

# ST SAMPSON PARISH

## NDP

### Basic Conditions Statement



2020 – 2030

*“Taclow da a wher yn Golans”*

“Good things happen in Golant”

Produced by NDP Steering Group

November 2020

**St Sampson Parish**  
**Neighbourhood Development Plan**  
**2020-2030**

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## **1. Introduction**

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.

This document shows that St Sampson Parish NDP meets the requirements of each legal test. 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 relations to the neighbourhood plan and prescribed matters have been compiled with in connection with the proposal for the neighbourhood plan.

## **2. Statement of General Legal Compliance**

This draft Plan is submitted by St Sampson 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 Sampson Neighbourhood Development Plan (NDP) Steering Group, with the support of St Sampson Parish Council.

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 Town and Country Planning Act 1990 (as amended by the Localism Act 2011), the Neighbourhood Planning Regulations 2012 and the Neighbourhood Planning Act 2017.

The draft Plan identifies the period to which it relates as 2020 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.

The whole parish of St Sampson has been formally designated as a Neighbourhood Area through an application made under the Neighbourhood Planning Regulations 2012 (part2 S6) and approved by Cornwall Council on 13<sup>th</sup> April 2015. A copy of the Neighbourhood Area map, designation application and decision notice are included at Appendix 1.

The draft Plan relates only to the parish of St Sampson as shown on the map in Appendix 1. 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**

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

1. 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.
2. 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 communities needs and support its health, social and cultural well-being.
3. 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.

The St Sampson Neighbourhood Development Plan aims to maintain and enhance St Sampson’s distinct rural feel, identity, and vibrant community; by ensuring that appropriate development is in keeping with and of benefit to the community and its natural environment.

The strategic goals of St Sampson Parish NDP are that by 2031 we will have fully understood and preserved what is good about living and working in St Sampson Parish. We have retained these characteristics to meet the needs of the present generation and have developed and improved them for the enjoyment of future generations.

1.1. The vision for St Sampson Parish by 2031 is that:

1.1.1. The Parish of St Sampson has established appropriate new housing to meet the Parish’s needs for accessible and affordable homes by utilising any suitable sites within the Parish.

1.1.2. The introduction of improved communications has contributed towards the increase in the number of small businesses including a number based in homes.

1.1.3. All development has positively impacted this Area of Outstanding Natural Beauty and helped reduce the carbon footprint.

1.2. To meet the vision several objectives have been identified and are outlined within the policies:

1.2.1. **Housing:** To meet future housing needs of the Parish. (Policy H1)

- To support very small-scale development that ensures respect for the size, scale, and character and visual residential amenities of this unique place and supports the housing needs of elderly residents.
- Ensure that the neighbourhood remains balanced in terms of housing mix and that local community life remains viable throughout the year.
- Ensure that all new developments are as energy efficient as possible to support the Parish's Climate Change initiatives.

1.2.2. **Economic:** To encourage appropriate Economic development through improved infrastructure for small businesses. (Policy E1)

1.2.3. **Environmental:** To protect and, where possible, enhance this Area of Outstanding Natural Beauty and Marine Conservation Zone. (Policy V1)

- Preserve access to, and views, of the river.
- To preserve vehicular access to, and around, the village by ensuring all development has provision for adequate parking.
- Encourage energy conservation and reduction in the carbon footprint of the Parish by supporting renewable energy proposals that are sympathetic to the size and scale of the Parish and do not adversely impact the AONB.

1.2.4. **Community:** To protect and enhance community facilities, assets and social cohesion. (Policies C1 & C2)

- Maintain the quality of established community life with development proposals benefiting the community and the protection and enhancement of community facilities.
- To protect, and where appropriate, enhance assets valuable to the community.

To achieve these objectives Policies have been identified in the following areas: Housing, Economic, Environmental and Community. Full details of all the policies under these key headings are contained in the St Sampson Parish NDP.

This plan promotes sustainable development as detailed below.

## **An Economic Role**

The St Sampson Parish NDP supports the local economy through the building of new housing appropriate to local need, improving the infrastructure, supporting small businesses, and protecting the environment and rural character of this Area of Outstanding Natural Beauty (AONB).

Policy H1.1 seeks to support development of the existing settlement to help support the social requirements and enhance community facilities in the Parish.

Policy E1.1 supports development, including change of use of existing buildings, for new businesses.

Policy E1.2 supports the retention of existing employment sites and proposals which lead to the improvement and modernisation of such sites.

Policy E1.5 supports the improvement of infrastructure, such as parking and connectivity.

## **A Social Role**

The St Sampson NDP supports and encourages social integration by supporting community facilities and amenities for the wellbeing of the community.

Policy C1 supports the continued improvement of listed community assets with change of use applications only supported if the same or improved community assets are provided as part of the proposal.

Policy C2 supports the improvement of access facilities, such as slip-ways etc, and requires that any change of use proposals provide suitable and equitable community alternatives.

Policy C3 states that any Community Infrastructure Level income will be used in accordance with the community agreed list of projects and initiatives that enhance the community facilities and well-being.

## **An Environmental Role**

The St Sampson NDP seeks to preserve the local landscape and environment by safeguarding the areas important to the community and ensure that development is designed to ensure that the built environment respects the existing character and rural feel of the village settlement.

Policy V1.1 supports the protection and enhancement of parking facilities to reduce congestion and damage to the environment.

Policy V1.2 supports energy conservation and renewable energy solutions that are sympathetic to this AONB.

Policy H1.3 requires that any proposed development complements the local distinctive character and context.

Policy H1.4 supports the preservation and enhancement of the green infrastructure of the Parish and, if trees are felled, requires that they are replaced on a like for like basis.

Policy H1.5 requires that all new development or change of use will make provision for the protection and enhancement of the habitat for wildlife, Marine Conservation Zone and AONB.

This plan contributes to the achievement of sustainable development by:

1. Positive support for local need and housing growth required to meet the local housing needs up to 2030.
2. Protecting locally important open spaces and landscape features.
3. Protecting and enhancing the natural, built and historic environment of St Sampson Parish.
4. Ensuring the infrastructure requirements are identified.

Policy	Economic Implications	Social Implications	Environmental Implications
H1 Housing Development H1.1, H1.2, H1.3, H1.4, H1.5		Any development will not adversely impact the residential amenities of neighbouring properties or public space. Provision of off-road parking to limit increased congestion and infrastructure pressure.	Housing within the existing settlement and sympathetic to the existing natural and built environment. New developments or change to use will include provision to protect and enhance habitat for wildlife, MCZ and AONB. Use of renewable energy wherever possible.
E1 Economic Policy E1.1, E1.2, E1.3, E1.4, E 1.5	Retention of existing employment sites. Support for new business and commercial development	Access to the river and Public Rights of Way will not be adversely impacted. Development will not adversely impact residential amenities of neighbouring or public property or spaces.	Business and commercial development will be within the existing settlement and sympathetic to the existing natural and built environment. New developments or change to use will include provision to protect and enhance habitat for wildlife, MCZ and AONB. Use of renewable energy where possible.
V1 Environmental Policy V1.1, V1.2, V1.3	Commitment to enhance the infrastructure and vehicular access to and movement around the village.	Safety of residents with regard to vehicular movement, respect for residential amenities of neighbouring property or public spaces.	Support for energy conservation and use of renewable resources. Protect and enhance habitat for wildlife, MCZ and AONB.
C1, C2, C3 Community Policies	Protection of access and condition of natural environment as many local businesses are linked to environmental pursuits.	Protection of existing Parish Community Assets, protection of river access, Public Rights of Way and Green Spaces. Direction of CIL to projects to	Protection of public Green Spaces. Direction of CIL to projects to enhance natural environment.

		enhance community facilities	
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## Having regard to National Policies and Guidance

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

The detailed consideration of the St Sampson Neighbourhood Plan policies in Appendix 2 demonstrates how each has regard to National Planning Policy and guidance.

## General conformity with the strategic policies of the development plan for the area

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 and the table in Appendix 2 demonstrates how each is in general conformity with the Cornwall Local Plan strategic policies.

## Compatibility with other requirements

The consultation process for the St Sampson Parish NDP included consultation with; Natural English, Environmental Agency, Homes England, Historic England, Network Rail, Highways Agency, Fowey Harbour Commission, South West Water, Fowey Parish Council, Lostwithiel Parish Council, Tywardreath Parish Council, St Sampson Church and the Village Hall Committee. No objects or contradictions were received and where comments were made these have been included in the NDP. Full details of this process are contained in the Consultation Statement.

## Prescribed Conditions and prescribed matters

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) prescribe 2 basic conditions in addition to those set out in the primary legislation. Of these the following is relevant.

- the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites. (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)



There is no relevant prescribed matter that this Plan needs to take into account.

## **Comprehensive Impact Assessment Implications**

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 Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex, Sexual Orientation and in Cornwall an additional characteristic, Cornish Status.

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 needs, to meet the needs of all groups in the community.

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.

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.

The NDP provides a strategy for the development of St Sampson Parish, 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, supporting employment and housing to meet local needs, 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.

The St Sampson 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 relating to the Equalities Act and promotes sustainable development.

The St Sampson NDP Steering Group requested that Cornwall Council screen the Neighbourhood Plan for Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) on 28 November 2018. Natural England, the Environment Agency and Historic England were consulted as part of the screening process. The screening opinion concluded that based on the scale and location of development proposed in the draft plan and the sensitivity of the parish environment, the St Sampson Parish NDP is unlikely to have significant effects on the environment or on European Sites and that SEA and HRA is therefore not required. A copy of the screening decision is included at Appendix 3 and the screening report and consultation responses are available in the evidence base at XXXX.

It is considered that the Basic Conditions as set out in Schedule 4B to the Town 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.

#### **4. Glossary of Terms**

AONB – Area of Outstanding Natural Beauty	NDP – Neighbourhood Development Plan
EBD – Evidence Base Document	NPPF – National Planning Policy Framework Feb
CIL – Community Infrastructure Levy	2019
CAN – Community Network Area Cornwall	PROW - Public Right of Way
LP:SP – Cornwall Local Plan: Strategic Policies	The Act – The Localism Act 2011
2010 – 2030	The Parish – St Sampson Parish
MCZ - Marine Conservation Zone	

## 5. Appendices

### Appendix 1: Neighbourhood Designation Documents

#### 1a. Designation of Neighbourhood Area

#### Cornwall Council

Dolcoath Avenue Camborne Cornwall TR14 8SX  
Email: [planning@cornwall.gov.uk](mailto:planning@cornwall.gov.uk)  
Tel: 0300 1234151  
Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



Application number: PA15/00003/NDP

**Applicant:**  
Mrs S Blaxley  
St Sampson Parish Council

**Town And Country Planning Act 1990 (As Amended)  
The Neighbourhood Planning (General) Regulations 2012**

#### **Designation of a Neighbourhood Area**

**CORNWALL COUNCIL**, being the Local Planning Authority, **HEREBY APPROVES**, the designation of a Neighbourhood Area to be used for the creation of a Neighbourhood Development Plan as set out in the following application received on 16<sup>th</sup> February 2015 and accompanying plan(s):

**Proposal:** The designation of the Parish of St Sampson as a Neighbourhood Area

**Relevant Body:** St Sampson Parish Council

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 13 April 2015**

**Phil Mason**  
Head of Planning, Housing and  
Regeneration

#### **REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**

The Cornwall Council has considered the proposed Designation of the Neighbourhood Area and finds that:

- The area proposed is appropriate to be designated as a Neighbourhood Area;
- The Parish Council is a relevant body for the purposes of Section 61G of the 1990 Act; and
- No substantive objection has been made to the designation of the area under Regulation 6

It is therefore considered that the Designation of the Neighbourhood Area should be approved.

## 1b. Neighbourhood Map Designated 13<sup>th</sup> April 2015



## Appendix 2: Policy Analysis

Policy	Promoting Sustainable Development			NPPF	Cornwall Local Plan
	Social	Economic	Environmental		
H1 Housing Development H1.1, H1.2, H1.3, H1.4, H1.5	++	-	++	Section 5: Delivering a sufficient supply of homes Section 8: Promoting healthy and safe communities Section 12: Achieving well designed spaces Section 14: Meeting the challenge of climate change Section 15: conserving and enhancing the Natural Environment Section 16: conserves and enhances the Historic Environment	Policy 3: Role and Function of Places Policy 6: Housing Mix Policy 7: Housing in the Countryside Policy 12: Design Policy 13: Development standards Policy 14: Renewable and Low Carbon energy Policy 23: Natural Environment
The housing policies are in general conformity with strategic policies for rural parishes of this type, supporting small scale infill and local needs development					
E1 Economic Policy E1.1, E1.2, E1.3, E1.4, E 1.5	++	++	++	Section 6: Build a strong, competitive economy Section 8: Promoting healthy and Safe Communities Section 9: Promoting Sustainable Transport Section 12: Achieving Well Designed Places	Policy 5: Business and Tourism Policy 13: Development Standards Policy 14: Renewable and low carbon energy Policy 16: Health and Wellbeing Policy 27: Transport and Accessibility Policy 28: Infrastructure
The Economic policies support the strategic policy for rural areas of Policy 5, in that development must be of a scale appropriate to the location and character and focus on retention and conversion.					

V1 Environmental Policy V1.1, V1.2, V1.3	++	++	++	<p>Section 2: Achieving Sustainable Development</p> <p>Section 6: Building a strong, competitive economy</p> <p>Section 8: Promoting healthy and Safe Communities</p> <p>Section 14: Meeting the challenge of climate change</p> <p>Section 16: conserves and enhances the Historic Environment</p>	<p>Policy 2- Spatial Strategy</p> <p>Policy 14: Renewable and low carbon energy</p> <p>Policy 16: Health and Wellbeing</p> <p>Policy 23: Natural Environment</p> <p>Policy 24: Historic Environment</p> <p>Policy 27: Transport and Accessibility</p>
These policies support and encourage energy efficiency and the use of renewable energy. There is a desire to enable off road parking which is appropriate in such a rural area.					
C1, C2, C3 Community Policies	++	++	++	<p>Section 2: Achieving Sustainable Development</p> <p>Section 8: Promoting healthy and Safe Communities</p> <p>Section 15: Conserving and Enhancing the Natural environment</p>	<p>Policy 16: Health and Wellbeing</p> <p>Policy 23: Natural environment</p>
Supports the retention of community facilities in line with Cornwall Local plan Policy 4. Designates Local Green Space in line with para 99 of the NPPF.					

## Appendix 3: St Sampson Parish NDP SEA and HRA Screening Documents

### 3a SEA and HEA Screening Letter

Mrs Sue ~~Blaxley~~  
The Hoven,  
~~Tredarup,~~  
St ~~Neot,~~  
Liskeard  
PL14 6PP

[stsampsonpc@gmail.com](mailto:stsampsonpc@gmail.com)

by email

Dear Mrs ~~Blaxley~~,



CONTROLLED

31 December 2018

#### **St Sampson Parish Neighbourhood Development Plan – SEA and HRA Screening**

As ~~requested~~ we have screened the St Sampson Parish Neighbourhood Development Plan (NDP) to see whether the plan requires Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA.)

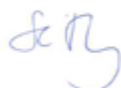
As required by the SEA regulations we produced a screening opinion report for the St Sampson NDP (version 5.4) and consulted the statutory bodies: Natural England, Historic ~~England~~ and the Environment Agency. We also asked Natural England to confirm ~~whether or not~~ HRA was required under the HRA directive.

Based on the scale and location of development proposed in the draft plan and the sensitivity of the parish environment, Cornwall Council is of the opinion that the St Sampson Parish NDP is unlikely to have significant effects on the environment or on European Sites and that SEA and HRA is therefore not required.

This view has been confirmed by the consultation bodies and the full screening opinion and the responses from Natural England and Historic England are attached.

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

Yours sincerely,



Sarah Furley  
Group Leader  
**Neighbourhood Plans**  
Tel: 01872 224294  
Email: [sarah.furley@cornwall.gov.uk](mailto:sarah.furley@cornwall.gov.uk)

CC: [robin@miniature-embroideries.co.uk](mailto:robin@miniature-embroideries.co.uk)

## **3b SEA and HEA Screening Report**

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**St Sampson Parish Draft NDP (V5.4 version)**

**Strategic Environmental Assessment (SEA)  
& Habitats Regulations Assessment (HRA)  
Screening Report**

**NOVEMBER 2018**



St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report

DRAFT

**St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report**

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**St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report**

**1. Introduction**

- 1.1 This screening report is designed to determine whether or not the contents of the St Sampson Draft Neighbourhood Development Plan (the NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also considers whether Habitats Regulations Assessment is required under Article 6 or 7 of the Habitats Directive.
- 1.2 The purpose of the St Sampson NDP is to guide development within the parish. The vision of the parish is to 'take full account of what is good about living and working in St Sampson Parish, plan to retain these characteristics to meet the needs of the present generations, develop and improve them so that future generations can enjoy similar benefits through the planning period and beyond.' (p26). There are objectives to secure social benefits (appropriate homes and housing for the community); economic benefits; and environmental benefits. Seven policies are proposed to deliver these objectives. The strategy for housing delivery is to propose a cap on new housing development of up to approximately 15 new homes and where the maximum number of dwellings on any one new site is 6 new homes. There are no site allocations or development boundaries proposed.
- 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 Draft NDP and the need for a full SEA or HRA.

**2. Legislative Background**

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 2.3 However, Neighbourhood Plans are not Local Development Documents and are not required to be subject to [SA by](#) legislation (although it is advisable to carry out some form of SA.) Neighbourhood Plans are produced under the Localism Act 2011. The

[4]

**St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report**

Localism Act requires neighbourhood plans to be compatible with EU and Human rights legislation, therefore, depending on their content, neighbourhood plans may trigger the Strategic Environmental Assessment Directive and Habitats Directive and unless they choose to complete a full SA plans will need to be screened for SEA separately.

- 2.4 National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a SEA. Potential triggers may be:
- a neighbourhood plan allocates sites for development;
  - the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
  - the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.
- 2.5 Habitats Regulations Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).
- 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.

[5]

**St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report**

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

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

SCHEDULE 1 Regulations 9(2)(a) and 10(4)(a)  
CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

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

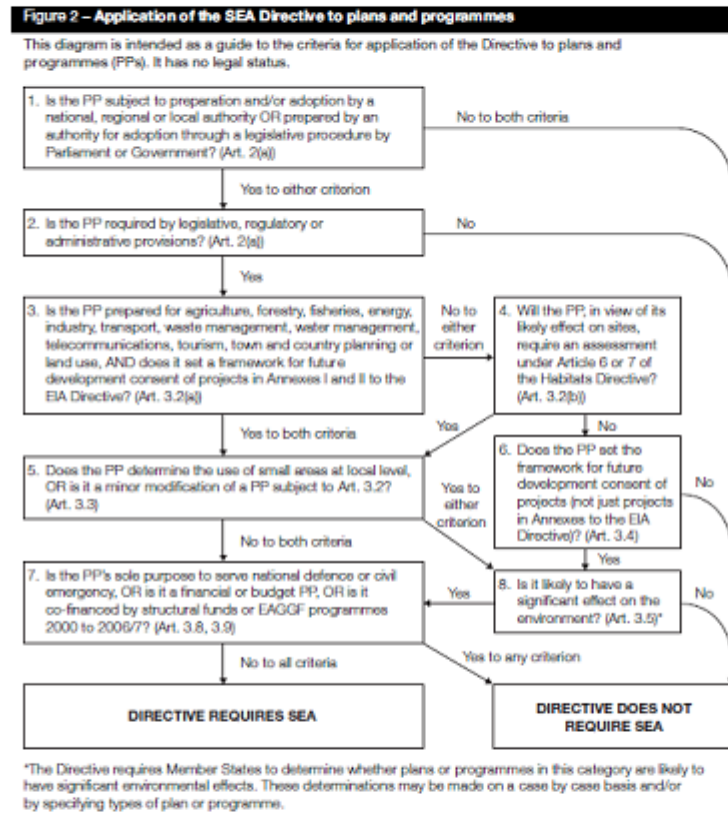
Source: Annex II of SEA Directive 2001/42/EC

[6]

**St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report**

**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

**St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report**

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 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/habitats	Conservation Objectives	Pathways of impact	LSE	Screen in or out?
None	N/A	N/A	N/A	N/A	Out

St Sampson is not in proximity to any SAC or SPA.

[8]

**St Sampson Parish Draft NDP (V5.4 version)  
SEA and HRA Screening Report**

- 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
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 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)	No	See Table 2

[9]



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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 Plan provides local <u>criteria-based</u> policies to control the quality of development within the parish. The Plan aims to meet the Local Plan target for housing through small scale windfall development and proposes a limit of approximately 15 additional new dwellings through the plan period to 2030.
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 NDP proposes a limit on growth of approximately 15 new houses over the plan period, up to 2030.
7. the cumulative nature of the effects,	The plan proposes minimal growth. Cumulative impacts will be phased over the plan period and NDP Policy 2 seeks to minimise cumulative effects of development by guiding the size of development (number of units to be less than 6 at any one site).
8. the transboundary nature of the effects,	St Sampson is a rural parish and the level of development 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),	St Sampson Parish covers an area of approximately 670 hectares. The 2011 census recorded 144 dwellings, with a population of around 260.
11. the value and vulnerability of the area likely to be affected due to: - special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use,	<p>Cornwall AONB <a href="#">South Coast Eastern</a> section.</p> <p><a href="#">Lantvan, Woodgate &amp; Penquite Wds</a> County Wild Life Site <a href="https://intranet.cornwallwildlifetrust.org.uk/sites1/sheets/default.aspx?oid=438-cws">https://intranet.cornwallwildlifetrust.org.uk/sites1/sheets/default.aspx?oid=438-cws</a></p> <p>Upper Fowey &amp; Pont Pill Marine Conservation Zones <a href="https://www.gov.uk/government/publications/marine-conservation-zone-2013-designation-upper-fowey-and-pont-pill">https://www.gov.uk/government/publications/marine-conservation-zone-2013-designation-upper-fowey-and-pont-pill</a></p> <p>There are areas of Floodzone 2 and 3 within the east of the parish.</p> <p>There are 16 listed buildings and sites in St Sampson Parish: <a href="http://www.heritagegateway.org.uk/Gateway/Results_Application.aspx?resourceID=5">http://www.heritagegateway.org.uk/Gateway/Results_Application.aspx?resourceID=5</a></p>
12. the effects on areas or landscapes which have a recognised national, Community or international protection status.	The neighbourhood plan proposes few policies and a low level of development. It doesn't contain proposals which would result in a negative impact on landscapes which have a recognised national, Community or international protection status.

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**5. Screening Outcome SEA & HRA Screening Outcome**

- 5.1 As a result of the assessment in section 4.2, it is unlikely there will be any significant environmental effects on European Sites arising from the St Sampson Parish NDP and HRA is therefore not required.
- 5.2 The assessment in section 4.3 does not identify significant environmental effects arising from the NDP. SEA is therefore not required.

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