Neighbourhood Plan is unlikely to have significant effects on the environment or on European Sites and that SEA and HRA is therefore not required.

This view is confirmed by the consultation bodies and I have attached the full screening opinion report for your information. As this is a draft plan, if significant changes or additions are made to your plan I would advise you to have it rescreened.

Yours sincerely,

Gemma Hankins

**Development Officer  
Planning & Housing  
Cornwall Council**

**Marhamchurch Neighbourhood Plan  
SEA and HRA Screening Report**

**Marhamchurch Draft NDP (Nov 2022)**

**Strategic Environmental Assessment  
Habitats Regulations Assessment**

**Screening Report**

**December 2022**

## Contents

1. Introduction
2. Legislative Background
3. Habitats Regulation Assessment
4. Strategic Environmental Assessment Screening
5. Screening Outcome

### 1. Introduction

- 1.1 This screening report is designed to determine whether or not the Marhamchurch 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 the parish. The plan comprises of 19 policies and defines a development boundary around the village of Marhamchurch. The plan's vision is *'Marhamchurch will be a vibrant rural community, conserving the best of our heritage, promoting sustainable living and enabling needs to be met locally, with positive environmental outcomes.'*
- 1.3 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the Neighbourhood Plan and the need for a full SEA or HRA.

### 2. Legislative Background

#### 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 a 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 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

#### 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 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 5.1 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.

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

### 3. Habitats Regulation Assessment

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. Table 5.1 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.

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
Bristol Channel Approaches SAC	Harbour Porpoise	<ul style="list-style-type: none"> <li>• Disturbance from underwater noise</li> <li>• Collision with recreational boat</li> <li>• Commercial Shipping</li> <li>• Tidal installations</li> </ul>	None arising from the NDP. The Bristol Channel Approaches SAC was screened out at Local Plan level.	No	Out
Tintagel – Marsland – Clovelly SAC	<ul style="list-style-type: none"> <li>• European dry heaths</li> <li>• Old sessile oak woods with Ilex and Blechnum in the British Isles. (Western acidic oak woodland)</li> <li>• Vegetated sea cliffs of the Atlantic and Baltic coasts</li> </ul>	<ul style="list-style-type: none"> <li>• Undergrazing</li> <li>• Deer</li> <li>• Invasive species</li> <li>• Forestry and woodland management</li> <li>• Disease</li> <li>• Air pollution</li> <li>• Game management</li> </ul>	No pathways of impact identified from the NDP.	No	Out

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

### 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

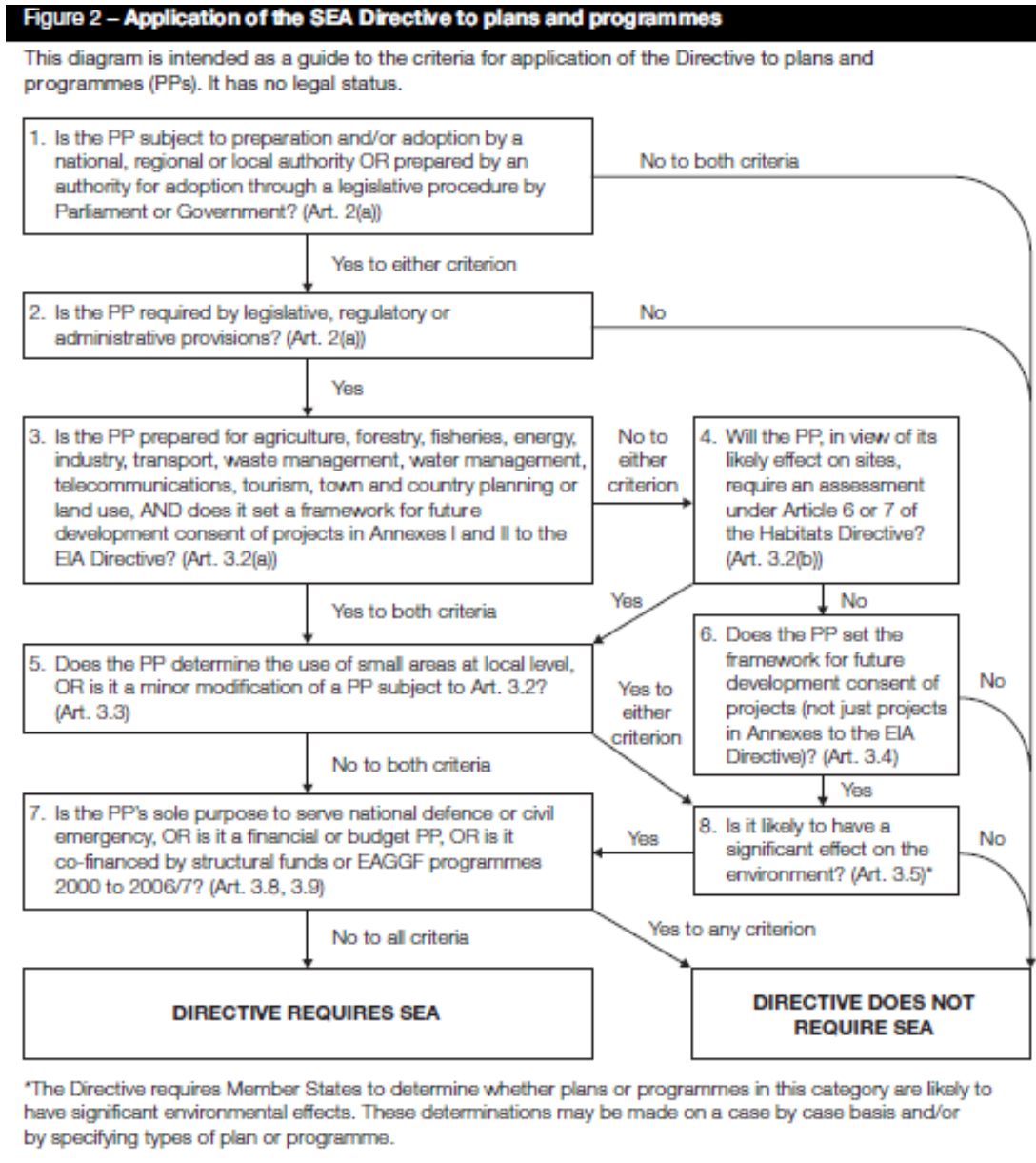
1. The characteristics of plans and programmes, having regard, in particular, to
  - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
  - the degree to which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

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

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

**Figure 2 SEA screening flowchart**

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

**Marhamchurch Neighbourhood Plan  
SEA and HRA Screening Report**

<b>Table 4.1 Establishing the Need for SEA</b>		
<b>Stage</b>	<b>Y/N</b>	<b>Reason</b>
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)	N	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)	N	<b>See Table 4.2</b>



**Marhamchurch Neighbourhood Plan  
SEA and HRA Screening Report**

<b>Table 4.2 Likely significant effects on the environment</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	<p>The Plan provides local criteria-based policies to control the quality of development within the parish. The plan draws a development boundary around Marhamchurch to indicate where infill and rounding off may be acceptable.</p> <p>As it stands there is a query over the location of the development boundary, the areas it leaves out and whether there is space within the development boundary to deliver the housing required, particularly as a large part of the area is designated as a conservation area.</p> <p>39 dwellings have been built in the parish since 2010, which leaves a minimum requirement of 33 across the parish. However, any small adjustments that may be required to the development boundary would not impact on the outcome of the SEA screening. If there are any significant changes that arise, the plan will be rescreened.</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"> <li>• Tintagel-Marsland -Clovelly SAC</li> <li>• Boscastle to Widemouth SSSI</li> <li>• Various BAP habitats</li> <li>• Upton to Bude County Wildlife Site</li> <li>• AGLV</li> <li>• Marhamchurch Conservation Area</li> <li>• Numerous listed buildings and heritage assets within identified development boundary</li> </ul>
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:	

**Marhamchurch Neighbourhood Plan  
SEA and HRA Screening Report**

6. the probability, duration, frequency and reversibility of the effects,	The plan period runs until 2030, to align with the Cornwall Local Plan. The plan draws a development boundary to indicate where small-scale infill and rounding off is acceptable.
7. the cumulative nature of the effects,	The plan area itself is a rural parish which is not a target for strategic development. The Cornwall Local Plan sets housing targets and delivery is monitored annually. Marhamchurch falls within the Bude-Stratton Community Network Area which has a minimum housing requirement of 600 homes for the period 2010-2030. It is estimated that Marhamchurch should contribute about 12% of that figure (around 72 homes). In December 2022, 39 homes have been completed between 2010 and the present day.
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 parish has a population of 818 (ONS, 2021). The local plan minimum housing figures are some way towards being met (39 of 72). As it stands there is a query over the location of the development boundary, the areas it leaves out and whether there is space within the development boundary to deliver the housing required, particularly as a large part of the area is designated as a conservation area.</p> <p>As stated above, 39 dwellings have been built in the parish since 2010, which leaves a minimum requirement of 33 across the parish, the plan focuses this development on the main village of Marhamchurch as the most sustainable location.</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><i>Please see Appendix 1 for the full baseline review.</i></p> <p><b>Special Areas of Conservation</b></p> <p>Bristol Channel Approaches is located on the coast. The SAC spans the Bristol Channel between the northern coast of Cornwall into Carmarthen Bay in Wales. The site has been identified for the protection of harbour porpoise. Marhamchurch is not within the zone of influence of this SAC. The Bristol Channel Approaches SAC was screened out at Local Plan level.</p> <p>Tintagel- Marsland-Clovelly Coast SAC is located in the neighbouring parish and the IRZ for the site covers Marhamchurch parish and the village itself. The site is designated due to the habitats it provides, specifically for the vegetated cliffs, old sessile oak woods and European dry heaths. The HRA Screening found there were no pathways of impact.</p>
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	<p><b>Sites of Special Scientific Interest</b></p> <p>None within the parish</p>

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

	<p>Boscastle to widemouth SSSI is located in neighbouring Parish of Poundstock. Marhamchurch Parish and village are within Impact Risk Zones (IRZ). This site is designated for geological and biological reasons. 'Description and Reasons for Notification: This site lies on the North Cornwall coast and comprises a 12 mile section of cliffs and coastal habitats between Boscastle and Widemouth. The cliffs exhibit classic geological exposures of Namurian rocks and Variscan structures; the outstanding biological interest includes the unique Dizzard Oak woodland, maritime heaths and intertidal zones.' Residential development is focused within the village of Marhamchurch itself. The IRZ for Tintagel- Marsland-Clovelly Coast SAC covering Marhamchurch are not triggered by residential development.</p> <p>There are other SSSIs within 10km of the parish but the IRZ do not extend to Marhamchurch.</p> <p><b>County Wildlife Sites</b></p> <p>Upton to Bude County Wildlife Site located on the coast. The site is away from the village of Marhamchurch where residential development will be focused and no impacts are anticipated. Additionally, Policy 18 protects biodiversity in the parish and requires net gain.</p> <p><b>BAP Habitats</b></p> <p>There are several types of BAP habitat within the parish which includes: maritime cliffs and slope; woodland; coastal and floodplain grazing marsh. The BAP habitats are away from the village of Marhamchurch where residential development will be focused and no impacts are anticipated. Additionally, Policy 18 protects biodiversity in the parish and requires net gain.</p> <p><b>AGLV</b></p> <p>The coastal strip of the parish is designated as AGLV. The site is away from the village of Marhamchurch where residential development will be focused. Additionally, policy 16 references the protection of the AGLV and policy 17 restricts development on the coast.</p> <p><b>Conservation Area</b></p> <p>The historic village core of Marhamchurch is designated as a conservation area. This is within the development boundary. However, policy 1 states '<i>Within the development boundary, small scale infill, rounding off and development of previously developed land will be supported, provided it is in scale and character with the site and surroundings, is of an appropriate density, will cause no significant adverse</i></p>
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**Marhamchurch Neighbourhood Plan  
SEA and HRA Screening Report**

	<p><i>impacts on natural or historic assets, local amenity, traffic, parking or safety, and conforms with other policies in the plan'</i></p> <p><b>Scheduled Monuments</b></p> <p>2 barrows on higher and lower Longbeak, which are located on the coast. These monuments are located on the coast, away from where the majority of development will take place. Policy 17 restricts development in this coastal zone and policy 15 afford additional protection to heritage assets and the historic environment.</p> <p><b>Listed Buildings</b></p> <p>The NDP states that 'There are 26 listed structures in the parish, as set out in the table below. The Parish Church of St Marwenne is listed Grade I, Langford Hill is Grade II*, 23 buildings are listed Grade II and two bowl barrows east of Lower and Higher Longbeak are scheduled ancient monuments. This plan identifies a further 26 undesigned heritage assets worthy of protection because of their historic or architectural interest.' Policy 1 states '<i>Within the development boundary, small scale infill, rounding off and development of previously developed land will be supported, provided it is in scale and character with the site and surroundings, is of an appropriate density, will cause no significant adverse impacts on natural or historic assets, local amenity, traffic, parking or safety, and conforms with other policies in the plan</i>'. Policy 15 afford additional protection to heritage assets and the historic environment.</p>
<p><b>5. SEA Screening Outcome</b></p> <p>5.1 As a result of the assessment in section 3, it is unlikely there will be any significant environmental effects on European Sites arising from the Marhamchurch NDP and Appropriate (HRA) is therefore not required.</p> <p>5.2 The assessment in section 4 does not reveal any significant effects on the environment resulting from the Marhamchurch NDP. There are environmentally sensitive areas as detailed in section 4, however they will not be affected because of the very small scale of development proposed in the plan. Furthermore, 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.</p>	

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

### RESPONSE FROM THE ENVIRONMENT AGENCY

**From:** [REDACTED]  
**Subject:** RE: HRA/SEA Screening Opinion - Marhamchurch NDP  
**Date:** 20 December 2022 12:28:41

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Dear Gemma,

Thank you for your consultation of 16.12.2022 providing us with the opportunity to comment in respect of the Marhamchurch Neighbourhood Plan SEA/HRA screening opinion.

In general we consider that it is unlikely that neighbourhood plans will result in any significant environmental effects unless the plan allocates or encourages development over that set out in the Local Plan. Otherwise we consider that any potential for environmental effects from growth in the parish should already have been addressed through the Sustainability Appraisal (SA) which supported the adopted Local Plan.

Please note, this is a standard response. If you consider the plan will result in significant environmental effects please reconsult us.

Kind Regards,

Claire Crawley  
Sustainable Places – Planning Advisor  
Environment Agency – Devon, Cornwall and the Isles of Scilly Area

[REDACTED]  
[REDACTED]  
Sir John Moore House, Victoria Square, Bodmin, Cornwall, PL31 1EB  
Manley House, Kestrel Way, Exeter, Devon, EX2 7LQ

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**Sent:** 16 December 2022 12:56

[REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** HRA/SEA Screening Opinion - Marhamchurch NDP

Information Classification: CONTROLLED

Please find attached our draft HRA/SEA screening opinion for the Marhamchurch NDP, along with the full environmental baseline review (appendix 1) and the NDP itself. Please could you come back to me with any comments by Friday 13<sup>th</sup> January (I have added an extra week onto the consultation period to allow for the Christmas break).

Best wishes,

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

Gemma

**Gemma Hankins | Development Officer**  
**Cornwall Council | Planning & Housing**

*Please note my working days are Tuesday – Friday*

[www.cornwall.gov.uk](http://www.cornwall.gov.uk) | 'Onen hag oll'

Cornwall Council Planning, PO Box 676, Threemilestone, Truro, Cornwall, TR1 9EQ

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## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

### RESPONSE FROM HISTORIC ENGLAND

**From:** [REDACTED]  
**Subject:** Marhamchurch NDP - HRA/SEA Screening opinion - formal response  
**Date:** 17 January 2023 13:13:47  
**Attachments:** [imagebcfaf6.JPG](#)

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Dear Gemma,

Many thanks for your email of 16 December 2022, inviting us to comment on the Strategic Environmental Assessment (SEA) Screening Opinion for the Marhamchurch Neighbourhood Plan.

Our role as a national statutory consultee for Neighbourhood Planning focuses mainly on ensuring there is no risk of undue harm to heritage assets. The most common way that risk of harm emerges in Neighbourhood Plans is when new, site-specific allocations for development are being made.

Where a neighbourhood plan recommends a site to be allocated for development, there is a risk that heritage assets may be harmed as a result of that development. Therefore, when such allocations are proposed, we look to see that they are supported by appropriate evidence to demonstrate conformity with national policy for the protection and enhancement of the historic environment, as set out in the National Planning Policy Framework (NPPF). Such evidence ought to demonstrate that there is not the potential for significant environmental effects, in terms of harmful impact to heritage assets.

We note that the Marhamchurch draft Neighbourhood Plan does not make specific site allocations for development. Furthermore, we cannot detect any obvious cause for concern in the suite of emerging policies. Given this, we concur with your opinion that a full SEA is not required on this occasion.

Although it isn't strictly a heritage issue, we note that the development boundary appears to have been very tightly drawn to the built-up edge of the village. The perimeter of the development boundary also places areas of the built-up village outside of the boundary line. It is not clear what the rationale is for excluding these areas.

A strategy that deploys a very tightly drawn development boundary can risk overly constraining development opportunities and inadvertently lead to pressure for development outside of the boundary. A tight boundary that is aiming at strictly controlling development can actually lead to an unintended loss of control.

Perhaps you should encourage the neighbourhood planning group to give more thought about the overall justification for such a tightly defined boundary and to those areas that they have excluded. It might be wise for the group to re-interrogate their decisions, at each point around the perimeter, with a view to relaxing the development boundary at places where development, in those particular places, might be more desirable than inadvertently promoting uncontrolled development beyond the boundary.

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

At each place where the boundary line is being tightly drawn, there ought to be a compelling justification that explains that decision; eg: perhaps the visual character of the village edge is being protected, or the setting of a designated heritage asset. Minor relaxation of the boundary might be appropriate where there is no obvious rationale for such tight control. Such relaxation might even encourage small scale development that actually improves the character of the townscape at precise locations where this is a desirable outcome.

The above exercise may well be informed by the location of heritage assets and their settings. However, at present, although non-designated assets have been helpfully mapped, the list of designated assets has not. Therefore, it is difficult to comment on the impact on designated assets. I think that it would be helpful for the neighbourhood planning group to map the designated assets in a similar way to the non-designated assets. This would usefully inform any exercise that revisited the development boundary.

We have no further comments to make at this point in time. I hope that our response has been helpful. We wish the neighbourhood planning group well with their on-going work and look forward to having an opportunity to make further comments on the next draft of the plan at the regulation 14 stage.

Kind Regards,

Alan

Alan Thompson | Historic Places Adviser

Historic England | South West

1st Floor Fermentation North | Finzels Reach | Hawkins Lane | Bristol | BS1 6WQ

  
<https://historicengland.org.uk/southwest>



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## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

### RESPONSE FROM NATURAL ENGLAND

Date: 13 January 2023  
Our ref: 415928  
Your ref: Marhamchurch Neighbourhood Plan



Ms Gemma Hankins  
Cornwall Council

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

Dear Ms Hankins

#### Marhamchurch Neighbourhood Plan – Review SEA & HRA Screening

Thank you for your consultation on the above dated and received by Natural England on 14 December 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

#### Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- 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 may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

## Marhamchurch Neighbourhood Plan SEA and HRA Screening Report

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

### **Habitats Regulations Assessment (HRA) Screening**

Natural England agrees with the report's conclusions that the Marhamchurch Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED]

Yours sincerely

Sally Wintle  
Consultations Team