

## LUXULYAN NEIGHBOURHOOD DEVELOPMENT PLAN STEERING GROUP

### REPORT OF A MEETING HELD ON TUESDAY 19<sup>TH</sup> MARCH 2019

#### 1. Present:

Robin Stephenson (RS) - Chairman; Nick Legard (NL) - Vice-Chairman; Mick Coleman (MC); Simon Hall (SH); Francis Payne (FP) - Luxulyan Parish Council; Michele Latham (ML) - Luxulyan Parish Council; Roger Smith (RSm).

2. **Apologies:** Sue Perry (SP); Tony Lee (TL).

#### 3. Minutes and Matters Arising of the meeting held on 19<sup>th</sup> February 2019

These were approved as a true record. There were no matters arising.

#### 4. Finances/Grant completion form

The following expenditure had been made: £375 to pay for broadband in the Institute; £65 for the map showing wildlife designations within the parish; £120 for the hire of the Institute; and £900 for TL's work. This left £2.65 to be refunded to the issuer of the grant.

#### 5. Independent Examiner

The Independent Examiner had asked 7 questions, all of which had been circulated before the meeting. RS had been in discussion with Emma Ball (Cornwall Council) and TL regarding the appropriate responses. Those present were asked to consider each question and the suggested responses.

Q1. *I understand the former Restormel Borough Local Plan has a few saved policies still current, and are thus part of the development plan still. Will these all be replaced by the emerging site allocation DPD?*

It was agreed that Cornwall Council would respond to this.

Q2. *References in the Plan to NPPF paras are to the 2019 version (it has had minor revision recently). However as the Plan was submitted before Jan24th 2019 it is the NPPF2012 version that it has to comply with (new NPPF para 214 of Appendix 1 and footnote 69). For future proofing the document I am happy that it mentions both, unless you would rather keep to one version, in which case it will have to be the NPPF2012 version.*

It was agreed to follow TL's suggestion that both could be mentioned as 'the LNDP was produced under the 2012 and 2018 versions'.

Q3. *Policy LH1 requires 'appropriate' design features, but there is no reference to guidance on this. Would referring to the Cornwall Council Design Guide be useful here – a document you do reference in your list of Reference Documents.*

It was agreed to adopt TL's response: 'Yes, it would, in particular Sections 1-3 which can be located at: - <https://www.cornwall.gov.uk/media/3626679/CDG-Sections-1-2-3.pdf>.'

Q4. *I am unclear what the last sentence of para 8.6 in the Plan intends? Are all new dwellings on exception sites to be built within the curtilage of existing properties? A curtilage is a specific planning term, as you are probably aware. Is the meaning here rather that the new dwellings need to relate well to the existing surrounding built form?*

It was agreed to adopt TL's response, with a slight amendment relating to the number of Policy 9 compliant schemes built in the parish in the last 20 years (changes indicated by highlighting):

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

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

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

It was also felt necessary to explain that some content of the original plan had been altered or removed on the advice of the Cornwall Council officer originally assigned to the group and that this may have led to the situation whereby clarification was now being sought by the Independent Examiner.

Q5. *Policy LH2 criteria 2 states that "the (development) proposal should be well-related to existing hamlets." However Luxulyan is a village – would 'settlement' be a better term here than 'hamlet'?*

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

Q6. *Policy LH4 seems to me to be mixing the provision of market housing suited to the elderly, with potential provision of housing for the elderly to meet evidenced local need as an exception site. Would separating these issues, with another clause in the exception site policy make things clearer?*

There was full support for the response to this question provided by TL:

'No, it's entirely propositioned on the opportunity and economic case the elderly might have to deliver new affordable homes. The elderly in rural areas often live and remain in homes that no longer meet their needs, they are often asset rich if economically restricted, they may have the motivation and time to provide a new home for their needs and in the Plan area there are limited

smaller homes for downsizing available as many are extended over time to become bigger and more expensive. This policy would allow an elderly person/couple to downsize and release capital while funding a new home which in itself would be restricted a Section 106 to a future sale or rent as an affordable home irrespective of age or infirmity. The normal affordable restriction on value would not be enough to make the construction of a small or modest home unviable and the release of capital from the sale of their former home would be of immediate benefit. It's another way of delivering affordable homes under CLP Policy 9, encouraging individuals who are themselves not necessarily in need of affordable homes and allowing them to stay longer in their community.'

*Q7. Also with Policy LH4, was any thought given to defining the extra accessibility required in older people's housing with reference to the Building Regs standards (M2 is usual). This is acceptable because it is not setting a standard generally, but using one to define when a dwelling will meet higher access standards required for older people.*

In line with TL's advice it was agreed to make this change.

It was felt important that links to the questionnaire responses that underpinned the Plan should be provided.

RSm asked if the Plan should also have a comment requiring that consideration of all applications should take into account the evidence base contained in the Historic Environment Record. It was felt that, in line with advice received, there would be no need to include this since it would be a duplication of provision already contained in the Cornwall Local Plan. It was suggested that advice be sought about adding a general clause stating that the Luxulyan NDP complemented higher-level policies, such as the Cornwall Plan and NPPF, and should be read in conjunction with them.

**Action:**

RS to advise Emma Ball of Cornwall Council of our responses to the questions raised by the Independent Examiner, to add references to the consultation evidence base, and to raise the point about the need to read the NDP in conjunction with higher-level plans.

**6. Tregarrick/Rosemelling/Other likely Planning Proposals**

FP reported that there was no news about the most recent application at Rosemelling. Nor was there news about other planning proposals.

FP would be attending a conference later in the week where he hoped to get clarification about Rural Exception Sites.

RSm raised a concern that planning officers did not use all the information layers available on the Cornwall Council online database relating to the Historic Environment Record when determining applications.

**7. Timescales/Project plan/Actions required**

It was felt that the referendum would be unlikely in April or May; however, May or June remained a possibility. It was agreed that it would be wise not to hold this during the school holidays.

RS explained that Cornwall Council would organise the referendum and would send an explanatory leaflet out with polling cards. The role of the steering committee would be limited to helping publicise the vote but could not include attempts to persuade.

#### **8. Any Other Business**

- (a) NL wished to correct the parish council's notion that he had volunteered to attend a meeting relating to Flooding and Emergency Planning. He had not made any such offer. FP would discuss who might attend with the council.
- (b) NL had provided a brief update about the Plan for inclusion in the April edition of *Granite Towers*.

#### **Date of next meeting:**

- Tuesday 16<sup>th</sup> April 2019, in Luxulyan Memorial Institute, starting at 6.30 p.m.