

TYWARDREATH AND PAR PARISH Neighbourhood Development Plan 2020 –2030

BASIC CONDITIONS STATEMENT

Basic Conditions Statement

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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 Tywardreath and Par Parish Neighbourhood Development Plan (the NDP) on behalf of Tywardreath and Par 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 NDP meets the legislative basic conditions contained within the Town and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004 (as amended) to enable the NDP 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 NDP meets the basic conditions as outlined overleaf.

4. 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 Town 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 NDP meets each of relevant '*Basic Conditions*' as outlined above.

5. 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 NDP 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 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 published the revised NPPF in July 2018, which was subsequently updated in February 2019. This is the second 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 February 2019 NPPF for delivering sustainable development as listed below, we have taken each NDP policy in turn and highlighted the relevant sections applicable to each of the NDP policies and how the policy has had appropriate regard to their policy direction.

Section 1. Introduction

Section 2. Achieving sustainable development

Section 3. Plan-making

Section 4. Decision-making

Section 5. Delivering a sufficient supply of homes

Section 6. Building a strong, competitive economy

Section 7. Ensuring the vitality of town centres

Section 8. Promoting healthy and safe communities

Section 9. Promoting sustainable transport

Section 10. Supporting high quality communications

Section 11. Making effective use of land

Section 12. Achieving well-designed places

Section 13. Protecting Green Belt land

Section 14. Meeting the challenge of climate change, flooding and coastal change

Section 15. Conserving and enhancing the natural environment

Section 16. Conserving and enhancing the historic environment

Section 17. Facilitating the sustainable use of minerals

Note: Where extracts are quoted from the NPPF and the original text includes footnotes, the footnotes and reference numbers have been omitted for brevity. For full references, please refer to the document at:

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

Table 1: Having Regard to National Policy and Advice

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
Policy F1: Flood Risk	<p>Environmental and Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Meeting the challenge of climate change, flooding and coastal change (paragraphs 148-169)</p>	<p>Paragraph 149 of the NPPF explains that <i>‘Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.’</i></p> <p>Paragraph 150 outlines that:</p> <p><i>‘New development should be planned for in ways that:</i></p> <p><i>a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and</i></p> <p><i>b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.’</i></p> <p>Further, paragraph 163 of the NPPF sets out:</p> <p><i>‘When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</i></p> <p><i>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</i></p> <p><i>b) the development is appropriately flood resistant and resilient;</i></p> <p><i>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</i></p> <p><i>d) any residual risk can be safely managed; and</i></p> <p><i>e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.’</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		Policy F1 seeks to deliver the objectives of paragraphs 149, 150 and 163 of the NPPF having regard to reducing to flood risk as a consequence of all sources in accordance with national and local objectives.
Policy F2: StARR sites	<p>Environmental, Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Meeting the challenge of climate change, flooding and coastal change (paragraphs 148-169)</p>	<p>The StARR project concerns a range of specific interventions such as rain gardens, swales, permeable paving, retention ponds and bio-retention areas.</p> <p>The policy provides direct support for these projects and seeks to avoid development that would prejudice their delivery.</p> <p>The policy aligns with the aforementioned paragraphs 149, 150 and 163 of the NPPF, as listed under Policy F1.</p>
Policy F3 Blue Green Corridors	<p>Environmental and Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p> <p>Meeting the challenge of climate change, flooding and coastal change (paragraphs 148-169)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p>	<p>Policy seeks to encourage and protect blue/ green corridors for the benefits of flood risk, climate change, biodiversity, green infrastructure and accessibility.</p> <p>The policy accords with paragraphs 149, 150 and 163 of the NPPF as referred to above, and the further paragraphs highlighted below:</p> <p>Paragraph 91 c) encourages the aim to achieve healthy, inclusive, and safe places, including <i>'enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'</i></p> <p>Paragraph 174 of the NPPF also seeks to:</p> <p><i>'To protect and enhance biodiversity and geodiversity, plans should:</i></p> <p><i>a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁵⁷; and</i></p> <p><i>b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.'</i></p> <p>Paragraph 181 of the NPPF outlines that <i>'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.'</i></p>
<p>Policy BTT1 Business Development</p>	<p>Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Building a strong, competitive economy (paragraphs 80-84)</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>This policy seeks to maintain and encourage the local economy ensuring that people will have good opportunities and access to local employment, retail and community facilities. The policy also seeks to retain existing business, retail and community uses and areas which are valued to the community. The policy has been written in accordance with the NPPF and most specifically, paragraphs 83 and 92 as set out below:</p> <p>Paragraph 83:</p> <p><i>'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></p> <p><i>b) the development and diversification of agricultural and other land-based rural businesses;</i></p> <p><i>c) sustainable rural tourism and leisure developments which respect the character of the countryside; and</i></p> <p><i>d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'</i></p> <p>Paragraph 92:</p> <p><i>'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</i></p> <p><i>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i></p> <p><i>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</i></p> <p><i>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and</i></p> <p><i>e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'</i></p>
Policy BTT2: Blue Green Tourism	<p>Environmental, Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Building a strong, competitive economy (paragraphs 80-84)</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>The policy recognises the importance of the natural environment to the tourism offer in the Parish and seeks to safeguard and enhance the Blue Green Tourism offer. The policy seeks to resist development proposals that would undermine this offer and impact negatively on environmental assets.</p> <p>The policy aligns with the NPPF paragraphs as outlined in policy BTT1 above, alongside wider paragraphs in the NPPF, such as paragraph 91 c) as follows:</p> <p>Paragraph 91 c) encourages the aim to achieve healthy, inclusive, and safe places, including <i>'enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'</i></p>
Policy BTT3 Transport	<p>Environmental, Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>The policy seeks to encourage a range of sustainable transport options within the Parish whilst requiring future development to appropriately provide an adequate level of associated transport related infrastructure, including matters such as an adequate level of off street parking provision.</p> <p>as the Policy approach is supported through paragraphs 98 and 102 of the NPPF, which states:</p> <p><i>'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</i></p> <p><i>a) the potential impacts of development on transport networks can be addressed;</i></p> <p><i>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;</i></p> <p><i>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</i></p> <p><i>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</i></p> <p><i>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.'</i></p>
Policy BTT4 Public Rights of Way, Multi Use Trails and Cycle Paths	<p>Environmental and Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>The policy seeks to deliver safe and accessible routes with specific regard to Public Right of Ways, Multi Use Trails and Cycle Paths in the Parish as supported through paragraphs 98 and 102 (as referred to above in policy BTT3) of the NPPF, which states :</p> <p>Paragraph 98:</p> <p><i>'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.'</i></p> <p>Paragraph 102:</p> <p><i>'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</i></p> <p><i>a) the potential impacts of development on transport networks can be addressed;</i></p> <p><i>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;</i></p> <p><i>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</i></p> <p><i>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</i></p> <p><i>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.'</i></p>
Policy CHW 1 Healthcare Facilities	<p>Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Promoting healthy and safe</p>	<p>This is a specific policy that supports the retention and safeguarding of existing healthcare facilities in the Parish.</p> <p>This direction is supported by paragraph 92 of the NPPF with specific regard to point c of the criteria as set out below:</p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
	communities (paragraphs 91-101)	<p><i>'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</i></p> <p><i>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i></p> <p><i>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</i></p> <p><i>c) <u>guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</u></i></p> <p><i>d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and</i></p> <p><i>e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'</i></p>
Policy CHW2 Care Home Facilities	<p>Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p>	<p>This is a specific policy that supports the retention, safeguarding, broadening and enhancement of Care Home facilities for the Parish's population and demographics. As per the above policy, this direction is supported by paragraph 92 of the NPPF, as per the below:</p> <p><i>'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</i></p> <p><i>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i></p> <p><i>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</i></p> <p><i>c) <u>guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</u></i></p> <p><i>d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and</i></p> <p><i>e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
Policy CHW3 Educational Facilities	Social Policy Relevant NPPF Sections: Promoting healthy and safe communities (paragraphs 91-101)	<p>This policy supports the retention, safeguarding and enhancement of educational facilities in the Parish. The policy is supported by paragraph 92 of the NPPF as referred to under the two preceding policies.</p> <p>This direction is also supported by paragraph 94 of the NPPF, as below:</p> <p><i>'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:</i></p> <p><i>a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and</i></p> <p><i>b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.'</i></p>
Policy CHW4 Community Facilities Accessibility	Social and Economic Policy Relevant NPPF Sections: Promoting healthy and safe communities (paragraphs 91-101) Promoting sustainable transport (paragraphs 102- 111)	<p>The policy encourages the provision of new community facilities as supported under paragraph 92 of the NPPF and referenced under policies CHW1, CHW2 and CHW3 above.</p> <p>The policy provides particular emphasis on the accessibility of the facilities, in direct accordance with paragraph 92's introductory text which is outlined below with the underlining as our emphasis:</p> <p><i>'To provide the social, recreational and cultural facilities and services the <u>community needs</u>, planning policies and decisions should....'</i></p> <p>Further paragraph 109 and 110 of the NPPF outline as follows:</p> <p><i>'109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</i></p> <p><i>110. Within this context, applications for development should:</i></p> <p><i>a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;</i></p> <p><i>b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;</i></p> <p><i>c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and</i></p> <p><i>e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'</i></p>
Policy CHW5 Community Facilities Blue Green Health and Wellbeing	<p>Environmental, Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Building a strong, competitive economy (paragraphs 80-84)</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p> <p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p>	<p>This policy broadens out from policies CHW1 to CHW4, capturing the same emphasis but relating to support for projects associated with blue/ green health, wellbeing and tourism.</p> <p>It provides further emphasis on matters relating to living conditions, designing out crime and issues over parking.</p> <p>The policy context aligning with paragraph 92, 109 and 110 of the NPPF, as well as those relating to blue/ green tourism as referenced already in this statement under policy BTT2.</p> <p>Reference is also made to section 12 of the NPPF, in particular the following paragraph 127 f) which support the policy approach:</p> <p><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 users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'</i></p>
Policy CHW6 Community Infrastructure Priorities	<p>Environmental and Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Building a strong, competitive economy (paragraphs 80-84)</p>	<p>The policy encourages improvements to publicly owned physical infrastructure and the enhancement of publicly accessible blue and green spaces.</p> <p>As per the above, the policy context aligns with paragraph 92, 109 and 110 of the NPPF, as well as those relating to blue/ green tourism as referenced under policy BTT2.</p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
	<p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p>	
Policy E1 Local Green Space Designations	<p>Environmental and Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>A number of open spaces of community value have been highlighted within this policy.</p> <p>Paragraph 99 of the NPPF explains that <i>'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.'</i></p> <p>Paragraph 100 of the NPPF continues to say that. <i>'The Local Green Space designation should only be used where the green space is:</i></p> <p><i>a) in reasonably close proximity to the community it serves;</i></p> <p><i>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</i></p> <p><i>c) local in character and is not an extensive tract of land.'</i></p> <p>Policy E1 of the NDP relates to land which is important to the community for special protection for historical significance and recreational value. The areas of open spaces are within reasonable proximity to the community, and the land is not considered to be required for housing or economic use given that these aspects have been established through other policies in the NDP. It is thereby concluded that this policy accords with the provisions of the paragraphs above.</p>
Policy E2 Tranquil Areas	Environmental and Social Policy	The policy seeks to retain and safeguard areas of tranquility in the Parish, and special locations on a Tranquil Areas map.

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
	<p>Relevant NPPF Sections:</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p> <p>Meeting the challenge of climate change, flooding and coastal change (paragraphs 148-169)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p>	<p>The policy approach is in particular supported by the following paragraphs in the NPPF and associated guidance:</p> <p>Paragraph 180 of the NPPF states that planning policies should – among other things <i>‘identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.’</i></p> <p>The Noise Guidance (update July 2019) relating to the NPPF (2019) advises that <i>‘noise needs to be considered when any development may create additional noise’</i> and that <i>‘Good acoustic design needs to be considered early in the planning process to ensure that the most appropriate and cost-effective solutions are identified from the outset.’</i></p>
Policy E3 Views, Panoramas and Vistas	<p>Environmental and Social Policy</p> <p>Relevant NPPF Sections:</p> <p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>The whole of the Parish is a valued landscape as referred to under paragraph 170 of the NPPF and the area contains a number of designated and non-designated heritage assets which are safeguarded through Section 16 of the NPPF commensurate to their designation weighting. The policy is accompanied by key views of the heritage assets, areas of landscape, coast and open countryside of the Parish as shown on the Views, Panoramas and Vistas Map. Further, the policy also seeks to safeguard existing Cornish hedges, requiring their removal to be wholly exceptional.</p> <p>The policy aligns with the following paragraphs in the NPPF.</p> <p>Paragraph 127 of the NPPF, amongst other matters, requires that developments <i>‘are sympathetic to local character and history, including the surrounding built environment and landscape setting...’</i></p> <p>Paragraph 170 of the NPPF explains that <i>‘170. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).’</i></p> <p>Paragraph 174 explains that <i>‘To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation...'</i></p> <p>Paragraph 184 of the NPPF outlines that <i>'Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'</i></p>
Policy E4.1 Development and Biodiversity	Environmental Policy Relevant NPPF Sections: Conserving and enhancing the natural environment (paragraphs 170- 183)	Policy seeks to safeguard and enhance the biodiversity in the Parish in accordance with paragraph 170 d) which supports development that would result in <i>'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'</i>
Policy E4.2 Trees and Cornish Hedges	Environmental Policy Relevant NPPF Sections: Conserving and enhancing the natural environment (paragraphs 170- 183)	Policy seeks to safeguard and enhance existing trees and Cornish hedges in accordance with paragraph 170 and 174 of the NPPF, as referenced in policy E3 and E4.1 above.
Policy E5.1 Character and setting of the Tywardreath Conservation Area	Environmental, Policy Relevant NPPF Sections: Achieving well- designed places (paragraphs 124- 131) Conserving and enhancing the historic environment (paragraphs 184- 202)	<p>The policy seeks to conserve or enhance the Conservation Area and designated heritage assets in accordance with paragraph 184 of the NPPF outlines that <i>'Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'</i></p> <p>Paragraph 200 of the NPPF explains that <i>'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'</i> and with reference to paragraph 201 <i>'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.'</i></p>
<p>Policy E5.2 Character and setting of Tywardreath Priory</p>	<p>Environmental Policy</p> <p>Relevant NPPF Sections:</p> <p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>This is a specific policy requiring that development proposals must retain and respect the integrity of the remains of Tywardreath Priory, a demolished non designated heritage asset (see https://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=MCO13239&resourceID=1020), and within the area shown on the Priory Setting Map, Figure 15, requiring a detailed archaeological assessment and/or evaluation, showing how the significance of any remains of the Priory is retained, protected, enhanced, or complemented by the proposal.</p> <p>The policy is supported by paragraph 184 of the NPPF, as referred to in Policy E5.1. Further the policy approach is also supported by the following paragraphs of the NPPF:</p> <p><i>'193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'</i></p> <p><i>'194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:</i></p> <p><i>a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional 63'.</i></p> <p><i>'197. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</i></p> <p><i>'198. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.'</i></p> <p><i>'199. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>accessible⁶⁴. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.'</i></p> <p>For note, footnotes 63 and 64 to the above read as follows:</p> <p><i>'63 Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.'</i></p> <p><i>'64 Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.'</i></p>
Policy E5.3 Character and setting of the 1644 Civil War Battlefield Site	Environmental Policy Relevant NPPF Sections: Achieving well-designed places (paragraphs 124-131) Conserving and enhancing the historic environment (paragraphs 184-202)	<p>In a similar context to policy E5.2, this policy refers to the setting of the 1644 Civil War Battlefield site, again which is identified as a non-designated heritage asset in accordance with the above paragraphs 184, 193, 194, 197 and 198 of the NPPF.</p>
Policy E5.4 Maintaining the Outstanding Universal Value of the World Heritage Site	Environmental Policy Relevant NPPF Sections: Achieving well-designed places (paragraphs 124-131) Conserving and enhancing the historic environment (paragraphs 184-202)	<p>The policy supports the objectives, in particular of paragraphs 184, 200 and 201 of the NPPF, as referenced in policy E5.1, and repeated below for ease of reference: For note, the WHS is of international status in terms of weighting.</p> <p>Paragraph 184 of the NPPF outlines that <i>'Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'</i></p> <p>Paragraph 200 of the NPPF explains that <i>'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'</i> and with reference to paragraph 201 explains that <i>'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<i>significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.'</i>
Policy E5.5 Historic Landscape Character of the Parish	<p>Environmental Policy</p> <p>Relevant NPPF Sections:</p> <p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-173)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>The policy approach seeks to safeguard the historic landscape character of the Parish and existing Cornish field boundaries.</p> <p>The approach is consistent with paragraph 184 of the NPPF as highlighted under the preceding heritage policies, and those referred to in earlier landscape policies which are repeated below:</p> <p><i>surrounding built environment and landscape setting...'</i></p> <p>Paragraph 170 of the NPPF explains that '<i>170. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).</i>'</p> <p>Paragraph 174 explains that '<i>To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation...</i>'</p>
Policy E5.6 Character and setting of the historic industrial features within the Parish; c.f. Industrial Assets Map	<p>Environmental Policy</p> <p>Relevant NPPF Sections:</p> <p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>This policy follows a similar emphasis to the aforementioned policies regarding non-designated and designated heritage assets, having specific regard to industrial features in the Parish.</p> <p>The policy approach aligns with those in Section 16 of the NPPF, in particular paragraph 184.</p>
Policy E5.7 The protection of non-	Environmental Policy	The policy acknowledges and highlights the value of a number of non-designated assets in the Parish in line with Section 16 of the NPPF.

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
designated heritage assets	<p>Relevant NPPF Sections:</p> <p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>Paragraph 190 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 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> acknowledges <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>
Policy H1 Development Boundary	<p>Environmental, Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Delivering a sufficient supply of homes (paragraphs 59-79)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>Paragraph 59 of the NPPF advises that <i>‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.’</i></p> <p>Paragraph 77 of the NPPF explains that <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></p> <p>Paragraph 78 further explains that. <i>‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.’</i></p> <p>In accordance with the above objectives identified within paragraph 77 and 78 of the NPPF, policy H1 of the NDP is responsive to local circumstances in rural areas by identifying the appropriate locations for and supporting housing developments which enhance and maintain the vitality of rural communities and identify opportunities for villages to grow and thrive.</p> <p>The approach in this policy is consistent with paragraph 103 of the NPPF which highlights that <i>‘Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion’</i> and that <i>‘local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.’</i></p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
Policy H2 General Development Principles	<p>Environmental, Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Achieving well-designed places (paragraphs 124-132)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-173)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-88)</p>	<p>Paragraph 125 of the NPPF states 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></p> <p>Furthermore, Paragraph 126 explains that <i>‘To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.’</i></p> <p>Paragraph 131 of the NPPF states that <i>‘In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.’</i></p> <p>Paragraph 170 explains that <i>‘Planning policies and decisions should contribute to and enhance the natural and local environment by:</i></p> <ul style="list-style-type: none"> <i>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</i> <i>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</i> <i>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</i> <i>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</i> <i>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</i> <i>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</i>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p>Paragraph 185 advises that <i>‘Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:</i></p> <p><i>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</i></p> <p><i>b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</i></p> <p><i>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</i></p> <p><i>d) opportunities to draw on the contribution made by the historic environment to the character of a place.’</i></p> <p>The purpose of this policy of the NDP is to reinforce and strengthen the above objectives at local level with specific regard to the design and the character, appearance and heritage of Tywardreath and Par Parish. Further, the policy encourages the use of low carbon measures and renewable technology in new development.</p>
Policy H3 Affordable Housing on Rural Exception Sites	<p>Environmental, Social and Economic Policy</p> <p>Relevant NPPF Sections:</p> <p>Delivering a sufficient supply of homes (paragraphs 59-79)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>Further to policy H1, this policy provides the detailed direction on the type and manner of rural exception sites that will be supported in the Parish, in accordance with Paragraph 61 of the NPPF which outlines that <i>‘the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own home).’</i></p> <p>Paragraph 77 of the NPPF explains that <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></p> <p>Paragraph 78 further explains that. <i>‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.’</i></p> <p>In accordance with the above objectives identified within paragraphs 61, 77 and 78 of the NPPF, policy H3 is responsive to local circumstances in rural areas by supporting housing developments that reflect local needs.</p>

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
Policy H4 Housing Design	Environmental and Social Policy Relevant NPPF Sections: Achieving well-designed places (paragraphs 124-132)	The policy follows a similar approach to policy H2, but is specific to housing. It provides encouragement for a number of design approaches to support diversity, designing out crime, renewable energy and limiting adverse effects on the environment in accordance with paragraphs 124 to 132 of the NPPF.

NB. A number of the sections in the NPPF are not applicable to the NDP 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 NDP has been prepared with a clear understanding of the requirement for achieving sustainable development as outlined in paragraphs 1- 17 of the NPPF.

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

The NDP 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 NDP 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 NDP policies align with the applicable policies in the CLP to demonstrate the '*general conformity*' of the NDP 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

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
Policy F1: Flood Risk	<p>Environmental and Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 12: Design</p> <p>Policy 13: Development Standards</p> <p>Policy 26: Flood risk management and coastal change</p>	<p>Policy F1 of the NDP sets out to require development to prevent and reduce fluvial (river), surface water and tidal flooding.</p> <p>This policy approach aligns with policies 12, 13 and 26 of the CLP. Point 2 of Policy 26 is however most relevant which sets out the following:</p> <p><i>'2. Development should be sited, designed, of a type and where necessary relocated in a manner that:</i></p> <ul style="list-style-type: none"> <i>a. increases flood resilience of the area, taking account of the area's vulnerability to the impacts of climate change and coastal change and the need to avoid areas of flood risk, in the first instance, taking into account the vulnerability of the use proposed; and</i> <i>b. minimises, or reduces and where possible, eliminates flood risk on site and in the area; and</i> <i>c. enables or replicates natural ground and surface water flows and decreases surface water runoff, particularly in Critical Drainage Areas, through sustainable urban drainage systems (SUDS), utilising green infrastructure where possible and as guided by local standards, including Cornwall drainage guidance; and</i> <i>d. the safeguarding of land, where it is identified to be functional flood storage, to make space for water at times of flood; and</i> <i>e. where applicable, supports community-led local solutions to managing flood risk and coastal change; and</i> <i>f. does not create avoidable future liability for maintenance for public bodies and communities.'</i> <p>Further, reference is also drawn to the Community Networks Area component of the CLP, which under the St Blazey, Fowey and Lostwithiel Community Network Area Section contains the following objective:</p> <p><i>Objective BFL5 – Flooding</i></p> <p><i>Consider flooding issues, particularly in St Blazey, Par, Lostwithiel and Fowey.</i></p>
Policy F2: StARR sites	<p>Environmental, Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 12: Design</p> <p>Policy 13: Development Standards</p>	<p>The policy supports the delivery of the StARR project which is in the process of development by the Environment Agency which is supported in coordination with a number of Parish and Town Council's in the area and Cornwall Council.</p> <p>The policy is in accordance with policy 26 of the CLP as above, in particular points d-f:</p> <ul style="list-style-type: none"> <i>d. 'the safeguarding of land, where it is identified to be functional flood storage, to make space for water at times of flood; and</i> <i>e. where applicable, supports community-led local solutions to managing flood risk and coastal change; and</i>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
	<p>Policy 25: Green infrastructure</p> <p>Policy 26: Flood risk management and coastal change</p>	<p><i>f. does not create avoidable future liability for maintenance for public bodies and communities.'</i></p> <p>Again, as per policy F1 of the NDP, reference is also drawn to the Community Networks Area component of the CLP, which under the St Blazey, Fowey and Lostwithiel Community Network Area Section contains the following objective:</p> <p><i>Objective BFL5 – Flooding</i></p> <p><i>Consider flooding issues, particularly in St Blazey Par, Lostwithiel and Fowey.</i></p>
Policy F3 Blue Green Corridors	<p>Environmental and Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 14: Development Standards</p> <p>Policy 16: Health and wellbeing</p> <p>Policy 25: Green infrastructure</p> <p>Policy 26: Flood risk management and coastal change</p> <p>Policy 27: Transport and accessibility</p>	<p>Policy seeks to encourage and protect blue/ green corridors for the benefits of flood risk, climate change, biodiversity, green infrastructure and accessibility., in line with the relevant policies of the CLP as set out below.</p> <p>Point 1D of policy 13 seeks to create <i>'a network of safe well connected routes which are easy to read and navigate by the use of landmarks, spaces, views and intersection'.</i></p> <p>Point 3 of policy 14 Requires all new development to provide <i>'an appropriate level of off street parking and cycle parking taking into account the accessibility of the location in terms of public transport and proximity to facilities and services'.</i></p> <p>Point 3 of Policy 16 of the CLP 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> and Policy 25 which requires <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>Policy 25 of the CLP relates to 'Green Infrastructure' and amongst a range of matters, supports the following:</p> <p><i>'1. 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><i>'4. Restoring or enhancing connectivity for nature and people through the site and linking to adjacent sites or green routes, helping to provide better links between urban and rural landscapes and coastal areas, creating accessible and attractive places for communities to make regular contact with the natural environment'</i></p> <p>Policy 26 of the CLP through 2 c. also states <i>'enables or replicates natural ground and surface water flows and decreases surface water runoff, particularly in Critical Drainage Areas, through sustainable urban drainage systems (SUDS), utilising green infrastructure where possible and as guided by local standards, including Cornwall drainage guidance;'</i></p>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
Policy BTT1 Business Development	<p>Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 3: Role and function of places</p> <p>Policy 4: Shopping, services and community facilities</p> <p>Policy 5: Jobs and skills</p>	<p>This is a broad ranging policy that seeks to safeguard and encourage business, retail and community uses.</p> <p>The policy direction is endorsed by the following policies in the CLP:</p> <p>Policy 4 of the CLP which reads in full as follows:</p> <p><i>‘The Council will seek to maintain the retail hierarchy by supporting centres to provide for the needs of their community. Allocations Development Plan Documents and Neighbourhood Plans should ensure that the retail floorspace capacity targets can be delivered by taking account of the market delivery and land available for this. In considering the need for further retail provision Plans should review the level, nature and quality of existing commitments’ ability to meet the space requirements set out in Table 2.</i></p> <p><i>1. Development will be permitted where it supports the vitality and viability of town centres investment within them, and maintains and enhances a good and appropriate range of shops, services and community facilities. Retail and other main town centre uses outside defined town centres (with the exception of small scale rural development) must demonstrate the application of a sequential approach to site selection, where the proposals exceed the applicable threshold, show there is no significant adverse impact on the viability and vitality of, and investment within, the existing centres.</i></p> <p><i>2. Proposals for shops, financial and professional services, and food and drink establishments (Use Class A) will be permitted within the defined town centre primary shopping areas, where: i) They do not individually or together with other proposals undermine the vitality or viability of the town centre; and ii) The proposal is consistent with the scale and function of the town centre; and iii) Consideration is given to ensuring that proposals do not eliminate separate access arrangements to the upper floors, which could be used for residential or alternative uses.</i></p> <p><i>3. Within the primary retail frontages identified on the proposals map, the change of use of ground floor Class A1 shop premises to Class A2, A3, A4 and A5 will only be permitted where the proposed use would not undermine the retail function of the town centre and maintain and enhance its vitality and viability. The determination of each application will have regard to the following factors:</i></p> <p><i>i) The location and prominence of the premises;</i></p> <p><i>ii) The size and width of the premises;</i></p> <p><i>iii) The number and distribution of other existing and committed non-A1 uses within the defined primary retail frontage (including any premises subject to current Permitted Development changes of use);</i></p> <p><i>iv) Where applicable, the length of vacancy of the premises and evidence of marketing for the current permitted use; v) The nature and character of the proposed use; and</i></p>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p><i>vi) The design of the shop-front. The above considerations will normally be sufficient to assess applications for a change of use. Premises do not have to be vacant or marketed for a change of use to be acceptable.</i></p> <p><i>Nevertheless, the length of any vacancy of the premises and evidence of unsuccessful marketing for the current permitted use may be evidence of a lack of demand and changing retail patterns. 4. Community facilities and village shops should, wherever possible, be retained and new ones supported. Loss of provision will only be acceptable where the proposal shows:</i></p> <p><i>a. no need for the facility or service;</i></p> <p><i>b. it is not viable; or</i></p> <p><i>c. adequate facilities or services exist or the service can be reprovided in locations that are similarly accessible by walking, cycling or public transport.'</i></p> <p>With regard to business premises, policy 5.1 of the CLP requires that business and employment sites 'should be:</p> <p><i>a) well integrated with our city, towns and villages; or</i></p> <p><i>b) within areas that are well served by public transport and communications infrastructure; or</i></p> <p><i>c) in the countryside and smaller rural settlements be of a scale appropriate to its location or demonstrate an overriding locational and business need to be in that location such as farm diversification; or</i></p> <p><i>d) an extension to an existing business where re-location would be impractical or not viable. '</i></p> <p>Point 2 of policy 5 relates to the loss of business space and a criteria approach in assessing whether such proposal is supported. It reads as follows:</p> <p><i>'2. Proposals that would result in the loss of business space must:</i></p> <p><i>i. demonstrate there is no market demand through active and continued marketing for at least a period of 9 months; or</i></p> <p><i>ii. result in the provision of better quality employment space allowing for mixed use; or</i></p> <p><i>iii. be necessary to meet a clear need for community facilities; or</i></p> <p><i>iv. be unsuitable to continue as business use due to environmental considerations.'</i></p>
Policy BTT2: Blue Green Tourism	Environmental, Social and Economic Policy	The policy recognises the importance of the natural environment to the tourism offer in the Parish, including the safeguarding and enhancement of the Blue Green Tourism offer, as well as resisting development proposals that would undermine this offer and impact negatively on environmental assets.

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	<p>Relevant Policies from the CLP:</p> <p>Policy 3: Role and function of places</p> <p>Policy 4: Shopping, services and community facilities</p> <p>Policy 5: Jobs and skills</p> <p>Policy 16: Health and wellbeing</p> <p>Policy 23: Natural environment</p> <p>Policy 25: Green infrastructure</p> <p>Policy 26: Flood risk management and coastal change</p> <p>Policy 27: Transport and accessibility</p>	<p>Further to the policies listed with regard to Policy F3 Blue/ Green corridor, such as policy 13, 14, 16 and 25.</p> <p>The following further policies from the CLP provide support for the policy approach under Policy BTT2:</p> <p>Policy 5.3 of the CLP provides support for ‘3. <i>The development of new or upgrading of existing tourism facilities through the enhancement of existing or provision of new, high quality sustainable tourism facilities, attractions and accommodation will be supported where they would be of an appropriate scale to their location and to their accessibility by a range of transport modes. Proposals should provide a well balanced mix of economic, social and environmental benefits.</i>’</p> <p>Paragraph 2.8 of the CLP explains ‘2.8 <i>Tourism: The quality of Cornwall’s landscapes, seascapes, towns and cultural heritage, enables tourism to play a major part in our economic, social and environmental wellbeing, it generates significant revenues, provides thousands of jobs and supports communities. Our key challenge is to realise this opportunity in better wages through improved quality and a longer seasons.</i>’</p> <p>Point 1 of policy 23 of the CLP sets out 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>‘1. <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>
Policy BTT3 Transport	<p>Environmental, Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 14: Development Standards</p> <p>Policy 16: Health and wellbeing</p> <p>Policy 25: Green infrastructure</p> <p>Policy 27: Transport and accessibility</p>	<p>Policy BTT3 of the NDP seeks to encourage sustainable forms of transport and relevant infrastructure and parking provision in line with the relevant policies of the CLP, such as.</p> <p>Point 1D of policy 13 seeks to create ‘<i>a network of safe well connected routes which are easy to read and navigate by the use of landmarks, spaces, views and intersection.</i>’</p> <p>Point 3 of policy 14 Requires all new development to provide ‘<i>an appropriate level of off street parking and cycle parking taking into account the accessibility of the location in terms of public transport and proximity to facilities and services.</i>’</p> <p>Point 3 of Policy 16 of the CLP 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>’ and Policy 25 which requires ‘<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>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p>Policy 25 of the CLP explains that <i>'The existing green infrastructure network in Cornwall, which is important to recreation, leisure, community use, townscape and landscape quality and visual amenity will be protected and enhanced.'</i></p> <p>Policy 27.4 of the CLP requires that development proposals should <i>'Be designed to provide convenient accessible and appropriate cycle and pedestrian routes, public transport and road routes within and in the immediate vicinity of the development....'</i></p>
Policy BTT4 Public Rights of Way, Multi Use Trails and Cycle Paths	<p>Environmental and Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 14: Development Standards</p> <p>Policy 16: Health and wellbeing</p> <p>Policy 25: Green infrastructure</p> <p>Policy 27: Transport and accessibility</p>	<p>The policy is supportive of safe and accessible public transport routes and is supported by a number of the policies listed above, such as:</p> <p>Point 1D of policy 13 seeks to create <i>'a network of safe well connected routes which are easy to read and navigate by the use of landmarks, spaces, views and intersection'</i>.</p> <p>Point 3 of Policy 16 of the CLP 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> and Policy 25 which requires <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>Policy 25 of the CLP explains that <i>'The existing green infrastructure network in Cornwall, which is important to recreation, leisure, community use, townscape and landscape quality and visual amenity will be protected and enhanced.'</i></p> <p>Policy 27.4 of the CLP requires that development proposals should <i>'Be designed to provide convenient accessible and appropriate cycle and pedestrian routes, public transport and road routes within and in the immediate vicinity of the development....'</i></p>
Policy CHW 1 Healthcare Facilities	<p>Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2 Spatial strategy</p> <p>Policy 3 Role and function of places</p> <p>Policy 4 Shopping, services and community facilities</p>	<p>The policy seeks to retain existing healthcare facilities for future health needs, which is supported by the following CLP policy in particular:</p> <p>Policy 4.4 of the CLP:</p> <p><i>'4. Community facilities and village shops should, wherever possible, be retained and new ones supported. Loss of provision will only be acceptable where the proposal shows:</i></p> <ul style="list-style-type: none"> <i>a. no need for the facility or service;</i> <i>b. it is not viable; or</i> <i>c. adequate facilities or services exist or the service can be re-provided in locations that are similarly accessible by walking, cycling or public transport.'</i> <p>For reference, a community facility is defined as follows in paragraph 1.81 of the CLP:</p>

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		<i>'The definition of community facilities is wide ranging and includes public services, community centres and public halls, arts and cultural facilities, policing, fire and ambulance services, <u>health and education facilities</u>, public houses, public toilets, youth centres, nurseries, libraries, leisure centres, allotments, playing fields, social care facilities including day centres, places of worship and services provided by the community and voluntary sector.'</i>
Policy CHW2 Care Home Facilities	<p>Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2 Spatial strategy</p> <p>Policy 3 Role and function of places</p> <p>Policy 4 Shopping, services and community facilities</p>	<p>This policy is similar in context to policy CHW1 above, but relates to the retention, safeguarding, broadening and enhancement of Care Home facilities in the Parish.</p> <p>As per above, the policy is supported by Policy 4.4 of the CLP as set out below:</p> <p><i>'4. Community facilities and village shops should, wherever possible, be retained and new ones supported. Loss of provision will only be acceptable where the proposal shows:</i></p> <p style="padding-left: 40px;"><i>d. no need for the facility or service;</i></p> <p style="padding-left: 40px;"><i>e. it is not viable; or</i></p> <p><i>adequate facilities or services exist or the service can be re- provided in locations that are similarly accessible by walking, cycling or public transport.'</i></p> <p>For reference, a community facility is defined as follows in paragraph 1.81 of the CLP:</p> <p><i>'The definition of community facilities is wide ranging and includes public services, community centres and public halls, arts and cultural facilities, policing, fire and ambulance services, <u>health and education facilities</u>, public houses, public toilets, youth centres, nurseries, libraries, leisure centres, allotments, playing fields, social care facilities including day centres, places of worship and services provided by the community and voluntary sector.'</i></p>
Policy CHW3 Educational Facilities	<p>Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2 Spatial strategy</p> <p>Policy 3 Role and function of places</p> <p>Policy 4 Shopping, services and community facilities</p>	<p>This is policy supports the retention, safeguarding and enhancement of educational facilities in the Parish.</p> <p>As per the above two policies, this policy is supported by Policy 4.4 of the CLP.</p> <p>For reference, a community facility is defined as follows in paragraph 1.81 of the CLP:</p> <p><i>'The definition of community facilities is wide ranging and includes public services, community centres and public halls, arts and cultural facilities, policing, fire and ambulance services, <u>health and education facilities</u>, public houses, public toilets, youth centres, nurseries, libraries, leisure centres, allotments, playing fields, social care facilities including day centres, places of worship and services provided by the community and voluntary sector.'</i></p>

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Policy CHW4 Community Facilities Accessibility	<p>Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2 Spatial strategy</p> <p>Policy 3 Role and function of places</p> <p>Policy 4 Shopping, services and community facilities</p> <p>Policy 27: Transport and accessibility</p>	<p>Along similar lines to the preceding three policies, the policy encourages the provision of new community facilities and is supported by Policy 4.4 of the CLP.</p> <p>Furthermore, the policy provides a particular emphasis on the accessibility of the facilities, which is supported through policy 27 of the CLP which states that all development should <i>'Provide safe and suitable access to the site for all people...'</i></p>
Policy CHW5 Community Facilities Blue Green Health and Wellbeing	<p>Environmental, Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2 Spatial strategy</p> <p>Policy 3 Role and function of places</p> <p>Policy 4 Shopping, services and community facilities</p> <p>Policy 12: Design</p> <p>Policy 13: Development Standards</p> <p>Policy 16: Health and wellbeing</p> <p>Policy 25: Green infrastructure</p> <p>Policy 27: Transport and accessibility</p>	<p>This policy broadens out from policies CHW1 to CHW4, capturing the same emphasis but relating to support for projects associated with blue/ green health, wellbeing and tourism. It provides further emphasis on matters relating to living conditions, designing out crime and issues over parking.</p> <p>The policy aligns with the aforementioned policies above and as listed at BTT2, and wider policy context such as the following:</p> <p>Paragraph 2.75 in support of policy 12 of the CLP explains that <i>'Good quality design is about more than just how an individual building may look; it helps shape the way places work. It can help improve social wellbeing and quality of life by increasing opportunities for exercise; reduce crime; help in finding solutions to public health and transport issues, respond to climate change and assist in its mitigation and adaptation and can improve local environments.'</i></p> <p>Policy 12. 2 specifies that <i>'In addition development proposals should protect individuals and property from: a. overlooking and unreasonable loss of privacy; and b. overshadowing and overbearing impacts; and c. unreasonable noise and disturbance.'</i></p> <p>Paragraph 2.80 in support of policy 13 outlines that <i>'It built to appropriate design and layout standards. This will protect and enhance the quality and value of the built environment and ensure provision is made for surface water management. Suitable treatment of natural assets and amenity on and around the development site and the development / enhancement of green infrastructure will also support our health and wellbeing agenda through better access to open space and opportunity for exercise. Parking Standards are set out in the Council's guidance on the Council's website: www.cornwall.gov.uk/travelplans'</i></p>

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Policy CHW6 Community Infrastructure Priorities	<p>Environmental and Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 16: Health and wellbeing</p> <p>Policy 25 Green infrastructure</p>	<p>The policy encourages improvements to publicly owned physical infrastructure and the enhancement of publicly accessible blue and green spaces.</p> <p>The policy is supported by the policies in the CLP referenced in CHW1 to 4 above, and those at BTT2.</p>
Policy E1 Local Green Space Designations	<p>Environmental and Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 23: Natural environment</p> <p>Policy 25: Green infrastructure</p>	<p>The designation of Local Green space contained in this policy responds directly to paragraph 99 of the NPPF by safeguarding recreational areas and green spaces that meet the criteria contained in paragraph 100 of the NPPF.</p> <p>This approach is endorsed by the following policies in the CLP:</p> <p>Point 1 of policy 23 of the CLP sets out 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>Point 5 of policy 25 of the CLP seeks to provide</p> <p><i>'accessible and good quality open space and where applicable improved access to coastal space.'</i></p> <p>Point 7 further outlines that</p> <p><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 cannot 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>
Policy E2 Tranquil Areas	<p>Environmental and Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 23: Natural environment</p> <p>Policy 25: Green infrastructure</p>	<p>Further to policy E1, this policy seeks to retain and safeguard areas of tranquility in the Parish, and special locations on a Tranquil Areas map.</p> <p>The approach aligns with point 1 of policy 23 of the CLP which sets out 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> and point 5 of policy 25 of the CLP seeks to provide <i>'accessible and good quality open space and where applicable improved access to coastal space.'</i></p>

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Policy E3 Views, Panoramas and Vistas	<p>Environmental and Social Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2: Spatial strategy</p> <p>Policy 13: Design</p> <p>Policy 23: Natural environment</p> <p>Policy 24: Historic Environment</p> <p>Policy 25: Green Infrastructure</p>	<p>The policy is accompanied by key views of the heritage assets, areas of landscape, coast and open countryside of the Parish as shown on the Views, Panoramas and Vistas Map. Further, the policy also seeks to safeguard existing Cornish hedges, requiring their removal to be wholly exceptional.</p> <p>The policy approach is supported by a number of policies in the CLP, such as:</p> <p>Point 1 of policy 2 (Respecting and enhancing quality of place) seeks to <i>'maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important by:</i></p> <p><i>Ensuring that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location;</i></p> <p><i>Considering the impact of development upon the biodiversity, beauty and diversity of landscape and seascape, character and setting of settlements, wealth of natural resources, agricultural, historic and recreational value of Cornwall;</i></p> <p><i>Identifying the value and sensitivity, of the character and importance of landscapes, biodiversity and geodiversity and historic assets;</i></p> <p><i>Protecting, conserving and enhancing the natural and historic landscape, heritage, cultural, biodiversity and geodiversity assets of Cornwall in recognition of their international, national and local status, in accordance with national legislation and policy, as amplified by the other policies of this plan.'</i></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>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> <p>Policy 25 of the CLP relates to Green Infrastructure and states that <i>'The existing green infrastructure network in Cornwall, which is important to recreation, leisure, community use, townscape and landscape quality and visual amenity will be protected and enhanced. Development proposals should contribute to an enhanced connected and functional network of habitat, open spaces and waterscapes...'</i></p>
Policy E4.1 Development and Biodiversity	<p>Environmental Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2: Spatial Strategy</p>	<p>Policy E4.1 seeks to conserve and enhance the biodiversity assets throughout the Parish and is supported by the objectives in Point 1 of policy 2 (Respecting and enhancing quality of place) seeks to <i>'maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important by:</i></p> <p><i>Ensuring that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location;</i></p>

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	Policy 23: Natural environment	<p><i>Considering the impact of development upon the biodiversity, beauty and diversity of landscape and seascape, character and setting of settlements, wealth of natural resources, agricultural, historic and recreational value of Cornwall;</i></p> <p><i>Identifying the value and sensitivity, of the character and importance of landscapes, biodiversity and geodiversity and historic assets;</i></p> <p><i>Protecting, conserving and enhancing the natural and historic landscape, heritage, cultural, biodiversity and geodiversity assets of Cornwall in recognition of their international, national and local status, in accordance with national legislation and policy, as amplified by the other policies of this plan.'</i></p> <p>Further, policy 23. 3. Explains that '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. All development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and county-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance, helping to deliver the actions set out in the Cornwall Biodiversity Action Plan.'</p>
Policy E4.2 Trees and Cornish Hedges	Environmental Policy Relevant Policies from the CLP: Policy 2: Spatial Strategy Policy 23: Natural environment	<p>Policy direction is to safeguard trees and Cornish hedges, and aligns with the policies from the CLP listed under policy E4.1 above.</p> <p>Further, reference is also drawn to policy 23.3 e) of the CLP which reads as follows:</p> <p><i>'3(e). Ancient woodland and veteran trees</i></p> <p><i>Development must avoid the loss or deterioration of ancient woodland and veteran trees, unless the need for, or benefits of, development on that site clearly outweigh the loss.'</i></p> <p>The supporting text to policy 23 also highlights the following in support of the NDP policy '2.169 Veteran trees are trees which, because of their age, size or condition are of cultural, historical, landscape and nature conservation value. They can be found as individuals or groups within ancient wood pastures, historic parkland, hedgerows, orchards, parks or other areas.'</p>
Policy E5.1 Character and setting of the Tywardreath Conservation Area	Environmental Policy Relevant Policies from the CLP: Policy 24: Historic Environment	<p>The principle intention for the policy is to conserve and enhance the conservation area. The policy has been written in accordance with policy 24 of the CLP by reinforcing the key messages at local level. The relevant text is as follows from policy 24:</p> <p>Policy 24 Historic Environment supports development proposals that 'sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where</p>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p><i>appropriate enhancing the significance of designated and non-designated assets and their settings.'</i></p> <p>Policy 24 additionally explains that '<i>Development proposals will be expected to: maintain the special character and appearance of Conservation Areas, especially those positive elements in any Conservation Area Appraisal....'</i></p>
Policy E5.2 Character and setting of Tywardreath Priory	Environmental Policy Relevant Policies from the CLP: Policy 24: Historic Environment	<p>The focus of this policy is to retain and respect the integrity of the remains of Tywardreath Priory, a demolished non designated heritage asset (as per https://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=MCO13239&resourceID=1020), and within the area shown on the Priory Setting Map, Figure 15, requiring a detailed archaeological assessment and/or evaluation, showing how the significance of any remains of the Priory is retained, protected, enhanced, or complemented by the proposal.</p> <p><i>'The policy is supported by the following text in policy 24 of the CLP:</i></p> <p><i>All development proposals should be informed by proportionate historic environment assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) identifying the significance of all heritage assets that would be affected by the proposals and the nature and degree of any effects and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated.</i></p> <p><i>Great weight will be given to the conservation of the Cornwall's heritage assets. Where development is proposed that would lead to substantial harm to assets of the highest significance, including un- designated archaeology of national importance, this will only be justified in wholly exceptional circumstances, and substantial harm to all other nationally designated assets will only be justified in exceptional circumstances.</i></p> <p><i>Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.'</i></p>
Policy E5.3 Character and setting of the 1644 Civil War Battlefield Site	Environmental Policy Relevant Policies from the CLP: Policy 24: Historic Environment	<p>In a similar context to policy E5.2, this policy refers to the setting of the 1644 Civil War Battlefield site, again which is identified as a non-designated heritage asset.</p> <p>However particular reference is drawn to the following component of policy 24 of the CLP which supports the NDP policy direction further:</p>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<i>'Development proposals will be expected to conserve and, where appropriate, enhance other historic landscapes and townscapes, including registered battlefields ...'</i>
Policy E5.4 Maintaining the Outstanding Universal Value of the World Heritage Site	Environmental Policy Relevant Policies from the CLP: Policy 24: Historic Environment	The policy provides the localised reinforcement of the following sections of policy 24 of the CLP: <i>'Development within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) and its setting should accord with the WHS Management Plan. Proposals that would result in harm to the authenticity and integrity of the Outstanding Universal Value, should be wholly exceptional. If the impact of the proposal is neutral, either on the significance or setting, then opportunities to enhance or better reveal their significance should be taken.'</i>
Policy E5.5 Historic Landscape Character of the Parish	Environmental Policy Relevant Policies from the CLP: Policy 24: Historic Environment	The policy approach seeks to safeguard the historic landscape character of the Parish and existing Cornish field boundaries. The policy aligns with CLP Policy 24 Historic Environment which 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>
Policy E5.6 Character and setting of the historic industrial features within the Parish; c.f. Industrial Assets Map	Environmental Policy Relevant Policies from the CLP: Policy 24: Historic Environment	As per policies E5.2 and E5.3, the policy refers to non-designated heritage assets. Particular reference is drawn, in this regard, to the following component of policy 24 of the CLP which supports the NDP policy direction further: <i>'Development proposals will be expected to conserve and, where appropriate, enhance other historic landscapes and townscapes, including ... industrial mining heritage.....'</i>
Policy E5.7 The protection of non-designated heritage assets	Environmental Policy Relevant Policies from the CLP: Policy 24 Historic environment	The NDP policy identifies a number of non-designated heritage assets in the Parish. The approach is supported by policy 24 of the CLP that seeks to <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> ; and outlines that <i>'Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.'</i>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
Policy H1 Development Boundary	<p>Environmental, Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2: Spatial strategy</p> <p>Policy 2a: Key targets</p> <p>Policy 3: Role and function of places</p> <p>Policy 4: Shopping, services and community facilities</p> <p>Relevant Policies from the CLP:</p> <p>Policy 5: Jobs and skills</p> <p>Policy 6: Housing mix</p> <p>Policy 7: Housing in the countryside</p> <p>Policy 8: Affordable housing</p> <p>Policy 9: Rural Exception Schemes</p>	<p>Policy H1 is a housing development policy that provides development boundaries demonstrating where housing will be supported in principle.</p> <p>Paragraph 1.64 of the CLP highlights that outside of the main urban areas <i>'development would be expected to focus upon meeting local need and supporting the sustainability of smaller communities through windfall development, including infill sites and exceptions sites. Development should be of a scale and nature appropriate to the character, role and needs of the local community.'</i> 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>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; 4. The development of previously developed land within or adjoining settlements; 5. Rural exception sites'. <p>No settlement within the Parish is named in policy 3.</p> <p>Policy 3 itself states that:</p> <p><i>'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;</i></p> <ul style="list-style-type: none"> • 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' <p>Paragraph 1.68 of the CLP explains that <i>'Neighbourhood Plans can provide detailed definition on which settlements are appropriate for infill and boundaries to which the policy will operate.'</i></p>
Policy H2 General Development Principles	Environmental, Social and Economic Policy	<p>The NDP policy seeks to ensure that future development is sensitive to the needs of this special environment and takes into account existing character of the area. Further, the policy encourages the use of low carbon measures and renewable technology in new development.</p>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
	<p>Relevant Policies from the CLP:</p> <p>Policy 2: Spatial strategy</p> <p>Policy 13: Design</p> <p>Policy 14: Renewable and low carbon energy</p> <p>Policy 23: Natural environment</p> <p>Policy 24: Historic Environment</p>	<p>The approach is supported by a number of policies in the CLP, such as the following:</p> <p>Point 1 of policy 2 (Respecting and enhancing quality of place) seeks to <i>'maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important by:</i></p> <p><i>Ensuring that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location;</i></p> <p><i>Considering the impact of development upon the biodiversity, beauty and diversity of landscape and seascape, character and setting of settlements, wealth of natural resources, agricultural, historic and recreational value of Cornwall;</i></p> <p><i>Identifying the value and sensitivity, of the character and importance of landscapes, biodiversity and geodiversity and historic assets;</i></p> <p><i>Protecting, conserving and enhancing the natural and historic landscape, heritage, cultural, biodiversity and geodiversity assets of Cornwall in recognition of their international, national and local status, in accordance with national legislation and policy, as amplified by the other policies of this plan.'</i></p> <p>Policy 12 d, of the CLP explains that <i>'d. adaptability, inclusiveness, resilience and diversity – building structures can be easily altered, particularly internally, to respond to both climate change and changing social and economic conditions and provide a mix and pattern of uses.'</i></p> <p>Point 1A of policy 12 of the CLP <i>'requires development to create 'places with their own identity and promoting local distinctiveness while not preventing or discouraging 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>Policy 14 of the CLP encourages renewable energy deliver but acknowledges that care is required in terms of landscape integration as per policy 23 below.</p> <p>The overarching objective for policy 23 of the CLP states at point 1 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>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> <p>Policy 24 additionally explains that <i>'All development proposals should be informed by proportionate historic environment assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) identifying the significance of all heritage assets that would be affected by the proposals and the nature</i></p>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<i>and degree of any effects and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated.'</i>
Policy H3 Affordable Housing on Rural Exception Sites	<p>Environmental, Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2: Spatial strategy</p> <p>Policy 2a: Key targets</p> <p>Policy 3: Role and function of places</p> <p>Policy 7: Housing in the countryside</p> <p>Policy 8: Affordable housing</p> <p>Policy 9: Rural Exception Schemes</p>	<p>The policy relates to the type, manner and delivery of rural exception sites as supported through Policy 9 of the CLP which highlights that <i>'The provision of local needs housing on the edge of our smaller towns, and villages remains one of the key ways in which Cornwall intends to deliver rural affordable housing.'</i></p> <p>The policy is also supported by Policy 2a 1 which seeks <i>'to deliver sufficient new housing of appropriate types to meet future requirements'</i>.</p> <p>Furthermore, 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>
Policy H4 Housing Design	<p>Environmental, Social and Economic Policy</p> <p>Relevant Policies from the CLP:</p> <p>Policy 2: Spatial strategy</p> <p>Policy 12</p> <p>Policy 13: Development Standards</p> <p>Policy 14: Renewable and low carbon energy</p> <p>Policy 23: Natural environment</p> <p>Policy 24: Historic Environment</p>	<p>The policy follows a similar approach to policy H2, but is specific to housing. It provides encouragement for a number of design approaches to support diversity, designing out crime, renewable energy and limiting adverse effects on the environment</p> <p>Further to the policies listed under H2, reference is drawn to the wider components of policies 12 and 13 of the CLP, which state as follows:</p> <p>Policy 12 of the CLP:</p> <p><i>'1. As part of a comprehensive place-shaping approach, proposals will be judged against fundamental design principles of:</i></p> <ul style="list-style-type: none"> <i>a. character – creating places with their own identity and promoting local distinctiveness while not preventing or discouraging 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; and</i> <i>b. layout – provide continuity with the existing built form and respect and work with the natural and historic environment; high quality safe private and public spaces; and improve perceptions of safety by overlooking of public space; and</i>

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
		<p>c. <i>movement – creating a network of safe well connected routes which are easy to read and navigate by the use of landmarks, spaces, views and intersections; and</i></p> <p>d. <i>adaptability, inclusiveness, resilience and diversity – building structures can be easily altered, particularly internally, to respond to both climate change and changing social and economic conditions and provide a mix and pattern of uses; and</i></p> <p>e. <i>engagement process – undertaking community engagement, involvement and consultation in the design process proportionate to the scheme.</i></p> <p>2. <i>In addition development proposals should protect individuals and property from:</i></p> <p>a. <i>overlooking and unreasonable loss of privacy; and</i></p> <p>b. <i>overshadowing and overbearing impacts; and</i></p> <p>c. <i>unreasonable noise and disturbance.'</i></p> <p>Policy 13 of the CLP '<i>5. Avoidance of adverse impacts, either individually or cumulatively, resulting from noise, dust, odour, vibration, vermin, waste, pollution and visual effects. Such adverse impacts should be avoided or mitigated during the construction, operation or restoration stage of development; and 6. Utilising opportunities for natural lighting, ventilation and heating by design, layout and orientation.'</i></p>

NB. A number of the policies in the CLP are not applicable to the NDP 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 CLP.

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* 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 NDP 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 a HRA was not required. Thereby it has been concluded that the NDP is compatible with the above Directives.

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

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 NDP 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 HRA

Appendix A

Cornwall Council

Dolcoath Avenue Camborne Cornwall TR14 8SX

Email: planning@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA15/00010/NDP

Applicant:

Mrs S Vincent
Tywardreath And Par Parish Council
Colcerrow Farm
Par
Cornwall
PL24 2RZ

**Town And Country Planning Act 1990 (As Amended)
The Neighbourhood Planning (General) Regulations 2012**

Designation of a Neighbourhood Area

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY APPROVES**, the designation of a Neighbourhood Area to be used for the creation of a Neighbourhood Development Plan as set out in the following application received on 17th April 2015 and accompanying plan(s):

Proposal: The designation of the Parish of Tywardreath And Par as a Neighbourhood Area

Relevant Body: Tywardreath And Par Parish Council

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 10 June 2015

Phil Mason
Head of Planning, Housing and
Regeneration

REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

The Cornwall Council has considered the proposed Designation of the Neighbourhood Area and finds that:

- The area proposed is appropriate to be designated as a Neighbourhood Area;
- The Parish Council is a relevant body for the purposes of Section 61G of the 1990 Act; and
- No substantive objection has been made to the designation of the area under Regulation 6

It is therefore considered that the Designation of the Neighbourhood Area should be approved.

Appendix B

TYWARDREATH AND PAR PARISH COUNCIL

tywardreathparpc@btinternet.com
www.tywardreathandparparishcouncil.gov.uk

Chairman
Cllr Mrs Caroline Wildish
Castledore Farm
Castledore
Par, PL24 2UA
01726 832525

Parish Clerk
Mrs Sally Vincent JP
Colcerrow Farm
Par
PL24 2RZ
01208 872450

12th April 2015

The Chief Executive
Cornwall Council
County Hall
Treyew Road
TRURO
TR1 3AY

RECEIVED 15 APR 2014

Dear Sir

Tywardreath & Par Parish Council gives notice that it wishes to make an application under Part 2 (5) (1) of the Neighbourhood Planning (General) Regulations 2012 for the designation of a Neighbourhood Area for neighbourhood planning activities.

Please find enclosed the relevant documentation.

Yours faithfully



Sally Vincent
Parish Clerk
Enc.

Application under Part 2 (5) (1) of the Neighbourhood Planning (General) Regulations 2012 for the designation of a Neighbourhood Area

Tywardreath & Par Parish Council gives notice that it wishes to make an application under part 2 (5) (1) of the Neighbourhood Planning (General) Regulations 2012 for the designation of a Neighbourhood Area for neighbourhood planning activities.

The Plan will be known as The Tywardreath & Par Parish Neighbourhood Plan

Tywardreath & Par Parish Council is making the application on behalf of the Parish of Tywardreath & Par, which incorporates the wards of Tywardreath, Par and Tywardreath Highway and has resolved to make this application. A copy of the relevant part of the minutes of Tywardreath & Par Parish Council dated 2nd April 2015 is appended to this application.

The application is accompanied by a map (also appended) identifying the area to which the application relates.

Tywardreath & Par Parish Council considers the area appropriate for designation as a Neighbourhood Area for the following reasons.

1. The parish is properly constituted and is a well recognised and clearly defined parish area, which has a properly elected democratic body representing the local community
2. The parish has unique characteristics which need to be recognised in a comprehensive Neighbourhood Plan. It is bounded to the south by the coast at Par, which supports an active tourist industry but it also incorporates Tywardreath village, which has all the characteristics of a typical Cornish inland settlement. Whilst the tourism industry is a significant employer during the summer months, unlike neighbouring Fowey the parish does not have many second homes and the majority of properties are either owner occupied or rented. There are small, largely family run, retail outlets throughout the parish and a number of thriving industrial units are situated around Par Station, which is on the main Penzance to Paddington line and which also serves the Newquay branch line.
3. The parish council is committed to ensuring that the community's views are fully reflected in future local planning decisions.
4. The parish council is fully aware of the need for compatibility with other Neighbourhood Plans in its Community Network Area.
5. Tywardreath & Par Parish Council is a 'relevant body' for the purposes of section 61G of the 1990 Town and Country Planning Act

alley and also a record breaking tea event in the field next to the event field. It had been confirmed that Par Carnival week would be 12th – 19th July 2015.

14/182 To receive and note minutes of Parish Council Committees

Planning – minutes noted
Environment – no report
Finance – no report

14/183 Correspondence List

The correspondence list had been circulated and the file was available for Cllrs attention.

Item 1. Cllr Wildish would pass the details on 'Adopt a Kiosk' to the PCA

14/184 Accounts for Approval

Cllr Brasier proposed, Cllr Hughes seconded and it was RESOLVED that accounts to the value of £1176.15 be approved.

Cllr Hughes confirmed that the Seaside Towns funding application had been submitted in the format required.

14/185 Resolutions from Councillors

None

14/186 Finance

Annual Accounts to 31st March 2015. It was proposed by Cllr Phillips, seconded Cllr Hughes and RESOLVED that the accounts be adopted

Adoption of Statement of Assurance to 31st March 2015. It was proposed by Cllr Scrafton, seconded Cllr Allen RESOLVED that the Statement of Assurance be adopted.

14/187 Public Conveniences in the Parish

No update.

14/188 Tywardreath Allotments

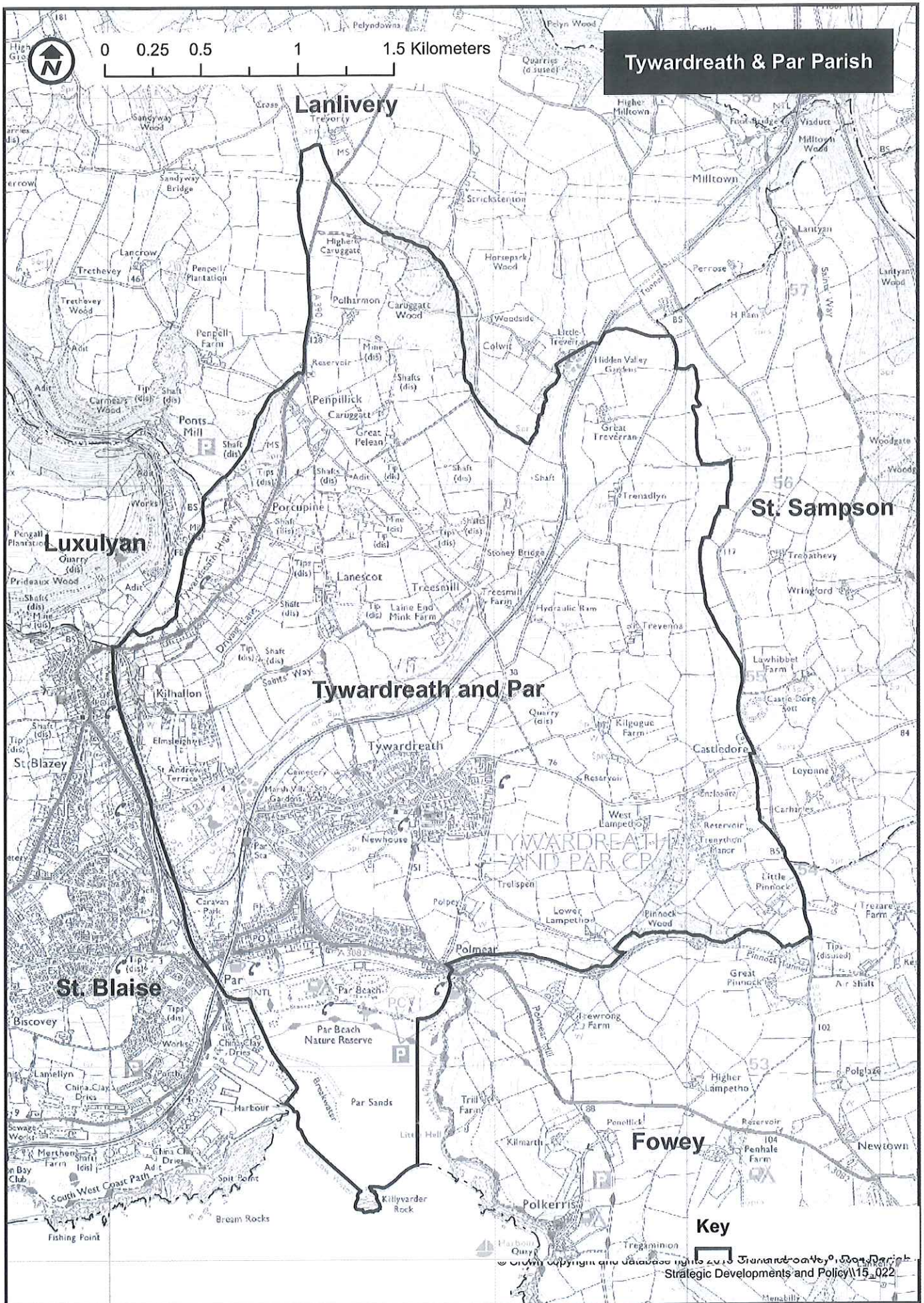
The transfer of the allotments was still in the hands of the solicitors. Cornwall Council had been provided with the details of the people 'squatting' on the properties.

14/189 Par Bay Skatepark Project

Cornwall Council had still not progressed the land transfer. Gill Butler - SK8 - had called a meeting on 17th April at 7.30pm the Big Local Shop to try to push the project forward and she hoped that all interested parties would attend.

14/190 Neighbourhood Plan

Cllr Hughes proposed, Cllr Allen seconded and it was RESOLVED that the parish council should submit an application for Designation of a Neighbourhood Area as Tywardreath & Par Parish Neighbourhood Plan



Appendix C



Alison White
Tywardreath and Par Parish Neighbourhood Plan

By email: alison.white1@outlook.com

Dear Alison,

20 January 2020

Tywardreath and Par Parish Neighbourhood Development Plan – SEA and HRA Screening

As requested Cornwall Council has screened the Tywardreath and Par Parish Neighbourhood Development Plan (NDP) to see whether the plan requires Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA.)

As required by the SEA regulations Cornwall Council produced a screening opinion report for the NDP and consulted the statutory bodies: Natural England, Historic England and the Environment Agency. We also asked Natural England to confirm whether or not HRA was required under the HRA directive.

The NDP was screened out for impacts on European Sites and Cornwall Council concluded at HRA was not required. Natural England has confirmed that they are satisfied with this conclusion.

Based on the scale and location of development proposed in the draft plan, and the strategic and local policy framework, Cornwall Council is of the opinion that the Tywardreath and Par Parish NDP is unlikely to have significant effects on the environment and that SEA is therefore not required. This view has been confirmed by the consultation bodies.

This screening decision, that neither SEA nor HRA is required, is based on the SEA version of the NDP, dated December 2019. If significant changes or additions are made to your plan I would advise you to have it rescreened.

Yours sincerely,

Sarah Furley
Group Leader
Neighbourhood Plans
Tel: 01872 224294
Email: sarah.furley@cornwall.gov.uk

Cc: tywardreathparpc@btinternet.com

**Tywardreath and Par Parish NDP
(SEA version December 2019)**

**Strategic Environmental Assessment
Habitats Regulations Assessment**

Screening Report

10 December 2019

Contents

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4. Strategic Environmental Assessment Screening	7
5. Screening Outcome	X

1. Introduction

- 1.1 This screening report is designed to determine whether or not the Tywardreath and Par Parish Neighbourhood Development Plan (the NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also considers whether Habitats Regulations Assessment is required under Article 6 or 7 of the Habitats Directive.
- 1.2 The purpose of the NDP is to provide local planning policies which will operate in the plan area, Tywardreath and Par parish, in conjunction with and adding extra detail to strategic level policies.
- 1.3 The vision for the NDP is: “By 2030, Tywardreath and Par Parish will be a thriving, welcoming and inclusive community, allowing local people to lead secure, sustainable, productive and rewarding lives while protecting a distinctive landscape and coastline, environment and heritage.” The NDP specifies 5 key objective, relating to Flood Risk Management, Business, Tourism and Transport, Community, Health and Wellbeing, Environment and Heritage and Housing and Development. A diagram on page 13 shows how the NDP policies relate to each objective.
- 1.4 The strategy of the NDP is to use criteria based policies to guide the quality of development. Fairly tight development boundaries are drawn, reflecting the indicative baseline housing requirement figure of zero supplied by Cornwall Council in accordance with NPPF paragraph 69. The NDP does not allocate sites, but safeguards sites for employment, designates local green space and safeguards land required for the implementation of the StARR project.
- 1.5 Health and wellbeing, including blue/green spaces, tranquility and environmental protection and enhancement and an appreciation of cultural distinctiveness and the historic environment are key features of the NDP.
- 1.6 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the Neighbourhood Plan and the need for a full SEA or HRA.

2. Legislative Background

Strategic environmental assessment

- 2.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (ODPM 2005)

2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.

2.3 However, Neighbourhood Plans are not Local Development Documents and are not required to be subject to sustainability appraisal by legislation (although it is advisable to carry out some form of sustainability assessment.) Neighbourhood plans are produced under the Localism Act 2011. In SEA terms, neighbourhood plans are treated as components of Local Plans. National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. The Localism Act 2011 also requires neighbourhood plans to be compatible with EU and Human rights legislation, therefore, depending on their content, neighbourhood plans may trigger the Strategic Environmental Assessment Directive and Habitats Directive

2.4 Figure 2.1 shows the SEA screening process, and Box 2.1 shows the criteria to be used for the main test that applies to neighbourhood plans, namely whether the plan is likely to have a significant environmental effect.

2.5 National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Potential triggers may be:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan

Habitats Regulation Assessment

2.6 Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This process also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).

2.7 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. Table 5.1 lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

Sustainability appraisal

2.8 The NPPG explains that there is no legal requirement for a neighbourhood plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A sustainability appraisal may be a useful approach for doing this.

2.9 This report therefore includes screening for HRA and SEA . Section 3 sets out the HRA screening, and provides that Appropriate Assessment if required. Section 4 shows the SEA screening process (fig 2.1), and Box 2.1 shows the criteria to be used for the main test that applies to neighbourhood plans, namely whether the plan is likely to have a significant environmental effect.

3. Habitats Regulation Assessment

Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).

5.2 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. Table 5.1 lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

5.3 HRA screening must address the question: Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites? The table(s) below appraises the effect of allocations or policies within the NDP which have the potential to significantly affect European sites within or with a pathway of impact from the NDP. The precautionary principle must be used when assessing whether adverse effects are significant.

NDP Allocation or Policy: There are no allocations nor policies within the NDP likely to cause significant effects on a SAC or SPA. The nearest European Sites are listed in the table below.

European Site	Designated features	Threats/pressures	Pathways of Impact (arising from development relating to the NDP)	Likely significant effects (including in combination)	Screen in or out
Falmouth Bay to St Austell Bay SPA	Black throated Diver, Slavonian Grebe, Great Northern Diver,	Commercial fishing, fixed/drift net fishery	None arising from the NDP. The SPA was also screened out of the Cornwall Council HRA	None	Out
Polruan to Polperro SAC	Qualifying habitats:	Water Pollution, Air Pollution,	None. Farming practises are outside the remit of an	None	Out

lies approximately 4km (closest point) to the parish	<input type="checkbox"/> European dry heaths <input type="checkbox"/> Vegetated sea cliffs of the Atlantic and Baltic coasts Qualifying species: <input type="checkbox"/> Shore dock <i>Rumex rupestris</i>	overgrazing, inappropriate scrub control	NDP. The NDP does not propose development above that of the Cornwall Local plan – and this SAC was screened out in the HRA of the Cornwall Local Plan.		
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4. SEA screening

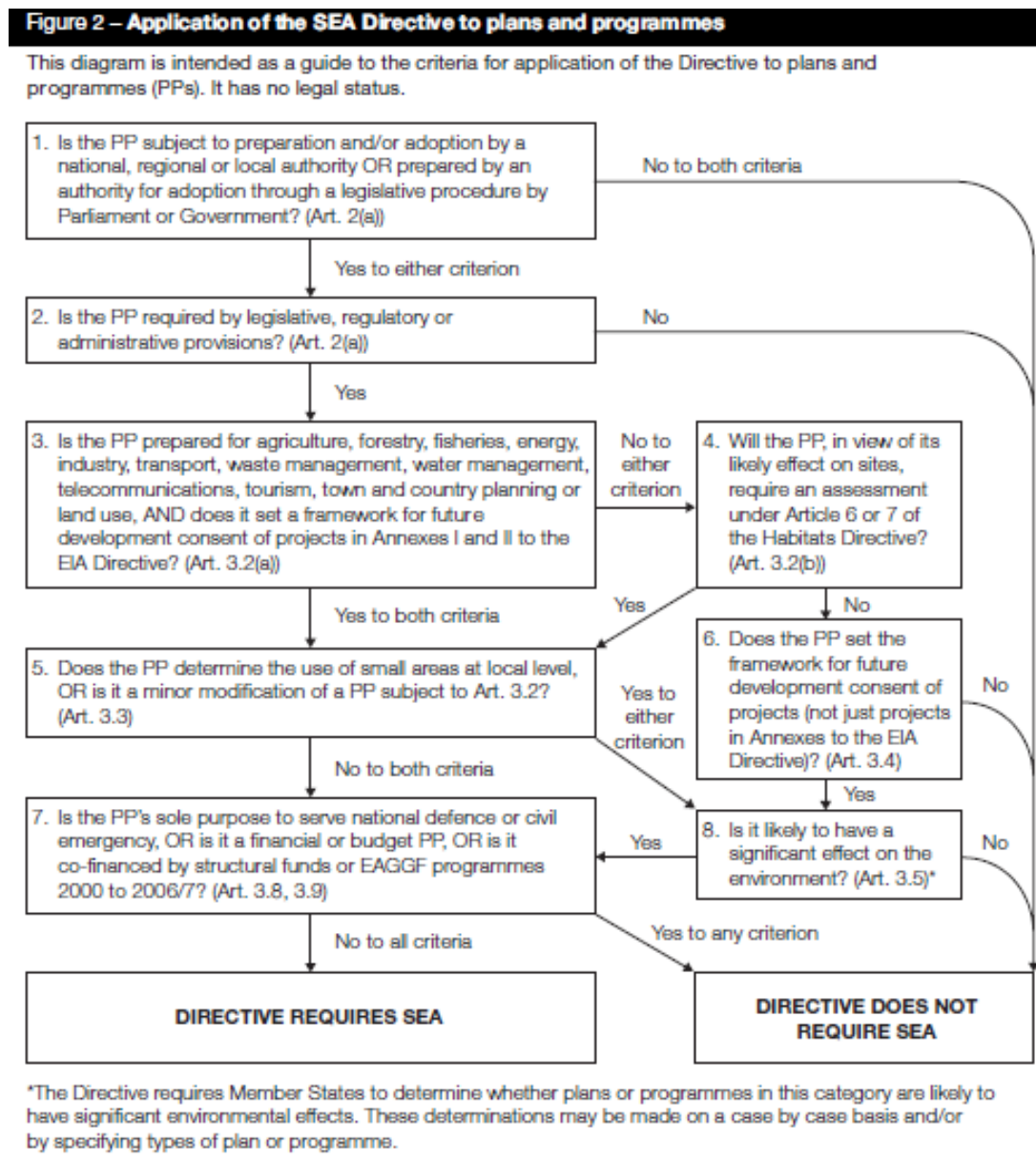
4.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

SCHEDULE 1 Regulations 9(2)(a) and 10(4)(a)	
CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT	
1. The characteristics of plans and programmes, having regard, in particular, to	
- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,	
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,	
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	
- environmental problems relevant to the plan or programme,	
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to	
- the probability, duration, frequency and reversibility of the effects,	
- the cumulative nature of the effects,	
- the transboundary nature of the effects,	
- the risks to human health or the environment (e.g. due to accidents),	
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	
- the value and vulnerability of the area likely to be affected due to:	
- special natural characteristics or cultural heritage,	
- exceeded environmental quality standards or limit values,	
- intensive land-use,	
- the effects on areas or landscapes which have a recognised national, Community or international protection status.	

Source: Annex II of SEA Directive 2001/42/EC

Figure 2 SEA screening flowchart

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required¹.



¹ Source: A Practical Guide to the Strategic Environmental Assessment Directive

Table 4.1 Establishing the Need for SEA		
Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	Will be 'made' by Cornwall Council and used in decision making as part of the development plan.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Localism Act 2011
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N	Annex I and II projects are (typically) large scale industrial and commercial processes – the plan does not deal with this scale of development.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) (See para 4.2 above)	N	See Section 3 on Habitats Regulations Assessment
5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The Plan contains land use planning policies to guide development within the parish
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Y	The NDP will be 'made' and used as part of the development plan for determining planning applications in the Plan area
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N	
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See Table 4.2

Table 4.2 Likely significant effects on the environment	
SEA requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The Plan provides local criteria based policies to control the quality of development within the parish. The Plan does not aim to exceed the Local Plan housing requirement and does not allocate sites. The strategy for delivery of development is through settlement boundary and the safeguarding of existing employment sites. Policies focus on quality of development and delivery of key objectives that protect the environment and promote community well being.
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The neighbourhood plan must be in general conformity with the National Planning Policy Framework and the Local Plan. It does not influence other plans.
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	The neighbourhood plan must be in general conformity with the National Planning Policy Framework and the Local Plan which promote sustainable development. It will be examined against four basic conditions, one of which is whether the plan contributes to sustainable development. A sustainability checklist has been completed and is appended. This uses the 19 topics and objectives used for the sustainability appraisal of the Cornwall Local Plan to test the policies of the draft NDP. The results, presented in a table, have led to the amendment of some policies, to strengthen their performance and this is detailed in the report.
4. environmental problems relevant to the plan or programme,	<p>The following environmental problems have been identified in the neighbourhood plan area :</p> <p>Castle Dore, SAM, in neighbouring St Sampson Parish, is on the Heritage at Risk Register. This is on the boundary of the NDP Area.</p> <p>None specifically within the parish</p>
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	

6. the probability, duration, frequency and reversibility of the effects,	The plan period is from adoption until 2030, in line with the Cornwall Local Plan.
7. the cumulative nature of the effects,	Tywardreath and Par is a rural parish located to the east of ST Austell, approximately 6km from that town and from the strategic sites associated with it, allocated in the site allocations DPD. The main A390 road, which serves St Austell runs through the northern part of this parish, but the NDP does not propose a level of development which will contribute to cumulative effects.
8. the transboundary nature of the effects,	N/A
9. the risks to human health or the environment (e.g. due to accidents)	N/A
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	<p>The parish covers an area of approx. 1025 hectares . The population, as at 2011 census, was 3268 and the 2016 mid year estimate was 3275 inhabitants.</p> <p>Tywardreath and Par is one of 11 parishes in the Fowey, St Blazey and Lostwithiel community network area. The Local Plan apportions 900 dwellings to this group of parishes and Tywardreath and Par represent 22% of the housing stock of those parishes; pro rata the parish might expect to deliver around 180 units, but the delivery so far during the plan period has been much lower, with 51 completions and 45 commitments. As a whole, the CNA is delivering the housing apportionment, so there is no requirement for Tywardreath and Par to allocate more development and the qualifying body have chosen not to do so.</p>
11. the value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> -special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use, 	<p>The NDP contains a large number of high quality maps showing the location of designated assets and environmental constraints. These include:</p> <p>Figure 12 Cornish Hedges Map page 85</p> <p>Designated heritage assets map, showing the location of World Heritage Site, Scheduled Ancient Monuments, Conservation Area, listed buildings, Registered Battlefields and Heritage Coast, page 87</p> <p>Figure 16 Civil War Battlefield Site 1644 Map page 92</p> <p>Figure 17, Industrial Assets Map page 94</p> <p>A designations map, showing the WHS, SPA and AONB is also appended to this report.</p> <p>The NDP does not allocate sites. The location of housing development is managed through the use of a development boundary, shown on Figure 18, Development Boundary Map, page 98. The boundary is drawn tightly, reflecting the decision not to seek development above the requirement set out in the Cornwall Local Plan.</p>
12. the effects on areas or	Some employment sites are safeguarded. These are existing sites , already developed, with business or

<p>landscapes which have a recognised national, Community or international protection status.</p>	<p>employment development. Policy BTT1 restricts further development for industrial uses to these sites.</p> <p>In conjunction with the development boundary, several policies use criteria to encourage further protection and enhancement of the environment. These include: Policy H2: General Development Principles, p102, a general policy encouraging design quality and standards and protection of the environment.</p> <p>There are a suite of policies(pp22-31) safeguarding land and aiding the implementation of the StARR project, a suite of interventions, led by the EA and delivered in partnership with Cornwall Council, to manage flood water in this area. These policies also encourage a net gain in the biodiversity and green infrastructure.</p> <p>Policy E1 (P54) specifies sites for LGS designation. The evidence base for these sites is robust and the sites are clearly shown in maps within the NDP. Additionally Policy E2 defines 10 tranquil areas, including two areas of ancient woodland. These areas (Fig 10, p75) are in any case outside the development boundary, not proposed for development in the NDP and would be considered as open countryside, with strategic policy protection – but it is useful to note their special qualities to make sure that these are considered and afforded further protection if any of the limited range of development acceptable in the countryside is proposed.</p> <p>Policy E4.1: Development and Biodiversity and E4.2: Trees and Cornish Hedges are criteria based policies to conserve biodiversity, encourage connectivity of habitats and achieve biodiversity net gain.</p> <p>Tywardreath has a relatively large central conservation area. The NDP presents a strong evidence base of the history of the parish and there is a clear interest in this heritage and desire to conserve and where possible enhance this. The suite of Heritage policies, E5 1-7,pp 86 – 94, recognise the designated and non designated assets of the parish and link to evidence base, such as the HER, to seek protection and enhancement of the assets and their setting including Tywardreath Conservation Area, Character and setting of Tywardreath Priory, the 1644 Civil War Battlefield Site, recognition of the WHS, Historic Landscape Character of the Parish and historic industrial features.</p> <p>There is further information in the Appendix to the plan, which includes a landscape character assessment and an industrial heritage section, and in the evidence base links document.</p>
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5. SEA Screening Outcome

- 5.1 As a result of the assessment in section 3, it is unlikely there will be any significant environmental effects on European Sites arising from the NDP and HRA is therefore not required.
- 5.2 The assessment in section 4 does not reveal any significant effects on the environment resulting from the NDP. The NDP is planning for a low level of development, focusing on meeting local needs only and on safeguarding existing employment sites. The criteria based policies of the NDP are based on extensive research into the natural and historic environment of the parish and the plan uses this evidence to conserve and enhance its assets and promote wellbeing for the community.