

Dear All,

The following questions are asking for clarification or further information on aspects of the Luxulyan NP ('the Plan'). I would assume that question 1 in particular will be best answered by Cornwall Council, while the others are perhaps directed to the Parish Council and Steering Group primarily, but I will be interested in the views of the LPA as well particularly on questions 6 and 7.

1. I understand the former Restormel Borough Local Plan has a few saved policies still current, and are thus part of the development plan still. Will these all be replaced by the emerging site allocation DPD?

CC response: The saved policies of the former Restormel Local Plan are in Appendix 3 of the [Cornwall Local Plan](#) and you can view the [Restormel Borough Saved Policies](#) here.

Of these Policy 14 – Areas of Great Landscape Value is a general policy which will be replaced in a future review of the Cornwall Local Plan. The other saved policies are for site allocations, none of which fall within Luxulyan parish and are replaced either by the Site Allocations DPD (for St Austell) or the Newquay neighbourhood plan.

2. References in the Plan to NPPF paras are to the 2019 version (it has had minor revision recently). However as the Plan was submitted before Jan24th 2019 it is the NPPF2012 version that it has to comply with (new NPPF para 214 of Appendix 1 and footnote 69). For future proofing the document I am happy that it mentions both, unless you would rather keep to one version, in which case it will have to be the NPPF2012 version.

NP steering group responses (in red): happy to include all, the LNDP was produced under the 2012 and 2018 versions.

3. Policy LH1 requires 'appropriate' design features, but there is no reference to guidance on this. Would referring to the Cornwall Council Design Guide be useful here – a document you do reference in your list of Reference Documents.

Yes, it would, in particular Sections 1-3 which can be located at: - <https://www.cornwall.gov.uk/media/3626679/CDG-Sections-1-2-3.pdf>

4. I am unclear what the last sentence of para 8.6 in the Plan intends? Are all new dwellings on exception sites to be built within the curtilage of existing properties? A curtilage is a specific planning term, as you are probably aware. Is the meaning here rather that the new dwellings need to relate well to the existing surrounding built form?

Paragraph 8.6 - The intention is that the new dwellings need to relate well to the existing surrounding built form; strictly within an existing 'curtilage' may not be practical or necessary. A rewording to 'dwellings need to relate well to the existing surrounding built form' would be better.

The intention is the encouragement of primarily self-build single affordable homes on farmsteads or hamlets, not small RP led developments as CLP Policy 9 can seem to imply or apply to sites that may not meet the full infill and rounding off criteria. Larger RP led schemes, typically for economic reasons are 20+ homes, only two such Policy 9 compliant schemes in the past 20 years in the Plan area, of which one has partially been delivered. There are currently no others that the Parish Council are aware of. The LNDP seeks to provide a local context for the application of CLP Policy 9 in a way which individuals can understand and use. It appears that the extensive editing of the LNDP that has occurred may have slightly altered the context for these policies, Policy LH1 is certainly meant to apply to infill and rounding off around the larger and named settlements, as referenced in the Chief Planning Officer's guidance at <https://www.cornwall.gov.uk/media/30558877/cpoan-infill-rounding-off-4-12-17.pdf>

Policy LH2 is also seeking to provide only affordable homes but focusing entirely on single plots or homes at the smallest scale possible, while avoiding isolated plots as implied by the text at paragraph 2.61 of the CLP.

5. Policy LH2 criteria 2 states that "the (development) proposal should be well-related to existing hamlets." However Luxulyan is a village – would 'settlement' be a better term here than 'hamlet'?

The application of Policy LH2 would have a wider context throughout the Plan area than around the village of Luxulyan, the use of 'hamlet' is referred to in paragraph 2.61 of the CLP and 'settlement' is also used but to refer to a larger place, the use of settlement may not clarify the distinction.

6. Policy LH4 seems to me to be mixing the provision of market housing suited to the elderly, with potential provision of housing for the elderly to meet evidenced local need as an exception site. Would separating these issues, with another clause in the exception site policy make things clearer?

It's entirely propositioned on the opportunity and economic case the elderly might have to deliver new affordable homes. The elderly in rural areas often live and remain in homes that no longer meet their needs, they are often asset rich if economically restricted, they may have the motivation and time to provide a new home for their needs and in the Plan area there are limited smaller homes for downsizing available as many are extended over time to become bigger and more expensive. This policy would allow an elderly person/couple to downsize and release capital while funding a new home which in itself would be restricted a Section 106 to a future sale or rent as an affordable home irrespective of age or infirmity. The normal affordable restriction on value would not be enough to make the construction of a small or modest home unviable and the release of capital from the sale of their former home would be of immediate benefit. Its another way of delivering affordable homes under CLP Policy 9, encouraging individuals who are themselves not necessarily in need of affordable homes and allowing them to stay longer in their community.

7. Also with Policy LH4, was any thought given to defining the extra accessibility required in older people's housing with reference to the Building Regs standards (M2 is usual). This is acceptable because it is not setting a standard generally, but using one to define when a dwelling will meet higher access standards required for older people.

The primary consideration was delivery of affordable homes, new opportunity and economics but this could be added as a criterion, its likely to assist with future occupation of the home under Building for Life aspirations of the Cornwall Design Guide.

The Steering group would like to take this opportunity to identify two of the key components that helped us formulate the current draft plan.

1 The core of the draft Luxulyan Neighbourhood Plan is largely based on the responses we received from people of the parish in autumn 2017. The analysis of this is on the

<http://www.luxulyanpc.co.uk/Core/Luxulyan-Parish-Council/UserFiles/Files/NP%20-%20pdf/5%20Analysis%20of%20responses%20latest%20ver22%20%2011%2017.pdf>

<http://www.luxulyanpc.co.uk/Core/Luxulyan-Parish-Council/UserFiles/Files/NP%20-%20pdf/6%20Quest.%20results%20summary%2029%2011%20%2017%20amended.pdf>

2 After discussions with Cornwall Council, we accepted some of the advice given by the Council to remove or alter sections of the then draft plan that were covered by the Council's Local Plan and other statutory duties. To this effect our plan is complementary to the Cornwall and National Plans and should be considered and used in conjunction with them.

E.g. Historic Environment Record