

Linkinhorne Neighbourhood Plan Regulation 16 Consultation

1. Consultee National Grid.

Linkinhorne Neighbourhood Plan Regulation 16 Consultation February – April 2021 Representations on behalf of National Grid: **No specific comments**

2. Consultee Devon & Cornwall Police.

Thank you on behalf of Devon and Cornwall Police for the opportunity to comment on this application. I note and welcome that the need to design out crime and disorder has been included within the NDP.

This is naturally fully supported.

3. Consultee Details Name: South Hill Parish Council. Comments

The parish council note the contents of this plan, but make no comment.

4. Consultee Details Highways England.

Highways England is responsible for operating, maintaining and improving the strategic road network (SRN) which in this case comprises the A30 and A38 trunk roads which pass some distance to the north and south respectively of the plan area. **We are therefore satisfied that the Plan's proposed policies are unlikely to result in development which will adversely impact the trunk road and we therefore have no comments to make.**

5. Consultee Affordable Housing.

The overarching intentions of the plan and proposed policies is supported. It is noted our previous comments dated the 31/3/2020 have been incorporated into the updated NDP. Homechoice housing register as of 23/02/2021.

CAT CODE	1	2	3	4	Total
A	2	0	0	0	2
B	2	1	0	0	3
C	2	0	0	2	4
E	10	3	1	0	14
Total	16	4	1	2	23

NDP team feedback: Table 1 within the Linkinhorne NDP has been updated to reflect the latest information.

6. Consultee Natural England.

Natural England does not have any specific comments on the Linkinhorne Neighbourhood Development Plan.

7. Public Consultee. Kim Sudell

If Cornwall is to become Carbon neutral by 2030-in 9 years-a lot will need to happen. Individual patterns of behaviour are going to have to change and NDPs can have a huge role in making that happen.

I am therefore disappointed that the Linkinhorne NDP has not made a greater statement in that respect and I am asking if, even at this late stage, the plan could contain

- a stronger statement of the climate emergency we face

- measures that will more directly encourage behaviour change.
- Many potential areas come to mind but I will restrict myself to 2
- provision for more local food production ie allotments, and some form of local farmers market
- make local renewable energy projects more achievable. Section 6 of the NDP is ambivalent about renewable energy“small scale provision is encouraged” but concerns surround ” loss of productive farmland, visual, noise and other negative impacts”.

NDP team feedback:

- Allotments: The Parish council has provided allotments and monitors demand. It is also making financial provision for the purchase of land and possible extension of provision.
- Farmers Market: The Parish council has previously promoted a Farmers Market in the Parish which started in Upton Cross and then moved to Rilla mill, eventually closing through lack of support.
- Within the NDP there are requirements to improve the energy efficiency of buildings and infrastructure. Plus, a necessity for electric vehicle charging points and smallscale renewable energy generation installations.

8. Consultee Countryside Access Team:

Comments Countryside Access Team (CAT) welcomes the policies included in the Neighbourhood Plan for encouraging sustainable transport and enhancing and improving the rights of way network. The following general comments are made in relation to policies relating to Public Rights of Way which may already have been incorporated into the Neighbourhood Plan and, if not, CAT would request that the following points are considered: 1. The Neighbourhood Plan is a good place to plan a strategic network of paths to serve the needs of the local population and visitors to the area. It is important to consider where people may like to walk/cycle/ride even if this is not possible at the moment and to include these strategic routes in the plan. 2. It is important that local authorities keep a watching brief on developments to ensure that any new developments do not impinge or adversely affect Public Rights of Way, and to seek ways of improving and enhancing the network through development in the following ways: By considering future maintenance provisions for any newly created routes through development. By ensuring that developments do not introduce new limitations on existing pathways (e.g. gates or stiles) and that, where possible, gaps are provided to increase accessibility. This will facilitate least restrictive access to improve access for the less able-bodied. By protecting any pedestrian/cycle and equestrian links and corridors through development sites and to put forward routes to be upgraded to facilitate usage by cyclists/equestrians. NDPs should also aim to increase connectivity and to provide routes for sustainable travel, even if this is on a permissive basis (new routes can also be created by agreement with the landowner by a Local Council in their own or adjoining communities). Safe routes to schools and local amenities must be incorporated in new developments as a priority. If developments affect existing routes, then new acceptable alternatives must be provided and be, where possible, as enjoyable and substantially as convenient as the original routes. It is preferable that routes run through planned open spaces/wildlife corridors rather than along estate roads and, where possible, are segregated from traffic and manoeuvring/parked vehicles. Where new routes cross highways, suitable measures such as crossings need to be made. Avoid cul-de-sac layouts and ensure that new developments are connected to the existing rights of way/path network to increase connectivity through housing developments. The surfacing and lighting of routes needs also to be considered. Such measures are especially important where the development is close to strategic routes, but also where a development is close to schools or places of employment. As a general point, it is important that Parish and Town Councils check the Definitive Map and monitor; walk and keep open the definitive path

network in the local area to ensure paths are more visible when development proposals are brought forward; and to comment on the planning applications that affect the neighbourhood and local Rights of Way network

NDP Team Comment:

- The Linkinhorne via the Parish Council has a working group that actively monitors the public rights of way, where necessary carries out repairs and or reports issues to Cornwall Council.
- Within Linkinhorne Parish there are two walks guide booklets. Both available for purchase via the local shops and Public Houses. These booklets outline walks using the strategic routes and local rights of way paths, open and common land. The Public Rights of Way working group is currently in the process of updating the booklets with the support of the Parish Council.

9. Consultee LLFA.

Comments relate to Menheniot Parish Council PA21/00005/NDP

10. Consultee North Hill Parish Council:

Comments North Hill Parish Council have reviewed and discussed Linkinhorne's Neighbourhood Development Plan and all Councillors have no objections and fully support the Parish Council.

11. Consultee Marine Management Organisation

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fmake-a-marine-licence->

[application&data=04%7C01%7CNeighbourhoodplanning%40cornwall.gov.uk%7Ccab53ab2694c48ad2d0b08d8ce9b0568%7Cefaa16aad1de4d58ba2e2833fd9f%7C0%7C0%7C637486512508284901%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I6k1haWwiLCJXVCI6Mn0%3D%7C0&data=Tt7E7pLg7h7L%2BnqOEIkrCAQ7aoPBDJVCgICm7y2BmjM%3D&reserved=0](https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F2017%2F571%2Fcontents%2Fmade&data=04%7C01%7CNeighbourhoodplanning%40cornwall.gov.uk%7Ccab53ab2694c48ad2d0b08d8ce9b0568%7Cefaa16aad1de4d58ba2e2833fd9f%7C0%7C0%7C637486512508284901%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I6k1haWwiLCJXVCI6Mn0%3D%7C0&data=Tt7E7pLg7h7L%2BnqOEIkrCAQ7aoPBDJVCgICm7y2BmjM%3D&reserved=0)

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

*local planning authority name,

*planning officer name and contact details, *planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F2017%2F571%2Fcontents%2Fmade&data=04%7C01%7CNeighbourhoodplanning%40cornwall.gov.uk%7Ccab53ab2694c48ad2d0b08d8ce9b0568%7Cefaa16aad1de4d58ba2e2833fd9f%7C0%7C0%7C637486512508294871%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I6k1haWwiLCJXVCI6Mn0%3D%7C0&data=khxOzbwp8zOMttH9%2B3FrshMZkxYSs1eSNSGm8FWSKZg%3D&reserved=0> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fmake-a-marine-licence-application&data=04%7C01%7CNeighbourhoodplanning%40cornwall.gov.uk%7Ccab53ab2694c48ad2d0b08d8ce9b0568%7Cefaa16aad1de4d58ba2e2833fd9f%7C0%7C0%7C637486512508294871%7C>

[CUknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0&sdata=j9B%2BACO7lo8n29hvDoxM0Wt84yFyuvGEW%2ByJ2wYm9Sk%3D&reserved=0](#)

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

The East Inshore and Offshore marine plans were adopted on the 2nd April 2014. The South Inshore and Offshore marine plans were adopted on the 17th July 2018. Both plans are a statutory consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe; the South Inshore and South Offshore Marine Plans cover the coast and seas from Folkestone to the River Dart in Devon.

From 14 January 2020 the draft North East, draft North West, draft South East, and draft South West Marine Plans are now a material for consideration for public authorities with decision making functions. This is the final stage of statutory public consultation before the marine plans are submitted.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

*The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.

*The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.

*The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.

*The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions - including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play - particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Ftopic%2Fplanning-development%2Fmarine-licences&data=04%7C01%7CNeighbourhoodplanning%40cornwall.gov.uk%7Ccab53ab2694c48ad2d0b08d8ce9b0568%7Cefaa16aad1de4d58ba2e2833fd29f%7C0%7C0%7C637486512508294871%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0&sdata=q2jXoGS3CjH2D5X8BvZv38Ysz1fL7yZ8UwJSP23kX7U%3D&reserved=0>