

Cornwall Council Officer Comments – Linkinhorne Draft NDP (31st March – 31st August 2020)

Community Infrastructure Levy *Linkinhorne NDP Noted comments*

General

The Parish of Linkinhorne is within CIL Charging zone 3, and as a designated rural parish, new developments of 1-5 dwellings will be liable to pay £100 per sqm, and developments of 6 or more will be liable to pay £60 per sqm. However, affordable housing and self-build developments are able to claim exemption from liability to pay a CIL charge. Rural Exception Sites are also exempt from CIL.

From 1 January 2020, indexation will apply to the adopted rates - this is set out in the Annual CIL Rate Summary 2020, which shows the rates that will be applied to permissions granted (or prior approval developments commenced) during the calendar year 2020.

CIL came into effect in Cornwall on 1 January 2019. From this date, developments creating one or more dwellings, or new floorspace of 100sqm or more, could be charged CIL. However, CIL will only become payable on commencement of a development (not granting of planning permission), which means there is always likely to be delay between a development being granted permission and when it has to make a CIL payment.

Of the CIL income received, 5% can be retained by the Charging Authority (Cornwall Council) for administering the process, 15% (25% for a parish with a made NDP) is paid directly back to the Town or Parish Council (the 'Neighbourhood Portion') in which development takes place (the 'Neighbourhood Portion'), and the remaining 70-80% (the 'Strategic Share') must be spent on infrastructure to support the development of the area. The CIL Strategic Share in Cornwall is going to be made available to communities, organisations, and other Council services, via a bidding process.

A funding process and application criteria for this are now being developed. It is unlikely that a funding round will be held until mid-2020 at the earliest.

More information on CIL can be found on the Councils website at www.cornwall.gov.uk/cil.

Any specific queries can be sent to cil@cornwall.gov.uk.

Community Projects Having projects that Linkinhorne intend to spend any CIL income on is welcomed.

Affordable Housing

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Policy H2	<p>Rural exception housing for local people. We would suggest that the threshold of a maximum of three bedrooms may be too restrictive.</p> <p>Homechoice housing register as of 14.4.2020 demonstrates there are currently 2 households with a 4 bedroom need. Table below is the Homechoice register showing the band and bed need of the households with a local connection to Linkinhorne.</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #4F81BD; color: white;"> <th>CAT CODE</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td style="background-color: #4F81BD; color: white;">B</td> <td>1</td> <td>1</td> <td>0</td> <td>0</td> <td>2</td> </tr> <tr> <td style="background-color: #4F81BD; color: white;">C</td> <td>2</td> <td>1</td> <td>1</td> <td>2</td> <td>6</td> </tr> <tr> <td style="background-color: #4F81BD; color: white;">E</td> <td>6</td> <td>3</td> <td>1</td> <td>0</td> <td>10</td> </tr> <tr style="background-color: #4F81BD; color: white;"> <td>Total</td> <td>9</td> <td>5</td> <td>2</td> <td>2</td> <td>18</td> </tr> </tbody> </table> <p>“Application to extend these dwellings will not normally be supported” – we would suggest this is expanded to say unless there is an evidenced matching bedroom need in line with the Homechoice policy.</p> <p style="color: red; font-weight: bold;"><i>Linkinhorne NDP agreed and revised NDP document.</i></p>	CAT CODE	1	2	3	4	Total	B	1	1	0	0	2	C	2	1	1	2	6	E	6	3	1	0	10	Total	9	5	2	2	18
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Policy H3	<p>Lifetime housing for local elderly people or those have significant health issues. We would suggest that the threshold of a maximum of two bedrooms for this type of housing is too restrictive. There could be occasions where a family has either adults and or children with significant health issues and their wider family support network is within the parish. By restricting to a max of 2 bedrooms you will prevent these households from potentially securing a suitable home for their needs within the parish. Likewise an elderly couple may require a bedroom each for health reasons and a third bedroom for overnight care, again a maximum of 2 bedrooms would restrict such a household from accessing suitable accommodation. I would therefore change the wording to say “The property has a maximum of two bedrooms unless there is an evidenced need (provided by healthcare professionals) for additional bedrooms based on health and support needs.” <i>Linkinhorne NDP agreed and revised NDP document.</i></p> <p>“Application to extend these dwellings will not normally be supported” – again we would suggest this is expanded to say unless there is an evidenced need based on health and or support</p>																														

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Development management team – Area 7 – Davina Pritchard

General points:

The document is short and direct – definitely an advantage!

Font size: It’s a good idea to use a nice, big, easy-to-read font that works well on computer screens. This is particularly important for more elderly people. Suggest that Verdana 11, or Calibri 14 be considered.

Linkinhorne NDP team agreed and revised NDP document.

Consideration of the Policies:

Policy GP2 – We think the wording on the penultimate and final bullet points (page 9) is a bit confusing and could be clarified. I.e. the penultimate bullet point confirms that (residential?) development outside of these settlements will be treated as rural exceptions sites as outlined in Policy 9 of the CLP. Does this mean any site – even if remote from a village could in theory be a rural exceptions site?

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The final bullet point then says developments that do not adjoin the village boundary will not be supported unless they comply with Policy 7 of the CLP. What about rural exceptions sites that are outside of, but adjacent to? We think we understand what the policy is trying to achieve, but we think the wording could perhaps be clearer...

Perhaps the 3rd bullet point might be re-phrased, so as to read:

- Sites proposed for residential development outside these settlements will be assessed as rural exception sites as outlined in Policy 9 of the Cornwall Local Plan.

(Or perhaps might bullet points 3 & 4 be combined?)

Linkinhorne NDP team agreed and revised NDP document.

The Upton Cross Development Boundary map is a bit distorted once printed – can this be rectified? ***Linkinhorne NDP team agreed and revised NDP document.***

Policy GP3 talks about exceptions being defined in the Cornwall Local Plan – is this referring to Policy 7? If so, it would be helpful if Policy 7 were quoted.

Perhaps the existing line:

Development outside settlements (where not automatically permitted by the General Permitted Development Order) will be treated as an exception. Exceptions are defined in the Cornwall local plan.

...might be re-phrased as:

"Sites proposed for redevelopment to residential use that lie outside the defined settlements will be treated as a Rural Exception Sites as defined in the National Planning Policy Framework 2019 (NPPF)." ***Linkinhorne NDP team agreed and revised NDP document.***

Policy GP3 – it is recommended that references to the General Permitted Development Order (GPDO) be deleted as this national document stands aside, and above local development plans. (Or, for clarity, this could form a note in the supporting text.) ***Linkinhorne NDP team agreed and revised NDP document.***

Policy H2 – applications to extend these dwellings will not normally be supported. Perhaps the policy should be more explicit in why extensions will not be supported? It might be perceived as quite a harsh policy. What about PD extensions? Should PD rights be removed on all new applications

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for affordable housing? Also in relation to requirement for the proposal to be well-related to an existing village or hamlet – can the term 'well-related' be defined? ***Linkinhorne NDP team agreed and revised NDP document.***

Policy H3 – please see comments above in relation to the requirement for such proposals to be well-related to an existing village or hamlet/extensions will not be supported. What type of evidenced need is expected?

Linkinhorne NDP team see previous comments.

We are concerned that this policy might be a loophole used to 'game' the system. It is well-established that – except in very rare cases - personal circumstances do not fall under the remit of the planning system. This also raises privacy and GDPR concerns. ***Linkinhorne NDP team felt this was counter to previous comments.***

How would 'significant' be defined? Would the evidence have to be in the public domain?

LW1 – It's worth bearing in mind that the GPDO stands above Local and Neighbourhood Development plans. Permission is in effect granted by central government – regardless of its desirability or otherwise at a local level. ***Linkinhorne NDP team agreed and revised NDP document.***

CD1 – As it currently reads this would mean that new business premises will be supported in isolated, open countryside locations. Is this the intention? Also there is no reference to the need/desirability of the buildings being screened... ***Linkinhorne NDP team agreed and revised NDP document.***

CF2 – please can the plan include a map defining these areas? We're not sure that the policy should rely on the (now quite old) Caradon Local Plan as this is no longer in force (except for limited number of policies which were saved). ***Linkinhorne NDP team, Caradon District maps for Rilla Mill still show Open Areas of Significance on the Cornwall Map site.***

[CARADON 09-Cover.eps \(cornwall.gov.uk\)](#)

CF3 – Perhaps instead of 'eg', the policy should read 'ie' ? ***Linkinhorne NDP team agreed and revised NDP document.***

-o0o-

Thank you for giving us the opportunity to comment on your draft policies.

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Environment Service – Flood and Coastal Environmental Officer

General

The NDP is clear and succinct. There are no major issues from my perspective. The community, distinctiveness, economy and visual impact aspects of the NDP are well covered. I'm encouraged that the people of Linkinhorne parish value their landscape and green spaces so highly.

Whilst climate change mitigation is considered, the NDP could do more to promote climate change adaptation and resilience in the parish, particularly if there is an older population and a greater dependence on the local road network for access to services. Likewise more consideration could be given to enhancing biodiversity within the parish.

I've made a few suggestions below for minor edits to help strengthen these aspects of the plan.

1.7 1.7 Cornwall County Council – please delete 'County' (that was the name of one of the predecessor councils before the unitary authority, "Cornwall Council", was formed). ***Linkinhorne NDP team agreed and revised NDP document.***

Policy GP1

Sustainable development Suggested minor edits in purple to strengthen alignment with the 'environment' aspect of the sustainable development principle (e.g. biodiversity): ***Linkinhorne NDP team agreed and revised NDP document.***

"Conserving the special environment in which we live – for residents, visitors, and local businesses and wildlife." ***Linkinhorne NDP team agreed and revised NDP document.***

"Ensuring that development improves the climate resilience of buildings, and infrastructure and habitats to climate change and improves the energy efficiency of buildings and infrastructure through proposals which are sensitive to local character and distinctiveness." ***Linkinhorne NDP team noted comments, but felt these comments were for the Cornwall Local Plan rather than an NDP.***

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Climate Resilience I welcome the positive policies in support of climate change mitigation measures like energy efficiency, renewable energy, electric car infrastructure and locating new development close to existing village centres. Significant action to reduce greenhouse gas emissions needs to be taken by 2030 (the period of this Neighbourhood Plan) to avoid the worst impacts of climate change.

The climate change resilience aspects of the NDP could be strengthened. NPPF states that new dwellings must be sustainable for 100 years and new commercial buildings for 50 years, which means planning decisions in the parish must consider a much longer timescale than 2030. The main climate change vulnerabilities in Linkinhorne parish are likely to be flooding, storm damage and wild fires. As well as a fluvial flood risk along the rivers Lynher and Inny, there is a surface water flood risk in numerous low points around the parish. Climate change is expected to increase the incidence of rapid intense rainfall events, with surface water run-off from bare fields and the moor being a particular risk in this agricultural parish, potentially blocking drains with silt and obstructing the rural road network. Removing hedges could exacerbate this risk. The Neighbourhood Plan could encourage new developments to make use of open green Sustainable Drainage Systems (SuDS) where appropriate. Connected, multi-functional green spaces, hedges, trees, water features and landscaping all have an important role to play in reducing local flood risk to communities, whilst supporting the climate change resilience of wildlife.

The main flood risk area within the proposed development boundaries is along the river at Rilla Mill:

New development in flood risk areas would conflict with policy GP1 and should be discouraged.

Further guidance is available in the following Neighbourhood Planning Guide Notes for:

- Climate Change: <https://www.cornwall.gov.uk/environment-and-planning/planning/neighbourhood-planning/preparing-a-neighbourhood-plan/neighbourhood-planning-guide-notes-and-templates/#-tab-359260>
- Flooding and Drainage: <https://www.cornwall.gov.uk/environment->

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[and-planning/planning/neighbourhood-planning/preparing-a-neighbourhood-plan/neighbourhood-planning-guide-notes-and-templates/#-tab-359262](#)

The main areas at risk from surface water and fluvial (river) flooding can be viewed on Cornwall Council's interactive mapping website at [Cornwall Council's interactive mapping website](#)

Cornwall Council Sustainable Drainage Policy: [Cornwall Council Sustainable Drainage Policy](#)

Cornwall Local Flood Risk Management Strategy provides further information and guidance around which policies can be formulated. The strategy is being refreshed this year. See: [Cornwall Local Flood Risk Management Strategy](#)

The NDP could include a policy that encourages new buildings to be designed to the Building with Nature standard. See: [Building with Nature standard](#)

Ideas and steer for policy wording could also be drawn from the Cornwall Environmental Growth Strategy and the draft Cornwall Design Guide at:

[Draft Cornwall Design Guide](#)

[Cornwall Environmental Growth Strategy](#)

1.2 and Policy GP3

Redevelopment involving demolition of buildings I support the steer towards infill and brownfield development. With infill or replacement housing there is a risk of the size of gardens being reduced or gardens being replaced with hard surfacing for parking. This could reduce habitat connectivity and increase surface water run-off. The policy guidance could be strengthened by adding that, "Replacement dwellings should maintain and preferably enhance habitat connectivity and local flood resilience by retaining trees and green corridors and using permeable surfaces." This would align with Cornwall Environmental Growth Strategy and Cornwall Local Flood Risk Management Strategy, both material considerations for planning. ***Linkinhorne NDP team agreed and revised NDP document.***

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Policy LW1

New farm buildings Given the Dark Skies designation I suggest a policy or guidance requesting a Lighting Impact Assessment for larger developments or developments in sensitive areas. ***Linkinhorne NDP team agreed and revised NDP document.***

Policy LW2

Field and parcel boundaries – hedgerow removal I suggest the guidance explains that Cornish hedges are included within this definition, whether tree or grass-topped (both have high biodiversity value). Either refer to “hedgerows” and “Cornish Hedges” or use the catch-all term “hedges” to cover both. ***Linkinhorne NDP team agreed and revised NDP document.***

The habitats and wildlife corridors hedges provide are not quickly replaced. They are also a key part of the parish’s distinctive and irreplaceable historic landscape as well as natural climate change resilience features.

Policy LW2 only considers mitigation of removed hedges and could be misinterpreted as encouraging hedge removal. It could provide better protection and be strengthened to align with the Cornwall Environmental Growth Strategy by positively encouraging the enhancement of hedges – e.g. “Proposals that retain and enhance existing hedgerows and Cornish hedges will be supported.” ***Linkinhorne NDP team agreed and revised NDP document.***

Enhancement could mean repairing gaps or damage to existing hedges, connecting new and existing hedges to expand wildlife corridors and increasing public appreciation of the value and distinctiveness of Cornish hedges. ***Linkinhorne NDP team agreed and revised NDP document.***

There are some useful resources on Cornish hedges here: [Resources on Cornish hedges](#)

Energy ***Linkinhorne NDP team noted comments.***

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I support the positive approach to carbon reduction and appreciate that it has to be balanced with heritage and local character considerations.

Encouraging energy use to be minimised before renewable energy is considered is good practice and will reduce the size of renewable energy systems needed. There could be an appendix or some supporting information about the Energy Hierarchy to help raise awareness of the full range of design solutions and technologies possible

1. Lean: Reduce energy demand (e.g. passive-solar design, triple glazing, air tight, thermal mass, thermal stores, sun pipes, natural ventilation, motion activated lights).
2. Mean: Use energy efficiently (e.g. LEDs, A* rated appliances).
3. Green: Use renewable energy (e.g. solar, wind, hydro, geothermal, bioenergy, combined with battery storage for extra resilience).
4. Clean: Use low carbon energy sources and systems (e.g. heat pumps, CHP).

Fossil fuels should be avoided – they emit greenhouse gases and will make communities vulnerable to energy supply chain failures and price rises. Fuels that have to be delivered (oil, LPG, wood) are not good for security of supply during prolonged extreme weather events.