

Lostwithiel Neighbourhood Development Plan

Examiner's Clarification Note

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a very clear and distinctive vision for the neighbourhood area. In particular it addresses a series of important issues in a positive and effective fashion.

The layout and presentation of the Plan is excellent. The various maps add to its depth and interest. The differences between the policies and the supporting text is very clear. The differences between the land use policies and the Community Actions/Aspirations is also clear. The separation of Parts One and Two is particularly helpful.

The combination of text, photographs, charts and maps maintains the interest of the reader throughout the document. It inspires confidence that it has been professionally prepared and can become a part of the development plan in Cornwall subject to it meeting the remaining legislative stages. In this context this clarification note raises matters of detail rather than of principle.

Points for Clarification

I have read the submitted documents and the representations made to the Plan and have visited the neighbourhood area. I am now in a position to raise issues for clarification with both the Town Council and Cornwall Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

Clarification Questions for Lostwithiel Town Council

Policy TT1

What is meant by 'communal use' within the approach taken towards the Liddicoat Road site (Figure 2.4)?

Does it relate to the site's relationship with Flood Zone 2 (paragraph 193)?

Policy TT3

The policy title reads in a misleading fashion as it focuses on just one aspect of the policy approach. Do you agree?

Is the proposal for a footbridge of a general nature or does it relate to the wider proposals set out in paragraph 199?

What is meant by 'other railway uses'?

Policy CR3

Has the Town Council undertaken an assessment of the relationship between the various proposed Local Green Spaces and the three criteria in the NPPF on this matter? I can see that paragraph 207 of the Plan refers to evidence. However, the references are to the results of the community questionnaire.

Policy CR4

I can see the context to the policy in paragraph 208.

What was the rationale for identifying the School playing fields as a separate policy from Policy CR3?

How will 'greater public access' be achieved into the site? Is this issue a land use matter or should it be a community action/aspiration?

Clarification Questions for Cornwall Council*SEA/HRA Screening*

The representation from Historic England raises issues about the extent to which the Council adequately screened the Plan in general and Policies HH2 and TT1-TT3 in particular.

Please can the Council comment on the process which it followed on this matter.

Cornwall Council initially screened a draft of the Lostwithiel NDP in August 2017. Historic England agreed with the conclusion that SEA was not required, based on the position that the NDP drew a development boundary, but did not identify specific sites for development, thus allowing protection of any historic assets to be controlled through strategic policies at application stage; but asked some questions about the car park allocations policies around the station. As noted within the screening opinion decision, these comments were considered and potential impacts on historic assets were examined in detail. Taking advice from the Historic Environment Strategy Officer, Cornwall Council concluded that there would be no significant impacts on the historic environment arising from these sites and issued the screening decision, with specific reference to this. Historic England was informed of the decision and of the steps that Cornwall Council had taken.

Subsequently the proposed settlement boundary for Lostwithiel was amended and the amount of land within it was reduced. Historic England commented, appearing to change their stance on development boundaries. In response to this Cornwall Council reviewed the SEA/HRA Screening, with reference to the amended NDP and the additional evidence base work and using the local expertise of the Historic Environment Strategy Officer. This review concluded that the screening opinion was still that SEA and HRA were not required. This decision was based upon advice from Planning Policy Officers and the Historic Environment Strategy Officer and where the extent of land within the Development Boundary was reduced and not increased.

Settlement Boundary/Cells

Please can the Council provide information on any extant planning permissions/current planning applications within the following Cells proposed to be included within the Development Boundary:

Cells 11/12/21/22

Cell 11 –

- PA14/05685 - Outline application (all matters reserved) for the erection of up to 50 residential units to include affordable housing – Approved with conditions.
- PA18/05607 - Outline application (all matters reserved) for the erection of 50 residential units to include affordable housing – Pending consideration

Cell 12 – None

Cell 21 – None

Cell 22 - None

Former Railway line from Lostwithiel to Fowey

This matter is raised in the representation from Peter and Jane Santo Warner. I have raised its contents with the Town Council in the Representations section below.

Are there any emerging proposals either in the Plan period (or indeed beyond) to open up the former railway line for railway/sustainable travel/recreational uses?

Cornwall Council Transport Officer Response –

We have recently been approached by Network Rail about the sidings at Lostwithiel station that link to the Fowey line. These are currently unused and we are in discussions with them about whether further station car parking would be an appropriate use of the land.

The branch line itself is used by china clay freight and the occasional steam train. There is local interest in getting passenger trains back on the line but this is not something we are actively pursuing at the moment.

Representations

Does the Town Council have any comments on the various representations made to the Plan in general, and to the following two in particular?

- Mr Marwood (Development Boundary)
- Peter and Jane Santo Warner (Policy TT2)

Protocol for responses

I would be grateful for comments by 7 November 2018.

Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis.

Irrespective of how the information is assembled please could it all come to me directly from Cornwall Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Lostwithiel Neighbourhood Development Plan.

25 October 2018