

OFFICER REPORT – DELEGATED

Application number: PA14/00019/NDP	Earliest determination date: 9 th January 2015
Received on: 17 November 2014	Neighbour expiry date: NONE CONSULTED
UPRN: 999999999999	Consultation expiry date: 9 th January 2015
Legal agreement: N	Site notice posted: N/A
Departure: N	Site notice expiry: N/A
Complies with Development Plan? Y/N If not, ensure you cover in the report how material considerations outweigh the plan?	
Is this decision contrary to local council recommendation?	

Applicant:	Val Rogers Falmouth Town Council
Site Address:	Falmouth Cornwall
Proposal:	Designation request for undertaking a Neighbourhood Development Plan for the Parish of Falmouth
Application Type:	Neighbourhood Development Plan

Executive Summary:

In accordance with the Neighbourhood Planning (General) Regulations 2012 ('The Regulations') any Neighbourhood Plan being produced must be carried out within a Neighbourhood Area the extent of which must be submitted to, publically advertised and consulted on for prescribed period and approved by Cornwall Council.

Falmouth Town Council are working on the preparation of a Neighbourhood Plan for the entire parish area of Falmouth. An application for the designation of Neighbourhood Area was made to Cornwall Council and was advertised in the West Britain between the 28th November 2014 and 9th January 2015.

No objections were received to the advertisement of the Neighbourhood area and it is therefore recommended under regulation 6 that the Neighbourhood Area designation is confirmed and advertised as required by Regulation 7.

Public representations:

Michael Clegg (31 December 2014)

"Dear Sirs,

With regard to the proposed neighbourhood plan for the Parish of Falmouth, I would like to make the following comments:

- 1- There should be no development allowed in Falmouth's AONB.
- 2- No farm land should be built on unless its use is not suitable for the production of food and/or the grazing of animals.
- 3- The "green belt" between Falmouth and Budock should be retained, to preserve the separate identity of Budock.
- 4- Brownfield sites must take priority for residential development.
- 5- The green spaces along the seafront and all the way to, and including, the Swanpool area should be retained.
- 6- Any residential development on green land should be restricted to the area between Union Corner and the Penryn Bypass."

Kevin UCS (1 January 2015)

"Falmouth residents should have a big say in which areas should be developed or built on. Sorry, system is so complicated that I couldn't find Falmouth Council's application."

S.J. Miller (6 January 2015)

"The system would not let me send an email to neighbourhood@cornwall.gov.uk so here it is:

This is just to let you now that I fully support the application of the Falmouth Town Council to become a Neighbourhood Area. Whilst I have no particular gripe about any specific decisions made unilaterally by the County or Westminster, the idea that local neighbourhoods should have a stronger say in planning matters concerning their own community and Falmouth will undoubtedly benefit from being designated as such. Thank you for your work in this area."

Malcolm Leather (9 January 2015)

"Dear Sirs,

I have the following comments to make vis a vis the proposed neighbourhood plan for the Parish of Falmouth:

1. Falmouth's AONB should be considered sacrosanct despite continual efforts to breach it further.
2. Brownfield sites for Falmouth were listed and considered by the former Carrick District prior to the Unitary Authority. These should be revisited and utilised rather than greenfield sites.
3. Standalone low cost/affordable housing should be a priority and NOT considered as part of a development/smokescreen to obtain planning permission for 4/5 bedroom executive houses.
4. Agricultural land for food production and rearing of animals should never be built upon.
5. The "green belt" separating Falmouth and Budock must be retained so both communities can retain their identity, as at present.
6. The Nature Reserve and Site of Special Scientific Interest at Swanpool must be declared a "no go" area for developers.
7. The cherished green spaces along the whole length of the Falmouth/ Swanpool seafront must be retained.
8. Very careful consideration of the infrastructure is paramount."

Consultee representations:

Highways Agency (4 December 2014)

"Dear Miss Pitt,

A30(T): Designation request for a Neighbourhood Development Plan area - Falmouth Cornwall

Thank you for your letter of 3 December consulting the Agency on the application by Falmouth Town Council for designation as a Neighbourhood Development Plan (NDP) area. The Agency is responsible for operating, maintaining and improving the strategic road network which in this instance comprises the A30. The Agency is keen to support the development of neighbourhood plans and the delivery of local growth and therefore has no objection in principle to the Parish becoming an NDP area. Whilst it is unlikely that any future development proposals the plan may contain will have the potential to impact on the A30, the Agency would nonetheless welcome the opportunity to comment further on the plan as it develops.

If you have any queries please don't hesitate to contact me.

Yours sincerely,

Sally Parish"

Environment Agency NONE

Affordable Housing NONE

Electoral Services NONE

English Heritage (6 January 2015)

“Dear Miss Pitt

NEIGHBOURHOOD AREA CONSULTATION - FALMOUTH

Thank you for giving notice that Falmouth Town Council has applied to designate Falmouth as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

English Heritage has no objection to this proposal.

We would like to take the opportunity of the consultation to outline the range of support English Heritage is able to offer in relation to Neighbourhood Plans. It would be helpful if this response can be copied to the Parish Council for their information.

Research has clearly demonstrated that local people value their heritage and Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment.

English Heritage is expecting that as Neighbourhood Planning Forums come to you to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.

Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans. Other useful information may be available from the Historic Environment Record Centre or local environmental and amenity groups. Our records indicate that the area is rich in heritage assets, possessing 2 Grade I, 14 Grade II* and 197 Grade II Listed Buildings, 4 Scheduled Ancient Monuments, 1 Registered Park or Garden, and 1 Conservation Area. There are 2 entries on the national Heritage At Risk Register: the Scheduled Jewish & Congregationalist cemeteries at Ponsharden, and the Grade II Listed Church of St Michael.

English Heritage also publishes a wide range of relevant guidance. Links to these can be found in the appendix to this letter.

Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further deepening historic characterisation studies.

English Heritage has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Neighbourhood Planning Forum to consult English Heritage on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders.

English Heritage will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.

English Heritage fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance <http://www.english-heritage.org.uk/caring/get-involved/improving-your-neighbourhood/>. It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.

Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.

Yours faithfully

David Stuart”

Constraints and designations:

Not applicable.

Relevant policies, SPGs and Government guidance:

Not applicable for the designation process.

Appraisal/key issues and conclusion:

The main issues in determining this application are:

- Whether an application for a Neighbourhood Area has already been made covering all or part of this area (as there can only be one Neighbourhood Area in each location and they cannot overlap).
- Confirmation that the applicant is a 'relevant body' to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations (i.e. a parish council or Neighbourhood Forum).
- Assessment of whether the extent of the Neighbourhood Area is appropriate.

No other application has previously been made covering all or part of this area and there are no existing designated Neighbourhood Areas covering, or close to the boundary of Falmouth Parish.

Falmouth Town Council is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations.

The Neighbourhood Area is considered appropriate as it follows the boundary of the area covered by Falmouth Town Council.

It is therefore considered to be an appropriate area in which to prepare a Neighbourhood Development Plan.

Recommendation:

The Neighbourhood Area illustrated on Plan 1 is designated in accordance with the Neighbourhood Planning (General) Regulations 2012.

Conditions

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Plan 1 – Designation area of Falmouth Parish

Copies of decision notices and documents associated with the decision making process, where relevant, for the above applications can be found in the Council's on-line planning register using the following link and by entering the reference of the application you are interested in.

Link: <http://planning.cornwall.gov.uk/online-applications/>