

PADSTOW TOWN COUNCIL

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16 December 2020

TO: NEIGHBOURHOOD DEVELOPMENT PLAN STEERING GROUP

Councillors: C Watson-Smyth (Chairman), A P Flide, D N Vivian and Mrs T Walter

Also invited: R Buscombe (Cornwall Councillor)

Dear All

You are invited to attend a meeting of the Neighbourhood Development Plan Steering Group **to be held *remotely on Tuesday 5 January 2021 at 6.30 pm**. Please note agenda below for discussion and consideration.

Yours faithfully

K E Pemberton
Kathy Pemberton
Town Clerk

**Due to the current regulations in response to COVID-19 this will be a virtual meeting. If you wish to view the meeting or speak in the public participation section [NB: this is only on agenda items], please contact the Town Clerk by email to enquiries@padstow-tc.gov.uk or by phone on 01841 532 296, so you may leave a message and be contacted by a member of our team*

A G E N D A

- 1.** To receive apologies for absence
- 2.** Declarations of Interests
- 3.** Public Participation: To receive submissions from members of the public relating to items on the agenda, in accordance with the Council's Code of Conduct and Standing Orders
- 4.** Meeting Note (15 September 2020)
- 5.** Cornwall Council SEA and HRA Screening Response and Climate Change Observations: To note the response and observations.
- 6.** Revised Pre-Submission Plan: To agree the Pre-Submission Version (version 3.3) of the NDP as amended following CC's SEA and HRA Screening Response for the purpose of commencing the formal Regulation 14 consultation.

- 7. Consultation Strategy:** To discuss and decide on a consultation strategy for Regulation 14 to commence January 2021
- 8. Project Plan and Budget:** To receive an update on this matter and discuss and decide on the way forward.
- 9. Next Meeting:** TBC

**Padstow Town Council
Neighbourhood Development Plan Steering Group**

Notes of meeting held remotely on Tuesday 15 September at 7.30 pm

Present: Councillors C Watson-Smyth (Chairman), A P Flide, D N Vivian and Mrs T Walter

In Attendance: Kathy Pemberton (Town Clerk), Samantha Daly (Support Officer and Note Taker) and Councillor H M Saunders

- 1. Apologies:** None.
- 2. Declarations of Interest:** None.
- 3. Public Participation:** There was no public participation.
- 4. Meeting Note (17 December 2019): RESOLVED** that that the meeting note was a true record of the meeting held on 17 December 2019.
- 5. Revised Draft Plan:** The Chairman referred members to the agenda cover report and the reasons outlined for the amendments to the plan. It was noted that task group members Gill, Tim, Jon and himself had assisted in the work on the 5 policies identified at the last meeting. The Chairman expressed thanks to the task group members and the Consultant for their help and support.

It was noted that the updated plan had been sent to all Town Councillors by way of update and for comments. One member had responded with comments some of which the Chairman also wished to raise and some he considered to be personal opinion; the Chairman was mindful that the document had been drawn from evidence and consultation with the public. He noted that further scrutiny and consultation would take place following Cornwall Council's review of the pre-submission version of the plan. The Chairman clarified that the 'we' used in the plan is "us as whole, our community" and he considered "this is a good message to convey".

The Chairman outlined suggested amendments relating to i) the map in paragraph 1 of the introduction, ii) the Town Council's position in paragraph 3.10 and iii) typing errors in paragraphs 4.4, 7.15 and 9.6. He suggested that subject to these minor amendments the plan be sent to Cornwall Council for environmental screening.

ACTION: The draft plan as amended in red be forwarded to Cornwall Council for an environmental screening and a request for its observations of the implications of the emerging Climate Emergency DPD subject to making the following further amendments: i) the map in paragraph 1 (introduction) be amended to include Gulland as per designation; ii) paragraph 3.10 be replaced with "It is recognised the role a neighbourhood plan can play in affecting the change that is needed in respect of climate change"; iii) in paragraph 4.4 "15 years" be replaced with

“time span of the Plan”; iv) in paragraph 7.15 the typo “supported” be replaced with “support”; and v) in paragraph 9.6 the typo “201” be replaced with “2010”,

- 6. Consultation Comments Unrelated to NDP:** Members noted the list of Comments unrelated to the NDP but of importance to the community and raised during the “informal” community consultation in 2019.

ACTION: Town Clerk refer comments received through NDP consultation unrelated to the plan but of community importance to either Cornwall Council, full Council (including relevant Committees thereof), or to any other relevant body as appropriate.

- 7. Project Plan:** The project plan was noted for information. It was acknowledged that progress would now depend on how long Cornwall Council’s screening process took, the Town Clerk advised that generally this was between 6-8 weeks but the current pandemic could cause delays.

In response to a query the Town Clerk confirmed that the Steering Group did not need to refer the Plan to the full Council as it remained a draft plan at this stage, however it had been made available to all Councillors for comment prior to the meeting.

- 8. Date of Next Meeting:** To be confirmed dependant on Cornwall Council’s screening response time.

The meeting ended at 7.41 pm

NDP STEERING GROUP: 15 DECEMBER 2020

AGENDA ITEM 5: CORNWALL COUNCIL'S SEA AND HRA SCREENING RESPONSE AND CLIMATE CHANGE OBSERVATIONS

i): SEA AND HRA DECISION AND SCREENING REPORT:

Members will recall they were previously advised of the Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) decision and sent a copy of the screening report in November. The report (appendix 1) concluded that "based on the scale and location of development proposed in the draft plan, CC is of the opinion that the Padstow Parish NDP is unlikely to have significant effects on the environment or on European Sites and therefore that neither SEA nor HRA is required". The Environment Agency, Natural England and Historic England are all satisfied with the screening report. The decision note references initial queries from Natural England which have since been satisfied, correspondence for which can be found on pages 23-27. In summary these queries were:

Query 1: The settlement boundary for Trevone (Map 9) includes a small undeveloped site in the South West corner. Trevone is in the AONB.

Clarification: Not undeveloped, the Trevone site was granted a certificate of lawfulness for a dwelling in 2013.

Query 2: The settlement boundary for Padstow (Map 8) includes undeveloped sites to the west of the settlement. Although these sites are not within the AONB, the boundary, at the closest point, is less than 500 meters away. The undeveloped sites could therefore be considered to lie in the setting of this protected landscape.

Clarification: Not undeveloped, the Padstow site is an implemented planning consent.

During the screening stage CC usually take the opportunity to provide early comments on draft NDPs, therefore the Padstow Parish NDP also underwent a CC Internal Officer Consultation. The consultation report is set out in appendix 2. The comments are from each individual officers' own perspective and any changes to policies or approaches at this stage would involve more evidence gathering. CC are given opportunity to make comments and suggestions on a formal basis during Regulation 14, when a report such as this is expected and when the comments can be addressed alongside other statutory bodies and members of the community.

Recommendation: To note: i) SEA and HRA decision and Screening Report; and ii) CC's Internal Officer comments.

ii): CC OBSERVATIONS – IMPLICATIONS OF EMERGING CLIMATE EMERGENCY DPD:

As members will recall it was agreed at the last meeting that CC be asked for their observations on the implications of the emerging Climate Emergency DPD on the Padstow Parish NDP. Following consultation with her colleagues, Sarah Furley, Group Leader Neighbourhood Planning has provided the comments in appendix 3.

Based on these comments, the Consultant, Mr Western suggests that no change be made to the NDP regarding the Climate Change DPD at this stage.

Recommendation: To note CCs observations on the implications of the emerging Climate Emergency DPD.

Kathy Pemberton
Padstow Town Clerk
enquiries@padstow-tc.gov.uk
by email

Dear Kathy,

26 October 2020

Padstow Parish Neighbourhood Development Plan – SEA and HRA Screening

As requested I have screened the Padstow Parish Neighbourhood Development Plan (NDP) to see whether the plan requires Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA.)

As required by the SEA regulations I produced a screening opinion report for the NDP (Pre Strategic Environmental Assessment draft) and consulted the statutory bodies: Natural England, Historic England and the Environment Agency. I also asked Natural England to confirm whether or not HRA was required under the HRA directive.

Based on the scale and location of development proposed in the draft plan, Cornwall Council is of the opinion that the Padstow Parish NDP is unlikely to have significant effects on the environment or on European Sites and therefore that neither SEA nor HRA is required.

Initially Natural England queried what they saw as undeveloped sites included within the settlement boundary – these were confirmed as sites with extant and implemented planning consent and this, along with reference to the River Camel SAC in the screening report, satisfied their concerns. The screening opinion is now confirmed by the consultation bodies and the full screening report and the responses from the Environment Agency, Natural England and Historic England are attached.

If significant changes or additions are made to your plan I would advise you to have it rescreened.

Yours sincerely,



Sarah Furley
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Neighbourhood Plans
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cc: S. Daly: ndp@padstow-tc.gov.uk

**Padstow Parish NDP
(Pre-Submission Version 3.2)**

**Strategic Environmental Assessment
Habitats Regulations Assessment**

Screening Report

29 September 2020

Padstow Parish Neighbourhood Plan SEA and HRA Screening Report

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Padstow Parish Neighbourhood Plan SEA and HRA Screening Report

1. Introduction

- 1.1 This screening report is designed to determine whether or not the Padstow Parish Neighbourhood Development Plan (the NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also considers whether Habitats Regulations Assessment is required under Article 6 or 7 of the Habitats Directive.
- 1.2 The NDP addresses 16 'Aims' under the thematic headings of Natural Environment, Built Environment and Heritage, Housing, Transport, Traffic and Parking, Local Economy and Tourism and Community Wellbeing.
- 1.3 The strategy for housing growth is to draw tight settlement boundaries which have minimal space for infill and rounding off and to rely on strategic policies for the provision of housing through exception sites adjacent to the settlement boundaries but avoiding the AONB. The principal residence restriction is required on all new (not replacement) housing. Treceus Industrial Estate is protected as employment land, retail and business uses within the town centre are protected and community facilities are retained. A number of Local Green Spaces are designated. Other policies repeat and reinforce the general themes of strategic policy such as protection of the environment with special regard for the AONB, adequate parking provision and encouragement of energy efficiency.
- 1.4 The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the Neighbourhood Plan and the need for a full SEA or HRA.

2. Legislative Background

Strategic Environmental Assessment

- 2.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)
- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet

Padstow Parish Neighbourhood Plan SEA and HRA Screening Report

the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.

2.3 However, Neighbourhood Plans are not Local Development Documents and are not required to be subject to sustainability appraisal by legislation (although it is advisable to carry out some form of sustainability assessment.) Neighbourhood plans are produced under the Localism Act 2011. In SEA terms, neighbourhood plans are treated as components of Local Plans. National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. The Localism Act 2011 also requires neighbourhood plans to be compatible with EU and Human rights legislation, therefore, depending on their content, neighbourhood plans may trigger the Strategic Environmental Assessment Directive and Habitats Directive

2.4 Figure 2.1 shows the SEA screening process, and Box 2.1 shows the criteria to be used for the main test that applies to neighbourhood plans, namely whether the plan is likely to have a significant environmental effect.

2.5 National Planning Policy Guidance (NPPG) advises that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Potential triggers may be:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan

Habitats Regulation Assessment

2.6 Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This process also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).

2.7 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. Table 5.1 lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

Sustainability Appraisal

2.8 The NPPG explains that there is no legal requirement for a neighbourhood plan to have a sustainability appraisal as set out in section 19 of the Planning and Compulsory

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Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. A sustainability appraisal may be a useful approach for doing this.

2.9 This report therefore includes screening for HRA and SEA . Section 3 sets out the HRA screening, and provides that Appropriate Assessment if required. Section 4 shows the SEA screening process (fig 2.1), and Box 2.1 shows the criteria to be used for the main test that applies to neighbourhood plans, namely whether the plan is likely to have a significant environmental effect.

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3. Habitats Regulation Assessment

Habitats Regulation Assessment (HRA) is a separate process which is required for all plans and projects which are not wholly directly connected with or necessary to the conservation management of a European site's qualifying features. This also requires screening as a first step to ascertain whether a plan is likely to have significant adverse effects on the integrity of 'European' sites. European sites in Cornwall include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs.).

5.2 HRA focuses on maintaining the 'integrity' of the European Sites, namely their conservation objectives. Table 5.1 lists the European Sites within 10km of the neighbourhood plan; their designated features/habitats; conservation objectives; and vulnerabilities.

5.3 HRA screening must address the question: Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites? The table below appraises the effect of allocations or policies within the NDP which have the potential to significantly affect European sites within or with a pathway of impact from the NDP. The precautionary principle must be used when assessing whether adverse effects are significant.
NDP policies which have a spatial element are:

- PAD 6: Settlement area boundaries
- PAD17: Treceus Industrial Estate
- PAD18: Padstow Town Centre

However there is no allocation or additional growth associated with these sites – they identify and safeguard areas that are already developed.

| European Site | Designated features | Threats/pressures | Pathways of Impact (arising from development relating to the NDP) | Likely significant effects (including in combination) | Screen in or out |
|-----------------|---|---|---|---|------------------|
| River Camel SAC | Qualifying Habitats Alluvial Forests European Dry Heaths Old Sessile Oak Woods | Water Pollution Invasive Species Woodland management Water Abstraction Deer | None The NDP area is downstream of the SAC. Woodland management, water abstraction and deer control are not within the remit of the NDP, nor does the development within it add to these | None | Out |

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SEA and HRA Screening Report**

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|--------------------------------|---|--|---|------|-----|
| Bristol Channel Approaches SAC | Qualifying Species: Atlantic Salmon Bullhead Otter | | pressures. The distance between the NDP Area and the Sac (minimum 8.5 km and downstream) rules out the threat of invasive species. Water pollution was considered in the HRA of the Cornwall Local Plan, specifically from sewage treatment. The areas identified as pressures to the SAC were Bodmin and Camelford CNAs, not Wadebridge and Padstow. The Padstow NDP does not propose additional development to the Local Plan apportionment and is therefore screened out. | | |
| | Harbour porpoise | Disturbance from underwater noise Collision with recreational boats Commercial Shipping Tidal installations | None arising from the NDP. The Bristol Channel Approaches SAC was screened out at Local Plan level. | None | Out |

The Bristol Channel Approaches SAC was screened out at Local Plan level for the following reasons:

'The Draft Conservation Objectives and Advice on Activities document for the Bristol Channel Approaches SAC notes that 'Disturbance of harbour porpoise generally, but not exclusively, originates from activities that cause underwater noise' (which won't be associated with the Cornwall Plan) and that 'Any disturbance should not lead to the exclusion of harbour porpoise from a significant portion of the site for a significant period of time'. So in other words any disturbance would have to be substantial for it to potentially affect the population.

Collision with recreational boats (and shipping and tidal energy installations etc.) is mentioned as an activity that may have an impact but this is also noted as being 'medium/low' risk. The Draft Conservation Objectives and Advice on Activities document adds that 'Post-mortem evidence indicates that few collisions between harbour porpoise and vessels occur and is not a significant pressure for this species'. Based on this

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information, the above noted pressures upon the newly proposed Bristol Channel Approaches SAC designated for harbour porpoises can be screened out from further consideration.'

The Padstow Parish NDP does not propose any additional development over and above the Local Plan quantum, nor are any activities proposed by the plan which could cause underwater noise and trigger disturbance. The NDP is therefore screened out.

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4. SEA screening

4.1 Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

SCHEDULE 1 Regulations 9(2)(a) and 10(4)(a)

CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

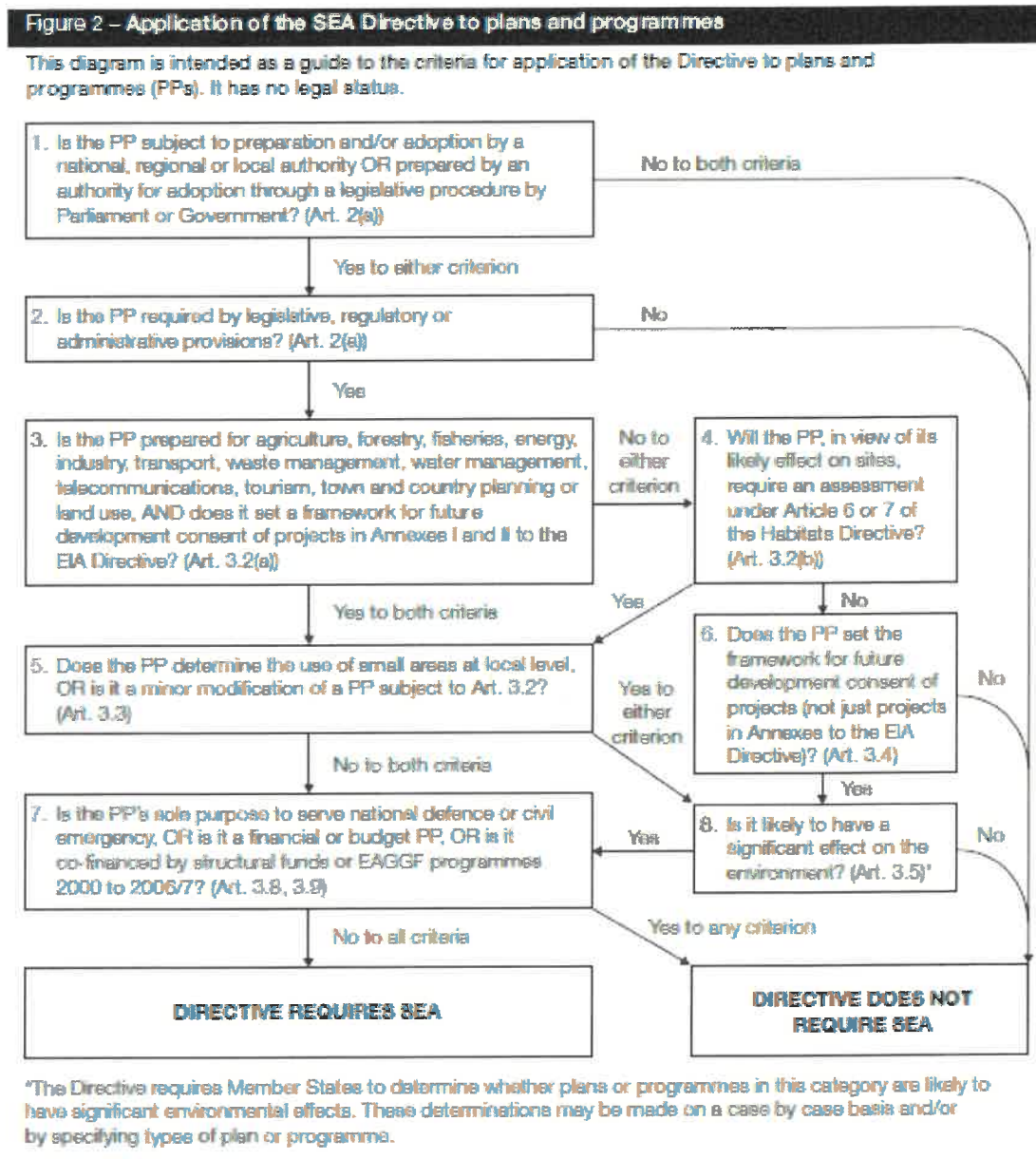
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Annex II of SEA Directive 2001/42/EC

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Figure 2 SEA screening flowchart

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required¹.



¹ Source: A Practical Guide to the Strategic Environmental Assessment Directive

**Padstow Parish Neighbourhood Plan
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| Table 4.1 Establishing the Need for SEA | | |
|--|------------|--|
| Stage | Y/N | Reason |
| 1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | Y | Will be 'made' by Cornwall Council and used in decision making as part of the development plan. |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Y | Localism Act 2011 |
| 3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a)) | N | Annex I and II projects are (typically) large scale industrial and commercial processes – the plan does not deal with this scale of development. |
| 4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)) (See para 4.2 above) | N | See Section 3 on Habitats Regulations Assessment |
| 5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3) | Y | The Plan contains land use planning policies to guide development within the parish |
| 6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) | Y | The NDP will be 'made' and used as part of the development plan for determining planning applications in the Plan area |
| 7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9) | N | |
| 8. Is it likely to have a significant effect on the environment? (Art. 3.5) | N | See Table 4.2 |

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| Table 4.2 Likely significant effects on the environment | |
|---|---|
| SEA requirement | Comments |
| The characteristics of plans and programmes, having regard, in particular, to: | |
| 1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | The Plan provides local criteria based policies to control the quality of development within the parish. Settlement boundaries are drawn to indicated existing built up areas: the NDP relies on strategic policies to enable local needs housing. The minimum strategic housing target for the area has been met and no further allocation is given to Padstow Parish because of the extent of the AONB. |
| 2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy | The neighbourhood plan must be in general conformity with the National Planning Policy Framework and the Local Plan. It does not influence other plans. |
| 3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development, | The neighbourhood plan must be in general conformity with the National Planning Policy Framework and the Local Plan which promote sustainable development. It will be examined against four basic conditions, one of which is whether the plan contributes to sustainable development. |
| 4. environmental problems relevant to the plan or programme, | The following environmental problems have been identified in the neighbourhood plan area Trenearne, Padstow (Grade II*) and Entrance Gate and Flanking Walls Forming Mock Fortifications to east of Prideaux Place, Padstow (Grade I) are on the Heritage at Risk Register although repair projects have been identified and part funded. |
| 5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection). | N/A |
| Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: | |

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| | |
|---|---|
| 6. the probability, duration, frequency and reversibility of the effects, | The plan period runs to 2030 to align with the Cornwall Local Plan. |
| 7. the cumulative nature of the effects, | The parish lies within the rural area of the Wadebridge and Padstow Community Network Area. There is a strategic allocation of 1000 dwellings for the rural parishes that make up this area, which includes Padstow and this minimum target has been met. The draft NDP does not allocate further development. |
| 8. the transboundary nature of the effects, | N/A |
| 9. the risks to human health or the environment (e.g. due to accidents) | N/A |
| 10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), | The parish covers an area of approximately 1480 hectares. The population was recorded as 2828 and 1960 households in the 2011 census and the 2016 mid year population estimate is 2738. |
| 11. the value and vulnerability of the area likely to be affected due to: -special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use, | <ul style="list-style-type: none"> • SAC/SPA/Ramsar The coastal boundary of the parish abuts the Bristol Channel Approaches SAC. This has been screened out for significant effects – please see section 3. • Marine Conservation Zone The north coast of the parish abuts the Padstow Bay and Surrounds MCZ which covers a range of seabed types including intertidal habitats found on the shoreline to circalittoral habitats at a depth of up to 50 metres. Very little development is proposed in the parish area adjacent to this, since the development boundary for Trevone is tightly drawn and exceptions sites are not supported in the AONB and no development is proposed along the shoreline. Most of the MCZ (excepting the intertidal zone between MHW and MLW) is beyond the remit of planning powers, which extend to MLW and activities within the marine environment are regulated through marine licences, controlled by the MMO. • National Nature Reserves None • SSSI Harbour Cove, Trevone Bay and Stepper Point – all in favourable condition • County Wildlife Sites Along the north coast boundary, Trevone Bay to Stepper Point CWS forms an important part of the North Cornwall coast and comprises a series of headlands and bays between Hariyn Bay and Stepper Point. Trevone Bay geological SSSI and three County Geology Sites (NC/29, NC/1 and NC/9) also lie within the site. The site hosts the BAP Priority Habitats: Maritime Cliff and Slopes, Lowland Fens and the |
| 12. the effects on areas or landscapes which have a recognised national, Community or international protection status. | |

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BAP Priority Species: divided sedge; small heath and wall; common lizard and slow-worm; skylark, linnet, song thrush and herring gull.

Along its eastern estuarine boundary the parish includes a small area of the **Camel Estuary CSW**, although this lies mainly within St Issey and St Minver Lowlands parishes. Active conservation management is being achieved on this site. The site supports BAP Priority Habitats: Intertidal Mudflats, Coastal Saltmarsh, Coastal Sand Dunes, Maritime Cliff and Slopes and BAP Priority Species: bryophytes; several butterfly and moth records including small heath, grayling, grey dagger and white ermine; bird records include dunnock, linnet, skylark, song thrush, curlew and otter.

These are coastal and estuarine sites and the majority of the land area of these sites is remote from the settlement boundaries at Trevone and Padstow. Where these sites do about the settlements, no additional development is proposed.

Policy No. PAD1 Protecting the Natural Environment Development (p18)
proposals will be expected to have no adverse effect on the integrity or continuity of landscape features and habitats of local and national importance for wild flora and fauna. Development which is likely to have an unacceptably adverse impact on wildlife corridors and stepping-stones will not be supported.

- **World Heritage Site**

None

- **Conservation area**

Padstow has a large conservation area covering the historic core of the town and the harbour. There is a [Conservation Area Statement](#) describing the special character and features of the area. This is mapped in the NDP (Map 6, p23) and the plan references the conservation area statement. It is difficult to add extra protection to heritage assets, as the strategic policy framework for their preservation and enhancement where possible, is strong, but the NDP includes a general policy **PAD4 Heritage Assets** *Development proposals affecting designated and non-designated heritage assets will only be supported where they retain and enhance the built character and heritage value of the asset and its setting and acknowledge the role the asset has played in the history of the area. (P24)* Information from the Conservation Area Statement has also informed the selection and justification of Local Green Spaces designated in Policy PAD5.

- **Listed buildings**

There are 162 entries on the National Heritage List for England located within the parish. Many of these are clustered within the conservation area, including the Grade I listed Prideaux Place and Church of St Petroc. As noted in table 4.2, the entrance gates and flanking walls to the east of Prideaux Place are on

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the Heritage at Risk Register, but advice and a suggested way forward has been given by HE.

The Town Council also intends to establish a Schedule of Local Heritage Value, using Guidance 19 from Historic England, that provides names and details of heritage assets regarded by the community as having significant heritage value, despite not being statutorily listed and protected. The entries on the Schedule of Local Heritage Value will be subject to Policy PAD4.

- **AONB**

The majority of the parish, except for a small tranche around and to the south west of Padstow town itself, is designated as AONB. The northern part of the parish is part of [Carnewas to Stepper Point](#) section and to the south of Padstow it's the [Camel Estuary](#) section.

The NDP policies show awareness of the AONB, the management plan policies and the need to protect this very special landscape, which is clearly also valued by the local community. It is one of the key objectives identified under the natural environment topic and protection of the AONB is referenced in many policies. For Example PAD 3, which supports farm diversification, requires any such development to protect of enhance the AONB, Policy PAD7, which supports exception sites development excludes land in the AONB or sites which affect its setting, and PAD19 which supports tourism development also caveats this support with a requirement not to have adverse impacts on the AONB. Of course this protection would exist whether or not it was referenced in these policies.

Most policies within the NDP are general criteria based policies. These which do have a specific spatial element are:

PAD 6: Settlement area boundaries (Map 8, p 31 and Map 9 p32)

The impacts of the settlement boundaries policy on special environmental qualities are discussed above.

PAD17: Treceus Industrial Estate (Map 10, p47)

Treceus is located outside the AONB and the policy safeguards existing industrial land, rather than allocating sites for new development.

PAD18: Padstow Town Centre (Map 11, p49)

This policy is concerned mainly with the retention of community facilities. There is a requirement to retain the character of traditional shop fronts. Conservation area policy would in any case cover this area – and extend well beyond it.

Policy PAD21: Community Initiatives states support for renewable energy installations. The supporting text refers to wind turbines (when referencing the CC Renewable Energy Strategy and associated

**Padstow Parish Neighbourhood Plan
SEA and HRA Screening Report**

| | |
|--|---|
| | adopted landscape sensitivity and siting advice) but since the NDP does not indicate and area of search for wind turbines none will, in fact, be considered or allowed. |
|--|---|

Padstow Parish Neighbourhood Plan SEA and HRA Screening Report

5. SEA Screening Outcome

- 5.1 As a result of the assessment in section 3, it is unlikely there will be any significant environmental effects on European Sites arising from the Padstow Parish NDP and HRA is therefore not required.
- 5.2 The assessment in section 4 does not reveal any significant effects in the environment resulting from the Padstow Parish NDP. The plan does not propose a housing target, nor allocate sites for new development. Furthermore, the policy framework exists in Cornwall Local Plan policies 23 and 24 and in the emerging NDP to ensure protection of the environment. SEA is therefore not required.

Date: 21 October 2020
Our ref: 331061
Your ref: Padstow Neighbourhood Plan SEA/HRA screening



Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Sarah Furley
Group Leader Neighbourhood Planning
Cornwall Council



Dear Sarah

Planning consultation: Padstow Neighbourhood Plan, Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

Thank you for your consultation on the above dated 02 October 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the emerging Neighbourhood Plan and would like to make the following comments.

The settlement boundary for Trevone (Map 9) includes a small undeveloped site in the South west corner. Trevone is with the Cornwall AONB.

The settlement boundary for Padstow (Map 8) Includes undeveloped sites to the west of the settlement. Although these sites are not within the AONB, the boundary, at the closest point, is less than 500 metres away. The undeveloped sites could therefore be considered to lie in the setting of this protected landscape.

At this stage we are unable to concur with the conclusion in 5.2 of the SEA screening report (that there will be no significant effects on the environment) because we could find no evidence to support this conclusion. In particular there is no evidence to show that development of the sites referred to above would not have an adverse effect on the landscape and special qualities of the AONB.

Also we advise that the River Camel SAC be included in the screening table on page 6 as it is within 10km of the neighbourhood plan area.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Carol Reeder on 0208 225 6245/07721 108902 or carol.reeder@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Carol Reeder
Lead Adviser
Devon Cornwall and Isles of Scilly Area Team
Natural England
Polwhele
Truro
TR4 9AD

Samantha Daly

From: Reeder, Carol <[redacted]@naturalengland.org.uk>
Sent: 21 October 2020 12:18
To: Sarah Furley
Cc: Parker-Stephenson, Stephanie
Subject: RE: Padstow Neighbourhood Plan SEA/HRA Screening

Hi Sarah

Thanks for the info about the sites on the edge of Trevone/Padstow. Would be useful if those implemented/developed sites could be annotated as such on the NDP when the it gets published for consultation – just so it's clear. Re river Camel – it is just a case of including it in the HRA as you suggest.

Steph and I are both on leave next week so the earliest we could look at anything formally is the following week.

Carol

Carol Reeder
Lead Adviser
Devon Cornwall & Isles of Scilly Team
Natural England

07721108902

From: Sarah Furley <[redacted]@cornwall.gov.uk>
Sent: 21 October 2020 11:16
To: Reeder, Carol <[redacted]@naturalengland.org.uk>
Subject: RE: Padstow Neighbourhood Plan SEA/HRA Screening

Information Classification: CONTROLLED

Hi Carol,

The Padstow site is an implemented planning consent which doesn't show on the base map yet, but here's the excerpt from the online planning register and the application number is PA19/08040 (the site immediately to the north is a temporary access, so that obviously isn't included in the settlement boundary)



The Trevone site was granted a certificate of lawfulness for a dwelling in 2013



So neither of these are undeveloped sites.

I can add a section screening out the River Camel – obviously it's upstream and there are no pathways of impact.

On that basis I plan to issue the screening decision – unless there is someone who will look at this while you are on leave?

Best wishes

Sarah

Sarah Furley | Group Leader Neighbourhood Planning
Cornwall Council | Planning and Sustainable Development

s.furley@cornwall.gov.uk | Tel: 01853 52 722

<http://www.cornwall.gov.uk/> | 'Onen hag oll'

3B, Pydar House, Pydar Street, Truro, TR1 1XU

Currently working at home

The Planning & Sustainable Development Service has had to change its procedures with regards to Planning Committees, site notices, visiting our offices and on the availability of information by hard copy. Please refer to the FAQs on our [Covid-19 impact on planning processes](#) page on our website for further details on revised processes implemented by the Service.

From: Reeder, Carol <carol.reeder@naturalengland.gov.uk>

Sent: 21 October 2020 07:57

To: Sarah Furley <Sarah.Furley@cornwall.gov.uk>

Subject: Padstow Neighbourhood Plan SEA/HRA Screening

Morning Sarah

Please find attached Natural England's response to SEA/HRA screening for the Padstow NP. They have included a couple of sites within the development boundaries for Padstow & Trevone so I think some supporting landscape evidence is required. The only thing I could find on their website was what looked like a discussion note about site selection but the file didn't open so I'm not sure what it contained. Give me a call if you'd like to discuss. I'm here today but then on leave til 2nd Nov.

Best wishes

Carol

Carol Reeder
Lead Advisor
Devon, Cornwall and Isles of Scilly Team
Natural England
Polwhele
Truro
TR4 9AD
07721 108902

Please note my working days are Monday, Tuesday & Wednesday.

www.gov.uk/natural-england

Samantha Daly

From: Stuart, David <[REDACTED]@HistoricEngland.org.uk>
Sent: 23 October 2020 14:31
To: Sarah Furley.
Subject: SEA and HRA screening request - Padstow Parish NDP

Dear Sarah

Thank you for your consultation on the SEA Screening Report for the emerging Padstow Neighbourhood Plan, and for the opportunity to have sight of the latter.

On the basis of the draft Plan and especially that it does not propose to allocate sites for development I can confirm that we have no objection to the view that a full SEA is not required.

Kind regards

David

David Stuart | Historic Places Adviser South West
Direct Line: [REDACTED] Mobile: [REDACTED]

Historic England | 29 Queen Square | Bristol | BS1 4ND
<https://historicengland.org.uk/southwest>



Historic England

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From: Sarah Furley [mailto:[REDACTED]]
Sent: 02 October 2020 12:24
To: SM-NE-Consultations (NE); SPDC; Stuart, David
Subject: SEA and HRA screening request - Padstow Parish NDP

THIS IS AN EXTERNAL EMAIL: do not click any links or open any attachments unless you trust the sender and were expecting the content to be sent to you

Information Classification: CONTROLLED

Dear consultees,
Padstow Town Council have submitted their draft NDP and requested SEA and HRA screening. Please find attached the screening report and the draft NDP, which is complete with maps and links to evidence base.

Please can I ask for your response to the screening opinion within 21 days, i.e. **23 October 2020** and do contact me if you have any queries.

Samantha Daly

From: SPDC <SPDC@environment-agency.gov.uk>
Sent: 07 October 2020 15:57
To: Sarah Furley
Subject: RE: SEA and HRA screening request - Padstow Parish NDP

Dear Sarah,

Thank you for your consultation providing us with the opportunity to comment in respect of the Padstow Parish Neighbourhood Plan SEA/HRA screening opinion.

In general we consider that it is unlikely that neighbourhood plans will result in any significant environmental effects unless the plan allocates or encourages development over that set out in the Local Plan. Otherwise we consider that any potential for environmental effects from growth in the parish should already have been addressed through the Sustainability Appraisal (SA) which supported the adopted Local Plan.

Please note, this is a standard response. If you consider the plan will result in significant environmental effects please reconsult us.

Kind regards

Sarah Squire MRTPI
Sustainable Places – Planning Advisor
Environment Agency – Devon, Cornwall and the Isles of Scilly Area

Tel: 0208 474 6316
Email: SPDC@environment-agency.gov.uk

Sir John Moore House, Victoria Square, Bodmin, Cornwall, PL31 1EB
Manley House, Kestrel Way, Exeter, Devon, EX2 7LQ



From: Sarah Furley [mailto:Sarah.Furley@cornwall.gov.uk]
Sent: 02 October 2020 12:24
To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>; SPDC <SPDC@environment-agency.gov.uk>; Stuart, David <David.Stuart@HistoricEngland.org.uk>
Subject: SEA and HRA screening request - Padstow Parish NDP

Information Classification: CONTROLLED

Dear consultees,
Padstow Town Council have submitted their draft NDP and requested SEA and HRA screening. Please find attached the screening report and the draft NDP, which is complete with maps and links to evidence base.

Please can I ask for your response to the screening opinion within 21 days, i.e. **23 October 2020** and do contact me if you have any queries.

Many thanks
Sarah

Sarah Furley | Group Leader Neighbourhood Planning
Cornwall Council | Planning and Sustainable Development

| Cornwall Council Internal Officer Consultation (informal consultation at SEA screening Stage) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Neighbourhood Development Plan Proposal | Padstow Parish | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation documents | Padstow Parish NDP presubmission version 3.2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation Start Date | 2/10/2020 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation End Date | 23/10/2020 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| General Comments | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> This is a well designed and laid out document – can it be refined to focus only on the policies which add extra detail to strategic policies? NDPs should not repeat strategic policy. A Policy Index would be useful and would make the document easier to use A new Use Class Order came into effect on 1 September 2020 and its impacts on your strategy should be considered (see also individual policy comments below) https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Affordable Housing Team | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Note: Comments are confined only to the affordable housing implications of this proposal and are made without prejudice to any formal decision of the Planning Authority.</p> <p>Current evidence Homechoice register (affordable homes to rent)</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th rowspan="2">Parishes</th> <th rowspan="2">Band</th> <th colspan="7">Council bedroom need</th> <th rowspan="2">Total</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> <th>7</th> </tr> </thead> <tbody> <tr> <td rowspan="5">Padstow</td> <td>A</td> <td>7</td> <td>1</td> <td>0</td> <td>1</td> <td>0</td> <td>0</td> <td>0</td> <td>9</td> </tr> <tr> <td>B</td> <td>2</td> <td>0</td> <td>1</td> <td>0</td> <td>1</td> <td>0</td> <td>0</td> <td>4</td> </tr> <tr> <td>C</td> <td>8</td> <td>8</td> <td>4</td> <td>1</td> <td>0</td> <td>0</td> <td>0</td> <td>21</td> </tr> <tr> <td>D</td> <td>5</td> <td>1</td> <td>1</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>7</td> </tr> <tr> <td>E</td> <td>30</td> <td>16</td> <td>5</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>51</td> </tr> <tr> <td>Total</td> <td></td> <td>52</td> <td>26</td> <td>11</td> <td>2</td> <td>1</td> <td>0</td> <td>0</td> <td>92</td> </tr> </tbody> </table> | | Parishes | Band | Council bedroom need | | | | | | | Total | 1 | 2 | 3 | 4 | 5 | 6 | 7 | Padstow | A | 7 | 1 | 0 | 1 | 0 | 0 | 0 | 9 | B | 2 | 0 | 1 | 0 | 1 | 0 | 0 | 4 | C | 8 | 8 | 4 | 1 | 0 | 0 | 0 | 21 | D | 5 | 1 | 1 | 0 | 0 | 0 | 0 | 7 | E | 30 | 16 | 5 | 0 | 0 | 0 | 0 | 51 | Total | | 52 | 26 | 11 | 2 | 1 | 0 | 0 | 92 |
| Parishes | Band | | | Council bedroom need | | | | | | | | Total | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | B | 2 | 0 | 1 | 0 | 1 | 0 | 0 | 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | C | 8 | 8 | 4 | 1 | 0 | 0 | 0 | 21 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | D | 5 | 1 | 1 | 0 | 0 | 0 | 0 | 7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | E | 30 | 16 | 5 | 0 | 0 | 0 | 0 | 51 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>The Homechoice registered local housing need in the Parish of Padstow is currently 92 households seeking affordable rented accommodation of which 26 households are aged 55 or over are requesting 1 or 3 bed accommodation. There are 8 households registered under Category 2 (assessed and self-assessed) who requires a property suitable for people who cannot manage steps or stairs and may need a wheelchair or are only able to manage 1 or 2 steps or small flight of stairs.</p> <p>A housing needs survey was completed as part of the development of the Padstow Neighbourhood Plan. The report dated 13th April 2018 stated that the housing need was 143 for the parish. This is now considered to be out of date but does indicate a potential unmet need.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Planning policy comments | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| There is suggested policy wording highlighted in red. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Policy PAD6 Settlement Area Boundaries | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

where the threshold will be more than 5 dwellings to deliver affordable housing. For developments over 11 dwellings, the target level of affordable housing in Value Zone 2 is 40%. The settlement boundaries defined in maps 8 and 9, will mean that only small-scale sites will come forward inside the boundary area and affordable housing will only be delivered on exception sites outside the boundary area.

Policy PAD7 Development Adjoining Padstow's Settlement Area Boundary

Comments

Under point 6, we would recommend that you do not request that developers/landowners carry out a housing needs assessment for every development proposal submitted. Under policy 9 (Cornwall Local Plan) sites, the primary purpose is to provide affordable housing to meet the local need and this information can be requested from the Affordable Housing Team. We provide housing need data as part of our responses on development proposals using data from the Homechoice register and Help to Buy South.

Policy PAD10 Housing Needs and Mix

Development proposals for major housing schemes should provide for an appropriate mix of dwelling types and sizes that reflect an identified local need and meets local demand, based on an up-to-date Local Housing Needs Assessment. **The scheme should be delivered as a tenure-blind development and meet the National Described Space Standards.**

Comment

Tenure-blind

The Ministry of Housing, Communities and Local Government's National Design Guide, published October 2019, contains the following definition within its section on social inclusion.

Tenure neutral: Housing where no group of residents is disadvantaged as a result of the tenure of their homes. There is no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. Shared open or play spaces are accessible to all residents around them, regardless of tenure. (p36)

The current settlement boundaries as drawn in Map 8 and 9 do not allow for major housing schemes to be brought forward within the boundary. The parish has a high level of housing need for affordable homes and anything outside the boundary will be delivered on small scale developments under policy 9 (Cornwall Local Plan) exception sites. See the comments under PAD6 above on policy 8 sites.

National Described Space Standards

[Nationally Described Space Standard](#) [Final Web version.pdf](#)

9.11 Please refer to comments under PAD7 on local housing needs assessments.

9.16 The information from the housing needs assessment carried out in 2018 as part of the neighbourhood plan is now out of date. You need to refer to the Homechoice register information in the table. You can include information about tenure blind developments as set out below.

Tenure-blind

The Ministry of Housing, Communities and Local Government's National Design Guide, published October 2019, contains the following definition within its section on social inclusion.

Tenure neutral: Housing where no group of residents is disadvantaged as a result of the tenure of their homes. There is no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. Shared open or play spaces are accessible to all residents around them, regardless of tenure. (p36)

I would suggest wording for a separate policy which meets the needs of an aging population in the parish based on evidence in the plan document: -

Policy *: Housing for older people

Housing proposals, where affordable housing is required, must reflect the needs of the community. Well-designed housing intended for occupation by older people in the form of accessible and adaptable ground floor apartments, adaptable upper floor apartments and bungalows will be supported as part of the overall development mix.

A suggestion for the supporting text would be to include 1.5 bed designs that allow for a small ancillary room suitable for a carer or family member to stay because of the level of housing need in the parish for people aged 55 years and over.

A suggestion for the supporting text would be to include 1.5 bed designs that allow for a small ancillary room suitable for a carer or family member to stay because of the level of housing need in the parish for people aged 55 years and over.

More Information

Applicants should refer to the Affordable Housing Supplementary Planning Document <https://indd.adobe.com/view/d6991b3d-474f-4b3a-953a-77b4d812c222>

**Emma Ball, Affordable Housing Officer
Cornwall Council**

Development Management Area Team 5

PAD1- No adverse effect on integrity or continuity of landscape features – does this allow for breaks in hedges to allow vehicular access subject to re-provision? i.e. no net loss?

PAD4- would 'preserve' be a better term than 'retain'?

PAD5- These should be checked to establish whether they are in private ownership. If they are they are harder to argue as an existing public amenity space. In the case of the walled garden #16 I am sure there was a pre-app to include other viable uses that underpin the heritage preservation.

PAD6- The policy says everything outside of the settlement boundary is the countryside and the relevant CLP policies apply, however it also at 3) talks about rounding off and references the CPOAN. What is the view on land that is substantially enclosed but outside of the settlement boundary? There are a few sites eg see 'Dinas' area toward the south of Padstow where there would be a rounding-off opportunity under policy 3 and where it would not seem reasonable to call it 'countryside' such that policy 7 applies. Similarly does the policy preclude CLP policy 21 sites coming forward? Finally what

about barn conversions where they are not farm-diversification?

PAD7- the local support pre-requisite under 4) probably won't go past the inspector. 6) – I am not clear from the policy as to whether the housing would need to be RES under CLP policy 9 or market led incorporating AH in accordance with CLP policy 8?

PAD8- endorse the sentiment, but difficult to use as a reason for refusal.

PAD9- Are we talking about net increase of more than one? '...will be supported' - subject to the other NP policies? 2) there is probably a need for all types and sizes, so not sure what we can/should be resisting under this policy. 5) 'adequate' is subjective. What circumstances do we negotiate an electric charging point?

PAD10- is this duplication of 2) of PAD9?

PAD11- POC should be via planning condition to avoid bureaucracy and admin.

PAD14- 1) delete 'appropriate environmental impact assessments demonstrating'. b) What about a circumstance where a single dwelling has five existing parking spaces but wants to build an extension over one of them – I doubt the TC would necessarily want to refuse this under this policy, do we need a caveat that it has been demonstrated that adequate parking would be provided to serve the needs of the development?

PAD16- Needs updating having regard to the changes to the UCO. Could be read to allow new businesses in the countryside so long as they are a conversion. Nothing that seems to resist long-term changes from light industry to other uses under the new UCO. Is 'Brownfield' definition consistent with PPG?

PAD18- Should really identify how the economically viable test is passed – is this through a period of marketing for commercial uses? How long? 9 Months? Does commercial holiday letting count as a 'commercial unit'.

PAD19- In spatial terms would such development need to be within a settlement as per PAD6? Is there an accessibility test? If in the countryside it is pretty hard to argue that such development would have no adverse impact on the landscape at all (required under part 3)).

NDP Officer Comments

PAD5: Do these sites all meet the criteria in NPPF para. 100? (the link to the Site Assessment document was not working). LGS should have intrinsic worth and development on these sites is only allowed in very special circumstances. There is a difference between LGS and open spaces which could be reprovided elsewhere. Sites in private ownership can be designated as LGS, but an examiner will want to see evidence that landowners have been consulted.

PAD6: needs to be clear on the purpose of settlement area boundaries (see also comments from DM officer above.) If these are just delineating the current built up area, then, since the NDP applies alongside Cornwall Local Plan (CLP) policies, opportunities for rounding off outside the settlement boundary can be supported as per CLP Policy 3. If this is a development boundary then clear opportunities for rounding off and brownfield land adjacent/well related to the settlement should be included.

PAD7: related to the query on PAD6, are sites described in this policy intended to be exception sites? This is implied by criterion 6 – but if the site is considered rounding off, an open market development *may* be permitted. Local need can be demonstrated by the HNR without the need for a further assessment. The HNR is now updated annually. Affordable housing delivery is controlled by strategic policies 8 and 9. An NDP cannot override strategic policy and does not need to repeat it, so PAD7 could be deleted.

PAD10: or the HNR (As per comments on Policy 7.) A further assessment can be useful to find out whether there is additional need, but if there is registered need on the HNR this is sufficient evidence to justify an exception site; also the NDP is not allocating major development sites.

PAD 11: in Cornwall the process for imposing principal residence restrictions is through a condition. <https://www.cornwall.gov.uk/media/40350102/principal-residence-policies.pdf> Make sure you have robust evidence to justify this policy as this will be tested by the Examiner. This isn't just the level of second home and the impact on house prices, but also the effect on community sustainability (are shops and services closed in winter, are the school rolls falling etc.) Make sure the community appreciate that the restriction does not apply to existing or replacement dwellings, so the policy cannot tackle the high levels in old housing stock (so the situation described in para 9.23 will continue). They should also be clear that the imposition of this restriction will cause a drop in viability, so that the parish will drop one zone for CIL and for the percentage of affordable housing on site. As the NDP is not planning for much new development, be clear that this is a conscious choice.

PAD16&17: update references to use class B1 to reflect the new use class order.

PAD21: as the NDP does not identify an area suitable for wind turbines, as required by para 154b, footnote 49 of the NPPF, no wind turbine development can be considered within the parish, so the reference to wind turbines in 12.12 is redundant. If you do wish to support wind turbines the NDP could identify an area (e.g. outside the AONB, with reference to the Renewable Energy SPD guidance on siting and design) but this would have to be evidenced and included for the Regulation 14 consultation. Guidance from the Centre for Sustainable Energy <https://www.cse.org.uk/downloads/reports-and-publications/community-energy/planning/neighbourhood-planning-wind-guidance.pdf> sets out a step by step process for defining such an area.

From: Neighbourhood Planning <Neighbourhoodplanning@cornwall.gov.uk>

Sent: 28 October 2020 10:54

To: NDP Padstow <ndp@padstow-tc.gov.uk>

Subject: RE: Padstow Parish NDP SEA and HRA screening decision

Information Classification: CONTROLLED

Dear Samantha,

Please find attached collated comments from the internal officer consultation.

I also spoke to the Policy Team Leader about how the NDP fits with the emerging DPD. One thing I was keen to understand was whether the area within Padstow Parish which is outside the AONB would be included in the proposals map for the DPD as part of the indicative area suitable for wind turbines, as this would help you to decide whether you needed to add this to your plan. However, the landscape research for this is still being carried out and we expect to receive their report and map at the end of November, so I am not able to confirm this. Therefore, if the parish is keen to ensure that there is a possibility of wind turbines being stationed within the parish, the answer would be to include that within your NDP and I'd suggest that we rescreen the NDP if you do, because Natural England will likely wish to review the evidence you've used to assess and choose the area. So this may depend on whether your consultation showed a strong desire for wind turbines to be included in the types of renewable energy installations supported within the parish.

Other issues which tie in with the emerging DPD policies are:

Sustainable Transport. The general aim of the emerging DPD policy is to manage the level of parking provision, in order to encourage sustainable transport. The NDP seeks to promote sustainable transport but also to protect any loss of private parking spaces. There is some tension here, but it's not necessarily going to be judged by an Examiner as not being in 'general conformity.' Local and national strategic policies do recognise local circumstances, particularly in rural areas.

The following two issues are complicated by an emerging national policy framework which makes it difficult to give exact advice (not uncommon in planning!)

Energy Efficiency: The NDP is in general conformity with emerging Policy SC1 of the DPD. The element of policy SC1 which sets standards will depend on the outcome of the national consultation on Building Regs and the Future Homes Standard, which proposed that local authorities be prevented from setting local standards for energy efficiency. In the event of a restriction on Local Authorities requiring stricter standards than Building Regulations, neither the NDP nor the DPD will be able to set standards, so the wording of Policy 8 which encourages energy efficiency without imposing standards, is a sensible option.

Biodiversity Net Gain. A few of your policies require development not to have a negative impact on biodiversity – but Biodiversity Net Gain is only referenced in supporting text. Actually the emerging policy position is stronger than this and will require net gain. Cornwall Council already requires this on major development (which you're not actively planning for) and emerging policy will extend this to other development. You will be able to rely on strategic policy when this is in place – my only reason for raising this is that you probably don't wish to be seen as aiming for less.

I'm happy to discuss these or any of the comments raised in the attached document; I realise it may be easier to deal with some of them through discussion as it would help me to understand the community's intentions and often with planning it's about trying to find the best way to express that through policy – it's not always going to be an exact fit – further complicated by the uncertainty over current proposed changes to the planning system.

Best wishes

Sarah

Sarah Furley | Group Leader Neighbourhood Planning
Cornwall Council | Planning and Sustainable Development

NDP STEERING GROUP: 15 DECEMBER 2020

AGENDA ITEM 6: REVISED PRE-SUBMISSION PLAN:

A revised Pre-Submission Version of the Padstow Parish NDP (version 3.3) is included under separate cover. It includes changes proposed by the consultant, Paul Weston as a result of the SEA/HRA assessment and the communication received from Cornwall Council in agenda item 5. As per the earlier report, it is recommended that the more detailed comments from Cornwall Council Officers are considered following the Regulation 14 Consultation therefore changes to the Plan are as follows:

- Date of version changed to November 2020 on cover and page 1;
- Para 5.10 - added a brief summary of the SEA/HRA screening process;
- Footnote 9 – added a weblink;
- Footnote 21 – updated the weblink;
- Policy 16 – amended reference to ‘use class order’ to reflect changes introduced by the Government from September 2020;
- Policy 17 - amended reference to ‘use class order’ to reflect changes introduced by the Government from September 2020; and
- Footnote 34 – included descriptions of new ‘use class order’ categories.

With regard to the maps no changes have been made since version 3.2. Improvements are still to be made, namely i) ensuring all the maps are in the same format i.e. showing the parish boundary when appropriate, with the notation and a bar scale at the top of the map as on maps 8 and 9; and ii) standardising the LGS maps to be standardised with less colour i.e. 7a to be in the same style as 7b. It is hoped this will be achieved prior to the Plan going out to consultation.

Recommendation: To agree the Pre-Submission Version (version 3.3) of the NDP as amended following CC’s SEA and HRA Screening Response for the purpose of commencing the formal Regulation 14 consultation.

NDP STEERING GROUP: 15 DECEMBER 2020

AGENDA ITEM 7: CONSULTATION STRATEGY:

1. Introduction

- 1.1 The next step in the development of the Padstow Parish Neighbourhood Development Plan is the "Pre-submission Consultation" known as Regulation 14. This is a formal consultation required by the Neighbourhood Planning Regulations 2012 (Part 5, regulation 14) which publicises the draft plan proposal before the final document is submitted to Cornwall Council.
- 1.2 Regulation 14 requires that the Pre-submission consultation runs for a minimum of 6 weeks from the date the draft plan proposal is published. The consultation must ensure and evidence that the community (defined as those who "live, work or carry out business in the Neighbourhood Area") have been made aware of the consultation and have had sufficient opportunity to view and comment on the Plan and that all relevant and statutory "consultation bodies" have been contacted.
- 1.3 Previous consultation methods utilised by the Steering Group have involved a number of public events including drop-in sessions at which the community have been able to view the plan, raise questions and leave feedback through surveys. The Coronavirus crisis means that this type of face-to-face engagement will not be possible. Advice has been sought from Cornwall Council as to how consultation can be taken forward effectively during COVID19 and accordingly to help address this issue the attached Consultation Strategy is proposed (Appendix 1).

2. Financial Considerations

- 2.1 Royal Mail's Business Mail Advanced service for addressed mail was used for the 2018 survey at a cost of £637.40 plus VAT, however this will be higher in January 2021 when postage costs are set to increase.
- 2.2 Royal Mail's Door To Door Service was last quoted for in 2018 at £600 including VAT. This figure is inclusive of 2 drops to the PL28 8 sector which includes 3,245 residences, with each drop taking up to 2 weeks to complete. This cost may increase slightly in January 2021 in line with rises in the cost of postage. In addition, items will need to be couriered to Swindon 1 week prior to the date of distribution, the cost of which would be dependent on the weight.
- 2.3 Promotional literature costs will depend on the final product and will need to be outsourced at cost in the region of £300-£800.

- 2.4 A number of hardcopy questionnaires and comment forms can be outsourced in preparation with additional copies printed "in house". However, it is expected that the large majority will be able to view the questionnaire and respond online.
- 2.5 If a free post return is utilised for comment forms as in previous consultations this will cost in the region of £215 plus the cost of any items sent via this method.
- 2.6 Council already has an active SurveyMonkey subscription through which comments can be collated at no additional cost.
- 2.7 For information, the 2015 questionnaire consultation cost in the region of £1490 and the 2018 questionnaire consultation cost in the region of £2390.

3. Recommendations

- 3.1 The steering group approve this Consultation Strategy to meet, as far as is practicable the requirements of the Regulation 14 NDP Pre-submission consultation in the current environment of COVID-19 social restrictions and distancing.
- 3.2 That Regulation 14 commence on 18 January 2021 or as soon as practical thereafter and last for 10 weeks.
- 3.3 Final versions of promotional literature (including where appropriate their locations), the regulation 14 notice, comment form and newspaper article be signed off by the Chairman but informed by members of the group through email.
- 3.4 A maximum budget of £3,000 be set to avoid delay in bringing updated/final costs back to the steering group but with a view that all of this figure is unlikely to be spent.

**PADSTOW PARISH NEIGHBOURHOOD DEVELOPMENT PLAN
COMMUNICATIONS STRATEGY**

1. Objective

- 1.1 The objective of this strategy is to conduct the consultation in a way that allows as many people as possible to take time to read the Plan and send comments, in line with the overall objectives of the Neighbourhood Planning (General) Regulations 2012 and in a way that engages with the Parish at large and does not exclude those who are not online.
- 1.2 In order to achieve these objectives and implement the strategy in light of the COVID-19 Pandemic it is proposed that the consultation period be extended to 10 weeks, the emphasis being on the quality of the consultation and not the speed of the consultation.

2. Consultation Methods

- 2.1 Ensure Regulation 14 Notice is published in a relevant edition of local newsletter in accordance with Regulations and to help to promote engagement accompany it with a short article.
- 2.2 Announce the consultation by sending promotional literature to all addresses in the Parish using Royal Mail's Business Mail Advanced service. This will ensure that everyone living or working in the parish has at least the opportunity to know about and seek more information on the Plan, which they can then access online or as a hard copy.
- 2.3 Send follow up promotional literature using Royal Mail's Door To Door Service which provides blanket coverage to all postcodes within the PL28 8 sector. In the absence of face to face championing in light of the current COVID climate, this method will serve as a prompt to the local community and help capture those who perhaps missed the initial mail mentioned in 2.2 and demonstrates that the group have tried hard to reach everybody. In addition, the wider capsule of PL28 8 may help to reach members of the working community who do not reside in Padstow.
- 2.4 Send direct emails to the NDP contact database, gathered via previous NDP engagement activities. Send direct emails to contacts on any other PTC mailing lists with relevant consent for this type of contact. Follow up with further emails throughout the consultation to prompt contacts to respond.
- 2.5 Announce the consultation on PTC's website and social media pages and contact other local social media groups to do the same and follow up with a series of posts throughout the consultation period.

- 2.6 Arrange for announcements on local radio and through local press releases. Follow up with further announcements throughout the consultation period.
- 2.7 Promote the consultation with posters on PTC notice boards, in various locations around Padstow and Trevone and send copies to local organisations to share and promote.
- 2.8 Additional promotional literature to be sent to larger local employers for distribution around their workplaces to help raise the consultation profile amongst employees.
- 2.9 Promotional banners to be printed and displayed in key areas around the parish.

3. Plan Accessibility and Making Comments

- 3.1 All methods of communication will be clear as to how the community can view the plan, either online or by delivery of a hard copy.
- 3.2 For ease of online accessibility, a QR code linking to the Plan and online comment form will be included in any hardcopy promotional materials, allowing people to comment more easily. For those who cannot use a QR code, the website address will also be included.
- 3.3 Hardcopy promotional materials will provide the contact telephone number of the Town Council Offices so that a copy of the plan and a comment form can be delivered either by hand where volunteers are available, or by post where necessary to those who do not have access to the document online. A number of printed copies can be purchased from the printer with any additional copies printed in house as needed. Comment forms can be returned to the Council Offices or where additional support is required, a telephone appointment can be made so that comments can be transcribed by a member of the Office, or where available by volunteers.
- 3.4 Members of the community wanting clarification or explanations of detailed points will be welcomed to submit these in writing or by leaving a telephone message with the Council Office. Response to be delegated to the Town Clerk in consultation with the NDP SG Chairman.

**PADSTOW TOWN COUNCIL
NDP STEERING GROUP: 15 DECEMBER 2020**

AGENDA ITEM 8 : PROJECT PLAN AND BUDGET

Appendix 1 is the Project Plan which clearly outlines the timescale and process to move forward. The remaining budget available for 2020/21 is £1,850. With the Council agreeing budget for 2021/22 of £4,000. Initially, it was thought with COVID-19 it may delay things even further in respect of the Regulation 14 consultation. However, as outlined in a previous agenda item there are ways and means in moving this forward and working within the parameters we find ourselves in at this time.

Regulation 14 is an incredibly important next step in the development of the Plan and very much opens the Plan up to everyone, inviting them to comment and put their views forward and it is imperative we demonstrate how we have tried to engage all in this phase. The Consultation Strategy Report detailed potential costs involved and with the consultants costs its advisable that the Steering Group request further funds from contingency budget. As you may recall the Chairman advised in a memo to SG members that the consultant can continue to provide the technical support we need and objectivity in continuing to move us forward. The Chairman and Town Clerk consider that this assistance is still very much required as we move nearer to the completion of our Plan. As the Group will know we did have a larger budget available however, Ear Marked Reserves (EMRs) were put back into the general fund earlier this year to take account of the situation we found ourselves in at that time due to COVID.

It should be noted that an application has been made for locality funding, which if successful will provide an additional £1,000. A decision from Locality is expected by 23 December 2020.

The Steering Group is asked to: i) consider requesting the reallocation of their EMR from the contingency budget to provide financial assistance in this financial year in being able to take forward works in progressing the NDP. The RFO has confirmed she is comfortable with this money previously earmarked for the NDP to be reallocated from the contingency budget (EMR of £5,000) and notes that it is expected the majority of the works and expense will be progressed this financial year; and ii) note and endorse the Project Plan

Padstow Parish Neighbourhood Plan – Project Plan Vers.8B November 2020

Plan Making

| No. | Process | Method | 2018 | | | 2019 | | | | | | | | | | | | | | |
|-----|-----------------------|-------------------------------------|------|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
| | | | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | |
| 4.1 | Options | generate development options | ✓ | ✓ | ✓ | ✓ | | | | | | | | | | | | | | |
| 4.2 | Impacts | consider who/what will be affected | ✓ | ✓ | ✓ | ✓ | | | | | | | | | | | | | | |
| 4.3 | Options Appraisal | options appraisal | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| 5.1 | Policies | draft NP Policy statements | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | | | | |
| 5.2 | Proposals | prepare 1 st Draft of NP | | | | | | ✓ | ✓ | ✓ | ✓ | | | | | | | | | |
| 5.3 | Compliance | check compliances | | | | | | ✓ | ✓ | ✓ | ✓ | | | | | | | | | |
| 5.4 | Informal Consultation | Consult with local stakeholders | | | | | | | | | | | | | | | | ✓ | | ✓ |

Plan Completion

| No. | Process | Method | 2020 | | | 2021 | | | | | | | | | | | | | | | |
|------|--------------------------|---|------|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--|--|--|--|
| | | | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | | | | |
| 5.5A | Evidence up-dating | Desk-based study on targeted topics | ✓ | | | | | | | | | | | | | | | | | | |
| 5.5B | Task group deliberations | Consider consultation responses on key policies | ✓ | ✓ | ✓ | | | | | | | | | | | | | | | | |
| 5.5C | Plan amendments | To reflect TG and SG decisions | ✓ | ✓ | ✓ | | | | | | | | | | | | | | | | |
| 5.6 | Sustainability | SEA/HRA (as appropriate) | | ✓ | ✓ | | | | | | | | | | | | | | | | |
| 6.1 | Consultation document | approve Pre-Submission Version of Plan | | | | | | | S | | | | | | | | | | | | |
| 6.2 | Statutory consultees | consult formally (Reg. 14) | | | | | | | | | | | | | | | | | | | |
| 6.3 | Community | apply consultation strategy | | | | | | | | | | | | | | | | | | | |
| 6.4 | Stakeholders | consult formally | | | | | | | | | | | | | | | | | | | |
| 6.5 | Consultation | prepare Consultation Statement | | | | | | | | | | | | | | | | | | | |
| 6.6 | Amendments | consider comments & amend if necessary | | | | | | | | | | | | | | | | | | | |
| 6.7 | Submission documents | Basic Condition Statement | | | | | | | | | | | | | | | | | | | |
| | | approve submission documents | | | | | | | | | | | | | | | | | | | |
| 6.8 | Submission | submit required documents | | | | | | | | 1 | | 0.5 | 1 | 2.5 | 3 | 2 | | | | | |