Truro and Kenwyn Neighbourhood Plan 2015 - 2030

Habitats Regulations Assessment

Truro and Kenwyn Neighbourhood Plan Group

Project number: 60571087

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Quality information

Prepared by	Checked by	Verified by	Approved by
Amelia Kent Consultant Ecologist (ACIEEM) Damiano Weitowitz Senior Ecologist (ACIEEM)	James Riley Technical Director (CEnv, MCIEEM)	Max Wade Technical Director (CEol, FCIEEM)	Max Wade Technical Director (CEol, FCIEEM)

Revision History

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1	November 2019	First Draft/Review	JR	James Riley	Technical Director
2	November 2019	Updated with client comments (Imogen Day)	JR	James Riley	Technical Director
3	October 2020	Updated following Natural England Review (Carol Reeder)	JR	James Riley	Technical Director
4	February 2022	Update accommodating final Neighbourhood Plan changes	JR	James Riley	Technical Director

Distribution List

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Prepared for:

Truro and Kenwyn Neighbourhood Plan Group

Prepared by:

AECOM Limited
Midpoint, Alencon Link
Basingstoke
Hampshire RG21 7PP
United Kingdom

T: +44(0)1256 310200
aecom.com

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1. Introduction

Background to the Project

1.1 AECOM has been appointed by Truro and Kenwyn Neighbourhood Plan Group to assist in producing a report to inform Cornwall Council's Habitats Regulations Assessment (HRA) of the potential effects of Truro and Kenwyn Neighbourhood Plan on European sites. The objectives of the assessment are to:

- Identify any aspects of the Neighbourhood Plan that would cause an adverse effect on the integrity of internationally import nature conservation sites, otherwise known as European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs), protected SPAs (pSPAs) and, as a matter of Government policy, Ramsar sites), either alone or in combination with other plans and projects; and
- To advise on appropriate policy mechanisms for delivering mitigation where such effects were identified

1.2 The HRA of the Truro and Kenwyn Neighbourhood Plan is required to determine if there are any realistic linking pathways present between a European site and the Neighbourhood Plan and where Likely Significant Effects cannot be screened out, an analysis to inform Appropriate Assessment to be undertaken to determine if adverse effects on the integrity of the European sites will occur as a result of the Neighbourhood Plan alone or in combination. Truro and Kenwyn already have a 'made' Neighbourhood Plan and the group is currently making updates. However, for completeness, all policies in the Neighbourhood Plan have been assessed, even if not altered since the plan was previously made.

Legislation

1.3 The need for HRA is set out in the Conservation of Habitats & Species Regulations 2017 (**Box 1**). Its ultimate aim is to "*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*". This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status. European sites are defined as actual or proposed/candidate Special Areas of Conservation (SAC) or Special Protection Areas (SPA). It is also Government policy for sites designated under the Convention on Wetlands of International Importance (Ramsar sites) to be treated as having equivalent status to European sites.

Box 1: The legislative basis for Appropriate Assessment

Conservation of Habitats and Species Regulations 2017 (as amended)

With specific reference to Neighbourhood Plans, Regulation 106(1) states that:

"*A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority* [the Local Planning Authority] *may reasonably require for the purpose of the assessment under regulation 105…* [which sets out the formal process for determination of 'likely significant effects' and the appropriate assessment']."

1.4 Therefore, it is important to note that this report has two purposes:

- To assist the Qualifying Body (the Neighbourhood Plan Group) in preparing their plan by recommending (where necessary) any adjustments required to protect European sites, thus making it more likely their plan will be deemed compliant with the Conservation of Habitats and Species Regulations 2017 (as amended); and
- On behalf of the Qualifying Body, to assist the Local Planning Authority to discharge their duty under Regulation 105 (in their role as 'plan-making authority' within the meaning of that regulation) and Regulation 106 (in their role as 'competent authority').

1.5 As 'competent authority', the legal responsibility for ensuring that a decision of 'likely significant effects' is made, for ensuring an 'appropriate assessment' (where required) is undertaken, and for ensuring Natural

England are consulted, falls on the local planning authority. However, they are entitled to request from the Qualifying Body the necessary information on which to base their judgment and that is a key purpose of this report.

1.6 The Habitats Regulations applies the precautionary principle to European sites (SACs and SPAs). As a matter of UK Government policy, Ramsar sites are given equivalent status. For the purposes of this assessment candidate SACs (cSACs), proposed SPAs (pSPAs) and proposed Ramsar (pRamsar) sites are all treated as fully designated sites. In this report we use the term 'European sites' to refer collectively to the sites listed in this paragraph.

1.7 Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. This contrasts with the SEA Directive which does not prescribe how plan or programme proponents should respond to the findings of an environmental assessment; merely that the assessment findings (as documented in the 'environmental report') should be 'taken into account' during preparation of the plan or programme. Under the Habitats Regulations, plans and projects may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

1.8 In 2018, the 'People Over Wind' European Court of Justice (ECJ) ruling[1] determined that 'mitigation' (i.e. measures that are specifically introduced to avoid or reduce the harmful effects of a plan or project on European sites) should not be taken into account when forming a view on likely significant effects. Mitigation should instead only be considered at the appropriate assessment stage. Appropriate assessment is not a technical term: it simply means 'an assessment that is appropriate' for the plan or project in question. As such, the law purposely does not prescribe what it should consist of or how it should be presented; these are decisions to be made on a case by case basis by the competent authority. An amendment was made to the Neighbourhood Planning Regulations in late 2018 which permitted Neighbourhood Plans to be made if they required appropriate assessment.

1.9 Over the years the phrase 'Habitats Regulations Assessment' has come into wide currency to describe the overall process set out in the Conservation of Habitats and Species Regulations from screening through to Imperative Reasons of Overriding Public Interest (IROPI). This has arisen in order to distinguish the process from the individual stage described in the law as an 'Appropriate Assessment'. Throughout this report we use the term Habitats Regulations Assessment for the overall process.

1.10 Natural England were consulted on the original draft version of this report and responded with a number of comments on 11 May 2020 (consultation reference 313159). Those comments have been taken into account in producing this final HRA report and Appendix D of this report sets out how each of the key comments has been addressed.

Report Layout

1.11 **Chapter 2** of this report explains the process by which the HRA has been carried out. **Chapter 3** explores the relevant pathways of impact. **Chapter 4** summarises the Test of Likely Significant Effects of the policies and site allocations of the Plan considered 'alone' and 'in-combination. (The Test of Likely Significant Effects itself is undertaken in **Appendix B**). **Chapter 5** contains the Appropriate Assessment for any linking impact pathways that could not be screened out from potentially resulting in a Likely Significant Effect. **Chapter 6** contains the conclusion and a summary of recommendations.

[1] Case C-323/17

2. Methodology

Introduction

2.1 This section sets out the approach and methodology for undertaking the Habitats Regulations Assessment (HRA). HRA itself operates independently from the Planning Policy system, being a legal requirement of a discrete Statutory Instrument. Therefore, there is no direct relationship to the National Planning Policy Framework (NPPF) and the 'Tests of Soundness'.

A Proportionate Assessment

2.2 Project-related HRA often requires bespoke survey work and novel data generation in order to accurately determine the significance of effects. In other words, to look beyond the risk of an effect to a justified prediction of the actual likely effect and to the development of avoidance or mitigation measures.

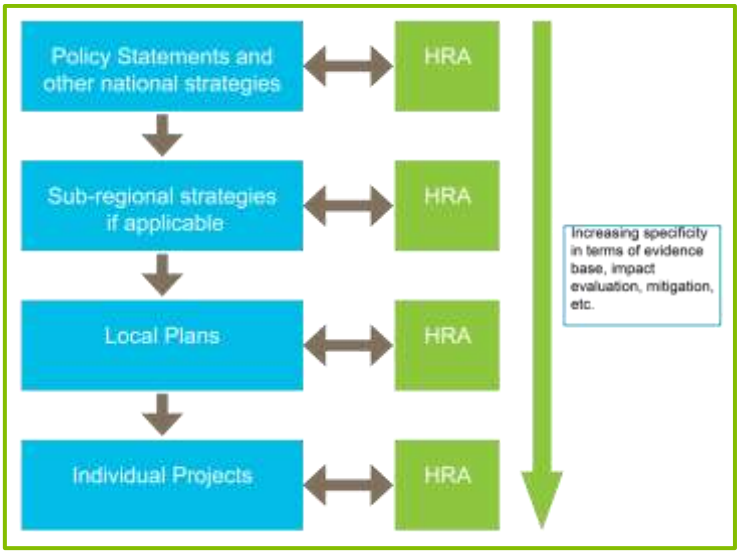
2.3 However, the draft MHCLG guidance[2] (described in greater detail later in this chapter) makes it clear that when implementing HRA of land-use plans, the Appropriate Assessment (AA) should be undertaken at a level of detail that is appropriate and proportional to the level of detail provided within the plan itself:

2.4 "The comprehensiveness of the [Appropriate] assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources, than is useful for its purpose. It would be inappropriate and impracticable to assess the effects [of a strategic land use plan] in the degree of detail that would normally be required for the Environmental Impact Assessment (EIA) of a project."

2.5 More recently, the Court of Appeal[3] ruled that providing the Council (competent authority) was duly satisfied that proposed mitigation could be "*achieved in practice"* then this would suffice to meet the requirements of the Habitat Regulations. This ruling has since been applied to a planning permission (rather than a Plan document)[4]. In this case the High Court ruled that for "*a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of reg 61 of the Habitats Regulations".*

2.6 In other words, there is a tacit acceptance that AA can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers as illustrated in **Box 2**.

Box 2: Tiering in HRA of Land Use Plans



[2] MHCLG (2006) Planning for the Protection of European Sites, Consultation Paper
[3] No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17th February 2015
[4] High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015

2.7 For a plan the level of detail concerning the developments that will be delivered is usually insufficient to make a highly detailed assessment of significance of effects. For example, precise and full determination of the impacts and significant effects of a new settlement will require extensive details concerning the design of the new housing sites, including layout of greenspace and type of development to be delivered in particular locations, yet these data will not be decided until subsequent stages.

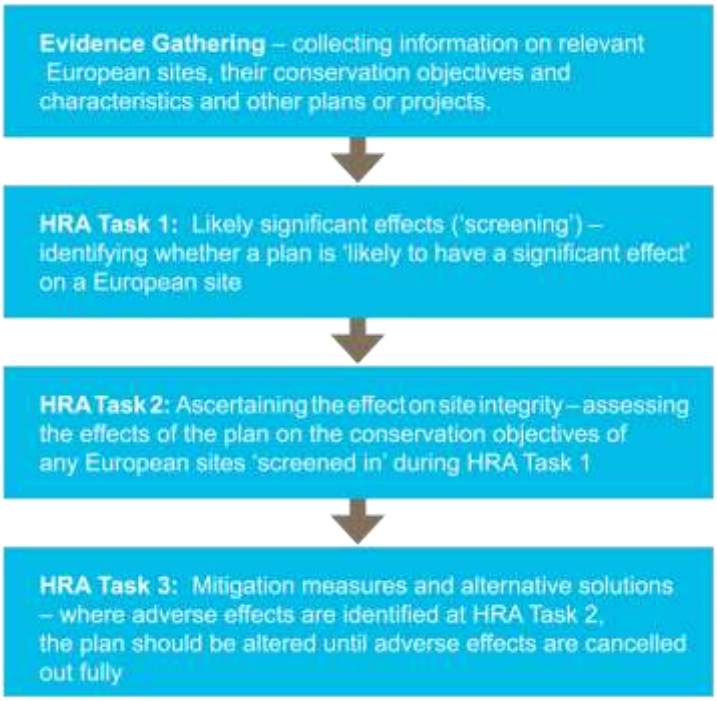
2.8 The most robust and defensible approach to the absence of fine grain detail at this level is to make use of the precautionary principle. In other words, the plan is never given the benefit of the doubt (within the limits of reasonableness); it must be assumed that a policy/measure is likely to have an impact leading to a significant adverse effect upon an internationally designated site unless it can be clearly established otherwise.

The Process of HRA

2.9 The HRA is being carried out in the continuing absence of formal central Government guidance. The former DCLG (now MHCLG) released a consultation paper on AA of Plans in 2006[5]. As yet, no further formal guidance has emerged from MHCLG on the assessment of plans. However, Natural England has produced its own informal internal guidance and central government have released general guidance on appropriate assessment[6].

2.10 **Box 3** outlines the stages of HRA according to the draft MHCLG guidance (which, as government guidance applicable to English authorities is considered to take precedence over other sources of guidance). The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no likely significant effects remain.

Box 3: Four-Stage Approach to Habitats Regulations Assessment



2.11 The following process has been adopted for carrying out the subsequent stages of the HRA.

[5] MHCLG (2006) Planning for the Protection of European Sites, Consultation Paper
[6] https://www.gov.uk/guidance/appropriate-assessment

Task One: Test of Likely Significant Effect (LSEs)

2.12 The first stage of any Habitats Regulations Assessment is a test of Likely Significant Effect - essentially a high-level assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"

2.13 In evaluating significance, AECOM have relied on professional judgment and experience of working with the other local authorities on similar issues. The level of detail concerning developments that will be permitted under land use plans is rarely sufficient to make a detailed quantification of effects. Therefore, a precautionary approach has been taken (in the absence of more precise data) assuming as the default position that if a likely significant effect (LSE) cannot be confidently ruled out, then the assessment must be taken the next level of assessment Task Two: Appropriate Assessment. This is in line with the April 2018 court ruling relating to 'People Over Wind' where mitigation and avoidance measures are to be included at the next stage of assessment.

Task Two: Appropriate Assessment

2.14 European Site(s) which have been 'screened in' during the previous Task have a detailed assessment undertaken on the effect of the policies on the European site(s) site integrity. Avoidance and mitigation measures to avoid adverse significant effects are taken into account or recommended where necessary.

2.15 As established by case law, 'appropriate assessment' is not a technical term; it simply means whatever further assessment is necessary to confirm whether there would be adverse effects on the integrity of any European sites that have not been dismissed at screening. Since it is not a technical term it has no firmly established methodology except that it essentially involves repeating the analysis for the likely significant effects stage, but to a greater level of detail on a smaller number of policies and sites, this time with a view to determining if there would be adverse effects on integrity.

2.16 One of the key considerations during Appropriate Assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the Appropriate Assessment takes any policies or allocations that could not be dismissed following the high-level Screening analysis and analyse the potential for an effect in more detail, with a view to concluding whether there would actually be an adverse effect on integrity (in other words, disruption of the coherent structure and function of the European site(s)).

The Scope

2.17 There is no guidance that dictates the physical scope of an HRA of a plan. Therefore, in considering the physical scope of the assessment we were guided primarily by the identified impact pathways rather than by arbitrary "zones", i.e. a source-pathway-receptor approach. Current guidance suggests that the following European sites be included in the scope of assessment:

- All sites within the Neighbourhood Plan area boundary; and
- Other sites shown to be linked to development within the Neighbourhood Plan boundary through a known "pathway" (discussed below).

2.18 Briefly defined, pathways are routes by which a change in activity within the plan area can lead to an effect upon a European site. In terms of the second category of European site listed above, MHCLG guidance states that the AA should be "*proportionate to the geographical scope of the* [plan policy]" and that "*an AA need not be done in any more detail, or using more resources, than is useful for its purpose*" (MHCLG, 2006, p.6).

2.19 Locations of European designated sites are illustrated in **Appendix A, Figure A1**, and full details of all European designated sites discussed in this document can be found in **Appendix B**. specifying their qualifying features, conservation objectives and threats to integrity. Table 1 below lists all those European designated sites included in this HRA. It is to be noted that the inclusion of a European sites or pathway below does not indicate that an effect is expected but rather that these are pathways that will be investigated.

Table 1: Physical Scope of the HRA

European Designated Site	Location	Reason for Inclusion (pressures/ threats[7] associated with the European site that could link to the Plan.)	Other site vulnerabilities
Fal and Helford SAC	Within the Neighbourhood Area	- Water pollution - Public access / disturbance - Air pollution: risk of atmospheric nitrogen deposition	- Marine consents and permits: shipping - Invasive species - Siltation - Marine consents and permits: channel maintenance - Fisheries: recreational marine and estuarine - Fisheries: commercial marine and estuarine - Fisheries: private
Carrine Common SAC	Adjacent to the Neighbourhood Plan Area	- Air pollution: risk of atmospheric nitrogen deposition - Public access / disturbance	- Inappropriate scrub control - Direct impact from 3rd party
Godrevy Head to St. Agnes SAC	At its closest point 4.1 km west of the Neighbourhood Plan Area	- Air pollution: risk of atmospheric nitrogen deposition	- Change in land management
Falmouth Bay to St. Austell Bay SPA	At its closes point 4.1 km south of the Neighbourhood Plan	- Public access / disturbance - Water pollution (contaminants, dissolved oxygen, nutrients, turbidity) - Air pollution: risk of atmospheric nitrogen deposition (supporting habitat)	- non-breeding population abundance - Conservation measures (supporting habitat) - Extent and distribution of supporting habitat for the non-breeding season - Food availability (supporting habitat) - Water depth (supporting habitat)
Newlyn Downs SAC	At its closest point 4.2 km north of the Neighbourhood Plan Area	- Public access / disturbance - Air pollution: risk of atmospheric nitrogen deposition	- Invasive species
British Channel Approaches SAC	At its closest point 5.3 km west of the Neighbourhood Plan Area		- Commercial fishing - Windfarms - Aqua culture - Marine construction activities
Penhale Dunes SAC	At its closest point. 5.6 km north of the Neighbourhood Plan Area	- Public access / disturbance - Air pollution: risk of atmospheric nitrogen deposition	- Inappropriate coastal management - Invasive species - Change in land management

[7] As identified in the Site Improvement Plans or RAMS for European sites.

- Hydrological changes

2.20 The Bristol Channel Approaches SAC does not have any vulnerabilities that are related to the Truro and Kenwyn Neighbourhood Plan, so can be screened out of the HRA at this stage and will not be discussed further.

The 'In Combination' Scope

2.21 It is a requirement of the Regulations that the impacts and effects of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the European designated site(s) in question.

2.22 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e. to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential. The overall approach is to exclude the risk of there being unassessed likely significant effects in accordance with the precautionary principle. This was first established in the seminal Waddenzee[8] case.

2.23 For the purposes of this HRA, we have determined that the key other documents with a potential for in-combination effects are the Adopted Cornwall Local Plan (2016) and its associated Site Allocations Development Plan Document[9]. As outlined in the introduction, this Plan sets out the broad spatial development targets for the County of Cornwall in the period of 2010 – 2030. Cornwall does not have individual districts and unitary authorities and the Plan therefore covers a broad geographical area including 213 parishes.

2.24 Overall, the (previously modified) and adopted Local Plan provides for a minimum of 52,500 homes at an average of 2,625 homes delivered per year, 318 permanent gypsy and traveller pitches and 704,000 m^2 of employment floorspace. Within the Plan, the residential and employment growth is partitioned into various Community Network Areas (CNAs). For example, the Truro and Roseland CNA provides for 5,100 additional residential dwellings and 69,583 m^2 of employment space. The growth provided in other CNAs Is provided in Table 2.

2.25 The Cornwall Local Plan is associated with the impact pathways recreational pressure, water quality and atmospheric pollution, and as such the same impact pathways that link the Truro and Kenwyn Neighbourhood Plan to nearby European sites. Given the extent of development, both in terms of its volume and geographical distribution, that it proposes, the Cornwall Local Plan (and its HRAs) are the most important documents to consider in assessing the in-combination effect of the Truro and Kenwyn Neighbourhood Plan.

2.26 As shown in the table, residential growth in the Truro and Roseland CNA (at the top of the table) only accounts for 9.7% of the total residential growth in Cornwall, while its employment growth only accounts for 9.8% of the overall employment growth in Cornwall. Nevertheless, the potential for Truro and Kenwyn's contribution – however small – to an in-combination effect arising from increased development throughout Cornwall, must be considered.

Table 2: Summary of the development (residential and employment growth) allocated in parishes within the Adopted Cornwall Local Plan (2016).

Location (CNA)	Residential Growth (dwellings)	Employment growth (m^2 of floorspace)
Truro and Roseland	**5,100**	**69,583**
Penzance and West Penwith	3,150	32,166
Hayle and St. Ives	3,180	38,166
Helston	2,300	29,417

[8] Waddenzee case (Case C-127/02, [2004] ECR-I 7405)
[9] Cornwall Site Allocations Development Plan Document. Adopted November 2019. Available at: https://www.cornwall.gov.uk/media/38344158/allocations-dpd-full-doc-web.pdf [Accessed on the 09/10/2019].

Csmborne, Pool, Illogan and Redruth	6,200	122,250
Falmouth and Penryn	3,400	47,417
St. Agnes, Perranporth and Newquay	4,800	58,000
Eco-Communities and St. Austell	3,200	22,250
St. Blazey, Fowey, and Lostwithiel	900	25,333
China Clay	1,800	26,250
Wadebridge and Padstow	2,100	13,334
Bodmin	3,200	47,500
Camelford	1,000	7,834
Bude, Stratton, Flexbury and Poughill	1,800	21,166
Lanceston	2,300	42,250
Liskeard	2,900	44,334
Callington and Caradon	1,000	14,750
Saltash, Torpoint and Cornwall Gateway	1,900	17,500
All CNAs	**52,500**	**704,000**

2.27 It should be noted that, while the broad potential impacts of the Cornwall Local Plan will be considered as part of the 'in combination' assessment, this document does not carry out a full HRA of this Plan. Instead, it draws upon existing HRAs that have been carried out on the Plan and its Main Modifications documents between 2014 and its adoption in 2016.

3. Pathways of Impact

3.1 The following pathways of impact are considered relevant to the HRA of the Plan:

- Recreational pressure
- Water Quality and Water Resources
- Air pollution (Atmospheric Nitrogen Deposition)
- Construction Related Effects (dust/water runoff)

Recreational Pressure

3.2 Recreational use of a European site has the potential to:

- Cause disturbance to sensitive species, particularly ground-nesting birds and (where relevant) wintering wildfowl.
- Cause damage through erosion and fragmentation;
- Cause eutrophication as a result of dog fouling; and
- Prevent appropriate management or exacerbate existing management difficulties;

3.3 Different types of European sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex.

3.4 It should be emphasised that recreational use is not inevitably a problem. Many European sites also contain nature reserves managed for conservation and public appreciation of nature.

3.5 HRAs of Local Plans tend to focus on recreational sources of disturbance as a result of new residents[10].

Activities causing disturbance

3.6 Disturbing activities are on a continuum. The most disturbing activities are likely to be those that involve irregular, infrequent, unpredictable loud noise events, movement or vibration of long duration. The presence of people and dogs generate a substantial disturbance effects because of the areas accessed and the impact of a potential predator on bird behaviour. Birds are least likely to be disturbed by activities that involve regular, frequent, predictable, quiet patterns of sound or movement or minimal vibration. The further any activity is from the birds, the less likely it is to result in disturbance.

3.7 The factors that influence a species response to a disturbance are numerous, but the three key factors are species sensitivity, proximity of disturbance sources and timing/duration of the potentially disturbing activity.

3.8 The distance at which a species takes flight when approached by a disturbing stimulus is known as the 'tolerance distance' (also called the 'escape flight distance') and differs between species to the same stimulus and within a species to different stimuli.

3.9 The potential for apparent disturbance may be less in winter than in summer, in that there are often a smaller number of recreational users. In addition, the consequences of disturbance at a population level may be reduced because birds are not breeding. However, activity outside of the summer months can still cause important disturbance, especially as birds are particularly vulnerable at this time of year due to food shortages. Disturbance which results in abandonment of suitable feeding areas can have severe consequences for those birds involved and their ability to find alternative feeding areas. Several empirical studies have, through correlative analysis, demonstrated that out-of-season (October-March) recreational activity can result in quantifiable disturbance:

[10] The RTPI report 'Planning for an Ageing Population'(2004) which states that 'From being a marginalised group in society, the elderly are now a force to be reckoned with and increasingly seen as a market to be wooed by the leisure and tourist industries. There are more of them and generally they have more time and more money.' It also states that 'Participation in most physical activities shows a significant decline after the age of 50. The exceptions to this are walking, golf, bowls and sailing, where participation rates hold up well into the 70s'.

- Tuite et al[11] found that during periods of high recreational activity, bird numbers at Llangorse Lake decreased by 30% as the morning progressed, matching the increase in recreational activity towards midday. During periods of low recreational activity, however, no change in numbers was observed as the morning progressed. In addition, all species were found to spend less time in their 'preferred zones' (the areas of the lake used most in the absence of recreational activity) as recreational intensity increased;
- Underhill et al[12] counted waterfowl and all disturbance events on 54 water bodies within the South West London Water Bodies Special Protection Area and clearly correlated disturbance with a decrease in bird numbers at weekends in smaller sites and with the movement of birds within larger sites from disturbed to less disturbed areas.

3.1 Human activity can affect birds either directly (e.g. through causing them to flee) or indirectly (e.g. through damaging their habitat). The most obvious direct effect is that of immediate mortality such as death by shooting, but human activity can also lead to behavioural changes (e.g. alterations in feeding behaviour, avoidance of certain areas *etc.*) and physiological changes (e.g. an increase in heart rate) that, although less noticeable, may ultimately result in major population-level effects by altering the balance between immigration/birth and emigration/death[13]. The impact of disturbance on birds changes during the seasons in relation to a number of very specific factors, for example the winter below freezing temperature, the birds fat resource levels and the need to remain watchful for predators rather than feeding. These considerations lead to birds apparently showing different behavioural responses at different times of the year.

3.2 The degree of impact that varying levels of noise will have on different species of bird is poorly understood except that a number of studies have found that an increase in traffic levels on roads does lead to a reduction in the bird abundance within adjacent hedgerows - Reijnen et al (1995) examined the distribution of 43 passerine species (i.e. 'songbirds'), of which 60% had a lower density closer to the roadside than further away. By controlling vehicle usage, they also found that the density generally was lower along busier roads than quieter roads[14].

Mechanical/abrasive damage and nutrient enrichment

3.3 Most types of aquatic or terrestrial European site can be affected by trampling, which in turn causes soil compaction and erosion:

- Wilson & Seney (1994)[15] examined the degree of track erosion caused by hikers, motorcycles, horses and cyclists from 108 plots along tracks in the Gallatin National Forest, Montana. Although the results proved difficult to interpret, it was concluded that horses and hikers disturbed more sediment on wet tracks, and therefore caused more erosion, than motorcycles and bicycles.
- Cole et al (1995a, b)[16] conducted experimental off-track trampling in 18 closed forest, dwarf scrub and meadow & grassland communities (each tramped between 0 – 500 times) over five mountain regions in the US. Vegetation cover was assessed two weeks and one year after trampling, and an inverse relationship with trampling intensity was discovered, although this relationship was weaker after one year than two weeks indicating some recovery of the vegetation. Differences in plant morphological characteristics were found to explain more variation in response between different vegetation types than soil and topographic factors. Low-growing, mat-forming grasses regained their cover best after two weeks and were considered most resistant to trampling, while tall forbs (non-woody vascular plants other than grasses, sedges, rushes and ferns) were considered least resistant. Cover of hemicryptophytes and geophytes (plants with buds below the soil surface) was heavily reduced after two weeks but had recovered well after one year and as

[11] Tuite, C. H., Owen, M. & Paynter, D. 1983. Interaction between wildfowl and recreation at Llangorse Lake and Talybont Reservoir, South Wales. *Wildfowl* 34: 48-63
[12] Underhill, M.C. et al. 1993. Use of Waterbodies in South West London by Waterfowl. An Investigation of the Factors Affecting Distribution, Abundance and Community Structure. Report to Thames Water Utilities Ltd. and English Nature. Wetlands Advisory Service, Slimbridge
[13] Riley, J. 2003. Review of Recreational Disturbance Research on Selected Wildlife in Scotland. Scottish Natural Heritage.
[14] Reijnen, R. et al. 1995. The effects of car traffic on breeding bird populations in woodland. III. Reduction of density in relation to the proximity of main roads. Journal of Applied Ecology 32: 187-202
[15] Wilson, J.P. & J.P. Seney. 1994. Erosional impact of hikers, horses, motorcycles and off road bicycles on mountain trails in Montana. Mountain Research and Development 14:77-88
[16] Cole, D.N. 1995a. Experimental trampling of vegetation. I. Relationship between trampling intensity and vegetation response. Journal of Applied Ecology 32: 203-214
Cole, D.N. 1995b. Experimental trampling of vegetation. II. Predictors of resistance and resilience. Journal of Applied Ecology 32: 215-224

such these were considered most resilient to trampling. Chamaephytes (plants with buds above the soil surface) were least resilient to trampling. It was concluded that these would be the least tolerant of a regular cycle of disturbance.

- Cole (1995c)[17] conducted a follow-up study (in 4 vegetation types) in which shoe type (trainers or walking boots) and trampler weight were varied. Although immediate damage was greater with walking boots, there was no significant difference after one year. Heavier tramplers caused a greater reduction in vegetation height than lighter tramplers, but there was no difference in effect on cover.
- Cole & Spildie (1998)[18] experimentally compared the effects of off-track trampling by hiker and horse (at two intensities – 25 and 150 passes) in two woodland vegetation types (one with an erect forb understorey and one with a low shrub understorey). Horse traffic was found to cause the largest reduction in vegetation cover. The forb-dominated vegetation suffered greatest disturbance but recovered rapidly. Higher trampling intensities caused more disturbance.

3.4 Walkers with dogs contribute to pressure on sites through nutrient enrichment via dog fouling and also cause greater disturbance to fauna as dogs are less likely to keep to marked footpaths and also tend to move in a more erratic manner. Sites being managed by nature conservation bodies and local authorities frequently resort to hardening eroded paths to restrict erosion but at the same time they are losing the habitats formerly used by sand lizards and burrowing invertebrates. Motorcycle scrambling and off-road vehicle use can cause more serious erosion, as well as disturbance to sensitive species. Boats can also cause some mechanical damage to intertidal habitats through grounding as well as anchor and anchor line damage.

Water Quality and Water Resources

3.5 Increased amounts of housing or business development can lead to reduced water quality of rivers and estuarine environments. Sewage and industrial effluent discharges can contribute to increased nutrients on European sites leading to unfavourable conditions. In addition, diffuse pollution, partly from urban run-off has been identified during an Environment Agency Review of Consents process and a joint Environment Agency and Natural England evidence review, as being a major factor in causing unfavourable condition of European sites.

3.6 The quality of the water that feeds European sites is an important determinant of the nature of their habitats and the species they support. Poor water quality can have a range of environmental impacts:

- At high levels, toxic chemicals and metals can result in immediate death of aquatic life, and can have detrimental effects even at lower levels, including increased vulnerability to disease and changes in wildlife behaviour. Eutrophication, the enrichment of plant nutrients in water, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, augmenting the oxygen depleting effects of eutrophication. In the marine environment, nitrogen is the limiting plant nutrient and so eutrophication is associated with discharges containing available nitrogen;
- Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life; and
- Increased discharge of treated sewage effluent can result both in high levels of macroalgal growth, which can smother the mudflats of value to SPA birds and in greater scour (as a result of greater flow volumes).

3.7 At sewage treatment works, additional residential development increases the risk of effluent escape into aquatic environments in addition to consented discharges to the catchment. In many urban areas, sewage treatment and surface water drainage systems are combined, and therefore a predicted increase in flood and storm events could increase pollution risk.

[17] Cole, D.N. 1995c. Recreational trampling experiments: effects of trampler weight and shoe type. Research Note INT-RN-425. U.S. Forest Service, Intermountain Research Station, Utah.
[18] Cole, D.N., Spildie, D.R. 1998. Hiker, horse and llama trampling effects on native vegetation in Montana, USA. Journal of Environmental Management 53: 61-71

Atmospheric Pollution (Atmospheric Nitrogen Deposition)

3.8 The main pollutants of concern for European sites are oxides of nitrogen (NO_x), ammonia (NH_3) and sulphur dioxide (SO_2). NO_x can have a directly toxic effect upon vegetation. In addition, greater NO_x or ammonia concentrations within the atmosphere will lead to greater rates of nitrogen deposition to soils. An increase in the deposition of nitrogen from the atmosphere to soils is generally regarded to lead to an increase in soil fertility, which can have a serious deleterious effect on the quality of semi-natural, nitrogen-limited terrestrial habitats.

Table 3: Main sources and effects of air pollutants on habitats and species

Pollutant	Source	Effects on habitats and species
Acid deposition	SO_2, NO_x and ammonia all contribute to acid deposition. Although future trends in S emissions and subsequent deposition to terrestrial and aquatic ecosystems will continue to decline, it is likely that increased nitrogen emissions may cancel out any gains produced by reduced sulphur levels.	Can affect habitats and species through both wet (acid rain) and dry deposition. Some sites will be more at risk than others depending on soil type, bed rock geology, weathering rate and buffering capacity.
Ammonia (NH_3)	Ammonia is released following decomposition and volatilisation of animal wastes. It is a naturally occurring trace gas, but levels have increased considerably with expansion in numbers of agricultural livestock. Ammonia reacts with acid pollutants such as the products of SO_2 and NO_X emissions to produce fine ammonium (NH_4^+) containing aerosol which may be transferred much longer distances (can therefore be a significant trans-boundary issue.)	Adverse effects are as a result of nitrogen deposition leading to eutrophication. As emissions mostly occur at ground level in the rural environment and NH_3 is rapidly deposited, some of the most acute problems of NH_3 deposition are for small relict nature reserves located in intensive agricultural landscapes.
Nitrogen oxides NO_x	Nitrogen oxides are mostly produced in combustion processes. About one quarter of the UK's emissions are from power stations.	Deposition of nitrogen compounds (nitrates (NO_3), nitrogen dioxide (NO_2) and nitric acid (HNO_3)) can lead to both soil and freshwater acidification. In addition, NO_x can cause eutrophication of soils and water. This alters the species composition of plant communities and can eliminate sensitive species.
Nitrogen (N) deposition	The pollutants that contribute to nitrogen deposition derive mainly from NO_X and NH_3 emissions. These pollutants cause acidification (see also acid deposition) as well as eutrophication.	Species-rich plant communities with relatively high proportions of slow-growing perennial species and bryophytes are most at risk from N eutrophication, due to its promotion of competitive and invasive species which can respond readily to elevated levels of N. N deposition can also increase the risk of damage from abiotic factors, e.g. drought and frost.
Ozone (O_3)	A secondary pollutant generated by photochemical reactions from NO_x and volatile organic compounds (VOCs). These are mainly released by the combustion of fossil fuels. The increase in combustion of fossil fuels in the UK has led to a large increase in background ozone concentration, leading to an increased number of days when levels across the region are above 40ppb. Reducing ozone pollution is believed to require action at international level to reduce levels of the precursors that form ozone.	Concentrations of O_3 above 40 ppb can be toxic to humans and wildlife and can affect buildings. Increased ozone concentrations may lead to a reduction in growth of agricultural crops, decreased forest production and altered species composition in semi-natural plant communities.
Sulphur Dioxide SO_2	Main sources of SO_2 emissions are electricity generation, industry and domestic fuel combustion.	Wet and dry deposition of SO_2 acidifies soils and freshwater, and alters the species

May also arise from shipping and increased atmospheric concentrations in busy ports. Total SO_2 emissions have decreased substantially in the UK since the 1980s.	composition of plant and associated animal communities. The significance of impacts depends on levels of deposition and the buffering capacity of soils.

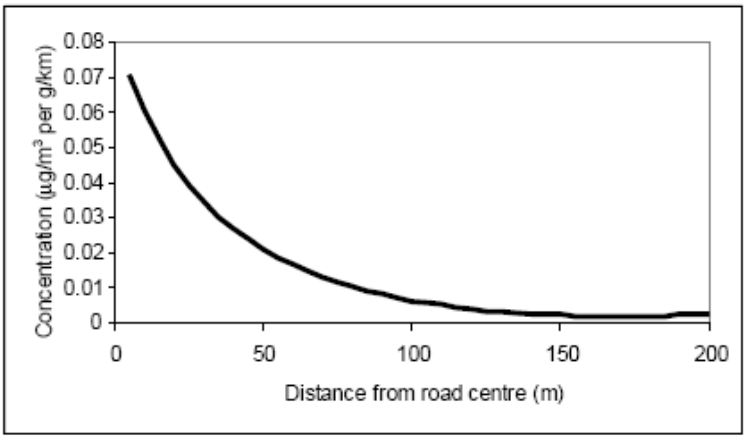
3.9 Sulphur dioxide emissions are overwhelmingly influenced by the output of power stations and industrial processes that require the combustion of coal and oil. Ammonia emissions are dominated by agriculture, with some chemical processes also making notable contributions. As such, it is unlikely that material increases in SO_2 or NH_3 emissions will be associated with Local Plans. NO_x emissions, however, are dominated by the output of vehicle exhausts. Within a 'typical' housing development, by far the largest contribution to NO_x (92%) will be made by the associated road traffic. Other sources, although relevant, are of minor importance (8%) in comparison[19]. Emissions of NO_x could therefore be reasonably expected to increase as a result of greater vehicle use as an indirect effect of the LDF.

3.10 According to the World Health Organisation, the critical NO_x concentration (critical threshold) for the protection of vegetation is 30 μgm^{-3}; the threshold for sulphur dioxide is 20 μgm^{-3}. In addition, ecological studies have determined 'Critical Loads'[20] of atmospheric nitrogen deposition (that is, NO_x combined with ammonia NH_3) for key habitats within European sites.

Local Air Pollution

3.11 According to the Department of Transport's Transport Analysis Guidance, "Beyond 200 m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant"[21].

Plate 1. Traffic contribution to concentrations of pollutants at different distances from a road (Source: DfT)



3.12 This is therefore the distance that is used throughout the HRA process in order to determine whether a European site is likely to be significantly affected by development under a Plan.

Construction Related Activities (dust emissions, water run-off)

3.13 The delivery of developments allocated in the Neighbourhood Plan might result in an increases emission of dust during the construction, associated with processes such as topsoil stripping, digging and the movement of Heavy-Duty Vehicles carrying building materials or rubble. Dust emission from construction sites has the potential for an adverse temporary localised effect on plant growth, by coating vegetation, blocking stomata and slowing down photosynthesis. While the death of plants attributed to dust emission might adversely affect the integrity of a European site directly (if these plants are qualifying features), the integrity of a site might also be threatened indirectly through a changed community composition.

[19] Proportions calculated based upon data presented in Dore CJ et al. 2005. UK Emissions of Air Pollutants 1970 – 2003. UK National Atmospheric Emissions Inventory. http://www.airquality.co.uk/archive/index.php
[20] The Critical Load is the rate of deposition beyond which research indicates that adverse effects can reasonably be expected to occur
[21] www.webtag.org.uk/archive/feb04/pdf/feb04-333.pdf

3.14 According to recent guidance from the Institute of Air Quality Management[22] *"an assessment will normally be required where there is…an 'ecological receptor' within: 50m of the boundary of the site; or 50m of the route(s) used by construction vehicles on the public highway…".* This is based on the view that heavy dust soiling is a threat to vegetation, but only up to a distance of 50m from dust generating activities even in the absence of mitigation measures (e.g. wetting).

3.15 Policies that will result in construction-related activities also carry the risk of negative effects on both surface water and groundwater quality through spillage or leaching of fuels or other contaminating substances (e.g. cement or grout) used in construction. Ultimately, diffuse pollution deriving from construction activities therefore has the potential for adverse effects on the integrity of European sites.

[22] IAQM. (2016) *Guidance on the assessment of dust from demolition and construction*. The Institute of Air Quality Management. Version 1.1.

4. Test of Likely Significant Effects (LSEs)

Introduction

The initial scoping of European designated sites illustrated in

4.1 Table 1 identifies that some sites are potentially vulnerable to:

- Recreational pressure
- Water quality
- Water resources
- Construction related impacts (dust / runoff)
- Direct land take

4.2 The full test of LSEs for the Truro and Kenwyn Neighbourhood Plan is presented in Appendix B. The assessment took into consideration the above potential vulnerabilities of the European sites included in Table 1.

4.3 The Bristol Channel Approaches SAC has been scoped out of this HRA as the marine SAC is solely designated for porpoise, the distance between the SAC and the parishes of Truro and Kenwyn means there are no linking impact pathways such as noise and vibration or water pollution as the SAC is on the opposite side of the Cornish coast.

4.4 Cornwall Council undertook a visitor study of Godrevy Head to St. Agnes SAC between 2015 and 2016[23] in support of its Terrestrial European Sites Mitigation Supplementary Planning Document (SPD)[24]. The visitor survey results concluded that although the population of Truro and Kenwyn Parishes are quite large, approximately 25,000[25] together, only 31 of 301 local resident groups originated from the Parishes of Truro and Kenwyn which is 11% of total visitor numbers (17 groups from Truro (6%) and 14 groups from Kenwyn (5%)). The majority of local resident groups originated from the Parish of St. Agnes (122 groups, 41% of total visitor numbers), within which the SAC is situated. Based on the results of the visitor survey the SPD concluded: "*There is no current evidence of recreational use, having an adverse impact on the Godrevy head to St. Agnes SAC. No monitoring of the site is required during this plan period (2010-2030) but should Natural England's condition assessment of the site reveal recreational impacts, then the situation should be reviewed*". As the SAC has been screened out for adverse recreational impacts within the Cornwall Local Plan it can therefore be screened out of the Truro and Kenwyn Local Plan. The SAC was additionally identified to be vulnerable to air pollution; however, as the SAC is not within 200m of a major road it has been assessed as having no linking adverse impact pathways and has been screened out for air pollution as well as recreational pressure.

4.5 Therefore, the following sections focus on Fal and Helford SAC, Carrine Common SAC, Falmouth Bay to St. Austell Bay SPA, Newlyn Downs SAC, and Penhale Dunes SAC.

Summary of LSEs 'Alone'

4.6 For the following two policies within the Truro Neighbourhood Plan LSEs on European sites cannot be excluded 'alone'. These policies are:

- Policy EJ3 – Port of Truro; and,
- Policy EJ4 – Newham Employment Area.

[23] https://www.cornwall.gov.uk/media/27706337/appendix-2-visitor-survey-results-godrevy-head-to-st-agnes-sac.pdf [Accessed 12/11/19]
[24] https://www.cornwall.gov.uk/media/26847746/terrestrial-european-sites-mitigation-spd.pdf [Accessed 12/11/19]
[25] http://www.truro.gov.uk/_UserFiles/Files/Neighbourhood%20Plan/2015-07-23%20Consultation%20Statement.pdf [Accessed 12/11/19]

4.7 Although these policies do not propose a specific quantum of development, they do propose to permit development at the port of Truro and the Newham Employment Area based on certain criteria.

4.8 The closest European sites to Truro and Kenwyn Parish are the Fal and Helford SAC which lies within the Neighbourhood Plan boundary and the Carrine Common SAC which lies immediately adjacent to the Neighbourhood Plan boundary. The Fal and Helford SAC is vulnerable to water pollution and is located immediately adjacent to two areas of development (Policies EF3 & EJ4). In contrast, the Carrine Common SAC is approximately 1.5km from the nearest development land. Even if a precautionary screening distance of 200m is used for dust emission, the SAC lies far beyond the distance for which negative impacts relating to dust would be expected. The Fal and Helford SAC, would be within the distance for both surface water runoff and dust emission impacts. Therefore, Policies EJ3 and EJ4 will be discussed further within the Appropriate Assessment with regards to water quality from runoff.

4.9 With regards to other direct adverse effects on Fal and Helford SAC, although the policy does not contain any explicit proposals, there is the potential for proposals to come forward to "*Contribute to an improved layout and provision of additional facilities for the port* [and] *contribute to the development of the maritime sector of Truro*" through Policy EJ3 Port of Truro. As the Port of Truro development area abuts the SAC to the east and south/south-west proposals of this nature have the potential to require direct land take from the creeks to expand the infrastructure of the Port further into the SAC. Therefore, direct land take with relation to Policy EJ3 will be discussed further within the Appropriate Assessment.

4.10 Policies considered to have an effect on European sites only 'in combination' with other plans and projects are discussed below.

Summary of Test of Likely Significance 'In Combination'

4.11 Of the 31 Neighbourhood Plan policies, 10 policies, were considered to have the potential to result in LSEs in combination with other plans and projects:

- Policy EJ1: Communities at work – does not allocate a quantum of development but permits employment development within the Truro and Kenwyn area, based on certain criteria.
- Policy EJ2: Truro city centre – does not allocate a quantum of development but identifies and safeguards several sites for mixed-use development including Pydar Street, Moorfield car park and the former bus depot.
- Policy EJ2b: Pydar Street Redevelopment Site – identified as a key regeneration site for the NP area; comprises four hectares of brownfield land comprising former Carrick District Council offices, industrial and retail units, and extensive surface and decked car parking.
- Policy EJ3: The Port of Truro – does not allocate a quantum of development but permits the development of port and marine related industry or uses, based on certain criteria.
- Policy EJ4: Newham Employment Area – does not allocate a quantum of development but supports the redevelopment of the area for B1 uses and high quality employment space, based on certain criteria.
- Policy EJ5: Treliske Employment Area – does not allocate a quantum of development but permits the development of employment uses within the area, based on certain criteria.
- Policy EJ6: Threemilestone Employment Area – does not allocate a quantum of development but permits the redevelopment and expansion of space for employment uses, based on certain criteria.
- Policy H1: Meeting Local Housing Need – does not allocate a quantum of residential development but permits the provision of housing to meet local need in the NP area, provided certain criteria are met.
- Policy H3: Langarth – an area including Langarth, Maiden Green and Willow Green Farms that is allocated for a sustainable community comprising a mix of high-quality housing, public and private spaces and supporting infrastructure and facilities.

4.12 The above policies provide for the following realistic potential linking impact pathways that could result in LSEs on European sites in combination:

- Recreational pressure: as a result of new residential dwellings, business development and tourist facilities. (Policies: EJ2, EJ2b, H1, H2, H3)
- Water quality and resources: increased demand for water and increased effluent as a result of increased accommodation and business uses. (Policies: EJ1, EJ2, EJ2b, EJ3, EJ4, EJ5, EJ6, H1, H3).
- Air quality: increase in nitrogen deposition rates within SAC designated habitats located within 200m of major journey-to-work routes. (Policies: EJ2, EJ2b, H1, H3).

4.13 All remaining policies are development management policies that do not provide impact pathways that link to European sites. Each of the above policies will be discussed further in the 'in combination' section of the Appropriate Assessment in relation to the following European sites.

Fal and Helford SAC

4.14 Fal and Helford SAC is located within the Neighbourhood Plan area. The closest proposed development area is adjacent to the SAC. The SAC has been identified to be vulnerable to **water pollution, direct land take and public access/ disturbance.**

Carrine Common SAC

4.15 Carrine Common SAC is located adjacent to the Neighbourhood Plan area. The closest proposed development is located 1.5 km north of the SAC. The SAC has been identified to be vulnerable to **public access / disturbance.**

Falmouth Bay to St. Austell Bay SPA

4.16 Falmouth Bay to St. Austell Bay SPA is located 4.1 km south of the Neighbourhood Plan area. The closest proposed development is located 4.3km north of the SPA. The SPA has been identified to be vulnerable to **public access / disturbance.**

Newlyn Downs SAC

4.17 Newlyn Downs SAC is located 4.2 km north of the Neighbourhood Plan area. The closest proposed development is located 9.0km south of the SAC. The SAC has been identified to be vulnerable to **public access / disturbance and air pollution.**

Penhale Dunes SAC

4.18 Penhale Dunes SAC is located 5.6 km north of the Neighbourhood Plan area. The closest proposed development is located 8.3km south of the SAC. The SAC has been identified to be vulnerable to **public access / disturbance.**

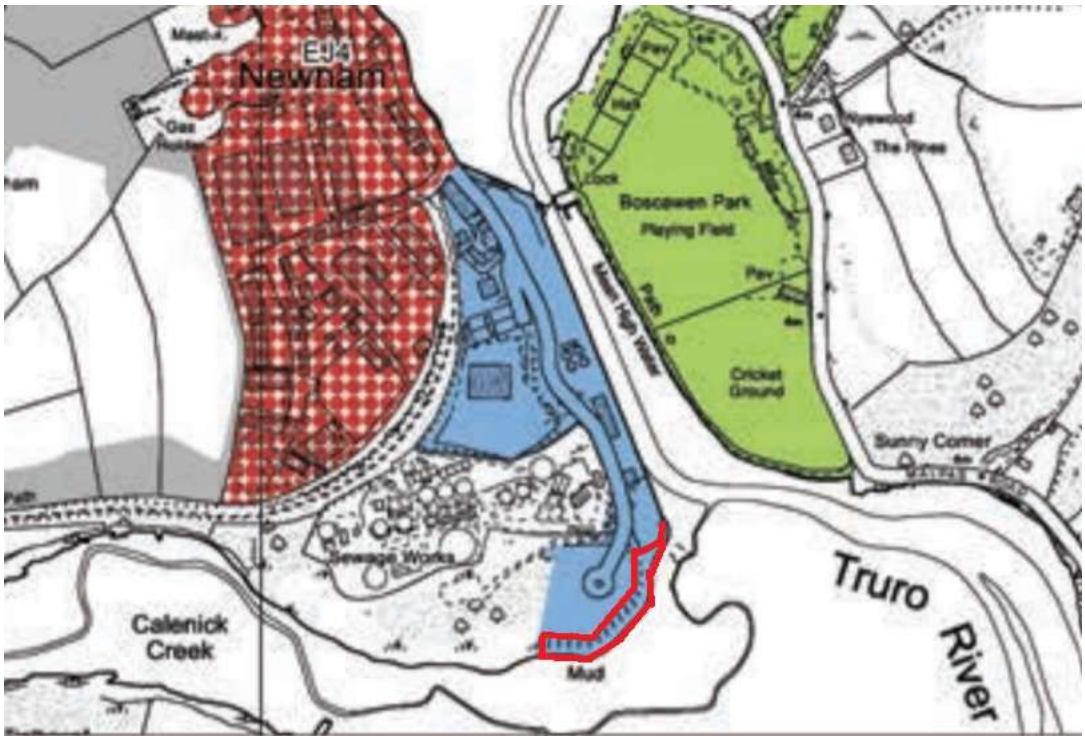
5. Appropriate Assessment

'Alone' Assessment

5.1 Two Policies were identified within the ToLSE that may result in LSEs alone without mitigation, through the impact pathway construction related activities such as dust emissions and water run off during site construction. However, these impacts were screened out at the LSEs stage. Therefore the 'Alone' assessment will focus solely on direct land take which could not be screened out at the ToLSE stage. Note that this applies only to Policy EJ3 (Port of Truro) as only the Port of Truro area overlaps with the SAC boundary.

Direct Land Take

5.2 As discussed within the ToLSE of Policy EJ3 (The Port of Truro) has the potential to cause an adverse effect should proposals include an element of direct land take from the SAC which abuts the Port of Truro development area to the east and south/south-west, where infrastructure may need to be expanded into the creeks to support the proposal. It should be noted that EJ3 is an unaltered allocation from the previous adopted Neighbourhood Plan. For purposes of this HRA a map of the policy area has been produced below, which depicts the small section that does overlap with the boundary of the Fal & Helford SAC (the port area is shaded blue below and the overlap with the SAC is marked with a red line). It is to be noted that development will not necessarily occur in the section of overlap.



5.3 Moreover, development proposals must address the requirements of EJ1 which states "*new development in Truro and Kenwyn will be approved where it can be demonstrated that the proposal is sustainable, embodying the social, economic and environmental aspects of sustainable development set out in the Plan's definition of sustainable development*." The definition of sustainable development is as follows: "*Sustainable, appropriate development is development that meets current human need without compromising natural capital*." Therefore, any proposal would have to ensure no detriment to the environment.

5.4 In addition to sustainable development inherently avoiding negative impacts on the environment, Policy EJ3 also states that any '*development which would cause a significant adverse effect on the Fal and Helford Special Area of Conservation will not be permitted.*'

5.5 In an earlier iteration of this HRA it was recommended that an additional sentence should be inserted into Policy EJ3 to include '*Any proposal bought forward within the Port of Truro development area*

will require a project specific Habitats Regulations Assessment to ensure no significant adverse effects upon the integrity of the SAC. Development which would cause a significant effect on the Fal and Helford Special Area of Conservation will not be permitted.'

5.6 The above recommendation has now been inserted to the NP and the policy now incorporates the necessary protections against the effects of direct land take. Therefore, it is concluded that the NP will not lead to adverse effects on the Fal and Helford SAC alone regarding direct land take.

'In Combination' Assessment

5.7 The 'in combination' assessment will look at the Truro and Kenwyn Neighbourhood Plan's planned growth with regards to impacts of recreational pressure, air pollution and water quality and resources on the integrity of European sites, 'in combination' with the overarching Adopted Cornwall Council Local Plan 2016.

Recreational Pressure

5.8 The Adopted Cornwall Council Local Plan (2016) and its associated Site Allocations Development Plan Document provide for a minimum of 52,500 homes at an average of 2,625 homes delivered per year, with an additional 318 permanent gypsy and traveller pitches. Although the amount of growth within the Neighbourhood Plan is not specific, the Cornwall Local Plan sets out a total of 5,100 dwellings to be built within Truro and Roseland within the Plan period. This scale of growth has already been subject to HRA at Local Plan level. Moreover, since the Neighbourhood Plan doesn't specify a level of growth, the policies associated with delivery of up to 5,100 dwellings (e.g. Policies H1 and H3) in the Neighbourhood Plan are merely expressing support for the level of housing prescribed in the overarching Local Plan. The majority of the Langarth site is being brought forward under existing planning permission, which does not require reassessment under the Conservation of Habitat and Species Regulations (as amended, 2017). The following HRA sections only relate to the additional area of land allocated on the site at Governs. Furthermore, the Langarth site may provide further housing beyond the Plan period, but this is not determined by the Neighbourhood Plan programme but as part of individual planning applications as they come forward.

5.9 Recreational pressure is a vulnerability of the following European sites:

- Fal and Helford SAC;
- Carrine Common SAC;
- Falmouth Bay to St. Austell Bay SPA;
- Newlyn Downs SAC; and,
- Penhale Dunes SAC.

5.10 Fal and Helford SAC is designated for coastal and estuarine habitats the majority of which are not vulnerable to trampling from walkers, the main habitat susceptible to trampling is salt marsh which is generally isolated from recreational areas. Some of the habitats are however vulnerable to abrasion from boating and disturbance from bait digging. Carrine Common SAC and Newlyn Downs SAC are designated for heathland which is vulnerable to trampling and associated impacts such as accidental fires. Penhale Dunes is designated for sand dune succession and although a certain amount of disturbance is required to ensure various stages of succession, excessive disturbance can over manipulate succession causing an adverse effect on the integrity of the site. In addition to these SACs, the Falmouth Bay to St. Austell Bay SPA is designated for great northern diver, black throated diver and Slavonian grebe. These birds may be susceptible to on-water disturbance such as canoeing, sailing, diving, rowing water skiing and wind surfing.

5.11 It is generally regarded that for coastal sites the core recreational zones are 10km or more, whereas with inland sites the core recreational zone is generally approximately 5-7km (with some exceptions). Therefore, the Truro and Kenwyn Neighbourhood Plan growth has the potential to affect all five of the sites described above.

5.12 The HRA of Cornwall Council Local Plan (2014)[26] discusses the SACs with regards to increases in recreational pressure from residential growth across the county of Cornwall. It describes that for Fal and

[26] https://www.cornwall.gov.uk/media/9430187/HRA_-Final_October_2014.pdf [Accessed 28/10/2019]

Helford SAC commercial activities are more of a concern to the SAC than recreational pressure which is prioritised within the Fal and Helford SAC Management Scheme document[27], which also monitors the level and patterns of recreational activities to inform future management.

5.13 The Carrine Common SAC is not flagged as a concern in either Cornwall Local Plan HRA or the European Sites SPD and the Local Plan HRA states *'it is the Councils opinion that this area is not extensively used for recreation*'. This statement is backed up by the Terrestrial European Sites Mitigation Strategy SPD Appendix 1 – Survey Methodology[28], which states '*Carrine Common SAC was screened out of further survey work after the first round of surveys in Autumn 2016, due to lack of recreational activity on site and the inaccessibility of the site from the residential area of Truro. The site will be included for ongoing monitoring, triggered if Natural England's condition monitoring of the site indicates significant effects on features*.' As the majority of the Local Plan housing has already received planning permission, the additional housing allocated within the Local Plan would only represent a small increase in dwelling numbers and unlikely to cause a significant increase in recreational pressure. Therefore, the impact pathway recreational pressure can be dismissed for this SAC.

5.14 Newlyn Downs SAC is a relatively isolated European site, which has no large settlements within 5km of the site. Although the site lies within 4.2 km of the Neighbourhood Plan area, the northern section of Kenwyn Parish is relatively rural. The majority of the housing stock proposed for Truro and Kenwyn within the Local Plan is to be focused within the built-up areas to the south of the Kenwyn Parish and within Truro city centre itself (e.g. Policies H1 and H3) and so out of the recreational catchment zone of the SAC. In addition to this, the site was not flagged as a concern in either the HRA of the Local Plan nor the Terrestrial European Sites SPD. Therefore, the impact pathway recreational pressure can be dismissed for this SAC.

5.15 The Penhale Dunes SAC is located over 5km from the Parishes of Kenywn and Truro on the north Cornish coast. A visitor survey[29] was conducted in the SAC to assess the impact of recreational pressure, where Truro (10%) and Kenwyn (6%) Parishes accounted for 16% of visitor numbers from within Cornwall. The visitor survey showed that 95% of visitors from within Cornwall arrived at the site by car and commented that *'There is not a clear, distance linked uniform pattern of visitor origin by increased distance from the site… it is perhaps not the physical distance to the site which best reflects the* [recreational] *catchment of the site, but the ease at which the site can be reached via the road network*.' The ease of access to the site by car has meant that the recreational catchment area (e.g. the zone within which 75% of visitors reside) is much larger than for typical terrestrial sites. The zone within which 75% of visitors reside for Penhale Dunes SAC is 12.5 km. With the increase in residential properties allocated within the Cornwall Local Plan the European Sites SPD concluded that '*In light of a 23% increase in housing within 12.5km of Penhale, a 21% increase in recreational visits is expected. This could increase recreational pressure on the site to the extent that there may be significant effects, if not mitigated.'*

5.16 Two approaches to mitigation are generally available, and either one or both may be needed to effectively mitigate recreational pressure. These are Suitable Alternative Natural Greenspace (SANG), usually reserved for the largest residential developments, and Strategic Access Management and Monitoring (SAMM). Mitigation for the Penhale Dunes SAC was considered within the SPD work which stated in relation to SANG *'following analysis of the evidence collected it has not been shown that SANG is required at this time. This is because the level of recreational usage predicted is such that the SAMM measures prepared… are anticipated to be sufficient'* [to ensure no adverse effect on the integrity of the SAC]. SAMM tariffs have been calculated for the increase of housing within 12.5km of the Penhale Dunes SAC and Fal & Helford SAC. Both Kenywn and Truro parishes lie within these recreational catchments and, therefore, the developers of residential developments H1 and H3 will be required to pay an adequate SAMM tariff, as would the developers for any other residential developments brought forward within the Neighbourhood Accounting for the fact that Truro Parish sits in both core recreational catchments, the SAMM tariff has been set at £522 per dwelling or £272 per bedroom for student and serviced accommodation and active elderly provisions. With this mitigation in place, it can be concluded that recreational pressure will not have an adverse effect upon the integrity of the Penhale Dunes SAC and Fal & Helford SAC.

5.17 Regarding the marine SPA, divers and grebes spend their winter period offshore or within shallow bays and estuaries, foraging for fish and crustaceans. Disturbance to these species can include commercial fishing and recreational water sports such as canoeing, sailing, diving, rowing water skiing and wind surfing. Part of the SPA overlaps with the Fal and Helford SAC, therefore there is the potential that it could be exposed

[27] publications.naturalengland.org.uk/file/3118614 [Accessed 29/10/2019]
[28] https://www.cornwall.gov.uk/media/27706329/appendix-1-survey-methodology.pdf [Accessed 13/11/19]
[29] https://www.cornwall.gov.uk/media/27706325/appendix-2-visitor-survey-results-penhale-dunes-sac.pdf [Accessed 14/11/19]

to the same threats and pressures as the SAC. However, the three species for which the site is designated are sea birds that are not generally found within intertidal areas, where most casual recreational activity (that doesn't require specific infrastructure e.g. moorings) takes place. Supplementary advice from Natural England[30] states that *'recreational use was monitored in Fal and Helford SAC, which overlaps with part of the SPA* [By West Country Rivers Trust, 2018]*. The study showed that during the winter, recreational disturbance levels were low in the marine environment.'* Moreover, the Terrestrial European Sites Mitigation Strategy SPD Appendix 1 – Survey Methodology states '*Reference to the St Austell Bay to Falmouth Bay pSPA in the Cornwall local plan was modified by the Inspector at Examination. His report states [the SPA] is not very vulnerable to increases in recreational pressures. There is no evidence at present to indicate any potential harm from recreation and thus no mitigation is required. This site will be included in ongoing monitoring, triggered if Natural England's conditions monitoring of the site indicates significant effects on features.*' Therefore, adverse effects upon the integrity of the SPA through recreational pressure can be dismissed.

5.18 Regarding the overall recreational pressure arising in Cornwall county and ensuring no adverse effects on European sites; the adopted Cornwall Local Plan (2016) provides overarching protection. Mitigation measures for recreational impacts are provided for residential development, as well as student and tourist accommodation. Policy 22 states: '*Residential development, student and tourist accommodation within these zones of influence will be required to provide for appropriate management, mitigation and monitoring on site, and/ or financial contributions towards off site mitigation and management. This will need to be agreed and secured prior to approval of the development.*' Cornwall's emerging Local Plan Review will also provide the appropriate strategic forum in which future recreational impacts will be assessed and future mitigation management measures developed.

5.19 Policies EJ3 and EJ4 currently contain paragraphs on the protection of the Fal and Helford SAC, to which both development areas adjoin. The policies state: '*Permission will be granted for the development… where the proposals would address the requirements of E1 and:*

- *Contribute to the realisation of the key nature conservation objectives for the Fal and Helford Special Area of Conservation and the Malpas estuary SSSI.*

Development which would cause a significant adverse effect on the Fal and Helford Special Area of Conservation will not be permitted.'

5.20 However, it is recommended, in line with the overarching Cornwall Local Plan Policy 22 and to ensure the Neighbourhood Plan has no adverse effects on the integrity of any European site, a sentence should be inserted into a policy (for example Policy E1), applying the same protections to all European sites as Policies EJ3 and EJ4 do for the Fal and Helford SAC. For example, the following statement could be incorporated:

- ***'Development which would cause significant adverse effects on any European site regarding recreational pressure will not be permitted, unless it can be demonstrated that Imperative Reasons of Overriding Public Interest (IROPI) and No Reasonable Alternatives exist, and adequate compensation measures to protect the National Site Network can be delivered.'***

5.21 Cornwall Council has also been working on two European Sites Mitigation Supplementary Planning Documents (SPDs), including a SPD for marine and estuarine sites[31]. This SPD was adopted in February 2021 and has been applied to all relevant developments from August 2021. The SPDs link to Policy 22 of the Cornwall Local Plan (European Protected Sites – Mitigation of recreational impacts from development). These documents set out a strategic approach to the provision of mitigation and monitoring for increased recreational impacts on designated sites, including a programme of mitigation measures and requiring financial contributions from developers. Being linked to the overarching Cornwall Local Plan, the mitigation SPD will be legally binding for the Truro and Kenwyn Neighbourhood Plan. Each residential development brought forward under the NP will require bespoke HRA to ensure that it will not result in adverse effects regarding recreational pressure.

30 https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK9020323&SiteName=falmouth&SiteNameDisplay=Falmouth+Bay+to+St+Austell+Bay+SPA&countyCode=&responsiblePerson= [Accessed 13/11/19]

31 https://www.cornwall.gov.uk/europeansitespd [Accessed on the 09/10/2019]

5.22 Like the anticipated Supplementary Planning Document (SPD) for marine and estuarine sites, Cornwall County Council has developed a Terrestrial European Sites Mitigation SPD[32] which has been referenced within the above sections and identified the need for recreational pressure mitigation at Penhale Dunes SAC.

5.23 In an earlier iteration of this report it was recommended that the following text is inserted into **Policy E1 (Sustainable Development)** or another appropriate policy to reinforce compliance with the Cornwall Local Plan:

- **'All residential development will need to be compliant with the Cornwall Local Plan's European Site Mitigation Supplementary Planning Documents (SPD) for terrestrial sites and, when it emerges, for marine and estuarine sites'[33]**
- **If the scale of the growth changes, and for further growth at H1 and H3 beyond the Plan period, further mitigation payments and potentially other mitigation would be needed.**

5.24 The above recommendation has since been incorporated into the NP (in amended form). Given this, and the Cornwall Local Plan HRA concluding that the increase in recreational pressure from the new dwellings within Cornwall would not affect the integrity of the Europeans sites, it is concluded that the Neighbourhood Plan will not affect the integrity of any European site in combination with other plans or projects.

Water Resources and Water Quality

5.25 Increased amounts of housing or business development can lead to reduced water quality in rivers and estuarine environments. Sewage and industrial effluent discharge and runoff due to construction activities can contribute to increased nutrients in European sites, ultimately leading to unfavourable conditions. In addition, diffuse pollution, partly from urban runoff has been identified during an Environment Agency Review of Consents process and a joint Environment Agency and Natural England evidence review, as being a major factor in causing unfavourable condition of European sites.

5.26 Although construction related runoff has the potential to cause pollution it is considered that water pollution arising from construction works is unlikely to be a threat for the Fal and Helford SAC or any European site further downstream of the development. This is because it is illegal to pollute watercourses (whether or not they are designated as European sites) under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 and Environmental Permitting (England and Wales) Regulations 2016. This includes pollution via suspended sediment such as dust or soil. Therefore, any site where a risk exists must incorporate protection measures into construction and operational procedures. Each initiative brought forward will have to provide a Construction Environmental Management Plan (CEMP). The plan will be implemented during construction and will include best practice measures to ensure dust emissions and surface runoff do not result in adverse effects on the integrity of European sites.

5.27 The Cornwall Local Plan HRA assessed potential in-combination water quality impacts of residential and employment growth across Cornwall and including that in the Truro – Roseland CNA. It determined that several WwTWs within the hydrological catchment of the Fal and Helford SAC would have to serve additional residential dwellings or employment space, including the WwTWs at Carnon Downs, Falmouth, Lanner St. Day, Mylor Bridge, Coombe and Newham WwTWs. Unless it can be demonstrated that such projected growth can be accommodated within the existing headroom of the relevant WwTWs, new development would lead to excess discharge rates of sewage effluent into watercourses feeding the Fal and Helford SAC.

5.28 The HRA concluded that if growth cannot be accommodated within existing Environment Agency consents, development should be phased such that it remains in line with the existing capacity at the relevant WwTW. The HRA also identified that an appropriate policy mechanism exists in Policies 23 and 28 of the Local Plan, as evidenced in the supporting text: '*Particular importance is placed upon the provision of adequate sewerage and sewage waste treatment facilities. In areas where development without the provision of adequate facilities could impact on the integrity of the designated or candidate international wildlife sites, including the Fal and Helford and River Camel SACs and Tamar Estuaries Complex SPA development proposals will be refused where there is an impact in line with Policy 23 of this plan.'* Given that the Cornwall

[32] Terrestrial European Sites Mitigation Supplementary Planning Document. May 2017. Available at: https://www.cornwall.gov.uk/media/26847746/terrestrial-european-sites-mitigation-spd.pdf [Accessed on the 09/10/2019]
[33] The European sites SPD has been out for consultation for a period of 6 weeks. Cornwall Council anticipates adoption in advance of the Examination of the Truro Neighbourhood Plan.

Local Plan provides the overarching development policies, the same principles must be applied to any dwellings in the Truro and Kenwyn Parishes. This ensures that the growth within the Parish would not threaten the water quality thresholds identified in the Water Framework Directive and, consequently, the integrity of the Fal and Helford SAC.

5.29 Moreover, and with specific reference to the Langarth development, South West Water (SWW) have confirmed on 18/09/20 that '*SWW has recently invested £6.8m to provide additional capacity at Newham WwTW to accommodate the additional flows that will be generated by the new growth. This increase in treatment capacity will ensure that SWW remains compliant with the environmental permit for the site which includes specific performance requirements for Biochemical Oxygen Demand, Suspended Solids, Ammonia and Total Nitrogen to maintain protection to the environment and receiving waters.'* At the time of completion of this HRA, it is confirmed by SWW that £6.8m have been invested at Newham WwTW, providing a 25% increase in process capacity and an uplift of 10,700 population (a population of 10,700 of foul only flow would generate an average daily flow of approximately 16.5 l/s across the whole Truro catchment). These figures have been included in catchment-level hydraulic modelling exercises, along with allowances for climate change and 'urban creep', to meet a 2031 design horizon and significantly upgrading the existing wastewater treatment process.

5.30 Therefore, it is concluded that the Truro and Kenwyn Neighbourhood Plan will not result in adverse effects on the integrity of European sites regarding water resources and water quality.

Air Pollution

5.31 The HRA of the Cornwall Local Plan identified several European sites that were vulnerable to air pollution and within 200m of a major road (A30). Of these sites only Newlyn Downs SAC is situated within 10km of the Truro and Kenwyn Neighbourhood Plan area (approx. 4.2km to the north).

5.32 Traffic modelling was undertaken within the Cornwall Local Plan HRA which showed a change in flow of over 1,000 AADT as a result of the Local Plan development, compared to projected 2030 baselines if the Local Plan was not implemented; however, this does not necessarily mean an adverse effect would occur. Further calculations were undertaken, which showed that with regards to NOx concentrations, the Local Plan would not exceed 1% of the Critical Level within the modelled transects and, most importantly, total cumulative NOx concentrations at the SAC (174m from the A30 at its closest) would remain below the Critical Level for the protection of vegetation. The HRA states: '*Since the critical level (the empirically established concentration above which some adverse effects on vegetation may potentially occur) will not be exceeded there is no possibility of an adverse effect on the vegetation for which the European sites are designated.'* This is also true for the nitrogen deposition calculations which for Newlyn Downs SAC will not exceed 1% of the Critical Load and will remain below the minimum Critical Load range.

5.33 As the HRA for the Cornwall Local Plan HRA has scoped out adverse effects upon European sites and the Truro and Kenwyn Neighbourhood Plan is not allocating additional housing or business development above and beyond the Local Plan allocations it can also be concluded that the Truro and Kenwyn Local Plan will not cause adverse effect upon European sites with regards to air pollution.

6. Conclusions and Recommendations

6.1 This assessment undertook both screening and Appropriate Assessment of the policies and any allocations within the Truro and Kenwyn Neighbourhood Plan

6.2 The European designated sites, considered within the Appropriate Assessment for impact pathways that could not be screened out at the screening stage were:

- Fal and Helford SAC;
- Carrine Common SAC;
- Falmouth Bay to St. Austell Bay SPA;
- Newlyn Downs SAC; and,
- Penhale Dunes SAC.

6.3 Impact pathways considered were: recreational pressure, water quality and resources and air pollution.

6.4 It has been concluded that the Truro and Kenwyn Neighbourhood Plan will not affect the integrity of European sites in relation to recreational pressure due to the overarching provisions of Policy 22 within the Cornwall Local Plan and the Supplementary Planning Documents (SPD) for terrestrial, marine and estuarine sites. Policy 22 sates all new residential, student and tourist accommodation will need to comply with a suite of monitoring and mitigation measures which are described within the SPDs for terrestrial, marine and estuarine sites.

6.5 It is however, recommended that text is added into the Truro and Kenwyn Neighbourhood Plan that includes reference to the overarching Local Plan Policy 22 and the SPDs for terrestrial, marine and estuarine sites.

6.6 It is recommended that the following text is inserted into Policy E1 (Sustainable Development) or another appropriate policy to reinforce compliance with the Cornwall Local Plan:

- **'*All residential development will need to be compliant with the Cornwall Local Plan's European Site Mitigation Supplementary Planning Document (SPD) for terrestrial, marine and estuarine sites. Development which would cause significant adverse effect on any European site will not be permitted, unless it can be demonstrated that Imperative Reasons of Overriding Public Interest (IROPI) and No Reasonable Alternatives exist, and adequate compensation measures to protect the National Site Network can be delivered.*'**

6.7 It is also recommended that the following is inserted to Policy EJ3: '*Any development brought forward within the Port of Truro development area will require a project specific Habitats Regulations Assessment to ensure no significant adverse effects upon the integrity of the SAC. Development which would cause a significant effect on the Fal and Helford Special Area of Conservation will not be permitted.*' These policy recommendations have now been included in the Neighbourhood Plan, ensuring that there will be no adverse effects on European sites regarding recreational pressure.

6.8 It should be noted that this HRA doesn't just cover the housing in the Langarth allocation (Policy H3) up to the end of the plan period, but also all houses to be completed post the plan period. Any housing deliuvered post-plan period would not significantly alter the conclusions of this HRA with regards to recreational pressure upon Penhale Dunes SAC and Fal and Helford SAC. This is because the SPD for terrestrial, marine and estuarine sites can be extended to cover the additional beyond-plan-period housing, by placing SAMM tariffs on any dwellings within the core recreational pressure catchments of these SACs. Cornwall Council have confirmed that the amount of development proposed for the Neighbourhood Plan (to 2030) is allowed for in the scope of the strategic solution. However, the Council will need to keep the delivery of housing under review, and address needs and associated mitigation for impacts on the SAC at Local Plan review.

6.9 With regards to water quality and resources, the Cornwall Local Plan HRA assessed the potential in-combination impacts and determined that some WwTWs in the hydrological catchment of the Fal and Helford SAC would lead to an excess discharge rate into the water courses that feed the SAC. However, appropriate policy mechanisms in the Cornwall Local Plan address this impact pathway adequately (see Policies 23 and 28). These state that *'In areas where development without the provision of adequate facilities could impact on the integrity of the designated or candidate international wildlife sites, including the Fal and Helford and River Camel SACs and Tamar Estuaries Complex SPA development proposals will be refused'*.

6.10 Regarding atmospheric pollution, although the Cornwall Local Plan highlighted that the Newlyn Downs SAC lies within 200m of a major road (A30), air quality modelling concluded that there would be less than a 1% of the Critical Level increase in NOx and of Critical Load increase in nitrogen deposition, and that the cumulative levels would remain below the Critical Level / Critical Load, ensuring that there will be no adverse effect through air pollution. As the Truro Neighbourhood Plan merely supports the level of growth allocated within the Local Plan and does not allocate a further quantum of development, it can be concluded that the Neighbourhood Plan will also not cause an adverse effect through air pollution.

Appendix A European Sites

Fal and Helford SAC

Introduction

6.11 The Fal and Helford SAC is a sheltered site on the south-west coast of England comprising diverse substrates and a low tidal range. The sublittoral sandbanks are especially rich in sand invertebrates and eelgrass *Zostera marina*. The maerl beds (*Phymatolithon calcareum* and *Lithothamnion corallioides*) in the lower Fal on St. Mawes Bank and the areas of maerl gravel are of particular conservation importance.

6.12 The SAC also supports sheltered intertidal mudflats and sandflats, which harbour species living within sediments, including amphipods, polychaete worms, the sea cucumber *Leptopentacta elongate* and bivalve molluscs. Due to the sheltered nature of the SAC, the muds, muddy sand and clean sand remain stable.

6.13 Generally, the site supports communities that are representative of marine inlets and shallow bays. There is only a limited input of freshwater and the SAC therefore offers a range of fully marine habitats, such as sheltered inlets and wave-exposed open coast. These support a range of warm water species, a diverse algal flora and maerl *Phymatolithon calcareum* beds. The SAC also supports a large, dispersed population of shore dock *Rumex rupestris* on its rocky shores, totalling 34 plants in 12 colonies.

Conservation Objectives[34]

6.14 With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

6.15 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; the extent and distribution of qualifying natural habitats and habitats of the qualifying species;

- the structure and function (including typical species) of qualifying natural habitats;
- the structure and function of the habitats of the qualifying species;
- the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;
- the populations of each of the qualifying species; and
- the distribution of qualifying species within the site.

Qualifying Features[35]

6.16 Annex I habitats that are a primary reason for selection of this site:

- Sandbanks (which are slightly covered by sea water all the time)
- Mudflats and sandflats (not covered by seawater at low tide)
- Large shallow inlets and bays
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

6.17 Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

- Estuaries
- Reefs

[34] http://publications.naturalengland.org.uk/publication/5176566698999808 [Accessed 22/10/2019]
[35] https://sac.jncc.gov.uk/site/UK0013112 [Accessed 22/10/2019]

6.18 Annex II species that are a primary reason for selection of this site

- Shore dock *Rumex rupestris*

Environmental Vulnerabilities[36]

6.19 Natural England's Site Improvement Plan identifies the following threats and pressure for the integrity of the Fal & Helford SAC:

- Marine consents and permits: Shipping
- Invasive species
- Water pollution
- Public access / disturbance
- Siltation
- Marine consents and permits: Channel maintenance
- Fisheries: Recreational marine and estuarine
- Fisheries: Commercial marine and estuarine
- Fisheries: Private
- Air pollution: Risk of atmospheric nitrogen deposition

Carrine Common SAC

Introduction

6.20 Carrine Common SAC comprises two main habitat types, including humid and mesophile grassland (60%) and heath, scrub, Maquis and Garrigue, and phygrana (40%).

6.21 Carrine Common consists of a large area of Dorset heath *Erica ciliaris*, and is important for the national geographical distribution of temperate Atlantic wet heaths. The SAC also reflects the ecological variation in this habitat type, because the *E. ciliaris* on Carrine Common occurs on more free-draining soils than is the case in Dorset and elsewhere in Cornwall. This is thought to be due to the prevailing oceanic climate in Cornwall.

Conservation Objectives[37]

6.22 With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

6.23 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; The extent and distribution of qualifying natural habitats;

- The structure and function (including typical species) of qualifying natural habitats; and
- The supporting processes on which qualifying natural habitats rely

Qualifying Features[38]

6.24 Annex I habitats that are a primary reason for selection of this site:

- Temperate Atlantic wet heaths with *Erica ciliaris* and *Erica tetralix*

[36] http://publications.naturalengland.org.uk/publication/5480087138861056 [Accessed 22/10/2019]
[37] http://publications.naturalengland.org.uk/publication/5193717442936832 [Accessed 22/10/2019]
[38] https://sac.jncc.gov.uk/site/UK0012795 [Accessed 22/10/2019]

6.25 Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:

- European dry heaths

Environmental Vulnerabilities[39]

6.26 Natural England's Site Improvement Plan identifies the following threats and pressures for the integrity of the Carrine Common SAC:

- Inappropriate scrub control
- Direct impact from 3rd party
- Air pollution: Risk of atmospheric nitrogen deposition
- Public access / disturbance

Godrevy Head to St. Agnes SAC

Introduction

6.27 The wide range of habitats occurring at Godrevy Head to St. Agnes SAC includes heath and scrub (35%), dry grassland / steppes (35%), coastal sand dunes (10%) and shingle, sea cliffs and islets (10%). The site is mainly designated for its maritime European dry heaths, although it occasionally supports stands of Dorset heath *Erica ciliaris*, which here occur on drier substrates than in Dorset.

6.28 The European dry heaths within this site represent typical examples of wind-pruned *Ulex gallii – Agrostis curtisii* and *Calluna vulgaris – Ulex gallii* heath. Furthermore, several noteworthy species include bristle bent *Agrostis curtisii*, red-flowered kidney vetch *Anthyllis vulneraria*, Portland spurge *Euphorbia portlandica* and hairy greenweed *Genista Pilosa*.

Conservation Objectives[40]

6.29 With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

6.30 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Qualifying Features[41]

6.31 Annex I habitats that are a primary reason for selection of this site:

- Temperate Atlantic wet heaths with *Erica ciliaris* and *Erica tetralix*

[39] http://publications.naturalengland.org.uk/publication/5430315816321024 [Accessed 22/10/2019]
[40] http://publications.naturalengland.org.uk/publication/6489762512764928 [Accessed 22/10/2019]
[41] https://sac.jncc.gov.uk/site/UK0012549 [Accessed 22/10/2019]

- European dry heaths

6.32 Annex II species that are a primary reason for selection of this site:

- Early gentian *Gentianella anglica*

Environmental Vulnerabilities[42]

6.33 Natural England's Site Improvement Plan identifies the following threats and pressures on the site integrity of the Godrevy Head to St. Agnes SAC:

- Change in land management
- Air pollution: Risk of atmospheric nitrogen deposition

Penhale Dunes SAC

Introduction

6.34 Penhale Dunes in south-west England is an extensive and exposed calcareous dune system where active geomorphological and successional dune processes occur. A wide range of habitats occur within the SAC including coastal sand dunes, sand beaches and Machair (80%), shingle, sea cliffs and islets (3%), inland water bodies (2%), bogs, marshes, water fringed vegetation, and fens (5%), heath scrub Maquis and Garrigue, and Phygrana (5%), dry grass and Steppes (3%) and mixed woodland (2%). The site is mainly designated for its fixed coastal dunes with herbaceous vegetation (grey dunes) and humid dune slacks.

Conservation Objectives[43]

6.35 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

6.36 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site

Qualifying Features[44]

6.37 Annex I habitats that are a primary reason for selection of this site:

- Fixed coastal dunes with herbaceous vegetation
- Humid dune slacks

6.38 Annex I habitats present as qualifying features, but not a primary reason for selection of this site:

- Shifting dunes along the shore line with Ammophila arenaria (white dunes)
- Dunes with salix repens ssp. argentea (Salicion arenariae

[42] http://publications.naturalengland.org.uk/publication/4833138765201408 [Accessed 22/10/2019]
[43] http://publications.naturalengland.org.uk/publication/4991159772381184 [Accessed 22/10/2019]
[44] https://sac.jncc.gov.uk/site/UK0012559 [Accessed 22/10/2019]

6.39 Annex II species that are a primary reason for selection of this site:

- Petal wort (*Petalophyllum ralfsii*)
- Shore dock (*Rumex rupestris*)
- Early gentian (*Gentianella anglica*)

Environmental Vulnerabilities[45]

6.40 Natural England's Site Improvement Plan identifies the following threats and pressures on the site integrity of the Penhale Dunes SAC:

- Inappropriate coastal management
- Invasive species
- Change in land management
- Public access / disturbance
- Hydrological changes
- Air pollution: risk of atmospheric nitrogen deposition

Newlyn Downs SAC

Introduction

6.41 Newlyn Downs has the largest area in Cornwall of heath rich in Dorset heath *Erica ciliaris*. The sites selected for *E. ciliaris* heath in Cornwall, where the habitat type is rarer and more fragmented than in Dorset, are important for the representation of the full geographical distribution of Temperate Atlantic wet heaths with *Erica ciliaris* and *Erica tetralix*. Habitats within the site include: inland water bodies (1%), heath, scrub, Maquis and Garrigue, and Phygrana (97%) and other land (including towns, villages, roads, waste places, mine and industrial sites) (2%).

Conservation Objectives[46]

6.42 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

6.43 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats
- The structure and function (including typical species) of qualifying natural habitats, and
- The supporting processes on which qualifying natural habitats rely

Qualifying Features[47]

6.44 Annex I habitats that are a primary reason for selection of this site:

- Temperate atlantic wet heaths with Erica ciliaris and Erica tetralix

6.45 Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

- European dry heaths

[45] http://publications.naturalengland.org.uk/publication/5642089547169792 [Accessed 23/10/2019]
[46] http://publications.naturalengland.org.uk/publication/5703529960308736 [Accessed 23/10/2019]
[47] https://sac.jncc.gov.uk/site/UK0030065 [Accessed 23/10/2019]

Environmental Vulnerabilities[48]

6.46 Natural England's Site Improvement Plan identifies the following threats and pressures on the site integrity of the Newlyn Downs SAC:

- Invasive species
- Air pollution: risk of atmospheric nitrogen deposition
- Public access / disturbance

Bristol Channel Approaches SAC (Marine)

Introduction

6.47 The Bristol Channel Approaches cSAC lies along the southwest coasts of Wales and England. This site straddles the Bristol Channel from Carmarthen Bay in the north to the northern coasts of Devon and Cornwall in the south. Designated for the protection of Harbour porpoise *Phocoena phocoena*. This site supports and estimated 4.7% of the UK Celtic and Irish Sea (CIS) Management Unit population. This site is recognised as important for porpoises particularly during the winter when high densities persistently occur throughout the site.

Conservation Objectives

6.48 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

6.49 To ensure that the integrity of the site is maintained and that it makes the best possible contribution to maintaining Favourable Conservation Status (FCS) for Harbour Porpoise in UK waters

6.50 In the context of natural change, this will be achieved by ensuring that:

1. Harbour porpoise is a viable component of the site;
2. There is no significant disturbance of the species; and
3. The condition of supporting habitats and processes, and the availability of prey is maintained.

Qualifying Features[49]

6.51 Annex II species that are a primary reason for selection of this site:

- Harbour porpoise *Phocoena phocoena*

Environmental Vulnerabilities

- Commercial fishing
- Windfarms
- Aqua culture
- Marine construction activities

[48] http://publications.naturalengland.org.uk/publication/4660079634677760 [Accessed 23/10/2019]
[49] https://sac.jncc.gov.uk/site/UK0030396 [Accessed 23/10/2019]

Falmouth Bay to St. Austell Bay SPA (Marine)

Introduction

6.52 Falmouth to St. Austell Bay SPA is located on the south coast of Cornwall, covering 25,898 ha of the marine environment, incorporating five shallow, sandy bays: Falmouth Bay, Gerrans Bay, Veryan Bay, Mevagissey Bay and St. Austell Bay. It also includes Carrick Roads, an estuarine area which meets the sea between Falmouth and St. Mawes, and part of the tidal Helford River. The river complex areas are part of a ria system, typified by steep sides and slow tidal currents, with subtidal rocky shores and exposed intertidal mud on creeks and river branches. Falmouth Bay to St. Austell Bay SPA has the largest population of wintering black-throated divers in the UK, making this the most important site for this species. The site is also the only SPA in England classified for wintering great northern diver, it is the most southerly area in the UK to regularly hold great northern divers. Falmouth Bay to St Austell SPA is the third SA in the UK classified for wintering Slavonian grebe; the other two sites are Firth of Forth SPA and Exe Estuary SPA.

Conservation Objectives[50]

6.53 The site's conservation objectives apply to the site and the individual species and/or assemblage of species for which the site has been classified (the "Qualifying features" listed above).

6.54 The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- the extent and distribution of the habitats of the qualifying features
- the structure and function of the habitats of the qualifying features
- the supporting processes on which the habitats of the qualifying features rely
- the populations of each of the qualifying features
- the distribution of qualifying features within the site

Qualifying Features

6.55 Annex II species that are a primary reason for selection of this site:

- Black-throated diver *Gavia arctica*: 115 individuals (2-year peak mean 2009/10 – 2010/11), which represents 20.5% of the GB non-breeding population.
- Great northern diver *Gavia immer*: 74 individuals (2-year peak mean 2009/10 – 2010/11), which represents 3% of the GB non-breeding population.
- Slavonian grebe *Podiceps auritus*: 15 individuals (5-year peak mean 2007/08 – 2011/12), which represents 1.4% of the GB non-breeding population.

Environmental Vulnerabilities[51]

- Public access / disturbance
- Water pollution (contaminants, dissolved oxygen, nutrients, turbidity)
- Air pollution: risk of atmospheric nitrogen deposition (supporting habitat)

50 https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK9020323&SiteName=falmouth&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=&HasCA=1&NumMarineSeasonality=3&SiteNameDisplay=Falmouth%20Bay%20to%20St%20Austell%20Bay%20SPA#SiteInfo [Accessed 25/10/19]

51 https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK9020323&SiteName=falmouth&SiteNameDisplay=Falmouth+Bay+to+St+Austell+Bay+SPA&countyCode=&responsiblePerson= [Accessed 14/11/19]

- non-breeding population abundance
- Conservation measures (supporting habitat)
- Extent and distribution of supporting habitat for the non-breeding season
- Food availability (supporting habitat)
- Water depth (supporting habitat)

Appendix B Policy Screening

Table 4: Screening for Likely Significant Effects (LSEs) of the Truro & Kenwyn Neighbourhood Plan Revision. Where the 'HRA Implications' column is shaded green, LSEs on European sites have been excluded. For policies that are shaded orange, LSEs could not be excluded and these are taken forward to Appropriate Assessment. Policies that are shaded in grey have been updated following public consultation.

Policy	Description	HRA Implications
Environment		
Policy E1. Sustainable Development	New development in Truro and Kenwyn will be approved where it can be demonstrated that the proposal is sustainable, embodying the social, economic and environmental aspects of sustainable development set out in the Plan's definition of sustainable development. All residential development will need to be compliant with the Cornwall Local Plan's European Site Mitigation Supplementary Planning Documents (SPD) for terrestrial sites and, when they emerge, for marine and estuarine sites. Development which would cause significant adverse effect on any European site will not be permitted'	No HRA Implications This policy relates to sustainable development, which by definition should not impact ecological interest features including European sites. Importantly, Policy E1 also stipulates that new residential development, the source of recreational pressure, will need to be compliant with the Cornwall Local Plan's European Site Mitigation Supplementary Planning Document (SPD). This protects the integrity of terrestrial, estuarine and marine site across the county. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy E2. Sustainable drainage	New developments will be permitted where they provide sustainable urban drainage and incorporate water recycling features that minimise the impact of development upon the drainage regime of the river catchment. In particular developments must: • Maximise the use of Sustainable Urban Drainage technology within the site area with additional drainage discharged to the Strategic SUDs network; • Minimise the amount of green space lost to hard surfacing; • Decrease surface water run-off in the problem drainage catchments; • Utilise green infrastructure provision where possible as part of SUDs design to create multifunctional green space; • In areas at risk of flooding, proposals must not increase flood risk; • Provide for the future maintenance of the drainage features.	No HRA Implications This policy relates to the provision of sustainable drainage and water recycling features to reduce impacts on river catchments. Furthermore, the policy stipulates that development proposals should maximise the use of Sustainable Urban Drainage technology, while reducing the volume of surface water runoff. This is a positive policy for the environment because it helps protect the water quality and flow in water-dependent European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.

Policy	Description	HRA Implications
Policy E3. Sewage facilities	Development proposals will be permitted where adequate sewage treatment facilities are available or where suitable arrangements are made for their provision.	No HRA Impact This policy relates to ensuring developments have adequate sewerage treatment provision in place to ensure sewage effluent is appropriately treated. This is an important policy because it ensures that the water quality in European sites is protected. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy E4 (a). Development quality	Applications for development will be expected to provide secure, high quality, energy efficient design and active, green and accessible layouts that en-hance the quality of local places, taking account of and reflecting the site's physical context, local char-acter and density to provide good places to live. Developments will be permitted where: • It uses a housing density that achieves a best use of land, whilst being of a massing and height appropriate to the character of its surroundings and maintaining an acceptable level of amenity in terms of garden space and accessible and usable open spaces; • It safeguards grade 1, 2 and 3a agricultural land for food production; • It integrates with and strengthens existing neighbourhoods and builds a distinctive and cohesive place, retaining and enhancing existing heritage features; • It provides biodiversity net gain and is led by green infrastructure, prioritising the retention of existing natural features, habitat, trees and hedgerows and providing for networks of green space throughout creating interlinked open spaces wherever possible. Developments should include the provision of at least one tree per dwelling, provided throughout the development and wherever possible within or close to the plot; • It provides amenities and infrastructure of a scale proportionate to meet the needs of new residents, ensuring that layouts, access and the design of green spaces are suitable for multi-generational use and do not exclude on the basis of physical ability or age; • It provides a layout that actively promotes energy conservation and incorporate sustainable forms of construction, energy conservation measures and where possible renewable energy technology;	No HRA implications This policy is related to the quality of development proposals delivered in the NP area, effectively a design management policy that does not specify a quantum or location of development. It contains some positive elements for the environment, including biodiversity net gain, the retention of important habitats, trees and hedgerows, as well as promoting sustainable transport modes. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.

Policy	Description	HRA Implications
	• It fully integrates sustainable transport modes (including bus services where the scale of development is appropriate) and active travel measures, including way marking of routes, into the development; • High quality design and layout can be demonstrated that adds to the character of the area, meeting the principles of the 'Building for Life' and 'Building with Nature' standards; and • Where possible, reuses or redevelops existing buildings and materials found on site or won from demolition.	
Policy E4 (b). Building quality	Applications for new buildings should provide them within a well-designed layout as set out in Policy E4(a), ensuring that the design and layout of individual buildings provides a good quality living environment that meets day to day needs of people of all ages and abilities. Development will be permitted where buildings achieve: • Sufficient and convenient storage for waste, recycling and personal equipment (such as bicycles and outdoor gear) within and external to the building; • a high level of energy efficiency aiming towards zero carbon and either incorporate renewables or make it easy to incorporate it at a later date (e.g. the structure allows for the easy integration of solar panels and other renewables; • adaptability and flexibility of accommodation to allow for later expansion or adaptation; • the provision of ducting to the property to allow for future technology needs, such as rapid electric charging points and ultrafast broadband; • external finishes and materials that fit within the local palette of building materials and are designed to be accessible and easy to main-tain; • sufficient garden space for day to day needs, including front garden space with an appro-priate boundary; • green walls or roofs where possible.	No HRA implications This policy specifies the building quality to be delivered across the NP area, including specifications regarding energy efficiency, sufficient garden space, etc. However, it does not specify any location or quantum of development. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy E5. Green Infrastructure	The Truro and Kenwyn Green Infrastructure Strategy sets out the priorities and the Open Space Strategy sets out the standards for green space and open space provision in the Plan area. New development will be permitted where:	No HRA Implications This policy protects existing and promotes future green infrastructure within the NP Area. Maintaining an extensive, well connected and managed network of green infrastructure is positive for European sites, because it offers alternative destinations for recreation to ,local residents.

Policy	Description	HRA Implications
	• A net increase in biodiversity is provided through the creation of new habitat and the retention of key habitat, trees and wildlife corridors; • New open space provision prioritises opportunities for the provision of allotments or community growing schemes; • Opportunities to connect to existing or new footpath links beyond the application site are maximised; • Key areas of biodiversity and green space shown on the proposals map are preserved or enhanced or appropriately buffered by proposals and are not negatively impacted or reduced in size, scale or connectivity to wider networks of green infrastructure; • A positive and viable management mechanism is developed and committed to, ensuring the continued provision and maintenance of the green infrastructure asset.	There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy E6. Character and setting of settlements	**Developments must respect the special character and wider setting of the settlements of Truro, Threemilestone and Shortlanesend. Development will only be permitted where it provides a positive impact by means of its scale, height, materials or layout, including the sensitive incorporation of his-torical, topographical and natural features of the site and does not result in the loss or significant impact or erosion of**: • The Green foreground or background important to the character of the settlement or landscape that is identified as sensitive to change in the Truro and Threemilestone or Shortlanesend Landscape Character Assess-ments; or • The most typical views of the settlement from the surrounding countryside or from within the settlement; or • A significant green gap between two or more settlements which are close to each other and in danger of losing their separate identi-ty; or • Important gateways to the urban area from the surrounding rural areas; or • the special qualities of the setting of the Area of Outstanding Natural Beauty. The proposal should not physically extend the urban area into the open countryside.	No HRA Implications This policy protects the character and setting of the character and setting of settlements in the NP area. This is a development / design management policy that does not provide a location or quantum of growth. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy E7. Character of the Highways and byways	Development affecting roads, streets, opes, lanes, bridges and pavements in the plan areas should retain and enhance the character of the material and construction of the structure or surface, making, where possible environmental	No HRA Implications

Policy	Description	HRA Implications
	improvements by retaining or reinstating historic paving and construction materials, sympathetic landscaping and planting, or removing unsightly elements such as hoardings, integrating road signs and markings as far as possible with the character of the space. Alterations shall preserve or enhance the character of the Conservation Area. Outside of the conservation area, development should aim to retain or enhance appropriate surfacing or construction materials.	This policy preserves the character of the Highways and byways in the NP area. This is a development / design management policy, which does not provide a location or quantum of growth. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Economy & Jobs		
Policy EJ1. Communities at work	Applications for new employment development will be expected to improve employment opportunity and the quality of the employment environment in the Truro and Kenwyn area, through the provision of good quality, accessible and environmentally sustainable schemes that meet the needs of our communities. Such developments will be permitted where they provide the following: • increased opportunities and employment for local people; • sustainable forms of construction, energy conservation measures and renewable energy; • a high degree of permeability and access mobility within the development, and linking it well with local facilities such as convenience stores; • provision for the on and off site highways, pedes-trian and other access improvements which are needed to integrate the development well into the surrounding area and sustainable/active transport networks; • provision for parking appropriate to the needs of the development. Within the Plan area the main employment districts are located at: • Truro City Centre; • Newham industrial estate and the port of Truro; • Threemilestone industrial estate; • Treliske employment area.	HRA Implications This policy addresses the criteria that new employment development proposals will need to fulfil, including high degrees of permeability, parking provision and energy conservation measures. Although the policy does not contain a specific quantum of development, the policy highlights the main employment areas where development is likely to occur. The following impact pathways are present: • Water quality and water resources • Air pollution This policy is screened in for Appropriate Assessment.

Policy	Description	HRA Implications
	Policy EJ1 is applicable to development proposals in each of these areas, as shown on the proposals map, which also face specific challenges addressed in the following policies for individual employment areas.	
Policy EJ2. Truro city centre	The proposals map shows the town centre boundary, primary shopping area and primary shopping frontages of Truro. Development proposals in the city centre will be permitted where they contribute to the realisation of EJ1 and provide: • A well-balanced mix of uses, including residential; • High quality design and construction which integrates well with and enhances Truro's distinctive and historic character, its setting, distinctive buildings, density, skyline and surroundings. To include scale, form, shape, building line, orientation, materials and colours that reflect those associated with or historically used in the City. To assess the impact of any development on views and vistas within, into and out of the Conservation Area and its green infrastructure as well as the quality of the public realm. Particular sites identified and safeguarded for mixed use development at Pydar Street, Moorfield car park and the former bus depot are included on the policies map. To support the continued vitality and viability of the city centre, development will be supported that reuses buildings or sites for residential use, including live/work accommodation and 'living over the shop'. Proposals shall ensure that the configuration of such proposals helps to support and maintain existing businesses. Proposals for change of use or redevelopment of ground floor accommodation in the primary shopping area will only be permitted where the proposal would add to the attractiveness of the centre and would support the vitality and viability of the centre, including its retail role. Development proposals for retail or city centre uses outside of the town centre boundary defined on the proposals map will need to be subject to sequential testing to demonstrate why the proposed use cannot be accommodated in the	HRA Implications This policy addresses the criteria that new employment development proposals will need to fulfil in Truro city centre, including a well-balanced mix of uses and high-quality design. Although the policy does not contain a specific quantum of development, it identifies a geographic location where growth may occur (Truro city centre). The following impact pathways are potentially present: • Water quality and water resources • Air pollution This policy is screened in for Appropriate Assessment.

Policy	Description	HRA Implications
	city centre and that they would not negatively impact on the trading and operation of the city centre.	
Policy EJ2 (b). Pydar Street Redevelopment Site	The redevelopment of the Pydar Street site as identified on the proposals map is supported as a key regeneration project for the city. Development of the site for a mix of uses will be supported subject to the development of a binding masterplan that identifies how the following principles for regeneration will be achieved: • The provision of a mix of uses, including residential choices throughout life through the provision of accessible and inclusive housing, including student accommodation as appropriate; • Highly permeable, legible accessibility throughout the development by sustainable modes, linking the development to green spaces to the north and Victoria Gardens and via Pydar Street in to the city centre; • Development that enables green infrastructure provision, including retention and enhancement of existing trees and habitat on and around the site, the creation of a natural corridor of public space adjacent to the river, sustainable urban drainage systems that keep as much water above ground as possible, green roofs and walls, natural landscaping and habitat creation and the achievement of biodiversity net gain on site; • A positive and respectful response to the historic and natural environment and integration of new development with the form of the surrounding area especially relating to heights, bulk and materials, including the retention of key views to and from the viaduct and the Cathedral; • Enablement of opportunities for co-created public open space and appropriate community use building or spaces for and long-term stewardship of the site through engagement of the community; • Enablement of improvements to the environs of the site, including St Clements Street and Pydar Street, including the creation of low speed environments and environmental improvements to integrate the development with its surroundings; Planning permission granted for the site shall include an appropriate mechanism to ensure that the provisions of the masterplan are implemented in the development (including individual parcels of the site), including the use of	HRA Implications This policy identifies the Pydar Street site as a key regeneration project for Truro, delivering a mix of uses including residential choices. Requirements for development proposals are also provided, including high permeability, green infrastructure provision and respect for the natural environment. While Policy EJ2 (b) does not provide a quantum of growth, it identifies a specific location for future development. The following impact pathways are present: • Recreational pressure • Water quality and resources • Air pollution This policy is screened in for Appropriate Assessment.

Policy	Description	HRA Implications
	design coding or other controls as appropriate to control the quality, mix uses and coherence of the development. Where part of the site comes forward separately, the proposal for that part of the site must demonstrate how it has addressed the principles set out in this policy and ensure that the scheme being proposed does not compromise the ability to deliver the masterplan.	
Policy EJ3. The Port of Truro	In the port area shown on the proposals map, permission will be granted for the development of the port and marine related industry or uses where the proposal would address the requirements of EJ1 and: • Contribute to an improved layout and provision of additional facilities for the port; • Contribute to the development of the maritime sector in Truro; • Be compatible with adjoining uses; • Preserve or enhance green infrastructure links found within the area. • Contribute to the realisation of the key nature conservation objectives for the Fal and Helford Special Area of Conservation and the Malpas estuary SSSI. Development which would cause a significant adverse effect on the Fal and Helford Special Area of Conservation will not be permitted. Any development brought forward within the Port of Truro development area will require a project specific Habitats Regulations Assessment to ensure no significant adverse effects upon the integrity of the SAC. Development which would cause a significant effect on the Fal and Helford SAC will not be permitted. Individual proposals within the Newham area will be expected to contribute to the overall appearance and feel of the area, however the main opportunity for making connections between the City Centre and Newham is through the redevelopment of Garras Wharf. If this happens within the Plan period, Cornwall Council will expect this issue to be addressed by any application.	HRA Implications This policy provides support for new port and marine related industry uses in the Port of Truro. A range of requirements are also provided, including preservation of green infrastructure links and contribution to achieving the nature conservation objectives for the Fal & Helford SAC. It requires a Habitats Regulations Assessment of proposals to ensure that the integrity of the SAC is not adversely affected. While Policy EJ3 does not provide a quantum of growth, it identifies a specific location for future development. The following impact pathways are present: • Water quality and water resources • Air pollution • Construction related activities • Direct land take This policy is screened in for Appropriate Assessment.
Policy EJ4. Newham Employment Area	Permission will be granted for the redevelopment of the Newham employment area for B1 (offices) and high quality employment space where the proposal would contribute to meeting the requirements of EJ1 and:	HRA Implications

Policy	Description	HRA Implications
	• Contribute trough improved layout, design of buildings, density of use and landscape to the site and its surroundings; • Maintain or increase the employment density of the site; • Be compatible with adjoining uses; • Help strengthen links to Truro centre and contribute to the realisation of road improvements at 'Little Newham'; • Preserve or enhance green infrastructure links such as the Newham trail, hedgerow and trees found within the area. • Not lead to the sterilisation of the waterfront for marine related industry in the future. Small scale extensions to the employment area will be permitted where the proposal would: • Represent a natural rounding off of the existing area; • Be of a scale, design and layout that would not adversely impact on the landscape setting of the estate; • Not sterilise the Heritage Quarry as shown on the proposals map; • Improve the layout, function and appearance of the Newham employment area; • Contribute to the realisation of the key nature conservation objectives of the Fal and Helford Special Area of Conservation and the Malpas Estuary SSSI. Development that would cause a significant adverse effect of the Fal and Helford SAC will not be permitted.	This policy supports the delivery of new employment proposals in the Newham Employment Area. Small-scale extensions to the area are permitted, where this does not lead to adverse effects on the Fal & Helford SAC. Although the policy does not provide a specific quantum of development, it does identify a geographic location for future development. The following impact pathways are present: • Water quality and water resources • Air pollution • Construction related activities This policy is screened in for Appropriate Assessment.
Policy EJ5. Treliske Employment Area	Permission will be granted within the area shown on the proposals map for the provision of employment uses, primarily grow on space related to the Health and Wellbeing Innovation Centre at Treliske, where the proposal would address the requirements of EJ1 and achieve high quality design and layout of buildings, spaces and landscaping.	HRA Implications This policy supports new employment uses within the Treliske Employment Area, especially is relation to Health and Wellbeing. Although the policy does not provide a specific quantum of development, it identifies a geographic location where such development would occur. The following impact pathways are present: • Water quality and water resources

Policy	Description	HRA Implications
		• Air pollution This policy is screened in for Appropriate Assessment.
Policy EJ6. Threemilestone Employment Area	Permission will be granted for the redevelopment of spaces within the existing employment area and expansion to the estate where it addresses the requirements of EJ1 and: • It would provide a good quality of design and layout of buildings and spaces; • Any extension would represent a planned approach to infrastructure, accessibility and strategic landscaping, taking account of current topography and landscape features.	HRA Implications This policy supports the redevelopment and expansion of employment uses within the Threemilestone Employment Area. Although the policy does not provide a specific quantum of development, it identifies a geographic location where such development would occur. The following impact pathways are present: • Water quality and water resources • Air pollution This policy is screened in for Appropriate Assessment.
Policy EJ7. Employment land safeguarding	The strategic employment areas shown on the proposals map at Treliske, Threemilestone, Port of Truro and Newham will be safeguarded for employment uses (B1, B2, B8) and the cattle market for agricultural purposes, unless following a review of one of the sites they are considered surplus to requirements.	No HRA Implications This policy safeguards strategic employment areas at Treliske, Threemilestone, Port of Truro and Newham for employment uses (and the cattle market for agricultural purposes). However, the general safeguarding of land has no bearing on European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Education		
Policy ED1. School sites	The current extent of schools and their grounds are shown on the proposals map. It is important to ensure that they remain available for educational use throughout the Plan period to allow for potential expansion of schools and retain open space for potential community use. At the same time, there is an identified need during the period of this Plan to provide for at least one new primary school to meet increased demand for school places arising from growth, as well as need for additional secondary places. Sites have been granted permission as part of the Langarth development. The retention of tis school site unless confirmed surplus is imperative.	No HRA Implications This policy protects land allocated for educational uses and sets out guidelines to safeguard this land from other development types. It highlights that at least one additional school site will be needed during the Plan period. However, Policy ED1 does not provide a quantum or geographic location for development.

Policy	Description	HRA Implications
	There is also scope at both state secondary schools for extension and improvement. This policy therefore includes the areas of potential extension to ensure that they are retained for this future use and to ensure that surrounding uses are aware that extensions may be required during this period. The Neighbourhood Plan supports the Sustrans 'Journey to School' initiative that encourages increased cycling access to schools for young people.	There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy ED1. School site allocation	Proposals for non-educational uses on land shown on the proposals map as protected for school use or for the provision of new schools or extensions will only be permitted where: • The proposed development is necessary for the purpose of education or leisure and will not result in the loss of sports pitches or facilities in accordance with policy LC3. or • The land is declared surplus to educational requirements; and • The proposed development cannot be reasonably accommodated on alternative land. This is the extent of education policy within this document, however there are plans to maximise the use of some of the green spaces, as identified in the Open Spaces Audit, to benefit the wider community more effectively. There will also be an emphasis throughout the rest of the Plan for new construction to be of use for a range of activities by the school and the community. Land used by the schools will also be protected from development in ways that do not serve the school in any direct way.	No HRA Implications This policy specifies the criteria that non-educational uses will need to meet to be permitted on land safeguarded for school uses. Policy ED1 does not provide a quantum or geographic location for development. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Housing		
Policy H1. Meeting Local Housing Need	Applications for new housing development must help meet local housing need in the Truro and Kenwyn area through the provision of good quality, accessible and environmentally sustainable schemes that meet the needs of our communities. Developments will only be permitted where they: • Are well integrated by means of scale, location and character (including density) with the de-fined urban area of Truro or are within the development	HRA Implications Policy H1 provides for new housing developments in the Truro and Kenwyn NP area. It sets a range of requirements that new development proposals will need to fulfil, including good integration into the wider landscape. While the policy does not provide a specific quantum of dwellings, it specifies that housing will be needed to fulfil the overall housing need in the NP area. The following impact pathways:

Policy	Description	HRA Implications
	boundary of Threemilestone or Shortlanesend and do not reduce a green gap between settlements or lead to the loss or significant impact on a landscape, green fore-ground or background important to the character of the settlement as described in policy E6; • Prioritise the redevelopment of previously developed land within the urban area of Truro or within the development boundary of Threemilestone or Shortlanesend; and • Provide a mix of housing in accordance with local needs/demand; • Developments of 10 dwellings or more must: • Provide a minimum of 35% affordable housing, well integrated with and phased to be provided alongside the market housing; • Incorporate 5% of self-build or custom build to allow communities to build their own homes, where this would be viable; Where on-site provision of affordable housing is not possible, development should make a financial contribution to off-site provision that is equivalent in value to on-site provision. All developments must: • Retain and enhance existing habitat and important green space within the site; • Not add to flood risk or result in the loss of flood storage capacity; and • Ensure the protection and enhancement of the landscape setting of the settlement and respect the Constituent features of the landscape setting in which it is to be built and the wider landscape setting of the urban area; and • Make a positive contribution to the built environment in terms of layout and form, scale, materials and bulk. Development comprising the redevelopment of open spaces or garden areas will not normally be permitted, unless it can be demonstrated that their loss would not result in visual or recreational detriment to the location or that sufficient space would be retained to mitigate their loss.	• Recreational pressure • Water quality and water resources • Air pollution This policy is screened in for Appropriate Assessment.
Policy H2. Care Facilities	Development of extra care homes to meet the demand of the local older households will be permitted where they:	HRA Implications

Policy	Description	HRA Implications
	• Are located in a location accessible by good quality, frequent public transport links; and • Prioritise where possible the use of previously developed land within the urban areas of Truro, Threemilestone or Shortlanesend. • Provide capacity for community beds; and • Retain and enhance existing habitat and important green space within the site.	This policy relates to new residential carehome development within the Neighbourhood Plan Area. Although the policy does not contain a specific quantum of development, there is the potential for this policy to have a likely significant effect upon European sites through the following impact pathways: • Recreational pressure • Water quality and water resources • Air pollution
Policy H3. Langarth	The Langarth site as shown on the proposals map is identified for development as a sustainable community comprising a mix of high quality housing, public and private spaces and supporting infrastructure and facilities. Planning applications that propose development of the site in accordance with the masterplan will be supported subject to their adherence to that binding Masterplan that successfully identifies how the following principles for sustainable development will be achieved across the site: • The provision of a high quality and logical movement hierarchy, including the primary transport route (known as the 'Northern Access Road' (NAR)) as shown indicatively on the proposals map that runs between West Langarth and Treliske Hospital, with new vehicular junctions on to the A390 limited to those at West Langarth, the junction for Richard Lander School and Penventinnie Lane. The NAR route shall be designed to provide a high quality, tree lined thoroughfare, designed for low traffic speeds and public transport and providing a segregated, safe cycle and pedestrian friendly environment and incorporate sustainable sur-face water drainage features/systems through-out its length. Priority, particularly at junctions from the NAR and on the remainder of the net-work must be given to cyclists and pedestrians, designed to provide easy to use, direct crossings and routes that follow safe desire lines; • The development of a series of coherent and comprehensively planned neighbourhoods, with a mix of uses, tenures and housing sizes and ad-equate parking provision to be connected by a planned network of green infrastructure and active travel routes. Development shall make targeted and appropriate use of higher densities to create centres and hubs for public transport and community facilities across the site. The creation of green gaps across the	HRA Implications This policy supports the delivery of a sustainable community comprising a mix of high-quality housing, public / private spaces and supporting infrastructure / facilities. Development proposals will have to adhere to the Masterplan, which sets out a range of important requirements, including multi-functional green infrastructure, biodiversity net gain, energy efficiency in new housing and phasing of infrastructure. While the policy does not provide a specific quantum of residential or employment development, the site is allocated and identifies the geographic location of future proposals. The following impact pathways are present: • Recreational pressure • Water quality and water resources • Air pollution This policy is screened in for Appropriate Assessment.

Policy	Description	HRA Implications
	Langarth Garden Village site between areas of development should create and contribute to a coherent and functional network of green infrastructure; • Plan for early implementation of key infrastructure including (but not limited to) strategic movement routes, green infrastructure networks, schools and improved access and accessibility throughout and between the neighbourhoods within the garden village site and to services and facilities within site and to support access to Threemilestone, Gloweth, Highertown and Truro city centre by non-motorised transport, including protection to Quiet Lanes to reduce attractiveness to cars/rat running. Strong, continuous and safe routes shall be formed for pedestrians and cyclists north/south and across the A390 by 'supercrossings' that support and link existing communities at Threemilestone and Gloweth through the sites to the surrounding countryside, as well as strong, safe, traffic free, tree lined spines from west to east across the site using wherever possible remnant green lane networks and utilis-ing contours. The plans need to prioritise connections beyond the site, particularly to the city centre, by bus, walking and cycling; • Development that is genuinely reflective of and responds to the local character in terms of materials and utilises typical building forms that work with the topography of the sites and minimise the need for large retaining structures or land sculpting; • The development of a planned and coherent network of multi-functional green infrastructure that retains and strengthens existing networks and corridors across the site, results in biodiversity net gain and prioritises the retention of existing biodiversity and habitat, minimises the loss of Cornish hedges (with translocation or replacement compensatory hedge construction utilising existing materials stone where practicable) and the loss of trees and incorporating active travel routes, green roofs and walls, sustainable drainage features above ground, tree and hedge planting, community growing spaces and edible landscapes; • The creation of a wooded landscape across the site, extending where possible to create opportunities for a new woodland park beyond the site;	

Policy	Description	HRA Implications
	• Enablement of opportunities through the layout and form of the development for co-created public spaces to be facilitated for and by the community; • The provision of a mix of housing types, sizes and tenures to meet identified needs throughout the development area including key worker housing to help serve key employment in the location and extra care housing provision that is well connected to the community and facilities; • Energy efficient buildings, uses and infrastructure to reduce the carbon footprint of the development and generate capacity across the site; and • The provision of measures to prevent further incursion of new built development into the sur-rounding countryside beyond the allocated site unless it is necessary for the provision of green infrastructure or recreation. The masterplan must provide benchmarks of good quality development and/or an appropriate level of design coding that will assist the realisation of the expected quality of development. Planning permission granted for the Langarth Garden Village site shall include an appropriate mechanism to ensure that the provisions of the masterplan are implemented in the development, including the use of design coding or other controls as appropriate. Developer contributions will be sought to ensure that the necessary physical, social, Planning permission granted for the Langarth Garden Village site shall include an appropriate mechanism to ensure that the provisions of the masterplan are implemented in the development on a comprehensive basis, including the use of design coding, site-wide infrastructure requirements, phasing requirements and/or other controls as appropriate. Developer contributions will be sought from developers/landowners of parcels of land within the Langarth site (or benefitting from the strategic infra-structure to be provided as part of Langarth Garden Village site development) to ensure that the necessary physical, social, economic and green infrastructure is in place to deliver the development. These developer contributions will be required on a pooled and, where applicable,	

Policy	Description	HRA Implications
	retrospective basis (i.e. even where the infrastructure has already been built or provided through forward-funding a developer contribution will still be required). Where any land parcel comes forward separately within the allocated site (either before or after the completion of the masterplan for the whole allocated site), the design and layout for those land parcels must deliver the principles set out in this policy, including demonstration that the development does not compromise the ability to deliver the main strategic route, wider movement network (including to areas beyond the site boundary) and green infra-structure linkages through that area of the overall site or the ability to deliver other key infrastructure. Proportionate historic environment assessments and evaluations identifying the significance of heritage assets that would be affected by the proposals and nature and degree of those effects and demonstrate how, in order of preference, any harm would be avoided, minimised or mitigated	
Leisure & Culture		
Policy LC1. Open space requirements	Development will only be approved where provision is made for open space consisting of 82.32 square metres per dwelling and the type of open space provision should meet open space needs resulting from the development. Play areas and sports facilities should be designed to be easily accessible by sustainable and active travel modes. Where there is access to alternative facilities, or the scale of the development will not allow for on-site provision, contributions to the development or ongoing maintenance and management of alternative facilities may be required.	No HRA Implications This policy requires development to deliver a certain proportion of open space, such as play areas and sports facilities. This development management policy is positive because it ensures that alternative recreational space is available to residents, potentially helping to reduce recreational pressure in European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy LC2. Local protected open space	The Proposals Map identifies open spaces identified by the Truro and Threemilestone Landscape Strategy that make a significant contribution to public amenity by virtue of their landscape character, appearance and/or function. Development proposals located within these open spaces will only be permitted where: a) The development is for the replacement or extension of an existing building currently set in open space or for a new building which supports a recreational or sports use and where the proposal does not detract from the	No HRA Implications This policy safeguards local protected open spaces identified in the Truro and Threemilestone Landscape Strategy, which make a significant contribution to public amenity. The continued availability of publicly accessible greenspaces is likely to be positive for European sites because it helps in drawing some of the recreational burden away from these sites.

Policy	Description	HRA Implications
	open character of the area, maintains or enhances visual amenity, and does not prejudice the established function of the area; or b) supports a recreational or sports use and where the proposal does not detract from the open character of the area, maintains or enhances visual amenity, and does not prejudice the established function of the area; or c) Development is necessary for the continuation or enhancement of established uses for recreation, leisure or nature conservation which would result in community benefits and where the proposal maintains the open character of the area, and maintains or enhances visual amenity; or d) Development is minor in nature and includes the provision of an appropriate equivalent or improved replacement facility in the locality, of at least quantitative and qualitative equal value to compensate for the open space loss, and it can be demonstrated that the character and appearance of the area to be lost is not critical to the setting of the area.	There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy LC3. Protection of formal open spaces and playing pitches	Land that provides important formal or informal recreational space or sports pitch facilities for the Plan area are shown on the Proposals Map. Permission will only be granted for development that results in the loss of this space in exceptional circumstances where: • Sport and recreational facilities can best be retained and enhanced to at least equivalent community benefit or playing standard through the redevelopment of part of the site; or • Alternative provision of at least equivalent community benefit and playing and facilities standard is made available in an appropriate location that is well related to the community to which it relates and designed to be easily accessible by sustainable and active travel modes.	No HRA implications This policy protects formal open spaces and playing pitches in the NP area, unless exceptional circumstances are fulfilled. The continued availability of designated outdoor spaces for recreation is likely to be positive for European sites, because it helps in drawing some of the recreational burden away from these sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy LC4. Cultural and community centres, services and facilities	The quality and opportunity for accessing cultural and community centres, services and facilities in the Plan area should be enhanced by improvements to existing facilities and appropriate new provision where it is required. Development of new or improved community, cultural and cultural interpretation facilities in sustainable locations will be supported.	No HRA Implications This policy protects and enhances cultural and community centres, services and facilities in the NP area. It identifies that proposals for the loss or conversion of such facilities will only be supported in exceptional circumstances. However, this has no bearing on European sites.

Policy	Description	HRA Implications
	Proposals for the loss or conversion of part of a community building for an alternative use will only be supported where the proposal can demonstrate that: i) the proposals to reduce the area of the community facility would lead to the enhancement of the facility or support the viability of the use and that the remaining area is still sufficient to meet community needs; or ii) there is no longer a need for the community facility and this can be demonstrated through a process of community engagement or active marketing of the facility for community uses for a period of not less than 12 months; or iii) alternative provision can be made to a standard equivalent to or better than the existing facility and equal or improved accessibility for the community that it serves. Where it is demonstrated that the existing community use is not viable, preference will be given to the change of use or redevelopment to alternative community uses before other uses are considered.	There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Transport		
Policy T1. Transport Strategy Contributions	The Truro Sustainable Transport Strategy (available to view on Cornwall Council's website) identifies a package of measures to reduce congestion and increase capacity in the transport network in the Plan area. Prior to the implementation of the Community Infrastructure Levy S.106 contributions will be required (where appropriate) to provide contributions to the delivery of this package alongside measures within proposals to increase the use of non-car based modes of transport, particularly for shorter journeys in the urban area in accordance with the policies of this Plan.	No HRA Implications This policy implements a package of mitigation measures to address congestion and increase capacity of the transport network, as set out in the Truro Sustainable Transport Strategy. This is a positive policy as it increases non car-based modes of transport that have the potential to improve air quality. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy T2. Safeguarding railway land	Land at Truro Railway Station and the former Cattle Dock at Claremont Terrace and the immediate viaduct area (as shown on the proposals map) will be safeguarded for future rail related or transport use. Non-rail related development will not be permitted on these sites unless it can be evidenced that the land will not be required for future rail usage. Where non-rail development is justified, priority will be given to that necessary to allow a more integrated and sustainable transport system to be developed or which will most benefit from close proximity to the railway.	No HRA Implications This policy safeguards land at Truro Railway Station and the former Cattle Dock for future railway development. However, the mere safeguarding of land has no direct bearing on European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.

Policy	Description	HRA Implications
Policy T3. Sustainable transport	Development will be permitted where: • The site or proposal is well served by public transport, walking and cycling routes or has deliverable potential to be (and this can be secured for future implementation); • The movement hierarchy of the proposal maximises opportunities within and adjoining the development to prioritise non-car based modes of transport, including walking, cycling and public transport; • Where the scale of development allows, public transport routes should be incorporated into or enhanced to provide accessible bus stop infrastructure within 400m walking distance of dwellings or employment uses; • Connections are made to cycle and walking routes beyond the site wherever possible Including the Truro Loops where appropriate). The Green Infrastructure Strategy shows potential and existing strategic and important cycle and walking routes for Truro and Kenwyn. Development in the plan area should contribute to the development of the new routes and the protection and enhancement of existing routes, including the development of linkages to them wherever possible.	No HRA Implications This policy supports sustainable transport modes in new development, including public transport, walking and cycling routes. Furthermore, connections to walking and cycling routes should be made beyond the development boundary. Enhancements to the sustainable travel network are positive for air quality- sensitive European sites, because they will contribute to reducing fossil-fuelled vehicle usage. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Historic Environment		
Policy C1. Character and setting of the Truro Conservation Area	Development in the Conservation Area will only be permitted where it respects, preserves and enhances the special character and wider setting of the Conservation Area in terms of: • The scale, height, form, detail, materials, colour and massing of the proposal; • The relationship between the proposal and listed buildings and structures and non-designated heritage assets; • The character and appearance of rear and side elevations where these are visible or form a characteristic feature of the area • Preservation and enhancement of open spaces and spaces between buildings. Development that affects the setting of a conservation area must preserve or enhance the setting and character of and views into, and out of, historic and	No HRA Implications This policy protects the character and setting of the Truro Conservation area, such as the scale / height / materials of buildings and preservation of open spaces between buildings. However, protection of the historic environment has no relevance for European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.

Policy	Description	HRA Implications
	conservation areas including views of listed buildings and structures and significant open spaces.	
Policy C2. Preservation of the Historic Least	Development proposals must retain and respect the integrity of the unique and historic Leats system in Truro and prevent damage or detriment to their appearance or operation. Development should ensure that the system remains uncovered and operational. Where appropriate, developments should restore defunct parts of the leats system. Development in the rural Allen and Kenwyn Valleys must preserve and enhance the course and integrity of the leat systems present in those areas. Proposals for the reconstruction of the leats in these areas will be supported.	No HRA Implication. This policy preserves the historic Leats system in Truro, an open water course system that flows through its main streets. However, the protection of this system has no relevance to European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy C3. Boundaries	Development should seek to preserve or enhance walls, hedges railings and other boundary structures and treatments and designated or non-designated heritage assets (including milestones and parish boundary markers) that contribute to the appearance of the streetscape or special character of the Plan area. Care should be given to the retention of Cornish hedges and natural boundaries and locally characteristic boundary treatments. In the Conservation Area proposals should not result in the loss of walls and boundaries of traditional character and appearance. Proposed new boundary treatments and enclosures must respect the quality and composition of existing boundaries.	No HRA Implications This policy protects historic boundary features in the NP area, including walls, hedges and railings from removal through new development. However, this has no bearing on European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.
Policy C4. Demolition in the Conservation Area	Development involving the demolition of an existing building within the Truro Conservation Area will only be permitted where: • The alternative development preserves or enhances the character or appearance of the conservation area; and • The building or feature makes no positive contribution towards the character or appearance of the Conservation Area; or • The condition of the building or feature and the cost of repair and maintenance renders it impracticable to retain when assessed in comparison with its importance and the value derived from its continued use; and • There is clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or to find viable new uses and these efforts have failed. Where demolition is allowed, materials from the demolished structures should be used in the construction of the replacement structures.	No HRA Implications This policy provides guidelines for the demolition of existing buildings in the Truro Conservation Area. However, this policy approach has no relevance to European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.

Policy	Description	HRA Implications
Policy C5. Shopfronts and Signs	Proposals for the development of new, or the refurbishment of existing shop frontages and other commercial premises within the Conservation Area or areas of historic buildings will be permitted where the proposed alteration or replacement is sympathetic to and respects the architectural integrity of the building and the character of the area with special regard to such matters as scale, pattern of frontages, vertical or horizontal emphasis, materials, colour and detailed design. New signs will only be permitted where they use appropriate materials and respect the architectural integrity and features of the buildings and the character of the locality.	No HRA Implications This policy relates to the replacement or refurbishment of existing shop fronts within the Conservation Area. It lays down guidelines to which developers must abide with respect to the architectural integrity of the building and the special character of the area. This policy approach has no relevance to European sites. There are no linking impact pathways to European sites. The policy is screened out from Appropriate Assessment.

Appendix C Maps

Figure 1: Map of European sites within 10km of the Truro & Kenwyn Neighbourhood Plan area.

Figure 2: Policy areas allocated in the Truro & Kenwyn Neighbourhood Plan.

Appendix D Natural England Comments and Updates Made to HRA

	Natural England comment	AECOM response
1	Para 4.9 – Natural England are concerned about AECOM taking water quality protection measures into account in screening rather than AA	AECOM is confident on the legality of this approach; it has been tested in Examinations for Nationally Significant Infrastructure Projects and accepted by Natural England elsewhere. While a CEMP could be a mechanism to deliver specific mitigation requirements to address potential impacts on the SAC, that would not be the driver in this case because it is illegal (rather than simply bad practice) to pollute watercourses irrespective of their designation status. However, to avoid debate AECOM has moved this into the appropriate assessment section of the report. It is essentially a structural/presentational point
2	Policy EJ3 Port of Truro and paragraphs 4.11 and 5.2. Clarification is sought on the area allocated in EJ3 and in particular whether it extends into the SAC. A more detailed map showing the boundary of the allocation and the boundary of the SAC would be useful.	We have provided this map in the final HRA, but AECOM is confident that our recommended wording (which NE support) would nonetheless protect the SAC from adverse effects on integrity.
3	Section 5 (appropriate assessment) regarding water resources and water quality. This section should address water quality arising from construction in addition to other water pollution issues.	This relates to the first point i.e. the draft HRA taking anti-pollution measures such as would be required during construction into account in the LSE section due to the fact that pollution would be illegal in any event. We think the approach is legally correct but have shifted it into the AA to avoid argument.
4	Paras 5.8 to 5.24 address the issue of recreational disturbance but focuses on policies EJ3 (port and marine related development) and EJ4 (employment use), rather than policies relating to residential development (i.e. H1 and H3). This should be addressed.	This has been clarified. These sections of the HRA report do discuss the recreational pressure impact of housing including that in the Neighbourhood Plan. They didn't specifically mention policies H1 and H3 because, as per paragraph 5.9 of the HRA *'The Neighbourhood Plan is merely supporting the housing which has already been allocated within the Local Plan rather than allocating additional sites and quantum of housing and the Local Plan has been through the process of HRA concluding no effect'*. However, for clarity we have nonetheless included specific mention of the housing policies in the Neighbourhood Plan.
5	Para 5.23. Natural England suggests that Cornwall Council is contacted for an update on the expected timing for publication/adoption of Supplementary Planning Documents to address recreational disturbance on terrestrial and marine habitats sites.	The European sites SPD has been out for consultation for a period of 6 weeks. Cornwall Council anticipates adoption in advance of the Examination of the Truro Neighbourhood Plan.
6	Para 5.27 – with regard to the housing development at Langarth Natural England suggests the HRA confirms whether development proposed within the Neighbourhood plan can be accommodated within the existing consents.	Regarding the ability of Newham WwTW to treat the flows from the Langarth development South West Water (SWW) confirmed on 18/09/20 that they have recently invested £6.8m to provide additional treatment capacity at Newham WwTW to accommodate the additional flows that will be generated by the new growth. This increase in treatment capacity will ensure that SWW remains compliant with the

		environmental permit for the site which includes specific performance requirements for Biochemical Oxygen Demand, Suspended Solids, Ammonia and Total Nitrogen to maintain protection to the environment and receiving waters.
7	Para 6.8. At this stage it is important to establish that mitigation for the amount of development proposed in the Neighbourhood Plan to 2030 is covered by the measures set out in the Council's existing strategic solution.	Cornwall Council have confirmed that the amount of development proposed for the Neighbourhood Plan (to 2030) is allowed for/will be allowed for in the scope of the strategic solution as per the SPD for Terrestrial Sites and the SPD for Marine Sites. AECOM have added a final sentence to the conclusion confirming with regard to development post-2030 that '*The Council will need to keep under review the delivery of housing and will need to address development needs and associated mitigation for impacts on the SAC at Local Plan review'.*