

to clerk, me, Searle, Davis

Dear both

I have now had a chance to review your Draft Luxulyan Neighbourhood Development Plan (NDP). Comments on this are attached. Unfortunately, our comments identify a number of issues with your Draft NDP. We recommend that you consider these comments and review your Draft NDP in order to address these.

We further recommend that, once you have your next iteration of the document, you then submit this for Strategic Environmental assessment (SEA)/Habitat Regulations Assessment (HRA) Screening Opinion (please see further advice around this stage below). At this point you should then await the outcome of this SEA/HRA Screening Opinion, before carrying out a re-run of your Regulation 14 pre-submission consultation. A re-run of your Regulation 14 consultation is recommended as it's likely that your Draft NDP will significantly alter as a result of addressing these comments (for example, where your current draft is proposing the removal of permitted development rights, this is not permissible in a NDP and so the removal of this proposal could be considered a significant alteration).

I don't doubt that this news will be received with disappointment, which is regrettable, but unfortunately it can't be avoided and will help you achieve a robust NDP which will hold weight when planning applications are considered.

Please see the following guidance around the SEA/HRA Screening Stage:

Submission of a Screening Opinion Request (SEA & HRA)

The purpose of the SEA/HRA Screening Opinion is to ascertain whether a SEA and HRA should be carried out. The SEA Screening stage also includes a statutory 3 week consultation period with Heritage England, Natural England and the Environment Agency.

In addition when you submit this (informal draft) NDP to us, we will circulate internally around key specialist officers, providing them an opportunity to provide informal comments to you. The advantage of this is that it helps iron out any obvious issues ahead of progressing to publication at the Regulation 14 stage.

When we carry out the SEA Screening Opinion we need to interrogate the evidence behind the policies, in particular where they relate to policies which permit development in particular locations (so a site allocation boundary, a large site within a development boundary or direction for future growth). This aspect is being particularly picked up by the statutory consultees at the SEA Screening Stage (Historic England and Natural England) and, where there is insufficient evidence, the draft NDP is returned to groups for the gaps to be filled. In truth the SEA/HRA Screening Stage can be quite a hurdle for groups to get through, but to get through it you will find that you are getting everything in order and then the remainder of the process is easier as a result.

When you send me the informal draft and the SEA/HRA Screening request can you please ensure that you submit the following:

- a) An unprotected Microsoft Word version of your Draft NDP, ensuring that;
 - this has paragraph numbers throughout;
 - this has page numbers throughout; and,
 - all contents of figures are clearly visible and understandable to the document user; also considering when this is printed at A4 scale and in black and white.

- b) A document presenting an index to your evidence base.

Whilst you will know your way easily around your evidence base, it is often difficult and timely for us to navigate and so, to assist us and the statutory consultees, please could you present an index of your evidence base, presented in tabular format as shown in the example below, taking care to signpost specific section(s) of documents where this is appropriate:

Policy	Evidence Source (all on our online Evidence Base Library at www.xxxxxx.uk, unless otherwise stated)
Policy 1: Housing	Main Evidence Overview Summary – Chapter 2, Section 5-9 Consultation Response Report – Section 7 Cornwall’s Local Plan Policy 3 & 9 Etc...
Policy 2: Development Boundary	Forming the Development Boundary for Brankston Village; The Evidence Base Report Cornwall’s Local Plan Policy 3 Etc...
Policy 3: Hill Top (Brankston) Site Allocation	Establishing Site Allocations at Brankston; The Evidence Base Report Etc....

c) A link to your online evidence base, where all of your NDPs supporting evidence to date should be readily accessible.

If you would like to discuss this further please don’t hesitate to contact me.

Kind regards

Zoe Bernard-John
Senior Development Officer
Economic Growth & Development, Cornwall Council