

OFFICER REPORT – DELEGATED

Application number: PA16/00013/NDP	Earliest determination date:
Received on: 18 th August 2016	Neighbour expiry date: NONE CONSULTED
UPRN: 999999999999	Consultation expiry date: 6 th October 2016
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 Elaine Youlton – Lanner Parish Council
Site Address:	Cornwall
Proposal:	Designation request for undertaking a Neighbourhood Development Plan for the Parish of Lanner
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.

Lanner Parish Council is working on the preparation of a Neighbourhood Plan for the entire Parish area of Lanner. An application for the designation of Neighbourhood Area was made to Cornwall Council and was advertised in the West Briton on 18th August 2016. The consultation period ran from 25th August and 6th October 2016.

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 – (30th August 2016)

Thank you for your letter of 24 August providing Highways England with the opportunity to comment on the application by Lanner Parish Council for designation of the parish as a Neighbourhood Development Plan (NDP) area.

Highways England is responsible for operating, maintaining and improving the strategic road network which in this instance consists of the A30 which runs to the north of the proposed Plan area. We are keen to support the development of neighbourhood plans and the delivery of local growth and therefore we have no objection in principle to the parish becoming an NDP area. However, it is possible that proposals coming forward may have the potential to impact on the strategic road network, and we would therefore welcome the opportunity to comment further on the plan as it develops to ensure there is a satisfactory assessment of traffic impacts and mitigation requirements.

If you have any queries in the meantime please don't hesitate to contact me or Sally Parish, the Asset Manager for the A30 in Cornwall.

Kind regards
Gaynor

Gaynor Gallacher, South West Operations Division
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Web: <http://www.highways.gov.uk>
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Historic Environment Planning - (no comment received)

Economic Development – (no comment received)

Principle Public Spaces Officer – (no comment received)

Affordable Housing – (24th August 2016)

Note: Comments are confined only to the affordable housing implications of this proposal, and are made without prejudice to any formal decision of the Planning Authority.

Summary: The affordable housing team SUPPORT the proposal to designate, however recommends that any Neighbourhood Development Plan permitted take into account the local need for affordable housing and any recent development activity in the area.

Relevant Policy Position:

Neighbourhood Development Plans (NDP) must conform to local, national and strategic planning policy. In relation to affordable housing, the documents listed below are of particular relevance:

- o The National Planning Policy Framework (NPPF);
- o Former Kerrier District Local Plan (and accompanying SPG / SPD / DPD);
- o The submission draft of the Cornwall Local Plan (2010 - 2030);
- o The Inspector's preliminary finding Local Plan hearing (May 2015);
- o Post-consultation draft Affordable Housing Supplementary Planning Document (2015)

These set out the Local Planning Authority's (LPA's) expectations in relation to residential developments contributing towards the delivery of affordable housing, and define delivery mechanisms for this area. Consequently, the Affordable Housing Team would recommend that the documents above be used to inform the evolution of the NDP; its policies; and any site allocations, in due course.

In particular, Policy 8 of the emerging Cornwall Local Plan (including the preliminary findings of the Inspector from the hearing in May 2015), suggests that sites within built-up area should provide 25% affordable housing, as the parish lies within Value Zone 5. This effectively applies to any site that is not considered to be a rural exception site (as per the definition within the NPPF). In relation to rural exception sites, Policy 9 of the emerging Local Plan outlines that these should only normally be permitted if they are genuinely affordable housing-led, with a presumption that a scheme will provide 100% affordable housing. In circumstances where this would not be viable without recourse to public subsidy, provision of open market housing may be supported, subject to meeting the criteria outlined within Policy 9, and capped at a maximum of 50%.

Following amendments in May 2016 to the Government's National Planning Practice Guidance (NPPG) within the document 'Planning Obligations', the minimum site thresholds where affordable housing delivery is required has changed.

The new minimum site threshold is 10 dwellings. However, Local Planning Authorities (LPAs) can apply a lower site threshold of five in Designated Rural Areas (DRA's) and Areas of Outstanding Natural Beauty (AONBs).

In AONBs and Designated Rural Areas the Council is only permitted to seek off site contributions in lieu of affordable housing on schemes delivering between 6 to 10 dwellings and not seek the provision of on-site affordable housing. The target level of affordable housing as set out in the emerging Cornwall Local Plan shall continue to apply (i.e. 25% to 50%, based upon the updated Zone areas within the emerging Cornwall Local Plan) as a basis for calculation. On schemes of over 10 dwellings the Council can seek on-site provision of affordable housing. Please note the revised threshold does not apply to exception sites which are defined as;

Small sites used for affordable housing under in perpetuity where sites would not normally be used for housing. Rural exception sites Policy 9 (set out above) seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

Housing Need:

The Council's housing register (HomeChoice) identifies a high level of housing need in the Parish, with 144 households registered with a local connection and in housing need.

New developments should always provide a range of property types, sizes and tenures, to reflect the need to develop a mixed, yet balanced community. Typically the Council's target provisions are in the following tenure proportions;

70% affordable rented homes

30% intermediate housing for sale

In addition to the identified registered housing need figures above the Affordable Housing Team is able to offer the NDP Group support to undertake a local housing needs survey to further assess and enhance the understanding of housing need locally. Please advise the NDP Group to contact me if they wish to discuss this option further.

Affordable Housing Details:

On the assumption that the proposed NDP will seek to address the issue of future affordable housing delivery, the Affordable Housing Team recommends that the following issues be considered:

- o Tenure
- o Unit mix and size
- o Affordability
- o Delivery mechanisms and partners
- o Availability of funding
- o Phasing (should large sites be promoted)
- o Clustering arrangements (for mixed-tenure schemes)
- o The provision of flatted accommodation
- o Adapted/wheelchair accessible accommodation
- o Self-build (if identified as a local need)

All development proposals that deliver affordable housing should take account of: eligibility criterion, nominations procedures and housing allocation policies (i.e. HomeChoice) already in place by the Council in its role as Local Housing Authority.

If the NDP seeks to deliver affordable housing through site allocations or other mechanisms the following should be considered:

- o Neighbourhood Development Orders;
- o Land ownership, availability, and cost;
- o The deliverability of a site, having due regard to all material planning considerations;
- o Economic Viability

More Information

Applicants should be referred to the Affordable Housing NDP Briefing note and Supplementary Planning Document for detailed guidance.

Sarah Roberts
Senior Development Officer - Affordable Housing
Cornwall Council

Electoral Services – (no comment received)

Environment Agency – (no comment received)

Cornwall Area of Outstanding Natural Beauty Unit – (no comment received)

Natural England – (14th September 2016)

Designation request for undertaking a Neighbourhood Development Plan for the Parish of Lanner

Thank you for your letter dated 24/08/2016 notifying Natural England of the above Neighbourhood Planning Area.

Natural England does not wish to make comment on the suitability of the proposed plan area or the proposed neighbourhood planning body.

However we would like to take this opportunity to provide you with information sources the neighbourhood planning body may wish to use in developing the plan, and to highlight some of the potential environmental risks and opportunities that neighbourhood plans may present. We have set this out in the annex to this letter. Natural England's role

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. The local planning authority will be aware and should advise the neighbourhood planning body when Natural England should be consulted further on the neighbourhood plan.

Planning policy for the natural environment

Neighbourhood plans and orders present significant opportunities, but also potential risks, for the natural environment. Proposals should be in line with the National Planning Policy Framework. The key principles are set out in paragraph 109:

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

The neighbourhood planning body should also consider the natural environment policies in the area's Local Plan. The neighbourhood plan or order should be consistent with these, and the neighbourhood planning body may decide that the emerging Neighbourhood Plan should provide more detail as to how some of these policies apply or are interpreted locally.

The attached annex sets out sources of environmental information and some natural environment issues you may wish to consider as the neighbourhood plan or order is developed.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

Victoria Kirkham
Consultations Team

Historic England – (no comment received)

South West Water – (no comment received)

Network Rail – (no comment received)

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 Lanner Parish.

Lanner 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 Lanner 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 Lanner

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/>