

Landrake with St Erney Neighbourhood Development Plan Examination

Request for further information and questions from the Examiner to Cornwall Council and Landrake with St Erney Parish Council

I have carried out a preliminary review of the Neighbourhood Plan and the evidence submitted in support of it and there are a few matters where I need some clarification or further information. I would therefore be grateful if both Councils could assist me, as appropriate, in answering the following questions.

1. Conservation area

In the last paragraph on Page 1, under the Background to the Parish heading, reference is made to the centre of Landrake village being designated as a Conservation Area. However, this is not shown in Appendix 1, as the NDP suggests. I see that it is mapped on page 43 of the Summary of Evidence and Documentation, but it is rather small and difficult to read. Please can you supply an updated plan of the Conservation Area boundary – the scale which is used in appendix 4 to show the Development Boundary would be ideal?

Map attached.

2. Responses to Reg 14 and Reg 16 Consultation

In Section 10 of the Consultation Statement, it appears that responses were only received from statutory consultees at the Reg 14 consultation stage, with no responses from members of the public. Similarly, the list of Regulation 16 Consultation Responses – Collated - prepared by Cornwall Council – only includes responses from statutory consultees. Please can you confirm that this is correct?

This is correct for Reg 16 and Reg 14 consultations. See attached pre-submission consultation responses, you should already have the Reg 16 comments.

3. Development boundary

The new proposed development boundary shown in Appendix 4 includes land at Site A - West Lane within the development limit of the village. I understand that it was one of three sites which were considered for potential residential development in the landscape capacity assessment which noted that it had a potential capacity for around 20 dwellings. Were there any particular reasons why this site was not identified as a housing allocation in its own right, along with a site-specific policy to guide future development?

The main reasons for not identifying Site A on West Lane as a housing allocation rather than a potential site for development, are that the landowner has not as far as we know, defined the exact area that he may wish to sell and when (and indeed if) he might decide to put it on the market and secondly the opposition of parishioners to large developments in the village. On this second point we have been at pains to emphasize to our parishioners that no development is not an option but we believe that identifying a site for 20 houses could adversely influence the referendum. It is envisaged that a development of up to 10 houses together with infill elsewhere inside the existing settlement boundary and change of use would meet our requirement for 24 houses.

4. SEA /HRA Screening.

The second paragraph on page 15 of the Basic Conditions Statement states that a Screening Opinion has been issued by Cornwall Council but this is not included as Appendix C. Please can you send me a copy of the Screening Opinion and any other relevant documents, including any responses on this matter from the statutory bodies?

Relevant documents attached in the email. No response from the Environment Agency.

5. Human Rights Obligations

There does not seem to be any statement to explain how the the plan conforms, or otherwise, with EU Human Rights Obligations. Please can some appropriate explanatory wording be provided?

We wish to confirm that the policies in the plan accord with EU Human Rights obligations, for example the policies in the plan are equal to all individuals, and all residents in the Parish have had the right to a "fair hearing" through an effective and proportionate consultation process to reach out to different groups potentially affected. Consultation responses have been taken into account in a satisfactory manner during the processing of the plan.

6. Local Green Space designation (Policy 9)

Is there any supporting evidence to justify the designation of the three local green spaces designated in Policy 9 and Appendix 6? I am thinking particularly of paragraph 77 of the NPPF which says :

The designation should only be used:

- *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;*

The 3 green spaces are 1. The recreation field. 2. A childrens' playground and 3.The school field and farm.

In Landrake, where the vast majority of the parish residents reside, there is a paucity of safe, recreational space. The village is hemmed in by agricultural land and the residential roads and lanes are narrow and largely without pavements. The recreation field with it's full-size football pitch was the result of long and hard campaigning and fund-raising by parishioners. It is currently used as a training facility by a local youth team. The children's playground is the only safe, public area in the village for young children to play. The facilities are well-used by local youngsters and is part-way through refurbishment by the Parish Council. The school field is constantly used by both the school, as a recreation ground and for its educational farm, and the wider community. It has recently hosted the Landrake Carnival and Summer Fete

Many thanks for your assistance with these questions. Once I have received your responses, I may need to ask for further clarification or further queries may arise as the examination progresses.

Please note that these questions and requests for information is a public document and the answers and any associated documents will also be in the public domain. Both my questions and the responses should be placed on the Councils' websites as appropriate.

Many thanks.

Barbara Maksymiw

27 July 2018