

**OFFICER REPORT – DELEGATED**

<b>Application number: PA15/00017/NDP</b>	<b>Earliest determination date: 13 August 2015</b>
<b>Received on: 22 December 2014</b>	<b>Neighbour expiry date: NONE CONSULTED</b>
<b>UPRN: 999999999999</b>	<b>Consultation expiry date: 2<sup>nd</sup> September 2015</b>
<b>Legal agreement: N</b>	<b>Site notice posted: N/A</b>
<b>Departure: N</b>	<b>Site notice expiry: N/A</b>
<b>Complies with Development Plan? N/A If not, ensure you cover in the report how material considerations outweigh the plan?</b>	
<b>Is this decision contrary to local council recommendation?</b>	

<b>Applicant:</b>	<b>Sarah Willsher – Illogan Parish Council</b>
<b>Site Address:</b>	<b>Illogan Cornwall</b>
<b>Proposal:</b>	<b>Designation request for undertaking a Neighbourhood Development Plan for the Parish of Illogan</b>
<b>Application Type:</b>	<b>Neighbourhood Development Plan</b>

**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.

Illogan Parish Council is working on the preparation of a Neighbourhood Plan for the entire parish area of Illogan. An application for the designation of Neighbourhood Area was made to Cornwall Council and was advertised in the West Briton between the 2<sup>nd</sup> July and 13<sup>th</sup> August 2015.

Due to a response from the Historic Environment Planning West representative received on 10<sup>th</sup> August 2015, Historic England was consulted between 12<sup>th</sup> August and 2<sup>nd</sup> September 2015, but no response was received.

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:**

**Historic Environment Planning (10<sup>th</sup> August 2015)**

Thank you for consulting Strategic Historic Environment on the above proposal.  
 Specific Comments on Illogan Parish.

We have no objection to the proposed area designation, although we make the following brief comments:

1. In terms of the boundary of the proposed area, it is from our point of view important to realise that the historic parish was more extensive, and that one of the distinguishing features of the area is that many of the sites, particularly the industrial sites and the valleys forming many of the parish boundaries, have characteristics and significance which go beyond the present parish boundary.

This should not preclude the drawing of the boundary as proposed, but we would expect to see policies and proposals affecting the development or management of these sites as historic environment assets to reflect these wider links and to ensure continuity of approach with policies in adjoining Plan areas, the Cornwall Local Plan, the World Heritage Site Management Plan (and forthcoming Supplementary Planning Document) and AONB Management Plan etc.

2. We have briefly consulted the Cornwall and Scilly Historic Environment Record (HER). There are known significant historic environment designations in the area including scheduled monuments (e.g. Magor Farm Roman villa site), important groups of listed buildings (e.g. Tehidy; Illogan churchtown), elements of the World Heritage Site (Portreath branch of the Hayle Railway) and AONB designation (north coast).

3. However, Illogan is one of those parishes that actually has a wealth of undesignated sites, some of which are, notwithstanding their apparent lack of designated status, of the highest significance and levels of interest: prehistoric sites concentrated along the north coast; Tehidy parklands; extensive areas of anciently enclosed land and medieval settlement sites; extensive industrial sites (in the south and east of the parish especially and along the valleys); extensive areas of miners' smallholdings and industrial settlements.

The Plan should not only develop policies to preserve designated sites, but also to protect, enhance and celebrate the distinctive local historic environment character of Illogan, and further to ensure that character is integrated into the whole approach to allocations, uses and design to reinforce and enhance local distinctiveness.

#### Generic Advice:

The historic environment is recognised as a non-renewable, outstanding and distinctive resource that contributes to Cornwall's economy, tourism, education, culture and community identity. Understanding the heritage value of a Neighbourhood Plan Area is an important part of developing the Plan.

Proposals for development opportunities and allocations, for instance, might need to be accompanied by assessment outlining any mitigation measures and the steps to be taken to record, retain, incorporate, protect, enhance and where appropriate manage the historic environment interest.

Preparing the Plan can, however, go much further than this, and provide opportunities to develop local interest in the area's historic environment, in what is locally cherished and distinctive, and develop policies and projects which can enhance its understanding and significance.

A key source in this process is the Cornwall and Scilly Historic Environment Record (HER), which we maintain. The HER is a public archive, maintained and updated in accordance with national heritage information standards and guidance. The information it holds is derived from a variety of sources including fieldwork, surveys and excavations, aerial surveys, historic maps, published and unpublished books and pamphlets, specialist journals, antiquarian authors, museum records, and information sent in by members of the public.

This is the comprehensive and definitive record of the historic environment of Cornwall with over 56,000 records, including large-scale studies such as Historic Landscape Characterisation, which includes information on all aspects of the past from the earliest traces of human occupation up to the present day, accessible online at: [www.cornwall.gov.uk/her](http://www.cornwall.gov.uk/her) or <http://www.heritagegateway.org.uk/gateway/chr/herdetail.aspx?crit=&ctid=98&id=4787>.

## **Historic Environment Planning West (10<sup>th</sup> August 2015)**

Thank you for consulting the Historic Environment (Planning) team in respect of this application. The HEP team has no objection to this proposal.

It should be noted that Historic England (formerly English Heritage) has a statutory role in the development plan process and there is a duty on the LPA or the Neighbourhood Planning Forum to consult them on any Neighbourhood Plan where their interests are considered to be affected.

We look forward to providing any pertinent advice, utilising our limited resources efficiently, should this be required in the future.

## **Historic England**

Historic England was consulted from 12<sup>th</sup> August - 2<sup>nd</sup> September 2015 due to the comment received from the Historic Environment Planning West response. No comment was received.

**Principle Public Spaces Officer** – no comment received

**Affordable Housing** – no comment received

**Electoral Services** – no comment received

## **Natural England (3<sup>rd</sup> September 2015)**

Thank you for notifying Natural England of your Neighbourhood Development Plan dated 12/08/2015. 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](http://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](mailto:consultations@naturalengland.org.uk)

**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 Illogan Parish.

Illogan 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 Illogan 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:****Appendix 1 – Designation area of Illogan 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/>