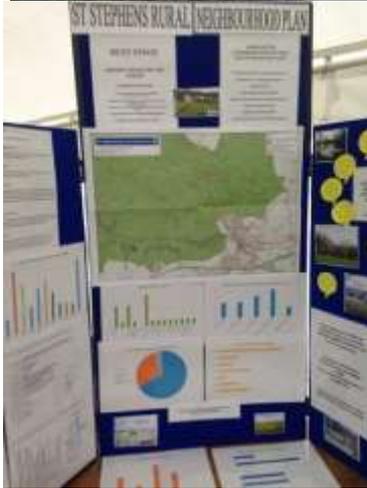


**St Stephen By
Launceston Rural
Parish
Neighbourhood
Development
Plan
2018-2030**



SUPPLEMENTARY DOCUMENTS

BASIC CONDITIONS STATEMENT

November 2018

Contents

Basic Conditions Statement	3
1. Introduction	3
2. Legal Framework.....	3
3. The Basic Conditions	4
4. Meeting the Basic Conditions	5
a. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan)	5
d. The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.....	11
e. The making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).....	11
f. The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.....	21
g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan)....	21
List of Appendices	22

Basic Conditions Statement

1. Introduction

This Basic Conditions Statement has been prepared by James Evans BA (Hons) AssocRTPI of Evans Planning, an Independent Planning Consultancy based in Cornwall for the St Stephen by Launceston Rural Neighbourhood Development Plan (SNDP) on behalf of St Stephen by Launceston Rural Parish Council.

The area has been designated a qualifying area and the Parish Council is a qualifying body, please see Appendix A for the Cornwall Council designation letter.

This Basic Conditions Statement is submitted to Cornwall Council under Regulation 15(1)(d) and Regulation 22(1)(e) of the Neighbourhood Planning (General) Regulations 2012 (as amended) to demonstrate that the SNDP meets the legislative basic conditions contained with the Parish and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004 (as amended) to enable the SNDP to be put to a referendum.

2. Legal Framework

Regulation 15 of Part 5 of Neighbourhood Planning (General) Regulations 2012 (as amended) sets out the requirements for the qualifying body submitting an NDP to the local planning authority as follows:

15. (1) Where a qualifying body submits a plan proposal to the local planning authority it must include –

- a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;*
- b) a consultation statement;*
- c) the proposed neighbourhood development plan; and*
- d) a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.*

Part (a) is provided within Appendix B of this statement and includes the application, map and designation decision notice.

Parts (b) and (c) have been prepared and accompany this statement as part of the submission.

The requirements for part (d) in respect of neighbourhood development plans are that the SNDP meets the basic conditions as outlined overleaf.

3. The Basic Conditions

Only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Parish and Country Planning Act 1990 (as amended) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (as amended). The basic conditions are:

- a. **having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).**
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
- d. **the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.**
- e. **the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).**
- f. **the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.**
- g. **prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).**

In this regard, we are dealing specifically with a Neighbourhood (Development) Plan. Thereby the conditions outlined under sections b. and c. referred to above, which apply only to Orders are not relevant in this case.

Over the following pages it will be demonstrated how the Regulation 16 SNDP meets each of relevant conditions outlined above.

4. Meeting the Basic Conditions

a. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan)

Throughout the preparation of the SNDP and having regard as to appropriateness to make the plan, regard has been had to '*national policies and advice contained in guidance issued by the Secretary of State.*'

Principally this has related to the policies contained within the National Planning Policy Framework (NPPF) and the Government's National Planning Practice Guidance (NPPG), the latter of which provides further up to date guidance on the application of policies in the NPPF in response to on-going advice from Central Government and relevant case law.

The Ministry of Housing, Communities and Local Government has published the revised NPPF in July 2018. This is the first revision of the National Planning Policy Framework since 2012. It implements around 85 reforms announced previously through the Housing White Paper, the planning for the right homes in the right places consultation and the draft revised National Planning Policy Framework consultation.

Turning to the sections of the July 2018 NPPF for delivering sustainable development, we have taken each policy in turn and highlighted the relevant sections applicable to each of the SNDP policies and how the policy has had appropriate regard to their policy direction.

NPPF 2018 Sections:

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications
11. Making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment
17. Facilitating the sustainable use of minerals

Table 1: Having Regard to National Policy and Advice

SNDP Policy	Applicable NPPF Sections for reference	Explanation of how the policy has regard to the National Policy and Guidance
Housing Policies		
Policy 1 The Housing Target	Delivering a sufficient supply of homes (paragraphs 59-79)	The policy provides a housing target for the Parish in line with the guidance provided by Cornwall Council. Policy 1. 2 outlines the approach to housing development in the Parish once the housing target is met and focuses on delivering rural exception sites only in line with paragraph 77 of the NPPF.
Policy 2 Location and Scale for New Housing Development	Promoting sustainable transport (paragraphs 102-111) Delivering a sufficient supply of homes (paragraphs 59-79)	The Policy directs housing to sustainable locations acknowledging the rural location of the Parish and to distinguish between locations suitable for market-led housing development and affordable housing -led rural exception sites in accordance with paragraphs 77-79 and 108 of the NPPF. Policy 2:4 outlines the scale of growth suitable in the Parish acknowledging the small scale and sustainable of the settlements.
Policy 3 Succession Housing on Farms	Delivering a sufficient supply of homes (paragraphs 59-79) Building a strong, competitive economy (paragraphs 80-84)	Policy supports succession housing on established farming enterprises subject to set criteria in accordance with paragraph 83 of the NPPF which seeks to <i>‘enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;’</i> and <i>‘b) the development and diversification of agricultural and other land-based rural businesses;’</i> Furthermore paragraph 79 of the NPPF supports new dwellings in the open countryside where there is <i>‘there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.’</i>
Policy 4 Principle Residency Condition to be attached to All New-build Dwellings	Delivering a sufficient supply of homes (paragraphs 59-79)	Policy seeks to limit the use of new housing to full time occupancy to ensure the future vitality of the settlements and the parish in response to local need as acknowledged through paragraph 77 of the NPPF <i>‘In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.’</i>
Policy 5 Housing Size and Layout	Delivering a sufficient supply of homes (paragraphs 59-79) Achieving well-designed places (paragraphs 124-131)	In accordance with the objectives of paragraph 77 of the NPPF by encouraging development that responds to the identified local needs. Paragraph 124 of the NPPF additionally outlines that <i>‘The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better</i>

SNDP Policy	Applicable NPPF Sections for reference	Explanation of how the policy has regard to the National Policy and Guidance
<i>places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.'</i>		
Infrastructure Policies		
Policy 6 Community Infrastructure Levy (CIL) local Element	Achieving sustainable development Decision – making (paragraphs 39-59)	Paragraph 8 of the NPPF under the economic role of sustainable development <i>outline ‘an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.’</i> The policy provides a local list of projects that are direct to delivering the social and economic needs for the Parish and are linked to the 25% CIL contribution.
Policy 7 Infrastructure and Facilities	Achieving sustainable development Decision – making (paragraphs 38-58)	In line with the above, the policy requires development to be brought forward in line with the required infrastructure to deliver it as per paragraph 8 of the NPPF.
Built Environment Policies		
Policy 8 Design Principles	Achieving well-designed places (paragraphs 124-131)	Paragraph 124 outlines that <i>‘The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.’</i> Furthermore, Paragraph 125 explains that <i>‘Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.’</i> The purpose of this policy is to provide those objectives by seeking development to demonstrate how it has positively to the characteristics and key feature of the Parish. The policy does not stifle innovation in line with paragraph 127 of the NPPF. However, it does seek to reinforce local distinctiveness.

SNDP Policy	Applicable NPPF Sections for reference	Explanation of how the policy has regard to the National Policy and Guidance
		<p>Paragraph 127 of the NPPF explains that <i>Planning policies and decisions should ensure that developments:</i></p> <ul style="list-style-type: none"> <i>a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;</i> <i>b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;</i> <i>c) <u>are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);</u></i> <i>d) <u>establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;</u></i> <i>e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and</i> <i>f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'</i>
Historic Environment Policy		
Policy 9 Non-designated Heritage Assets	<p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>The policy acknowledges the value of both designated and non-designated assets in the parish in line with Section 16 of the NPPF.</p> <p>Paragraph 129 of the NPPF which explains that <i>'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'</i></p> <p>The policy also reflects the direction in paragraph 192 of the NPPF to not only take account of <i>'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'</i> but to acknowledge <i>'the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality'</i>; and <i>'the desirability of new development making a positive contribution to local character and distinctiveness'</i></p>
Natural Environment Policies		

SNDP Policy	Applicable NPPF Sections for reference	Explanation of how the policy has regard to the National Policy and Guidance
Policy 10 Development in, or within the setting of the Area of Great Landscape Value (AGLV)	Conserving and enhancing the natural environment (paragraphs 170-183)	<p>The whole of the Parish is considered to be a valued landscape as referred to under paragraph 170 of the NPPF which includes the locally designated Area of Great Landscape Value (AGLV).</p> <p>The policy directs development to demonstrate accordance with the landscape evidence base covering the Parish which includes the County produce Landscape Character Assessments (LCA).</p>
Policy 11 Safeguarding and enhancing Biodiversity Through Development	Conserving and enhancing the natural environment (paragraphs 170-183)	The policy seeks to deliver the objectives of paragraphs 170 and 174-177 of the NPPF by seeking to minimise impacts on wildlife designations of national, regional and local value.
Commercial and Economic Policies		
Policy 12: Employment Development	<p>Building a strong, competitive economy (paragraphs 80-84)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	Acknowledging the rural location of the Parish the policy seeks to support economic development in sustainable locations in accordance with paragraph 83 – 84 of the NPPF.
Policy 13 Commercial Development in Dutson	<p>Building a strong, competitive economy (paragraphs 80-84)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>A site specific policy that supports the continued commercial development at Homeleigh Garden Centre at Dutson in line with paragraph 83 of the NPPF which amongst other factors supports:</p> <p><i>‘the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new building’ and ‘the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.’</i></p>
Community Policies		
Policy 14 Local Green Space Designation-	<p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p>	A site specific designation identified as Local Green Space designations as supported through paragraph 76 of the NPPF and in accordance with the criteria outlined under paragraphs 99-101 of the NPPF.

SNDP Policy	Applicable NPPF Sections for reference	Explanation of how the policy has regard to the National Policy and Guidance
Truscott Parish Ponds and Verges		
Policy 15 Local Green Space Designation- Langore Village Green, Copse and Recreation Ground	Promoting healthy and safe communities (paragraphs 91-101) Conserving and enhancing the natural environment (paragraphs 170-183)	A site specific designation identified as Local Green Space designation as supported through paragraph 76 of the NPPF and in accordance with the criteria outlined under paragraphs 99-101 of the NPPF.
Policy 16 Footpaths and Access	Promoting healthy and safe communities (paragraphs 91-101)	Policy seeks to deliver and safeguard safe and accessible routes across the parish supported through paragraph 91 and 96 of the NPPF.
Renewable Energy		
Policy 17 Renewable Energy	Meeting the challenge of climate change, flooding and coastal change (paragraphs 148-169) Conserving and enhancing the natural environment (paragraphs 170-183)	Policy seeks to encourage the delivery of appropriate renewable energy development in the Parish, but requires medium/ larger scale proposal to outline through evidence how they have responded appropriately to the character of the area. The policy accords with paragraph 148 of the NPPF which reads <i>'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure'</i> whilst acknowledging paragraph 170 of the NPPF with regard to valued landscapes.

NB. A number of the sections in the NPPF are not applicable to the SNDP area or do not have a directly relevant policy within the document as the relevant planning policy considerations are already considered to be adequately managed through policies in the NPPF and/ or the adopted Cornwall Local Plan.

d. The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

From its starting point, the SNDP has been prepared with a clear understanding of the requirement for achieving sustainable development as outlined in paragraphs 6- 17 of the NPPF.

Table 1 on the preceding pages demonstrates how the SNDP has had regard to the policies in the NPPF which deliver sustainable development. In addition, Table 2 on the subsequent pages outlines how the SNDP demonstrates conformity with the Cornwall Local Plan.

The SNDP as a result clearly contributes to achieving sustainable development by seeking to protect and enhance what is valuable to the community whilst allowing for development that contributes to supporting a strong, vibrant and healthy Parish and building a strong, responsive and competitive rural economy.

Thereby the SNDP policies seek to achieve sustainable development by seeking jointly and simultaneously the three mutually dependent roles of sustainable development - economic, social and environmental – and the interplay between them.

e. The making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The single development plan for the area is the Cornwall Local Plan (CLP). The CLP was adopted by Cornwall Council on the 22 November 2016.

The CLP contains the following strategic policies:

Policy 1 Presumption in favour of sustainable development

Policy 2 Spatial strategy

Policy 2a Key targets

Policy 3 Role and function of places

Policy 4 Shopping, services and community facilities

Policy 5 Jobs and skills

Policy 6 Housing mix

Policy 7 Housing in the countryside

Policy 8 Affordable housing

Policy 9 Rural Exception Schemes

Policy 10 Managing viability

Policy 11 Gypsies, Travellers and Travelling Showpeople

Policy 12 Design

Policy 13 Development standards

Policy 14 Renewable and low carbon energy

- Policy 15 Safeguarding renewable energy
- Policy 16 Health and wellbeing
- Policy 17 Minerals – general principles
- Policy 18 Minerals safeguarding
- Policy 19 Strategic waste management principles
- Policy 20 Managing the provision of waste management facilities
- Policy 21 Best use of land and existing buildings
- Policy 22 European protected sites
- Policy 23 Natural environment
- Policy 24 Historic environment
- Policy 25 Green infrastructure
- Policy 26 Flood risk management and coastal change
- Policy 27 Transport and accessibility
- Policy 28 Infrastructure

Table 2 overleaf provides a summary of how each of the SNDP policies align with the applicable policies in the CLP to demonstrate the '*general conformity*' of the SNDP with the strategic policies for the area, being those in the CLP.

Table 2 Demonstrating Conformity with the Strategic Policies in the Development Plan for the Area

SNDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
Housing Policies		
<p>Policy 1 The Housing Target</p>	<p>Policy 2a Key targets Policy 3 Role and function of places</p>	<p>The policy seeks to provide an indicative target for the Parish over the lifetime of the plan to respond to the minimum housing number for the Community Network Area (CNA) as outlined in policy 2A and 3 of the CLP. Policy 2A of the CLP seeks to <i>‘provide homes in a proportionate manner where they can best meet need’</i> and identifies a housing apportionment target for the Launceston CNA residual in which the Parish is located of 500 homes.</p> <p>Updates to Table 1 to Policy 3 of the CLP provided by Cornwall Council explains that for the Launceston CNA residual of the 500 home apportionment, 197 homes have been completed between 2010-2017 and a further 140 have planning permission. Cornwall Council have advised that the remaining housing requirement for a CNA should be pro rata distribution based upon households amongst the CNA parishes by taking the 2010 apportionment of 500, however any Parishes that have a principal settlement wholly within the AONB are excluded from the proportionate distribution.</p> <p>Based upon this approach the Council have advised that St Stephen by Launceston Rural Parish contains 4% of the households of the CNA and minus 12 completions or commitments within the Parish boundary have agreed that based upon this approach the apportionment the Parish from 2018-2030 will be a further target of 7 dwellings.</p> <p>The Draft SNDP policies seek to provide a target of 7 dwellings over the lifetime of the plan. However, it allows for further development beyond this target if it demonstrates that it responds to identified needs in the Parish. Thereby the LNP policy achieves the proportionate distribution to the Parish whilst allowing for further development where appropriately justified. This approach complies with Policy 2A which seeks to <i>‘provide homes in a proportionate manner where they can best meet need.’</i></p>
<p>Policy 2 Location and Scale for New Housing Development</p>	<p>Policy 2 Spatial strategy Policy 2a Key targets Policy 3 Role and function of places Policy 7 Housing in the countryside Policy 8 Affordable housing Policy 9 Rural Exception Schemes</p>	<p>The supporting text to Policy 3 of the CLP states that the <i>‘majority of parishes that do not have a town or village named in Policy 3 can meet the remaining housing requirement through the following:</i></p> <ol style="list-style-type: none"> 1. Existing sites with planning permission; 2. Infill; 3. Small scale rounding off;

SNDP Policy

Applicable Local Plan Strategic Policy

Explanation of how the policy is in general conformity with the development plan

- 4. *The development of previously developed land within or adjoining settlements;*
- 5. *Rural exception sites’.*

No settlement within the Parish is named in policy 3.

Policy 3 itself states that:

‘Outside of the main towns identified in this Policy, housing and employment growth will be delivered for the remainder of the Community Network Area housing requirement through;

- *identification of sites where required through Neighbourhood Plans*
- *rounding off of settlements and use of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role;*
- *infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside. Proposals should consider the significance or importance that large gaps can make to the setting of settlements and ensure that this would not be diminished;*
- *rural exception sites under Policy 9’ (our emphasis)*

As a result, the approach to delivering the housing apportionment outlined in policy 1 of the SNDP is as follows and, for the reasons outlined is considered to confirm with the Local Plan and in particular policy 3 as outlined above:

- *identification of sites where required through Neighbourhood Plans (our emphasis)*

No specific sites have been identified in the Neighbourhood Plan due to the small-scale nature of the housing apportionment figure and the expected delivery of the apportionment over the lifetime of the plan period based upon the past build rates/ commitments.

- *rounding off of settlements and use of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role;*

The Policy is accompanied by a plan with a defined settlement boundary for Langore which aligns with the Local Plan definition of rounding off and previously developed land to make clear where this policy approach in the

SNDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p>Local Plan applies too. Whilst no settlement boundary is drawn for Dutson, the policy allows for development within this settlement subject to accordance with the detail in policy 3 of the Local Plan.</p> <ul style="list-style-type: none"> <p><i><u>infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside. Proposals should consider the significance or importance that large gaps can make to the setting of settlements and ensure that this would not be diminished;</u></i></p> <p>As per above the Policy is accompanied by a plan with a defined settlement boundary for Langore and encourages development at Dutson which align with the Local Plan definition of infill.</p> <p><i><u>rural exception sites under Policy 9</u></i></p> <p>The defined settlement boundary to Langore makes clear where the infill/ rounding off etc ends with regard to this settlement and therefore where rural exceptions sites as supported under Policy 9 of the Cornwall Local Plan apply. With Dutson the approach will be as per the definitions in the Local Plan.</p> <p>Thereafter policy 7 of the Cornwall Local Plan – housing in the countryside will apply.</p> <p>The policy also applies a limit to the scale of development. This limit directly responds to paragraph 1.68 of the Local Plan which states:</p> <p><i>'In smaller villages and hamlets in which 'infill' sites <u>of one-two housing units are allowed</u>'.</i></p> <p>As the settlements on the Parish are clearly smaller villages, the limit of one or two is embedded in this policy.</p>
<p>Policy 3 Succession Housing on Farms</p>	<p>Policy 2 Spatial strategy Policy 2a Key targets Policy 3 Role and function of places Policy 5 Jobs and skills Policy 7 Housing in the countryside</p>	<p>Paragraph 2.7 of the Local Plan explains that <i>'Cornwall's agricultural sector accounts for almost 10,699 jobs and 3% of the GVA for Cornwall. Overall, it is estimated that Cornwall's agricultural sector contributes more than £244m to the gross domestic product of Cornwall. Agriculture also adds considerably to the management of our landscape, upon which tourism relies. It also supplies our food. Supporting the continued growth of the agricultural sector and supporting diversification of the industry will be critical to the Cornwall's future, long term prosperity.'</i></p>

SNDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p>Paragraph 2.37 highlights that <i>‘Development, particularly providing homes that meets needs arising from activities that require an essential, functional presence in the rural environment will be supported.’</i></p> <p>Policy 3 provides for much needed succession housing on farms and requires proposals to demonstrate the functional need for the dwelling alongside outlining the viability of the farming enterprise as per the above requirements in support of the primary economy in the Parish.</p>
<p>Policy 4 Principle Residency Condition to be attached to All New-build Dwellings</p>	<p>Policy 2a Key targets Policy 3 Role and function of places</p>	<p>The policy seeks to limit new housing being used for holiday accommodation and thus providing full time occupancy accommodation in line with Policy 2a of the Local Plan which requires that <i>‘the Local Plan will provide homes in a proportionate manner where they can best meet need and sustain the role and function of local communities and that of their catchment’</i>; Policy 2a 1 which seeks <i>‘to deliver sufficient new housing of appropriate types to meet future requirements’</i> and Paragraph 1.32 as supporting text to Policy 3 explains that <i>‘development would be expected to <u>focus upon meeting local need and supporting the sustainability of smaller communities’</u>.</i></p>
<p>Policy 5 Housing Size and Layout</p>	<p>Policy 2a Key targets Policy 3 Role and function of places Policy 6 Housing mix Policy 7 Housing in the countryside Policy 8 Affordable housing Policy 9 Rural Exception Schemes Policy 11 Managing viability</p>	<p>Policy seeks all housing development that comes forward whether full market or affordable housing to provide the size and type of accommodation needed in the Parish –ie size based upon number of bedrooms and type based upon end user needs – for example bungalows for the elderly or infirm.</p> <p>Policy 2a requires that <i>‘the Local Plan will provide homes in a proportionate manner where they can best meet need and sustain the role and function of local communities and that of their catchment’.</i></p> <p>Policy 2a 1 seeks <i>‘to deliver sufficient new housing of appropriate types to meet future requirements’.</i></p> <p>Paragraph 1.32 as supporting text to Policy 3 explains that <i>‘development would be expected to focus upon meeting local need and supporting the sustainability of smaller communities’.</i></p>

SNDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
<p>Policy 6 refers to <i>‘new housing developments of 10 dwellings or more should include an appropriate mix of house sizes, type, price and tenure to address identified needs and market demand and to support mixed communities’.</i></p>		
<p>Infrastructure Policies</p>		
<p>Policy 6 Community Infrastructure Levy (CIL) local Element</p>	<p>Policy 28: Infrastructure</p>	<p>This policy provides a link to the local list of projects for which the 25% CIL monies will be directed, in line policy 28 of the Local Plan.</p>
<p>Policy 7 Infrastructure and Facilities</p>	<p>Policy 28: Infrastructure</p>	<p>The NDP policy seeks to reinforce policy 28 of the Local Plan after concerns have been raised through the NDP process about infrastructure provision.</p> <p>Policy 28 requires that <i>‘Development will be permitted where it would:</i></p> <ol style="list-style-type: none"> <i>1. Be supported by appropriate infrastructure provided in a timely manner; and</i> <i>2. Provide on-site mitigation measures or make financial contributions for site specific infrastructure provision not in the Regulation 123 list, including maintenance and management contributions to be negotiated on a site-by-site basis’.</i>
<p>Built Environment Policies</p>		
<p>Policy 8 Design Principles</p>	<p>Policy 13: Design</p>	<p>Policy 13.1. a. requires development to create <i>‘places with their own identity and promoting local distinctiveness while not preventing or encouraging appropriate innovation. Being of an appropriate scale, density, layout, height and mass with a clear understanding and response to its landscape, seascape and townscape setting’.</i></p> <p>The propose NDP policy seeks to encourage appropriate design for the village in accordance with the above.</p>
<p>Historic Environment Policy</p>		
<p>Policy 9 Non-designated Heritage Assets</p>	<p>Policy 24 Historic environment</p>	<p>Policy 24 Historic Environment supports development proposals that <i>‘sustain the cultural distinctiveness and significance of Cornwall’s historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings’</i></p>

SNDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
<p>The principles of the NDP policy which require development proposals to respect intrinsic architectural and historical value, design and distinct physical features; and its setting and contribution to the local scene of undesignated heritage assets is in accordance with the policy approach outlined above.</p>		
<p>Natural Environment Policies</p>		
<p>Policy 10 Development in, or within the setting of the Area of Great Landscape Value (AGLV)</p>	<p>Policy 23 Natural environment</p>	<p>Policy 23. 1. Natural Environment outlines that <i>‘development proposals will need to sustain local distinctiveness and character and protect and where possible enhance Cornwall’s natural environment and assets according to their international, national and local significance’</i>.</p> <p>The AGLV has a local landscape designation.</p> <p>The NDP policy seeks development to respond to local landscape character and reflect the identity of the local surroundings by taken on board the evidence base contained within the Landscape Character Assessments (LCA) covering the area.</p>
<p>Policy 11 Safeguarding and enhancing Biodiversity Through Development</p>	<p>Policy 23 Natural environment</p>	<p>Policy 23. 3 requires that <i>‘development should conserve, protect and where possible enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance’</i></p> <p>The policy approach in the NDP seeks to resist development which would significantly harm any of the nature conservation sites and require appropriate mitigation if such harm is identified.</p>
<p>Commercial and Economic Policies</p>		
<p>Policy 12: Employment Development</p>	<p>Policy 3 Role and function of places Policy 5 Jobs and skills</p>	<p>Policy 2 Spatial Strategy of the Local Plan outlines employment figures to be provided for in the Launceston CNA but does not sub divide this between the main towns and the residual CNA – therefore there is one overall target. The policy 2. 3. B. seeks to provide <i>‘homes and jobs in a proportionate manner’</i>.</p> <p>Policy 5: Business and Tourism of the Local Plan calls for employment sites to be located – <i>‘well integrated to our city, towns and villages’</i> (policy 5. 1. A.) and <i>‘in the countryside and smaller rural settlements be of a scale appropriate to tis location or demonstrate an</i></p>

SNDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p><i>overriding locational and business need to be in that location such as farm diversification' (policy 5 . 1. C.).</i></p> <p>The policy wording seeks to encourage appropriate employment development that responds to local circumstances and is located within or close to the settlement to ensure the use is not isolated.</p>
<p>Policy 13 Commercial Development in Dutson</p>	<p>Policy 3 Role and function of places</p> <p>Policy 5 Jobs and skills</p>	<p>As per Policy 12 the policy wording seeks to encourage appropriate employment and commercial development specifically in relation to the local circumstances at Homeleigh Garden Centre at Dutson.</p>
<p>Community Policies</p>		
<p>Policy 14 Local Green Space Designation- Truscott Parish Ponds and Verges</p>	<p>Policy 16: Health and wellbeing</p> <p>Policy 25 Green infrastructure</p>	<p>Policy 25. 5 Green Infrastructure seeks to provide <i>'accessible and good quality open space and where applicable improved access to coastal space'</i>. Policy 25. 7. Outlines that <i>'in exceptional circumstances where retention of the most important green infrastructure assets and connections is outweighed by the benefits arising from the development proposals and they can not be retained on site, the loss resulting from the proposed development should be replaced by equivalent or better provision in terms of quantity and quality and ecological or open space value that enhances the provision of ecosystem services in a suitable location'</i>.</p> <p>The Local Green space designation contained in this policy responds directly to paragraph 76 – 78 of the NPPF by safeguarding recreational areas and green spaces that meet the criteria contained in paragraph 77 of the NPPF. Thus seeking to protect the most important green infrastructure assets to the local community in accordance with the Local Plan policy 25.</p>
<p>Policy 15 Local Green Space Designation- Langore Village Green, Copse and Recreation Ground</p>	<p>Policy 16: Health and wellbeing</p> <p>Policy 25 Green infrastructure</p>	<p>Policy 25. 5 Green Infrastructure seeks to provide <i>'accessible and good quality open space and where applicable improved access to coastal space'</i>. Policy 25. 7. Outlines that <i>'in exceptional circumstances where retention of the most important green infrastructure assets and connections is outweighed by the benefits arising from the development proposals and they can not be retained on site, the loss resulting from the proposed development should be replaced by equivalent or better provision in terms of quantity and quality and ecological or open space value that enhances the provision of ecosystem services in a suitable location'</i>.</p>

SNDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p>The Local Green space designation contained in this policy responds directly to paragraph 76 – 78 of the NPPF by safeguarding recreational areas and green spaces that meet the criteria contained in paragraph 77 of the NPPF. Thus seeking to protect the most important green infrastructure assets to the local community in accordance with the Local Plan policy 25.</p>
<p>Policy 16 Footpaths and Access</p>	<p>Policy 16: Health and wellbeing Policy 25 Green infrastructure</p>	<p>The policy seeks to safeguard existing and encourage new footpath links in the Parish in accordance with the following policies from the Local Plan.</p> <p>Policy 16.3 seeks to <i>‘Maximise the opportunity for physical activity through the use of open space, indoor and outdoor sports and leisure facilities and providing or enhancing active travel networks that support and encourage walking, riding and cycling.’</i></p> <p>Policy 25 of the Local Plan seeks the <i>‘Retaining and enhancing the most important environmental infrastructure assets and connections that contribute to the functionality of networks of ecosystems and our Strategic Environmental Infrastructure Network in their existing location.’</i></p>
<p>Renewable Energy</p>		
<p>Policy 17 Renewable Energy</p>	<p>Policy 14: Renewable and low carbon energy Policy 23: Natural Environment</p>	<p>Supported by Policy 14 of the Local Plan which encourages renewable energy deliver but acknowledged that care is required in terms of landscape integration as per policy 23.</p>

NB. A number of the policies in the CLP are not applicable to the SNDP area or do not have a directly relevant policy within the document as the relevant planning policy considerations are already considered to be adequately managed through policies in the NPPF and/ or the Cornwall Local Plan.

f. The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

In this regard the National Planning Practice Guidance explains that there are four directives that may be of particular relevance to neighbourhood planning:

- *Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive).*
- *Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive).*
- *Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).*

In the case of *Directive 2001/42/EC* the SNDP a screening opinion was obtained from Cornwall Council in terms of the need for Strategic Environmental Assessment (SEA) whereby it was concluded that a SEA was not required. See decision letter at Appendix C).

With regard to *Directive 2011/92/EU* the SNDP does not in itself propose any projects that are likely to have significant environmental effects. Compliance with this directive is more relevant to Neighbourhood Development Orders.

Turning to *Directive 92/43/EEC* and *Directive 2009/147/EC* these seek to protect and improve Europe's most important habitats and species. As part of the screening request for the SEA a Habitat Regulation Assessment Screening request was also submitted and it was concluded that not HRA was required. Thereby it has been concluded that the SNDP is compatible with the above Directives.

g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out a further basic condition for a Neighbourhood Development Plan in addition to those set out in the primary legislation. Being that:

- the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)

Through the Submission of the Screening request for the SEA and the HRA it has been established that the SNDP is not likely to have a significant effect on a European site or a European offshore marine site.

List of Appendices

Appendix A: Cornwall Council Designation Letter

Appendix B: Designation letter and map which identifies the area to which the proposed neighbourhood development plan relates

Appendix C: Decision letter from Cornwall Council in response to the screening request to determine if the Plan requires an SEA or a HRA.