

Development Management
Planning, Housing and Regeneration
Service

OFFICER REPORT – DELEGATED

Application number: PA16/00006/NDP	Earliest determination date:
Received on: 17 th May 2016	Neighbour expiry date: NONE CONSULTED
UPRN: 999999999999	Consultation expiry date: 7 th July 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:	Mr Peter Bennett – Redruth Town Council
Site Address:	Redruth, Cornwall
Proposal:	Designation request for undertaking a Neighbourhood Development Plan for the Parish of Redruth
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.

Redruth Town Council is working on the preparation of a Neighbourhood Plan for the entire parish area of Redruth. An application for the designation of Neighbourhood Area was made to Cornwall Council and was advertised in the West Briton on 26th May 2016. The consultation period ran from 26^h May and 7th July 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 – (6th June 2016)

Thank you for your letter of 25 May providing Highways England with the opportunity to comment on the application by the Parish of Redruth for designation 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 through the centre of the 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 likely that proposals coming forward could 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
Highways England | Ash House | Falcon Road, Sowton Ind. Estate | Exeter | EX2 7LB
Tel: +44 (0) 300 4704376
Web: <http://www.highways.gov.uk>
GTN: 0300 470 4376

Historic Environment Planning - (no comment received)

Historic Environment Archaeology – (26th May 2016)

Advice on Neighbourhood Development Plan consultations are provided by the Strategic Historic Environment Service (SHES) as this is a policy issue. Please contact them direct for advice.

Historic Environment Planning (Archaeology) (ST)
HEP.Arch@cornwall.gov.uk

Economic Development – (no comment received)

Principle Public Spaces Officer (15th June 2016)

PA16/00006/NDP

Designation request for Neighbourhood Development Plan for Redruth
15th June 2016

Thank you for consulting Public Space.

The National Planning Policy Framework 2012 (para 73) requires that planning policies should be based on robust & up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. This work was done in the Camborne, Pool, Illogan & Redruth area in 2013, and has been presented to the town council. In July 2014 Cornwall Council adopted the Open Space Strategy for Larger Towns in Cornwall as interim planning guidance pending the adoption of the Local Plan, when it will be taken forward as a Supplementary Planning Document (SPD). Redruth Town is one of the study areas and the latest standards therefore

apply - for further details see <http://www.cornwall.gov.uk/environment-and-planning/parks-and-open-spaces/open-space-strategy-standards> .

As this was an urban assessment, some rural parts of the parish were omitted. North Country was included, and it is therefore unlikely that the remaining rural settlements are large enough to viably support open space provision, where there currently is none. A wider assessment is not therefore considered necessary, but a more up to date assessment of open spaces is commissioned, the setting of future standards (quantity, accessibility & quality) should follow the same methodology and use the same definitions as set out in the adopted strategy for larger towns, in order to ensure a consistency with the planning policies throughout the county. We regret that the Public Space Team is unable to provide this service free of charge at this time, but should you require advice on the application of the methodology or its conclusions please do not hesitate to contact us.

Many thanks

Stuart Wallace

Public Space Officer

Affordable Housing Team – (no comment received)

Education Infrastructure Team – (20th June 2016)

I don't seem to be able to add anything on the planning register, it's probably an IT issue here.

However, from an educational point of view we have no issue with the proposal and would be happy to work with stakeholders to clarify our education plans and school places strategy.

Kind regards

Paul

Paul Renowden

Education Capital Strategy Officer

Place Planning, Access and Inclusion

Learning and Achievement Service

Education, Health and Social Care Directorate

01872 323921

07816 593139

www.cornwall.gov.uk/schoolbuildings

Electoral Services – (no comment received)

Environment Agency – (no comment received)

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

Kernow Clinical Commissioning Group – (no comment received)

Natural England – (4th June 2016)

Dear Ms Ball,

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

Thank you for notifying Natural England of your Neighbourhood Planning Area in your letter dated 25/05/2016.

We would like to take this opportunity to provide you with information sources you may wish to use in developing your 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. Your local planning authority should be able to advise you when we should be consulted further on your neighbourhood plan.

Planning policy for the natural environment

Neighbourhood plans and orders present significant opportunities, but also potential risks, for the natural environment. Your 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;

You should also consider the natural environment policies in your area's Local Plan. Your neighbourhood plan or order should be consistent with these, and you may decide that your 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 you develop your neighbourhood plan or order.

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

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The Magic1 website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones). Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available here².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found here³. Most of these will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of

the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found here⁴.

There may also be a local landscape character assessment covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on soil types and Agricultural Land Classification is available (under 'landscape') on the Magic5 website and also from the LandIS website⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The National Planning Policy Framework⁷ sets out national planning policy on protecting and enhancing the natural environment. Planning Practice Guidance⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

1 <http://magic.defra.gov.uk/>

2 <http://www.nbn-nfbr.org.uk/nfbr.php>

3 <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

4 <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

5 <http://magic.defra.gov.uk/>

6 <http://www.landis.org.uk/index.cfm>

7 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

8 <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>
Page 4 of 5

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed here⁹), such as Sites of Special Scientific Interest or Ancient woodland¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed here¹¹) or protected species. To help you do this, Natural England has produced advice here¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication *Agricultural Land Classification: protecting the best and most versatile agricultural land*¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

Page 5 of 5

- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see Planning Practice Guidance on this ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴

Historic England (15th June 2016)

NEIGHBOURHOOD AREA CONSULTATION - REDRUTH

Thank you for giving notice that Redruth Town Council has applied to designate Redruth as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

Historic England has no objection to this proposal.

We would like to take the opportunity of the consultation to outline the range of support Historic England is able to offer in relation to Neighbourhood Plans. It would be helpful if this response can be copied to the Parish Council for their information.

Research has clearly demonstrated that local people value their heritage and Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment.

Historic England is expecting that as Neighbourhood Planning Forums come to you to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.

Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans. Other useful information may be available from the Historic Environment Record Centre or local environmental and amenity groups. For example, our records show that the area contains 3 Grade II* and 56 Grade II Listed Buildings, 3 Scheduled Ancient Monuments and 3 Conservation Areas. There are also 3 entries on the national Heritage At Risk Register. Historic England also publishes a wide range of relevant guidance. Links to these can be found in the appendix to this letter.

Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further deepening historic characterisation studies.

Historic England has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Neighbourhood Planning Forum to consult Historic England on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders. We have a long history of interest and involvement in Redruth and have been pleased that investment activity over the years has been successful in its efforts to regenerate the town centre. At the same time we appreciate that there may be parts of the town and wider area still in need of attention and improvement, involving sites where we could have a statutory interest in any proposals for change.

Historic England will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.

Historic England fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of

neighbourhood planning across the country and information on our website might be of initial assistance <http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>. It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.

Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me. We would be happy to have early discussions with the community about the scope of its Plan agenda and the role that heritage might play in its realisation.

Yours sincerely

David Stuart
Historic Places Adviser

Appendix

The National Heritage List for England: a full list with descriptions of England's listed buildings: <http://www.historicengland.org.uk/advice/hpg/heritage-assets/nhle>

Heritage Gateway: includes local records of historic buildings and features
www.heritagegateway.org.uk

Historic England's Advice by topic: you can search for advice on a range of issues relating to the historic environment in the Advice section of our website

Heritage Counts: facts and figures on the historic environment
<http://hc.historicengland.org.uk>

HELM (Historic Environment Local Management) provides accessible information, training and guidance to decision makers whose actions affect the historic environment. www.helm.org.uk or www.helm.org.uk/communityplanning

Heritage at Risk programme provides a picture of the health of England's built heritage alongside advice on how best to save those sites most at risk of being lost forever. <http://www.historicengland.org.uk/caring/heritage-at-risk>

Placecheck provides a method of taking the first steps in deciding how to improve an area. <http://www.placecheck.info/>

The Building in Context Toolkit grew out of the publication 'Building in Context' published by English Heritage and CABE in 2001. The purpose of the publication is to stimulate a high standard of design when development takes place in historically sensitive contexts. The founding principle is that all successful design solutions depend on allowing time for a thorough site analysis and character appraisal of context. <http://building-in-context.org/toolkit.html>

Knowing Your Place deals with the incorporation of local heritage within plans that rural communities are producing,
<https://www.historicengland.org.uk/images-books/publications/known-your-place/>

Planning for the Environment at the Neighbourhood Level produced jointly by English Heritage, Natural England, the Environment Agency and the Forestry Commission gives ideas on how to improve the local environment and sources of information.
<http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

Good Practice Guide for Local Heritage Listing produced by English Heritage uses good practice to support the creation and management of local heritage lists.
<https://www.historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/>

Understanding Place series describes current approaches to and applications of historic characterisation in planning together with a series of case studies
<http://www.helm.org.uk/server/show/nav.19604>:

South West Water – (10th June 2016)

Emma thank you for notifying South West Water of the above upon which we have no comment at present but are happy to provide further comment as and when development proposals are formalised.

Martyn Dunn
Development Coordinator
01392 443702
South West Water, Peninsula House, Rydon Lane, Exeter, EX2 7HR

Network Rail – (23rd June 2016)

Dear Sir/Madam

Network Rail has been consulted by Cornwall Council on the Neighbourhood Development Plan for the parish of Redruth. Thank you for providing us with this opportunity to comment on this Planning Policy document.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.

Redruth Parish Council's area plan includes a large section of railway / Network Rail land within the proposal map.

Network Rail would draw the council's attention to the following (which applies to England only):

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Publicity for applications for planning permission within 10 metres of relevant railway land

16. (1) This article applies where the development to which the application relates is situated within 10 metres of relevant railway land.

(2) The local planning authority must, except where paragraph (3) applies, publicise an application for planning permission by serving requisite notice on any infrastructure manager of relevant railway land.

(3) Where an infrastructure manager has instructed the local planning authority in writing that they do not require notification in relation to a particular description of development, type of building operation or in relation to specified sites or geographical areas ("the instruction"), the local planning authority is not required to notify that infrastructure manager.

(4) The infrastructure manager may withdraw the instruction at any time by notifying the local planning authority in writing.

(5) In paragraph (2) "requisite notice" means a notice in the appropriate form as set out in Schedule 3 or in a form substantially to the same effect.

Level Crossings

Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:

- o By a proposal being directly next to a level crossing
- o By the cumulative effect of development added over time
- o By the type of crossing involved
- o By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing
- o By developments that might impede pedestrians ability to hear approaching trains
- o By proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs
- o By any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing.

Cornwall Council have a statutory responsibility under planning legislation (Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over the railway. Therefore, as Redruth Parish Council will be the authority in this case they will still need to consult with Network Rail under schedule 5 on their proposals to determine if they impact upon the above mentioned level crossings.

Whilst Network Rail has no objection in principle to the Neighbourhood Area by Redruth Parish Council, we would request the opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).

We trust these comments will be considered in your preparation of the forthcoming Neighbourhood Development Plan document.

Regards,

Barbara Morgan
Town Planning Technician (Western and Wales)
1st Floor, Temple Point
Redcliffe Way, Bristol BS1 6NL

Tel: 0117 372 1125 - Int: 085 80125

Email: townplanningwestern@networkrail.co.uk

www.networkrail.co.uk/property

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 Redruth Parish.

Redruth Town 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 Redruth Town 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 Redruth Parish**

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/>