

OFFICER REPORT – DELEGATED

Application number: PA15/00007/NDP	Earliest determination date: 10 April 2015
Received on: 2 March 2015	Neighbour expiry date: NONE CONSULTED
UPRN: 999999999999	Consultation expiry date: 22 April 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:	Mrs S Kirby - Withiel Parish Council
Site Address:	Withiel Cornwall
Proposal:	Designation request for undertaking a Neighbourhood Development Plan for the Parish of Withiel
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.

Withiel Parish Council are working on the preparation of a Neighbourhood Plan for the entire parish area of Withiel. An application for the designation of Neighbourhood Area was made to Cornwall Council and was advertised in the Cornish Guardian between the 11th March and the 22nd April 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 Agency - 18 March 2015

"Thank you for your letter of 3 March consulting the Agency on the application by Withiel Parish Council for designation as a Neighbourhood Development Plan (NDP) area.

The Agency is responsible for operating, maintaining and improving the strategic road network which in this instance comprises the A30 which runs to the south of the proposed NDP area. The Agency is keen to support the development of neighbourhood plans and the delivery of local growth and has no objection in principle to the Parish becoming an NDP area. However, future development proposals will have the potential to impact on the A30 and the Agency will therefore need the opportunity to comment further on the plan as it

develops to ensure it includes a satisfactory assessment of traffic impacts and mitigation requirements.

If it would be helpful to you or the Parish Council to discuss, please don't hesitate to contact"

Environment Agency – No comments received.

Principal Public Space Officer - 8 April 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 Withiel, but there is now an adopted methodology for Cornwall:

<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 process 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."

Affordable Housing - 5 March 2015

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

SUMMARY

The affordable housing team **SUPPORT** the proposal to designate, and recommends that the objectives of any Neighbourhood Development Plan take into account the local need for affordable housing.

RELEVANT POLICY POSITION

Neighbourhood Development Plans need to be consistent with national and strategic guidance, and with regard to affordable housing issues this is contained in the emerging Cornwall Local Plan and the consultation draft Cornwall Affordable Housing Supplementary Planning Document, both being consistent with the objectives of the National Planning Policy Framework. These documents define and explain affordable housing in some detail and should be referred to in the development of the Plan.

HOUSING NEED

The number of parish households in the predominantly agricultural community is relatively small, and likewise only 9 households registered with Homechoice. The Parish Plan (2004) identified a general consensus for more housing in the parish, including affordable housing. As the parish plan is now considered out of date, the NDP may wish to explore local need in more detail and consider whether further survey work or evidence gathering is required.

DELIVERY

Records indicate that there are currently no affordable homes in the parish, and only one recent Planning application, which was below the policy threshold for providing a contribution towards affordable housing.

The level of identified need may increase as the result of any survey findings, but are likely to remain minimal. This could be met through negotiation with existing and traditional developer / Registered Provider partnerships, which should take account of the eligibility criterion and housing allocations procedures explained in the Councils adopted Homechoice policy.

The NDP may wish to consider whether Cornwall Council's Rural Toolkit is used to pro-actively identify local opportunities. This could include 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.

The small scale of need may not justify the administrative procedures for pursuing a scheme through a Neighbourhood Development Order, but if this route is considered, proposals should adequately inform aspects relevant to successful delivery, including:

- o Land ownership, availability, and cost
- o Tenure
- o Mix
- o Unit size / number of persons
- o Affordability
- o Delivery mechanisms and partners
- o Economic Viability
- o Funding requirement / availability
- o Phasing
- o Clusters
- o Ratio of flats
- o Larger family accommodation
- o Adapted accommodation
- o Quality Standards (HQI)
- o Self-build”

Electoral Services – No comments received.

English Heritage - 31 March 2015

“Dear Miss Pitt

NEIGHBOURHOOD AREA CONSULTATION - WITHIEL

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

English Heritage has no objection to this proposal.

We would like to take the opportunity of the consultation to outline the range of support English Heritage 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.

English Heritage 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 show that the area has 1 Grade 1, 1 Grade II* and 20 Grade II Listed Buildings, and 5 Scheduled Ancient Monuments. English Heritage 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.

English Heritage 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 English Heritage 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.

English Heritage 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.

English Heritage 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.english-heritage.org.uk/caring/get-involved/improving-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.”

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 Withiel Parish.

Withiel Parish 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 Withiel Parish 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 Withiel 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/>