

Cornwall Council

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Application number: PA15/00021/NDP

Applicant:

Mr Grant Sharpe

Trevena

Brentfields

Polperro

Cornwall

PL13 2JJ

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

Designation of a Neighbourhood Area

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY APPROVES**, the designation of a Neighbourhood Area to be used for the creation of a Neighbourhood Development Plan as set out in the following application received on 22nd July 2015 and accompanying plan(s):

Proposal: The designation of the Parish of Lansallos as a Neighbourhood Area

Relevant Body: Polperro Community Council

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 15TH September 2015

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

REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

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

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

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

OFFICER REPORT – DELEGATED

Application number: PA15/00021/NDP	Earliest determination date: 11th September 2015
Received on: 22nd July 2015	Neighbour expiry date: NONE CONSULTED
UPRN: 999999999999	Consultation expiry date: 11th September 2015
Legal agreement: N	Site notice posted: N/A
Departure: N	Site notice expiry: N/A
Complies with Development Plan? N/A If not, ensure you cover in the report how material considerations outweigh the plan?	
Is this decision contrary to local council recommendation?	

Applicant:	Grant Sharpe – Polperro Community Council
Site Address:	Lansallos Cornwall
Proposal:	Designation request for undertaking a Neighbourhood Development Plan for the Parish of Lansallos
Application Type:	Neighbourhood Development Plan

Executive Summary:

In accordance with the Neighbourhood Planning (General) Regulations 2012 ("The Regulations") any Neighbourhood Plan being produced must be carried out within a Neighbourhood Area the extent of which must be submitted to, publically advertised and consulted on for prescribed period and approved by Cornwall Council.

Polperro Community Council is working on the preparation of a Neighbourhood Plan for the entire parish area of Lansallos. An application for the designation of Neighbourhood Area was made to Cornwall Council and was advertised in the Cornish Times between the 31st July and 11th September 2015.

No objections were received to the advertisement of the Neighbourhood area and it is therefore recommended under regulation 6 that the Neighbourhood Area designation is confirmed and advertised as required by Regulation 7.

Public representations:

No public representations received at the time of writing.

Consultee representations:

Highways (3rd August 2015)

Designation request for a Neighbourhood Development Plan area - Lansallos, Cornwall

Thank you for your letter of 30 July providing Highways England with the opportunity to comment on the application by Polperro Community Council for the Parish of Lansallos to be designated as a Neighbourhood Development Plan (NDP) area.

Highways England is responsible for operating, maintaining and improving the strategic road network, which in Cornwall comprises A30 and A38, and is a statutory consultee prescribed by the Neighbourhood Planning (General) Regulations 2012. We are keen to support the development of neighbourhood plans and the delivery of local growth and therefore have no objection in principle to the Parish becoming an NDP area. The location of the Parish is such that any policies coming forward are unlikely to impact on our network, and we will not therefore need to be consulted further on the plan as it develops.

If you have any queries please do not hesitate to contact me.

Yours Sincerely

Sally Parish
NDD - South West Growth and Improvement

Historic Environment Planning (30th July 2015)

Thank you for consulting us on this neighbourhood plan proposal. Historic Environment advice on neighbourhood plan consultations will be provided by the HE Core Team, as a policy function. Please e-mail either Dan Ratcliffe (Historic Environment and Place Shaping Lead) or Nick Cahill (Historic Environment Team Lead) direct for advice.

Victoria Robinson BSc(Hons), PGDip
Senior Development Officer (Historic Environment)
Planning and Enterprise Service
Cornwall Council

Principle Public Spaces Officer (7th September 2015)

Thank you for consulting the Public Space Team.
The National Planning Policy Framework 2012 (para 73) requires that planning policies should be based on robust & up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. This has not been done in the Parish of Lansallos. Details of the adopted standards which form part of the Open Space for Larger Towns in Cornwall can be found at: <http://www.cornwall.gov.uk/environment-and-planning/parks-and-open-spaces/open-space-strategy-standards> . Assessments of open spaces and the setting of future standards (quantity, accessibility & quality) should follow the same methodology and use the same definitions as set out in the adopted strategy for larger towns, in order to ensure a consistency with the planning policies throughout the county.

We regret that the Public Space Team is unable to provide this service free of charge at this time, but should you require advice on the application of the methodology or its conclusions please do not hesitate to contact us.

Many thanks
Stuart Wallace
Public Space Officer

Affordable Housing (7th August 2015)

NOTE: Comments are confined only to the affordable housing implications of this proposal.

SUMMARY

The affordable housing team SUPPORT the proposal to designate, however recommends that the Neighbourhood Development Plan take into account the significant local need for affordable housing.

RELEVANT POLICY POSITION

Neighbourhood Development Plans need to be consistent with national and strategic planning policy. With regard to affordable housing issues this is contained in the:

- National Planning Policy Framework;
- Former Caradon district Local Plan;
- Draft Cornwall Local Plan; and
- Draft Cornwall Affordable Housing Supplementary Planning Document.

These documents set out the requirements for new development to contribute to affordable housing and define and explain affordable housing in some detail. The above policies should be used to inform the development of the Plan, where relevant. Policy 8 of the draft Cornwall Local Plan taking account of the Inspector findings at examination set a target of 30% of new dwellings in the Parish to be affordable (non exception sites).

HOUSING NEED

There is a high local need for affordable housing in Lansallos given the size of the parish. The Cornwall housing register, known as Cornwall Homechoice indicates some 102 households in affordable housing need in the parish meeting the local connection criteria. The greatest need is for 1 and 2 bedroom homes, with a lesser need for larger homes, as detailed below:

- 1 bed - 58
- 2 bed - 29
- 3 bed - 14
- 4 bed - 1

The affordable housing team are able to provide support to undertake a local housing needs survey.

AFFORDABLE HOUSING AND THE PLAN

Should the Plan address the issue of additional affordable housing, it is recommended that it considers aspects such as:

- Tenure
- Mix
- Unit size / number of persons
- Affordability
- Delivery mechanisms and partners
- Funding requirement / availability
- Phasing
- Clusters
- Ratio of flats
- Adapted accommodation
- Self-build

Any proposals for affordable housing to be delivered through existing and traditional developer / Registered Provider (Housing Association) partnerships should take account of the eligibility criterion and housing allocations procedures explained in the Councils adopted Homechoice policy.

If the Plan seeks to deliver affordable housing, for example through site allocations, it is important to adequately address aspects relevant to successful delivery, for example:

- Through any Neighbourhood Development Order
- Land ownership, availability, and cost
- How deliverable a site is, having due regard to all material planning considerations
- Economic Viability

The Plan may wish to consider the opportunities offered under the Governments' Community Right To Build initiative, which complements the Neighbourhood Development Plan process, and which allow communities to directly own, develop, and manage affordable housing for local people.

Electoral Services – no comment received

Natural England (11th August 2015)

Date: 10 August 2015

Our ref: 161575

Your ref: PA15

neighbourhoodplanning@cornwall.gov.uk

BY EMAIL ONLY

Hornbeam House

Crewe Business Park

Electra Way

Crewe

Cheshire

CW1 6JC

T 0300 060 3900

Dear Ms Ball,

Designation request for undertaking a Neighbourhood Development Plan for the Parish of Lansallos, Polperro, Cornwall.

Thank you for notifying Natural England of/requesting information in respect of your Neighbourhood Development Plan dated 30/07/2015.

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

Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements.

The following is offered as general advice which may be of use in the preparation of your plan. Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: <https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders>

Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: <http://www.nbn-nfbr.org.uk/nfbr.php>

Protected landscapes

If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity.

Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.

<http://www.naturalengland.org.uk/publications/nca/default.aspx>

Protected species

You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.

Natural England Standing Advice

Local Wildlife Sites

You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the local wildlife site.

Best Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that:

'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.

General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website; <http://www.landis.org.uk/index.cfm> which contains more information about obtaining soil data.

Opportunities for enhancing the natural environment

Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again at consultations@naturalengland.org.uk

Yours sincerely
Tom Amos
Consultations Team

Historic England (10th September 2015)

Emma Ball
Development Officer
Local Plans Team
Cornwall Council

Circuit House
St Clement Street
Truro TR1 1DT
Our ref:
Your ref:

Telephone
Email 2229
PA15/00021/NDP

0117 975 0680
david.stuart@historicengland.org.uk

10th September 2015

Dear Ms Ball

NEIGHBOURHOOD AREA CONSULTATION - LANSALLOS

Thank you for giving notice that Polperro Community Council has applied to designate Lansallos as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

Historic England has no objection to this proposal.

We would like to take the opportunity of the consultation to outline the range of support Historic England is able to offer in relation to Neighbourhood Plans. It would be helpful if this response can be copied to the Parish Council for their information.

Research has clearly demonstrated that local people value their heritage and Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment.

Historic England is expecting that as Neighbourhood Planning Forums come to you to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.

Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans. Other useful information may be available from the Historic Environment Record Centre or local environmental and amenity groups. For example, our records indicate that the area is rich in heritage assets, having 2 Grade I and 149 Grade II Listed Buildings, 1 Conservation Area, and 2 Scheduled Ancient Monuments - one of which is on the national Heritage At Risk Register. Historic England also publishes a wide range of relevant guidance.

Links to these can be found in the appendix to this letter.

Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further deepening historic characterisation studies.

Historic England has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Neighbourhood Planning Forum to consult Historic England on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders.

Historic England will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.

Historic England fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance

<http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/> . It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.

Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.

Yours sincerely

David Stuart
Historic Places Adviser

Appendix

The National Heritage List for England: a full list with descriptions of England's listed buildings: <http://www.historicengland.org.uk/advice/hpg/heritage-assets/nhle>

Heritage Gateway: includes local records of historic buildings and features
www.heritagegateway.org.uk

Historic England's Advice by topic: you can search for advice on a range of issues relating to the historic environment in the Advice section of our website

Heritage Counts: facts and figures on the historic environment <http://hc.historicengland.org.uk>

HELM (Historic Environment Local Management) provides accessible information, training and guidance to decision makers whose actions affect the historic environment. www.helm.org.uk or www.helm.org.uk/communityplanning

Heritage at Risk programme provides a picture of the health of England's built heritage alongside advice on how best to save those sites most at risk of being lost forever.
<http://www.historicengland.org.uk/caring/heritage-at-risk>

Placecheck provides a method of taking the first steps in deciding how to improve an area.
<http://www.placecheck.info/>

The Building in Context Toolkit grew out of the publication 'Building in Context' published by English Heritage and CABE in 2001. The purpose of the publication is to stimulate a high standard of design when development takes place in historically sensitive contexts. The founding principle is that all successful design solutions depend on allowing time for a thorough site analysis and character appraisal of context. <http://building-in-context.org/toolkit.html>

Knowing Your Place deals with the incorporation of local heritage within plans that rural communities are producing,

<https://www.historicengland.org.uk/images-books/publications/knowning-your-place/>

Planning for the Environment at the Neighbourhood Level produced jointly by English Heritage, Natural England, the Environment Agency and the Forestry Commission gives ideas on how to improve the local environment and sources of information.

<http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

Good Practice Guide for Local Heritage Listing produced by English Heritage uses good practice to support the creation and management of local heritage lists.

<https://www.historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/>

Understanding Place series describes current approaches to and applications of historic characterisation in planning together with a series of case studies

[http://www.helm.org.uk/server/show/nav.19604:](http://www.helm.org.uk/server/show/nav.19604)

National Farmers Union – no comment received

Marine Management Organisation – no comment received

Home and Communities Agency – no comment received

Constraints and designations:

Not applicable.

Relevant policies, SPGs and Government guidance:

Not applicable for the designation process.

Appraisal/key issues and conclusion:

The main issues in determining this application are:

- Whether an application for a Neighbourhood Area has already been made covering all or part of this area (as there can only be one Neighbourhood Area in each location and they cannot overlap)
- Confirmation that the applicant is a 'relevant body' to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations (i.e. a parish council or Neighbourhood Forum).
- Assessment of whether the extent of the Neighbourhood Area is appropriate.

No other application has previously been made covering all or part of this area and there are no existing designated Neighbourhood Areas covering, or close to the boundary of Lansallos Parish.

Polperro Community Council is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations.

The Neighbourhood Area is considered appropriate as it follows the boundary of the area covered by Polperro Community Council

It is therefore considered to be an appropriate area in which to prepare a Neighbourhood Development Plan.

Recommendation:

The Neighbourhood Area illustrated on Plan 1 is designated in accordance with the Neighbourhood Planning (General) Regulations 2012.

Conditions

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Plan 1 – Designation area of Lansallos Parish

Copies of decision notices and documents associated with the decision making process, where relevant, for the above applications can be found in the Council's on-line planning register using the following link and by entering the reference of the application you are interested in.

Link: <http://planning.cornwall.gov.uk/online-applications/>