

Habitat Regulations Assessment Screening Report

Two dwellings on Liskey Hill

Perranporth

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1. INTRODUCTION

1.1. The proposed development site

Spalding Associates (Environmental) Ltd were commissioned by Charles Green Design to produce a Habitats Regulations Assessment (HRA) Screening Report for a proposed development at Liskey Hill Perranporth.

The development consists of the erection of two dwellings, each to provide 4 bedrooms, for full residential use; this gives a total potential residential use of 16 persons.

The proposal site is located within the Zone of Influence for the Penhale Dunes Special Area of Conservation, as set out in the Cornwall Council Local Plan.

Penhale Dunes are classified as a European designated sites (although Britain is no longer within the European Community) and as such has the highest level of environmental designation available in the UK. It forms part of a network of nature conservation sites established under the EC Habitats and Birds Directives and are designated for their special features (habitats and/ or species).

The Conservation of Habitats and Species Regulations 2010 sets out how Local Planning Authorities (LPAs) must deal with planning applications that have potential to impact on these European Designated Sites. This impact may be direct (such as from large developments which alone may have a significant impact) or indirect such as from developments which may themselves have a small individual effect but a combined (cumulative) overall likely significant effect. This document considers whether the proposed development has the potential to have a direct or indirect effect on these European sites. This is a two-stage process which the LPA has a duty to consider.

1.2. The Habitat Regulations Assessment Process

Section 61 of the Habitat Regulations requires the LPA to assess whether a significant effect from the proposal is likely and, if the LPA considers it is, then the LPA must undertake an Appropriate Assessment (HRA AA) to consider whether or not the effect can be fully mitigated. The LPA may ask the applicant to provide evidence to help them undertake these assessments. The LPA must consult Natural England on the completed HRA / AA.

The Conservation of Habitats and Species Regulations 2010 set out that LPAs must not grant consent for a development that would, either alone or in combination with other developments, have a likely significant effect on a European wildlife site, unless full mitigation is provided. The only exception is where there are imperative reasons of overriding public interest, no alternatives are available, and the necessary compensatory measures are secured. Such proposals must be referred to the Secretary of State and any unmitigated effects must be fully compensated.

1.3. The Cornwall Local Plan

Cornwall Council has produced a *European Sites Mitigation Supplementary Planning Document (July 2021)*. In agreement with Natural England, Cornwall Council has carried out recreational use surveys and devised a strategic mitigation programme for the Penhale Dunes Special Area of Conservation (SAC) applicable where the only impact on European wildlife sites is through increased recreational use. Based on this advice a one off payment to a strategic mitigation plan can be submitted with each application within 12.5km of Penhale Sands. This has been agreed, between the Council (as 'Competent Authority') and Natural England, to meet the Habitats Regulations' obligations and to alleviate the burden on developers of providing bespoke evidence and mitigation.

Under this arrangement it is a requirement that Form 1 (*Development within 12.5km of Penhale Dune SAC*) is completed and submitted to Cornwall Council. This will be submitted along with this document. In addition an Appropriate Assessment is required, which forms part of this document.

1.4. Penhale Dunes Special Area of Conservation

Penhale Dunes SAC covers an Area of 621.34ha. It is an extensive and exposed calcareous dune system where active geomorphological and successional dune processes occur. The dunes are composed of windblown calcareous shell sand and soils are highly calcareous with little organic content. The majority of the dunes are fixed grey dunes colonised by marram *Ammophila arenaria*, and red fescue *Festuca rubra*. They support species such as kidney vetch *Hippocrepis comosa*, wild carrot *Daucus carota*, restharrow *Ononis repens*, sand sedge *Carex arenaria*, and Portland spurge *Euphorbia portlandica*. Nearer the sea are areas of yellow dune with evidence of active blow-outs. Dune slacks with an interesting flora are well developed in the northern section where they often form marshy areas or pools. The drier slacks support short, rabbit-grazed turf, dominated by red fescue with herbs such as silverweed *Potentilla anserina*, common centaury *Centaureum erythraea*, pyramidal orchid *Anacamptis pyramidalis* and common storks-bill *Erodium cicutarium*. Damper areas are colonised by taller herbs such as meadowsweet *Filipendula ulmaria*, water mint *Mentha aquatica*, common reed *Phragmites communis*, great willowherb *Epilobium hirsutum*, and marsh horsetail *Equisetum palustre*. The older dunes have been eroded to form flatter expanses of species-rich dune grassland dominated by red fescue. Small patches of dune heath also occur. The dunes also support a number of uncommon plant species including a large population of petalwort *Petalophyllum ralfsii*, shore dock *Rumex rupestris* and strong populations of early gentian *Gentianella anglica*.

Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- Dunes with *Salix repens* ssp. *argentea* (Salicion arenariae). (Dunes with creeping willow)
- Humid dune slacks
- Fixed dunes with herbaceous vegetation (grey dunes). (Dune grassland)
- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes). (Shifting dunes with marram)

Qualifying species: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:

- Early gentian *Gentianella anglica*
- Petalwort *Petalophyllum ralfsii*
- Shore dock *Rumex rupestris*

The conservation objectives are to 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.

1.5. The recreational use of the SAC

The results of a survey of the recreational use of the SAC have been presented in *European Sites Mitigation adoption draft Supplementary Planning Document (February 2021): Strategic Policies Policy 22: European Protected Sites - mitigation of recreational impacts from development*. Overall 87% of visitors lived in Cornwall and 13% were visitors (from outside). 95% of local visitors and 79% of non-resident visitors were dog walking. As expected a higher number of visitors who lived outside Cornwall were interviewed in Summer compared to those interviewed over the Winter survey sessions (28% compared to 1%.) 95% of local visitors arrived by car. For tourists the split was closer to 50:50 because 55% arrived on foot from Penhale Sands, the campsite adjoining the SAC. Across the seasons Penhale was specifically visited by some local residents in preference to other destinations, as they considered it to be large, level, dry and dog friendly, with easy parking and the ability to let the dog off the lead safely. 64% of visitors stated that they visit all year round.

Local resident groups who were dog walking were the most frequent visitors to the site. 32% of local resident visitors resided in the Civil Parish of Perranzabuloe, 12% in Truro, 8% in Newquay and 6% in Kenwyn. 14 postcodes of holiday accommodation from non-local resident visitor groups were captured and were all located in the Civil Parish of Perranzabuloe. In light of a 23% increase in housing within 12,500m of Penhale, a 21% predicted 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. The data gathered from the visitor field work has been analysed to identify a zone of influence around Penhale of 12.5km.

The suggested mitigation for recreational impacts has been outlined in the *Penhale Dunes SAC - Strategic Access Mitigation and Monitoring Plan*. The list represents the resources required in order to provide an effective program of mitigation, making the SAC more resilient to visitor pressure. The primary objective is to raise awareness of causes of harm and influence better behaviour on site by users. Some items are one off expenditures, some measures have a set life span, and some costs are annual. The cost is calculated over 80 years with the aim of ensuring that funds can provide mitigation in perpetuity. Items are ranked in

terms of their priority, as agreed with Cornwall Wildlife Trust. Cornwall Council will be the client and management by appropriate task.

- Dog warden visits once a week to enforce dog fouling and undertake proactive work with dog walkers educating them about the site and why it is important to pick up after their dog.
- Dog fouling campaign to raise awareness of SAC using CC Comms team to delivery press releases, social media and radio TV Interviews.
- Replacing wooden demarcation bollards which prevent parking within the SAC.
- Improvements to parking area to prevent parking on verges (wooden teeth etc)

Table 1: Financial contributions for the Penhale Dunes SAC

Site name	Cost per unit
Penhale Dunes SAC	£180

2. THE PROPOSED DEVELOPMENT

2.1. Description of the proposal

The proposed development site lies just over 1500 metres from the south-western boundary of the Penhale Dunes SAC i.e. well within the 12.5km zone of Influence. By road the distance is just over 4km to the nearest access off Ramoth Way Perranporth and 6.4km to the popular access at Rose.

3. CORNWALL COUNCIL AS LOCAL PLANNING AUTHORITY (LPA)

RECORD OF ASSESSMENT¹ OF THE SCREENING FOR THE

MANAGEMENT TEST AND THE LIKELY SIGNIFICANT EFFECT TEST ON A EUROPEAN SITE(S)

Scheme Reference:	Two dwellings at Liskey Hill Perranporth
Part 1. Description of the project or plan checklist	✓ or ✗
Have the following features of the project or plan been identified in the planning application?	as appropriate
Size, scale, area, land-take.	✓
Physical changes that will flow from the project or plan (from excavation and dredging).	✓
Resource requirements (water abstraction).	X
Emissions and waste (disposal to land, water or air).	✓
Transportation requirements	✓
Duration of construction, operation or decommissioning.	X
<i>Project programme</i>	
Distance from Natura 2000 sites and information on key features of the site(s)	✓
Cumulative impacts with other projects or plans identified <i>(with indication of assumptions)</i>	✓
Positive and negative effects	✓

¹ "Assessment of plans and projects significantly affecting Natura 2000 sites." Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, 2002

LPA Screening Matrix ²

Scheme Reference:	Two dwellings at Liskey Hill Perranporth
1. Brief description of the project or plan.	The development consists of the erection of two dwellings, each to provide 4 bedrooms, for full residential use; this gives a total potential residential use of 16 persons.
2. Brief description of the Natura 2000 site(s).	<p>Penhale Dunes Special Area of Conservation</p> <p>The habitat features of the SAC are just within the potential Zone of Influence of the proposals at the north-eastern edge.</p> <p>The conservation objectives are to 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:</p> <ul style="list-style-type: none"> • 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.
Stage 1 Screening Management Test	<p>Is the proposal directly connected with or necessary to site management for nature conservation?</p> <p>No, the proposal is not connected to the management of the site.</p>
Stage 1 Screening Likely Significant Effect Test	
Assessment Criteria	The individual elements of the project likely to give rise to impacts are confined to the operational effect i.e. potential increased recreational use of the Penhale Dunes SAC from the 2 residential units of the new development.
3. Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to	

² Adapted from Annex 2 blank assessment forms, EC Guidance 2002

Scheme Reference:	Two dwellings at Liskey Hill Perranporth
impacts on the Natura 2000 site.	
<p>4. Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site(s) by virtue of:</p> <p>Size and scale;</p> <p>Land-take;</p> <p>Distance from the Natura 2000 site or key features of the site;</p> <p>Resource requirements;</p> <p>Emissions (e.g. disposal to land, water or air);</p> <p>Excavation requirements;</p> <p>Transportation requirements;</p> <p>Duration of construction and operation;</p> <p>Any other relevant considerations.</p>	<p>Size and scale The site is 1000m².</p> <p>Land take There will no land take within the SAC.</p> <p>Distance from European Site or key features of the site The site is 1.5km distant from the nearest point of the SAC.</p> <p>Resource requirements The procurement of resources to develop the site are not considered to have a direct impact on the SAC.</p> <p>Emissions The project is considered to have no direct impact on the SAC through emissions from work during the construction phase.</p> <p>Excavation requirements There will be no excavations within the SAC.</p> <p>Transport requirements Materials will be transported into and from the site by the local road network. There will be no effect on the SAC.</p> <p>Duration of construction Construction details are yet to be finalised.</p> <p>Chemical contamination There is no potential for fuel oils, cement dust and other chemicals to be carried into the SAC due to the distance from the site.</p> <p>Recreational user impact There are predicted potential increases in recreational usage of the SAC and the development site lies within the zone of influence of the SAC.</p> <p>Production of noise and visual disturbance There is no potential for disturbance to the qualifying features of the SAC due to the distance of the development from the SAC.</p>

Scheme Reference:	Two dwellings at Liskey Hill Perranporth
<p>5. Describe any likely changes to the site(s) arising as a result of:</p> <ul style="list-style-type: none"> • Reduction of habitat area; • Disturbance to key species; • Habitat or species fragmentation; • Reduction in species density; • Changes in key indicators of conservation value (water quality); • Climate change. 	<p>Reduction of habitat areas There will be no reduction in habitat area within the SAC.</p> <p>Disturbance to key species There will be no disturbance to the qualifying species of the SAC.</p> <p>Habitat or species fragmentation There will be no habitat fragmentation as a result of the work.</p> <p>Reduction of species diversity There will be no reduction in species diversity in the SAC.</p> <p>Changes in key indicators of conservation value The changes in conservation value, as set out in the conservation objectives outlined in Section 2, will be negligible for SAC.</p> <p>Water quality There is no potential for water borne contaminants to enter the SAC during the construction works.</p> <p>Climate change The development will take account of climate change with the erection of solar panels.</p> <p>Other changes None.</p>
<p>6. Describe any likely impacts on the Natura 2000 site(s) as a whole in terms of:</p> <ul style="list-style-type: none"> • Interference with the key relationships that define the structure of the site; • Interference with key relationships that define the function of the site. 	<p>Interference with the key relationships that define the structure of the site There is no potential for adverse effects on the structure of the site as a whole. There is potential for an impact to occur through minor increased recreational impacts on the interest features of the SAC, alone and in combination with other developments in the zone of influence. To offset this potential impact, a financial contribution to the management of the SAC will be agreed. The contribution will be used to implement the measures outlined in the <i>Penhale Dunes SAC - Strategic Access Mitigation and Monitoring Plan</i> prior to first occupation of the dwellings on the application site.</p> <p>Interference with key relationships that define the function of the site No potential for significant interference with these key relationships has been identified. There will be no impact on the SAC.</p>

Scheme Reference:	Two dwellings at Liskey Hill Perranporth
<p>7. Provide indicators of significance as a result of the identification of impacts set out above in terms of:</p> <ul style="list-style-type: none"> • Loss of habitat area; • Fragmentation; • Disruption; • Disturbance; • Population Density • Water Resources • Water Quality 	<p>For the construction phase, no effects have been identified.</p> <p>For the operational phase, potential for minor recreational impact has been identified.</p>
<p>8. Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.</p>	<p>There will be minor long-term effect on the SAC during the operational period due to increased recreational pressures.</p>
<p>9. Outcome of screening stage</p>	<p>The proposals do adversely affect the SAC and an Appropriate Assessment Stage 2 is required.</p>

Scheme Reference: Two dwellings at Liskey Hill Perranporth

10. **Authorised
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1. APPROPRIATE ASSESSMENT STAGE 2 AND INTEGRITY TEST STAGE 3

<p>Scheme Reference:</p>	<p>Two dwellings at Liskey Hill Perranporth.</p>
<p>11. Brief description of the project or plan.</p>	<p>The development consists of the erection of two dwellings, each to provide 4 bedrooms, for full residential use; this gives a total potential residential use of 16 persons.</p>
<p>12. Brief description of the Natura 2000 site(s).</p>	<p>Penhale Dunes Special Area of Conservation</p> <p>The habitat features of the SAC are just within the potential Zone of Influence of the proposals at the north-eastern edge.</p> <p>The conservation objectives are to 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:</p> <ul style="list-style-type: none"> • 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
<p>Assessment Criteria</p> <p>13. Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site.</p>	<p>The individual elements of the project likely to give rise to impacts during the operational phase</p> <p>Operational effects – these will be potential increased recreational use of the Penhale Dunes SAC from the 2 residential units of the new development.</p>
<p>14. Describe any likely direct, indirect or secondary</p>	<p>Size and scale The site is 1000m².</p> <p>Land take There will no land take within the SAC.</p>

<p>Scheme Reference:</p>	<p>Two dwellings at Liskey Hill Perranporth.</p>
<p>impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site(s) by virtue of:</p> <p>Size and scale;</p> <p>Land-take;</p> <p>Distance from the Natura 2000 site or key features of the site;</p> <p>Resource requirements;</p> <p>Emissions (e.g. disposal to land, water or air);</p> <p>Excavation requirements;</p> <p>Transportation requirements;</p> <p>Duration of construction and operation;</p> <p>Any other relevant considerations.</p>	<p>Distance from European Site or key features of the site The site is 1.5km distant from the nearest point of the SAC.</p> <p>Resource requirements The procurement of resources to develop the site are not considered to have a direct impact on the SAC.</p> <p>Emissions The project is considered to have no direct impact on the SAC through emissions from work during the construction phase.</p> <p>Excavation requirements There will be no excavations within the SAC.</p> <p>Transport requirements Materials will be transported into and from the site by the local road network. There will be no effect on the SAC.</p> <p>Chemical contamination There is no potential for fuel oils, cement dust and other chemicals to be carried into the SAC.</p> <p>Recreational user impact There are predicted potential minor increases in recreational usage of the SAC and the development site lies within the zone of influence of the SAC.</p> <p>Production of noise and visual disturbance There is no potential for disturbance to the qualifying features of the SAC due to the distance of the development from the SAC.</p> <p>Duration of construction There is no plan for construction work at this time as the application is an outline application. The SAC will not be affected by the construction work.</p>
<p>15. Describe any likely changes</p>	<p>Reduction of habitat areas There will be no reduction in habitat area within the SAC.</p>

<p>Scheme Reference:</p>	<p>Two dwellings at Liskey Hill Perranporth.</p>
<p>to the site(s) arising as a result of:</p> <ul style="list-style-type: none"> • Reduction of habitat area; • Disturbance to key species; • Habitat or species fragmentation; • Reduction in species density; • Changes in key indicators of conservation value (water quality); • Climate change. 	<p>Disturbance to key species There will be no disturbance to the qualifying species of the SAC.</p> <p>Habitat or species fragmentation There will be no habitat fragmentation as a result of the work.</p> <p>Reduction of species diversity There will be no reduction in species diversity in the SAC.</p> <p>Changes in key indicators of conservation value The changes in conservation value, as set out in the conservation objectives outlined in Section 2, will be negligible for SAC.</p> <p>Water quality There is no potential for water borne contaminants to enter the SAC during the construction works.</p> <p>Climate change The development will take account of climate change with the erection of solar panels.</p> <p>Other changes None.</p>
<p>16. Describe any likely impacts on the Natura 2000 site(s) as a whole in terms of:</p> <ul style="list-style-type: none"> • Interference with the key relationships that define the structure of the site; • Interference with key relationships that define the 	<p>Interference with the key relationships that define the structure of the site There is no potential for adverse effects on the structure of the site as a whole. There is potential for an impact to occur through minor increased recreational impacts on the interest features of the SAC, alone and in combination with other developments in the zone of influence. To offset this potential impact, a financial contribution to the management of the SAC should be agreed. The contribution will be used to implement the measures outlined in the <i>Penhale Dunes SAC - Strategic Access Mitigation and Monitoring Plan</i> prior to first occupation of the dwellings on the application site.</p> <p>Interference with key relationships that define the function of the site No potential for significant interference with these key relationships has been identified. There will be no impact on the SAC.</p>

<p>Scheme Reference:</p>	<p>Two dwellings at Liskey Hill Perranporth.</p>
<p>function of the site.</p>	
<p>17. Provide indicators of significance as a result of the identification of impacts set out above in terms of:</p> <ul style="list-style-type: none"> • Loss of habitat area; • Fragmentation; • Disruption; • Disturbance; • Population Density • Water Resources • Water Quality 	<p>Significant effects are those that affect features of international or national importance within the SAC, as outlined in section 2.1 of this document.</p> <p>For the construction phase, no potential for effect has been identified.</p> <p>For the operational phase, the following possible effect has been considered: increased disturbance through increased recreational use.</p> <p>Significant effects due to increased recreational impacts on the interest features of the SAC, alone and in combination with other developments in the zone of influence will be met by a financial contribution to the management of the SAC and used to implement the measures outlined in the <i>Penhale Dunes SAC - Strategic Access Mitigation and Monitoring Plan</i> prior to first occupation of the dwellings on the application site.</p> <p>There are no other predicted effects on the SAC.</p>
<p>18. Construction phasing, methodology, and mitigation</p>	<p>Detailed construction timing, methodology, pollution controls etc are still to be prepared.</p> <p>There is no predicted effect during construction on the SAC.</p>
<p>19. Outcome of the appropriate assessment (Integrity Test Stage 3)</p>	<p>There is no potential for effect on the SAC during the construction period.</p> <p>In the operational phase, there is potential for Likely Significant Effect on the SAC due to the increased recreational pressure; this will be met by a financial contribution.</p>

**Scheme
Reference:**

Two dwellings at Liskey Hill Perranporth.

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