



Lanlivery Neighbourhood Plan

Pre- Submission Draft

November 2016

Pre-Submission Lanlivery Neighbourhood Plan

Forward

The 2011 Localism Act set the condition by which Neighbourhood Plans could be created by local communities. In this document, commissioned by the Parish Council and consulted on with the people of Lanlivery, we have demonstrated the aspirations of our local community.

The Lanlivery Neighbourhood Plan (LNP) reflects a systematic approach by the people of this Parish to actively support sustainable development, where it is best placed to be delivered. It identifies the future housing needs for Lanlivery to ensure that we support growth but in a way that ensures that important services and the infrastructure are not overstretched and the qualities of the landscape and heritage are protected. As the National Planning Policy Framework (NPPF) states the planning system is to:

“be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.”

The intention is to develop a Plan that is in line with the NPPF; whilst at the same time is in keeping with the Parish of Lanlivery and the proven aspirations of the parishioners. Whilst some of the policies/restrictions in this document are also found in the NPPF and the Local Plan, this Neighbourhood Plan seeks to reinforce them as is appropriate for this rural Parish.

The following Parish Councillors and the Clerk have been involved with the Plan's preparation, together with local residents to form The Steering Group.

Cllr Sinkins

Cllr Roberts

Cllr Haley

Cllr Richards

Cllr Turner

Sally Vincent (Parish Clerk)

Ed Veerman

Robbie Patterson

Gareth Hainsworth

Lorraine Wright

Introduction

It is a bold and far reaching step for a small rural community to embrace the challenge of developing its own neighbourhood plan and to confront the complexities of local plan policies, the NPPF and more.

Like many neighbourhood plans in a rural location, Lanlivery's challenge is working out how to manage change by ensuring that future development will have minimum impact, whilst retaining the much valued natural and historic landscape and community ethos. The process of developing a neighbourhood plan encourages residents and stakeholders to carefully consider what they want from future development and how development can be embraced to allow this rural parish to evolve in a way that is not discordant with what already exists and which is held dear. In addition, it will allow residents to address how new housing can be focused on sustaining businesses and creating employment rather than by simply creating speculative housing in the countryside

The Localism Act 2011 provides that planning policy developed by communities shall, if passed by an independent examination and a local referendum be adopted by Cornwall Council. The LNP is intended to become part of the statutory planning policy framework and will have the same legal status as the Cornwall Local Plan, or other Development Plan Documents, and will take precedence in decision making over policy of the former Restormel Borough Council and Cornwall Council. The LNP should be read as a whole and in conjunction with policies within the emerging Cornwall Local Plan. The policies of the LNP will be amongst the most important for local planning application decisions.

The LNP policies are aimed at making sure opportunities are created for local people to build to solve their own housing problems and that they are positively supported through the planning process. At the same time the overall strategy is to ensure the landscape and character of the Parish are protected. Policies are focussed on helping provide low cost housing through converting existing buildings or building on low impact sites, helping farmers and rural businesses provide housing for their families and business needs, or by helping older people find suitable housing.

The policies presented here provide the detail for how this overall strategy will be implemented in the parish of Lanlivery. They provide a particular local focus on the problems of housing delivery. The policies for rural low cost housing, older peoples housing and housing on farms are all predicated by the requirement that the housing resulting from these policies is for local people only. Planning permissions that may be given will include a condition to secure local occupancy for these developments. A definition of what 'local' means is also provided to ensure that this condition remains true for the Lanlivery parish and area. The policies also give much greater weight to the views of the Lanlivery Parish Council in the decision making of Cornwall Council. For the first time, the LNP allows the Parish Council to have a direct influence over the speed at which development takes place in the Parish. The Parish Council will have the power to prevent out of scale developments that risk spoiling the character of the Parish while allowing smaller, appropriate developments that are needed for local people.

What is Neighbourhood Planning?

The Localism Act 2011 empowers local communities to take responsibility for the preparation of aspects of planning policy for their area through a neighbourhood development plan. The National Planning Policy Framework states:

“neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need”.

A neighbourhood plan is a community-led framework for guiding future development, regeneration and conservation of an area. A neighbourhood plan is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It may deal with a wide range of social, economic and environmental issues (such as housing, employment, heritage and transport) or it may focus on one or two issues only.

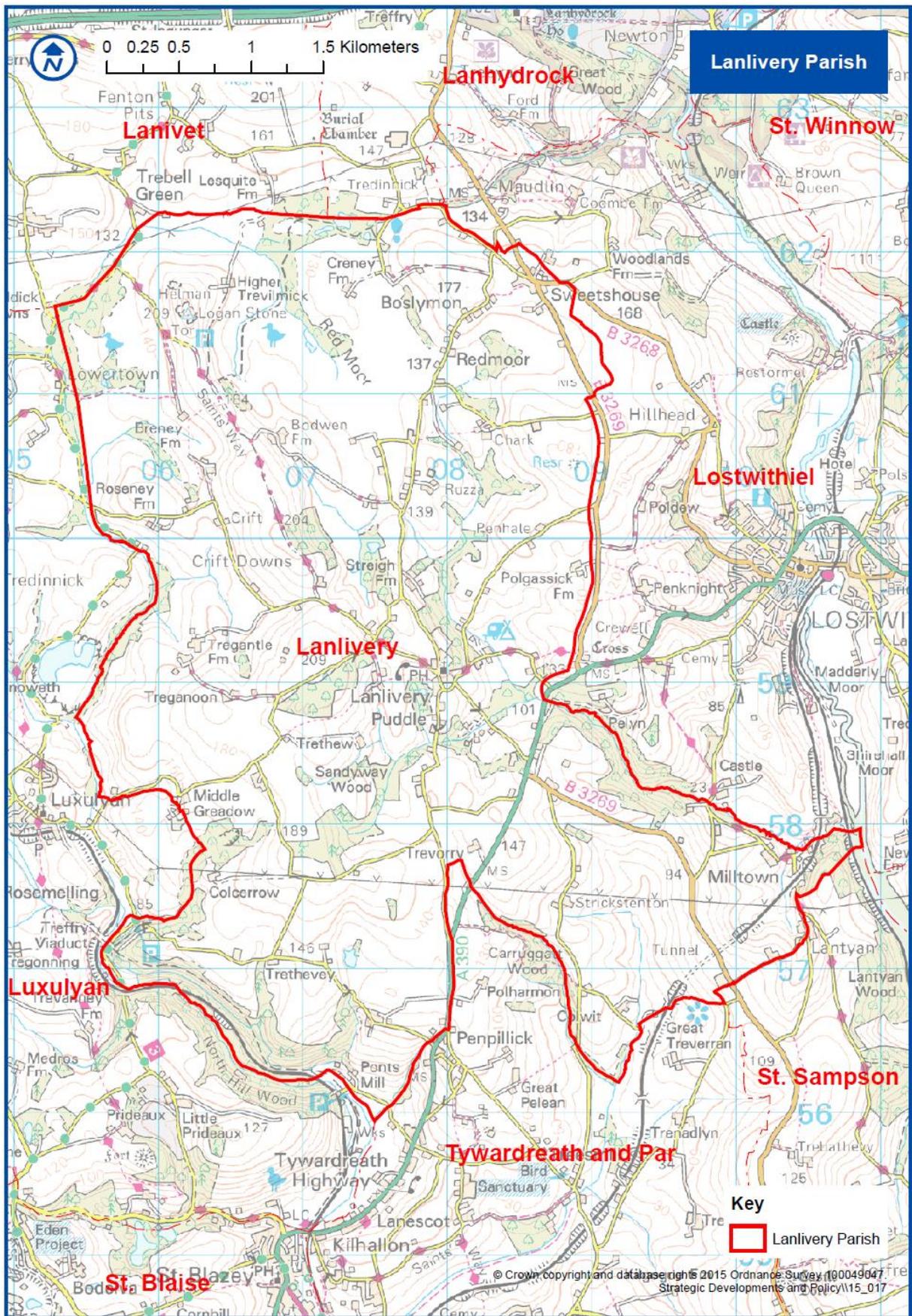
A neighbourhood plan will be part of the statutory development plan for the area. This statutory status gives neighbourhood plans far more weight than previous local documents, such as parish plans, community plans and village design statements. Its status means that Cornwall Council must take it into account when making planning decisions.

Once a neighbourhood plan has been completed, it will have to be submitted to Cornwall Council and then be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with strategic local policy, the emerging Cornwall Local Plan. During this time the plan will also be publicised to those who live and work in the Parish. The neighbourhood plan will then be subject to a public referendum in which it will be necessary to gain a more than 50% ‘yes’ vote of those voting in a public referendum in order to bring it into force.

A successful neighbourhood plan, once in force, will form part of the statutory development plan for the Parish and therefore, any planning decisions within the area of the plan need to be made in accordance with it.

Neighbourhood plans must be community led. This means that the views of residents and stakeholders are vitally important throughout the process. The questionnaire gave the steering group a clear idea of how those who live and work in the Parish would like to see it develop, this consultation draft will give the opportunity to add comments and ideas as we progress and finally, there will be the choice to vote on whether or not to formally adopt the finished plan.

A description of Lanlivery Parish



Lanlivery (Cornish: Lanlivery) is situated in the Deanery and Hundred of Powder. It is bounded on the North by Lanivet and Lanhydrock, on the East by Lostwithiel, on the South by St Sampson (Golant), Tywardreath and Luxulyan, and on the West by Luxulyan. The Parish name means 'Church site (lann) of unknown name'.

This mixed landscape parish is situated above a tributary of the Fowey River, west of Lostwithiel. It is also on the 'Saints Way' from Ireland to France. Although within Hensbarrow (Countryside Character, vol 8: South West – The Countryside Agency), a landscape area much influenced by the impact of china clay mining, the Parish is more characteristic of the adjoining Cornish Killas, a character covering extensive parts of the county. Characteristics of the Cornish Killas include undulating landscape with a variable field pattern dominated by Cornish hedges, with broadleaved wooded valleys, a dispersed settlement pattern, historic parts and archaeological and industrial/archaeological sites. The Cornwall Landscape Assessment 1994 (Cornwall County Council) describes the landscape here as rolling, with a small to medium scale field pattern with sinuous boundaries, closely linked to the settlement pattern of dispersed farming hamlets. In some places this field pattern has been altered in the 20th century to create larger fields although these more open fields are balanced by the frequency of trees and small woods.

The north of the Parish is dominated by areas of moorland often containing exposed granite, nature reserves and Sites of Special Scientific Interest. Sloping gently south from 650 feet inland to around sea level at its most southerly boundary, the Parish straddles the old prehistoric trans-peninsula trade route and its modern counterpart the A390, one of the two main trunk roads through the county.

Although a large Parish the population is approximately 30% of that in 1841. It is situated approximately in the centre of Cornwall, the modern Parish of Lanlivery encompasses an area of around 2029 hectares but, being mainly agricultural, its resident population on the electoral roll has shrunk considerably.

Villages in the parish are: Lanlivery, Churchtown, Redmoor, Sweets House, and Milltown as well as many farmsteads and hamlets.

Photographs of Lanlivery Parish



View of entrance to Lanlivery Village



View of The Crown Inn, Lanlivery



View of The Playing Field, Lanlivery



View of the Village School, Lanlivery



View of The Village Church, Lanlivery



View from Helman Tor



View of Luxulyan Valley

Population

Population in 1801 - 778 persons Population in 1911 - 607 persons
Population in 1811 - 965 persons Population in 1921 - 558 persons
Population in 1821 - 1318 persons Population in 1931 - 497 persons
Population in 1831 - 1687 persons Population in 1951 - 437 persons
Population in 1841 - 1809 persons Population in 1961 - 373 persons
Population in 1851 - 1716 persons Population in 1971 - 350 persons
Population in 1861 - 1657 persons Population in 1981 - 385 persons
Population in 1871 - 1493 persons Population in 1991 - 432 persons
Population in 1881 - 1388 persons Population in 2001 - 492 persons
Population in 1891 - 706 persons Population in 2011 - 555 persons
Population in 1901 - 673 persons

The population levels have decreased considerably since the 1800s; between 1821 and 1881 population levels fluctuated between 1300 and 1800. There are 187 households and 407 individuals listed on the electoral roll as at 1st December 2015 and a relatively small population of 555 according to the 2011 Census.

The Parish has many important features, in terms of historic, architectural and environmental considerations and these features are taken into consideration when decisions affecting the Parish are made:

- Lanlivery village contains many listed buildings (including the church, school and vicarage) and is an Area of Great Landscape Value.
- There are three nature conservation sites, classed as Sites of Special Scientific Interest within the Parish, Redmoor, Breney Common and Luxuylan Quarry.
- Helman Tor is a Regionally Important Geological/Geomorphological Site.
- The village has won two Royal Institute of Chartered Surveyors awards: the first in 2000 in respect of Lanlivery Church (building conservation) and the second in 2004 for the school (sustainability project).
- Colcerrow Quarry and tramway and Carbean Quarry fall within the Parish boundary and the Cornwall and West Devon Mining Landscape World Heritage Site (Cornish Mining World Heritage Site).
- A number of agencies (local authorities in both Cornwall & Devon, Objective 1 Partnership, English Heritage, National Trust and others) working together formed the Cornwall & West Devon World Heritage Site Bid and were successful in raising

the profile of Cornwall and Devon's mining landscape & history, placing them on a par with world renowned sites such as Stonehenge, the Taj Mahal and the Great Wall of China. The World Heritage Site status bid incorporated landscape features across the County and this will include a large part of Luxuylan Valley, which lies in Lanlivery Parish, as well as the neighbouring parish of Luxuylan, these lie within the Luxuylan Valley and Charlestown area of the WHS designation.

The plan area

At a meeting of Lanlivery Parish Council on 26th November 2014, it was agreed that a Neighbourhood Plan should be undertaken for the whole of the parish of Lanlivery to address housing need and other matters. The purpose of including the whole Parish was to allow all parts of the Parish to be involved in considering issues raised through the LNP process.

The period of the plan

The plan period of the Lanlivery Neighbourhood Plan is 1 October 2016 to 30 September 2031, a period of 15 years.

Strategic Environmental Assessment

Neighbourhood Plans are not statutorily subject to sustainability appraisal. They do have to be in general conformity with the development plan which will have been subject to a sustainability appraisal in terms of the scale and distribution of growth planned. Sustainable development is an important tenant which cascades from European and national policy down to local planning policy. It is important that sustainable development can be achieved and the LNP can contribute towards this. It can do this by ensuring that its development policies and proposals will meet the needs of people living and working in the Parish.

The neighbourhood plan identifies the sustainability issues within the Parish and sets out a framework within which these economic, social and environmental issues will be considered to determine the plan's detailed policies and proposals.

The plan process

The process of preparing the LNP is in accordance with the Neighbourhood Plan Regulations 2012. The process has comprised the following main stages:

- Questionnaire and flyer sent to every home in the Parish in April 2015
- An analysis and assessment of the questionnaire returns was completed which summarised the evidence on which the LNP is based.
- The following sites have been identified as potential car parks: The Glebe Field, Field next to the pub and potential other sites for suitability and availability by Parish Council. These sites are not being promoted through the LNP although it is the intention of the Parish Council to carry this forward outside the neighbourhood Plan as and when suitable sites become available.

- Pre-Submission LNP comprises the vision, objectives, policies and Proposals Map subject to a statutory 6-week public consultation period.
- Submission LNP – this will take into account the representations received on the draft plan during the public consultation period and be amended as necessary.

How the plan was prepared

The LNP has been prepared by the Lanlivery Parish Council which is a qualifying body supported by Cornwall Council.

Lanlivery Parish Council agreed to develop a Neighbourhood Plan at a Parish Council Meeting held on 26th November 2014.

Lanlivery Parish Council submitted an application and map to Cornwall Council to designate their Neighbourhood Area on 8th December 2014. Cornwall Council consulted residents and other interested stakeholders on the designation between 7th January and 18th February 2015. Copies of the application letter and statement that explains how the Parish Council and Neighbourhood Area met the conditions of Section 61G(2) of the Town And Country Planning Act 1990, were made available to view from Lostwithiel Library and Fowey Library and One Stop Shop during the six week consultation period.

Cornwall Council

Dolcoath Avenue Camborne Cornwall TR14 8SX

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Application number: PA14/00023/NDP

Applicant:

Miss Sally Vincent
Lanlivery Parish Council
Colcerrow Farm
Par
PL24 2RZ

**Town And Country Planning Act 1990 (As Amended)
The Neighbourhood Planning (General) Regulations 2012**

Designation of a Neighbourhood Area

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY APPROVES**, the designation of a Neighbourhood Area to be used for the creation of a Neighbourhood Development Plan as set out in the following application received on 8th December 2014 and accompanying plan(s):

Proposal: The designation of the Parish of Lanlivery as a Neighbourhood Area

Relevant Body: Lanlivery Parish Council

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 24 February 2015

Phil Mason
Head of Planning, Housing and
Regeneration

Public consultation

The LNP has been prepared using local knowledge and formal consultation procedures. It has been assessed against national and local policies as well as Cornwall Council's Strategic Environmental Assessment.

The process has involved a number of key stages which are detailed in the Consultation Statement:

1. Public presentation and exhibition, Lanlivery Annual Parish Meeting, April 2015
2. Neighbourhood Plan Questionnaire sent to all residents, the school, the pub, local businesses, April 2015
3. Exhibition and opportunity to comment, Lanlivery Church, May 2015
4. Steering Group meetings to consider preliminary results, July/August 2015
5. First Draft Plan produced – November 2015

6. Steering Group meetings early 2016 to review first draft
7. Second draft Plan produced – April 2016
8. Opportunity for Public comment at AMP 27th April 2016
9. Third draft produced – May 2016

Throughout the process, residents have been kept informed via the Parish magazine, Granite Towers, media releases, Parish Council Bulletins and the Lanlivery Parish Council website and Notice Board. Neighbourhood Plan Steering Group Meetings have been open to the public.

Responses from the questionnaire

The results of the public consultation were unequivocal, with 92.5% of respondents thinking that 'it is necessary to preserve the community spirit and 100% of respondents thinking it is necessary to preserve the tranquillity and quality of the landscape.

In view of the community's priorities, it was unsurprising that there was high support for control of development including the scale, location and type of development.

The most important aspects of the landscape are:

- The farming landscape
- Small and medium field patterns
- Trees and woodland
- Cornish hedges and hedgerows
- Streams and water courses
- Ridges and skylines
- Historic and cultural features
- Dark skies at night

Question 1 asked about what do you like most about Lanlivery? What would you miss most, if it were to disappear?

	Very important	Important	Less important	Unimportant
Community spirit	54	21	3	2
Tranquillity	56	21	3	
Quality of the landscape	54	21	4	

Village Amenities (church/pub/school/village hall)	50	24	4	
Other (please state)	Non development Tolerance for others Location and proximity to towns yet rural Feeling of safety Wildlife	Quiet lanes Lack of large wind turbines		

A follow up question, which aspects of the local landscape do you value the most?

The farming landscape	61
Small and medium field patterns	58
Trees and woodland	74
Cornish hedges and hedgerows	66
Streams and water courses	64
Ridges and skylines	51
Historic and cultural features	51
Dark skies at night	64
Nature Reserves and World Heritage Site	54
Other – Please State	Wildlife

These are clearly all the things that make Lanlivery special and we should aim to keep them.

Question 2 was about the age, gender etc. and occupations of the people in the Parish

The Parish has an aging population, more than half over 50. Many older residents are still working. Unemployment is very low. The majority have lived in the Parish for over 20 years.

Most people work, about half from home or in the Parish. About a third that responded are retired.

Question 3 enquired about current housing stock and future housing needs.

Most properties in the Parish are owner occupied and average three or four bedrooms.

Approx. 40% of respondents anticipate wanting new separate accommodation within the next 15 years. Both younger and older people have a need for smaller housing with demand mainly for starter homes, self-build and retirement homes.

Question 4a. considered current housing needs. Do any members of your family currently, or in the next 5 years, need separate accommodation?

Yes	16
No	42
Possibly	13

4b. If yes, to buy or rent?

Buy	13
Rent	1
Either	13

4c. What type of property do they need?

Starter home	17
Self-build plot	9
Family home	8
Houses for senior citizens	4

Question 5 considered future housing needs: how people feel that housing in the Parish should develop. (Currently there are approximately 150 households in the Parish).

5a. Do you think that Lanlivery Parish and its community will need more dwellings in the next 20 years?

Yes	55
No	9
Don't know	10

5b) How many more dwellings?

Fewer than 5	4
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6-10	29
11-15	16
More than 25	8

5c. Should the new dwellings be:

Reserved for local people	27
For a mix of local and people from outside the Parish	30
Available for anyone	6

5d. What type(s) of dwellings do you think are needed?

Affordable homes	44
Self-build plots	39
Barn conversions	32
Family homes	37
Disability-adapted home	9
Holiday accommodation	2
Houses for senior citizens	23
Bungalows	15
Other (please state)	Accommodation with planning restrictions should be converted to full planning. Eco homes

Around 74% agree we need more homes, numbering between 10-20 over the next 20 years. These should be mixed smaller homes suitable for use as starter and retirement homes. Some homes should be available for rent and the Parish Council would consider building rental homes if it were found to be a viable proposition

Question 6a. Should affordable homes be for sale or for rent or for a mixture of both?

For Sale	10
For rental	5
For Sale/Rental Mix	47

6b. Should existing land/property owners be able to develop properties for their family members or other families in the community?

Yes	58
No	5

Question 7a. Where would you like the new dwellings to be located?

In Lanlivery village centre	28
In other existing clusters or adjacent to existing properties	47
Elsewhere in the Parish (please state where)	3 spread throughout the Parish. The green at Fowey Cross. Sweetshouse.

7b. Do you have a plot on which you would like to build, in the next 10 years?

Yes	28
No	28

Overwhelming support to keep new homes around existing clusters i.e. adjacent to existing properties. Should be individually designed and scattered. Definitely not a new housing estate. Some thought it would be desirable to lift restrictions on holiday homes to provide full residential houses.

Questions 9 – 13 were about businesses in the Parish.

9a. Do you think that businesses should be encouraged to set up in the Parish?

Yes	57
No	15

b. If so which of the following business sectors should be encouraged to develop in the Parish?

Agricultural	50
Manufacturing/Fabrication	14
Tourism and Leisure	40
Retail	21 limited (1) local store

Other – Please specify	<ul style="list-style-type: none"> • 2 cottage industry (1) agro tourism. Any employment welcome x 2 • e commerce, farm shop/cooperative local small business • catering outlets • computer based small business run from home • Small scale
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Question 12a. How many of your employees live in the Parish?

Fewer than 5	24
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b. Would any employees like to live in the Parish, who currently do not?

Yes	9
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Question 13. Do you anticipate your business needing additional space or accommodation in the future?

Workshops	4
Warehouse(s)	1
Offices	3
Land	4
Other (please state)	High speed broadband

The majority would like to see more businesses – mainly tourism & agriculture, small-scale industry/ workshops. There is some support for a shop/retail – perhaps in pub as a way of keeping a shop viable, or shop could be run on a voluntary basis.

Questions 14-21 were about transport

Do we need extra parking facilities in the village centre?

Yes	45
No	24

Agreement for parking in the village either in the Glebe field or behind Lanxon Crescent. Both are glebe land and the possibility of leasing or buying some land is to be explored.

Questions 19-21 were about renewable energy.

Question 19. What are your feelings about small-scale projects, such as small wind turbines or hydroelectric schemes on individual properties?

	Approve	Disapprove	Don't know
Small Wind Turbine	38	28	4
Ground source Heat Pumps	55	5	9
Hydro	57	5	8

54% would consider having a small wind turbine – would look at these on a case-by-case basis and people are happy to accept ground source and hydro schemes.

Question 21. Considered larger scale renewable energy schemes

21a. Would you like large-scale commercial wind turbines in the Parish?

Yes	6
No	74

21b. Would you like to see more solar farms in the Parish?

Yes	8
No	69

It's very clear that residents do not want large wind or solar farms.

Neighbourhood Plan

Vision and aims

The Lanlivery Neighbourhood Plan supports development that:

- does not exacerbate traffic and parking problems and encompasses adequate off road parking;
- avoids development on areas of land in elevated positions prominent in the landscape which can be viewed from Helman Tor, Saints Way or the WHS; or which would have an adverse impact on the Grade 1 listed Church – St Brevita;
- protects the open countryside for the benefit of residents and visitors as well as associated landscape features including trees, woodland, ponds, streams, moorland, traditional small scale field patterns and wetlands;
- conserves designated areas of national and local landscape, archaeological, geological, ecological or historical importance;

- conserves and does not jeopardise the local rural character of Lanlivery, its landscape, wildlife, features and buildings;
- enables the improvement of community facilities and enhances the existing sense of community with the Parish;
- helps to ensure the long-term security of key stakeholders in the Parish; including the Parish Council, PCC, Lanlivery School, Friends of Luxuylan Valley, Cornwall Rural Housing Association (Thomas Bullock Close), Ocean Housing (Penpillick Cottages & Sweetshouse), Cornwall Wildlife Trust, Environment Agency, Cornwall Council, the community and local businesses);
- ensures the natural beauty and key characteristics of this part of Mid-Cornwall are conserved and enhanced;
- makes Lanlivery a vibrant place that values its past but looks to the future, where people are proud to live and work and be part of a caring community;
- ensures the character and identity of the Parish is maintained and enhanced whilst allowing growth and encouraging a sense of community through well planned development appropriate to the needs of the community.

Our Aims

Sustainable Development

Lanlivery's Neighbourhood Plan has had regard to the first two sentences of the Ministerial foreword to the National Planning Policy Framework:

The purpose of planning is to help achieve sustainable development.

- *Sustainable means ensuring that better lives for ourselves will not result in worse lives for future generations.*

Lanlivery's Neighbourhood Plan acknowledges the overwhelming importance of ensuring that all proposed development is "sustainable". Throughout the process, the economic, social and environmental roles of development have been taken into account.

The Economic Role

The Plan positively backs the local economy by supporting mixed housing and future employment which will be a real advantage locally. More than 50% of the population is currently aged over 50. The Plan aims to encourage younger people to remain or settle in the Parish by allowing housing suitable for their needs. It is hoped that this will create sufficient financial value to secure local economic benefits in the longer term. Churchtown Farm Educational Centre has traditionally provided local employment and although the centre is currently closed it is hoped that the new owners will continue to offer local employment opportunities.

The Social Role

Lanlivery has a strong community spirit and always tries to actively welcome new residents. There are several community groups ranging from the WI and over 60's Club to those who organise the annual Lanlivery Steam Rally. It is hoped that LNP Housing Policies will, by encouraging younger residents ensure that these activities continue for many years to come.

The LNP positively backs the views of the community by supporting mixed housing opportunities which should improve the supply of all tenures of housing locally.

The proposed development of a car park in the LNP will improve access to community events whilst improving safety for everybody by minimising on street parking in the village centre. The car park should be maintained as a permanent village facility and not developed for any other purpose.

The Environmental Role

The environmental role of planning is detailed in the NPPF and covers not only the natural environment but also the built and historic environment and, as part of this planning should help to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Nothing is proposed in the LNP that will cause harm to the Parish's national and local designations, its historic buildings, its landscape, or its green spaces. The open countryside

is protected from intrusive developments as Lanlivery residents would wish by proposing development on sites that are not exposed in the landscape.

The Cornwall and West Devon Mining Landscape World Heritage Site (Cornish Mining World Heritage Site) was designated on the 13th July 2006. The legal framework of WHS is provided by International Designation. Ten separate Areas make up the World Heritage Site. Each has its own character, opportunities for adventure, and a different combination of the features that make up the Cornish Mining landscape. The Parish includes part of the Luxulyan Valley and Charlestown area.

Plan Policies.

General principles and design

Reasoned Justification

Lanlivery Parish Council will take a positive approach to its consideration of development. These policies incorporate the key principle from the NPPF into the LNP. Where planning applications are to be considered against the policies of this LNP then these policies will underpin the approach the Lanlivery Parish Council and the local planning authority will adopt in delivering sustainable development in the Parish.

Intention

To ensure that new development is well designed, sustainable and reinforces Lanlivery's character whilst ensuring that significant issues are addressed.

In keeping with the Parish Questionnaire, this plan supports the development of a maximum of up to 20 new properties or conversions during the lifetime of the plan.

By setting standards by which planning applications will be measured it is intended that the character of the Parish will be maintained whilst allowing for growth and alteration.

Development must be sympathetic to the environment and energy efficient. Local people must be given the opportunity to remain in the Parish, including the lifting of holiday let conditions to enable local people to buy/rent in the Parish.

Relevant Higher Level Policies

NPPF - paragraph 9, 14, 56, 58, 61 and 64

CLP Policy 1, 13 and 14

LGEM1: Presumption in favour of sustainable development.

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and set out by the policies of this Neighbourhood Plan.

We will work with applicants, infrastructure providers and the local community to find solutions which mean that proposals will be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Neighbourhood Plan will be regarded as sustainable development and be supported, unless material considerations indicate otherwise. When considering whether a development proposal is sustainable or not, account will be taken of its location, layout, design and use against the three pillars of economic development, social development and environmental protection and improvement.

Where there are no policies relevant to the application or relevant policies, (for example the Local Plan and/or the Lanlivery Neighbourhood Plan) are out of date at

the time of making the decision, the Parish Council will support an application unless material considerations indicate otherwise – taking into account whether:

(i) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

(ii) Specific policies in the Neighbourhood Plan indicate that development should be restricted.

LGEN2: Design and Character

In the Plan area, proposals for new development must be sited and designed so as to promote, support and develop the distinctive character of the area.

Proposals for development will be supported where they have demonstrated that the development:

- (i) is of an appropriate scale to the location;
- (ii) is on brownfield sites that have been vacant for more than 10 years or is appropriate redevelopment of existing buildings. Development on newer brownfield sites or greenfield sites will only be acceptable where there are no suitable alternatives.
- (iii) Compliments existing housing in terms of form, scale, building details, local features, materials, finishes and colour, siting, parking, planting and landscaping and characteristic patterns of settlement;
- (iv) is not located on visually exposed plateaus, ridges or skylines or on steep sided valley sides or any other visually exposed sites;
- (v) is not located adjacent to, or will be visually prominent when viewed from the Saints Way, WHS, Helman Tor, SSSI sites, historic sites. (see Appendices and Map)
- (vi) does not entail building on good quality agricultural land Grade 3a or where reasonable alternatives can be identified, Grade 3b agricultural land;
- (vii) adopts the best practice surface water drainage standards and avoids sites subject to risk of flooding identified by the Environment Agency;
- (viii) provides safe access suitable for the traffic generated by the development.

Landscape and Natural Environment

Reasoned Justification

The questionnaire is firm that large-scale developments are not appropriate.

The areas and features that the LNP seeks to afford protection are those that have been recognised as being special through some form of designation. These areas include those with a statutory designation in recognition of their international importance, i.e. Redmoor, Breney Common and Luxulyan Valley.

They also include those areas that do not have a statutory designation but have been recognised by Cornwall Council as being of local importance and given a local designation. This includes the Geological Site of Helman Tor.

Lanlivery Parish covers an area of approximately 2029 hectares. The landscape of much of the Parish is described as rolling, with small to medium scale field pattern, with sinuous boundaries, closely linked to the settlement pattern of dispersed farming hamlets. In some places this field pattern has been altered to create larger fields. These open fields are balanced by the frequency of trees and small woods, often occurring as dense mixed woodland on the sides of incised valleys Cornwall Landscape Assessment 1994- Cornwall County Council). There are 39 listed buildings and scheduled ancient monuments within the Parish. (See appendix 1 Listed Buildings & Scheduled Ancient Monuments.) Historic monuments and listed buildings such as The Grade 1 Listed Church and should not be compromised.

Intention

These policies seek to maintain, and where possible enhance Lanlivery's special, highly valued natural environment with its rich diversity, including a number of important habitats and species.

Development should be centred around and within existing settlements including the village centre, hamlets and farms as this is the current ethos of Lanlivery. Large estate type developments will not be allowed and any development must be sympathetic to the current housing density of the immediate area.

To retain the much loved local scenery and in keeping with the responses to the questionnaire. To preserve the tranquillity, dark skies, Cornish Hedges, quality of the landscape, village amenities, farming landscape, field patterns, trees & woodlands, stream, ridges & skylines, historic features, nature reserves and other designated sites.

Relevant Higher Level Policies.

NPPF paragraphs 9, 109 and 118

CLP Policy 1, 24 and PP9

LLNE1:Local Landscape Character.

Proposals for development will be supported where they have demonstrated that they respond to local character and reflect the identity of the local surroundings based on the assessment of the Cornwall & Isle of Scilly Landscape Character Assessment. Where development is proposed which will detract from or have an adverse impact on characteristics that have been identified by the community and in the Cornwall & Isle of Scilly Landscape Character Assessment as important to the character of the local area, it will be refused. A character statement should be submitted with the application.

LLNE2:Biodiversity and Geological Conservation.

Proposals for development will be supported where they have demonstrated that the development will have no adverse impact:

(i) upon the Plan area's biodiversity; and

(ii) either directly or indirectly, on international, national or locally designated sites, including SSSI's, Regionally Important Geological /Geomorphological sites and on the ecological value of County Wildlife Sites, County Geology Sites and Local Nature Reserves.

The management, restoration and re-creation of habitats, both within and outside designated sites, building upon a network of protected sites across the Parish, are of great importance.

Locally important habitats (including semi-natural habitats) should be retained within any development proposals. The integrity of wildlife corridors should not be compromised. Retention, restoration, re-creation or enhancement of semi-natural habitat or habitat linkages (such as hedges) are encouraged through appropriate management.

Historic Environment and Heritage

Reasoned Justification

These policies meet the aims of the NPPF and seek to protect the historic environment of the Parish from inappropriate development.

The community rates the importance of protecting its historic features and culture highly. The Questionnaire responses showed that the community agrees that heritage sites in the Parish are important. The LNP will ensure that these designations are respected.

Intention

The LNP will ensure the safeguarding and enhancement of the historic environment (heritage) by protecting and conserving international, national and locally designated areas, sites, buildings and structures and locally important sites that are not designated as such; through the adherence to the legislation; and through the enforcement of existing planning policies.

Relevant Higher Level Policies

NPPF paragraph 132

CLP Policy 1, 13, 23 and PP9

LPCH1:Listed Buildings

Development will be supported where it is designed to respect the setting of listed buildings and have regard to scale, height, massing, alignment and use of appropriate materials. Developments should also retain the spaces between and the grouping of buildings and the elements of the landscape which form the setting of a listed building. Proposals which would have an adverse impact upon the setting of a listed building will not be supported.

LPCH2 :Archaeological Heritage

Where nationally important archaeological remains, whether scheduled or discovered during development, are affected by proposed development, there will be a presumption against proposals which would involve significant alteration or cause damage, or which would have any negative impact on the setting of visible remains. (see Appendix 1 for scheduled monuments)

Where proposed development is likely to affect significantly sites of local archaeological importance, the proposal must demonstrate how the importance of the site will be protected in situ, unless the significance of the remains is not sufficient, when weighed against the need for development, to justify their physical preservation. Where retention of remains is not possible, the Local Planning Authority may impose conditions or seek planning obligations to ensure that adequate archaeological records are prepared before development commences. In the event that development has already commenced then on discovery of archaeological

remains then such development should cease until they have been fully investigated, recorded and secured as appropriate.

Avoiding Loss of Local Services

Reasoned Justification

The community facilities include the Lanlivery Primary School, Gunwen Chapel, St Brevita's Parish Church, Village Hall, Public House, Playing Field, Forest Field and public footpaths which serve the community within the Parish and from the surrounding areas. The safeguarding of existing, and development of new community facilities, is fully supported by the community, as identified through the responses to the questionnaire.

Intention

The LNP will protect services that meet the needs of the local community and visitors. It will do this through:

- The protection and promotion of existing community facilities and services.
- Supporting the provision of new facilities and services to meet the needs of the local community and visitors.
- Ensuring that all community facilities and services meet the needs of all sectors of the local community, young people, families, elderly and the disabled, businesses and visitors.
- Creating and supporting existing partnerships with local community health and welfare, education, sports/recreation agencies and businesses to bring forward projects to support community health and well-being e.g. outreach prescription collection; micro library service.

To protect local amenities and the wellbeing of residents, the LNP would wish to see the Public House retained as an integral part of the village, perhaps, in the future, in conjunction with a village shop/PO. Likewise the school is an important village facility. The Church is an integral part of the village not only for worship but is also used for community events and by the school on a regular basis. It is our intention that this should continue in the interest of community spirit.

Relevant Higher Level Policies

NPPF paragraphs 28, 70 and 74

CLP Policy 1, 4 and PP9

LSF1 - Services/Facilities.

Proposals for development which will result in the loss of services and facilities will only be supported where they are to be replaced with services and facilities of an equal or higher quality, economic viability and value to the community on the same site or another equally suitable or more suitable site within the Parish.

Housing

Reasoned Justification

There is a general need for low cost, high quality housing in the Lanlivery Area, which is evidenced by both the questionnaire and the parish plan. This suggests that we need low cost housing but without the restriction of a S106 agreements which adversely affect financing. Based on past development of new housing around the Parish and looking forward over the Plan period the Parish Council considers that housing under the following policies would deliver a maximum of twenty new houses by 2031. The following policies allow new housing which is defined as low cost by reason of its limited size. These are expected to include new build, conversions of existing buildings and lifting of current restrictions on holiday accommodation. Where new dwellings are proposed these should preferably be within the curtilage of existing properties.

These policies seek to protect the future of local families and the sustainability of the community. Further evidence of house prices as a multiple of earnings suggests that many emerging households are (and will be) unable to buy or rent housing, particularly if they wish to stay local to the Parish, family or community links. The parish of Lanlivery currently has 6 Cornwall Rural Housing Association affordable rented homes in the village centre (Thomas Bullock) and 3 Ocean Housing homes at Penpillick and 1 more at Sweetshouse. There are a further 4 privately owned section 106 affordable homes in the village all built within the last 10 years which must remain affordable in perpetuity. This represents 10% of the housing stock in the Parish. In the event that any of the existing rented affordable homes are sold either on the open market or under right to buy then replacement affordable rented homes must be provided by the Housing Associations in the Parish on a like for like basis.

These policies recognise the Community's concerns about the provision of new housing in the Parish and relaxes the existing constraints and those in the emerging Cornwall Local Plan on providing rural housing. This will provide more and appropriate sites within the Lanlivery area where the opportunity and the need for low cost housing will coincide. The provision of housing which is secured as low cost in rural areas can benefit, not only the initial occupier(s), who may have work, family links, caring responsibilities or simply the best opportunity to provide a suitable house for themselves, but it will also benefit the local community by ensuring that the dwelling is available after initial occupation to those in housing need in the future from the Parish. Such housing may provide additional benefits in terms of sustaining the local community, the school or providing opportunities for more employment.

Intention

The intention of Policy LH1 is to allow local people to access housing which is achievable and affordable to them in the Parish. This policy is intended to help those local people who have access to land or buildings and who cannot afford to buy or rent on the open market but who have the means, skills or ability to convert existing buildings or build a new house

for themselves. A low cost dwelling is defined as a one bedroom or two bedroom bungalow, flat or house, restricted in size as in LH1 below.

The Questionnaire showed that the majority of homes in the Parish have 3-4 bedrooms with some being even larger. This demonstrates a clear need for smaller homes to suit young people who wish to start climbing the property ladder and for those older residents who would like to downsize.

Relevant Higher Level Policies

NPPF paragraphs 50, 54 and 55

CLP Policy 1, 2, 3, 7, 13, 14, 22, and PP9

LH1:Rural Exceptions Housing for Local People

Rural exceptions sites for single plot low cost housing will be permitted to meet a local need where this need is evidenced and where the development does not have an unacceptable impact on the visual and landscape amenity of the area. This may be acceptable in the case of either new build dwellings or conversion of traditional buildings. In each case ancillary works such as access, outbuildings, curtilage boundaries also should not have an unacceptable impact on the visual and landscape amenity of the area. These developments will need to consider how the balance of benefits such as any social, economic, environmental or community benefits for the intended occupier or wider local community justifies the proposal. This policy operates throughout the plan area.

Within the parish boundary, proposals for development outside the normal developable area will be supported where they are for small developments of one or two homes and where all of the following criteria apply:

- 1. The proposal is to deliver a small, lower cost home**
- 2. The proposal should be well-related to existing hamlets and houses**
- 3. The property has a maximum of 2 bedrooms although up to 3 bedrooms may be considered in exceptional circumstances**
- 4. The property must be used as a principal residence.**
- 5. The house has a maximum size of 60sqm for a one bedroom property or 90 sqm for a 2 bedroom property. Any garden area must be less than 200sqm.**
- 6. All Part 1 permitted development rights from the TCPA (GPD0) 2015 will be removed by planning condition.**
- 7. Applications to extend or otherwise enlarge these properties will not normally be supported.**
- 8. Self build, modular and other innovative low cost housing models are encouraged under this policy.**

This policy applies to new build properties and to the conversion or re-use of existing buildings, including where appropriate the change of use of holiday units to permanent residential accommodation where the above criteria are met.

Housing on Farms

Reasoned Justification

Providing flexibility for farmers (or rural businesses) is an important objective if farms in the Lanlivery area are to remain viable and family owned and run. Many of the farms in the area already have unrestricted dwellings associated with the enterprise. This allows the farmer to use a second dwelling for family members, to help manage generational transition, create extra income through holiday letting, or simply to allow local people to rent a dwelling. However, current planning policy is silent on allowing such flexible use of dwellings on farms. It tends to expect that farmers want either to provide holiday letting accommodation, or housing for an agricultural worker, or to provide a form of low cost housing. All of these possible planning consents are tightly controlled without any in-built flexibility. To provide new housing on farms which has this flexibility will give the farmer better control of the business, allow easier investment decisions, and allow family members to remain on hand for changing circumstances within the sector or within the family. Where new housing is required, for any of these purposes, a justification for it should be made in relation to at least one the purposes, or a combination of purposes. In terms of local housing need, evidence of a housing need will be required; in terms of managing generational transition, the family circumstances should show that either one household is retiring or one household is emerging and engaged in farming or caring for another family member; in terms of holiday letting, a viability assessment showing that the income from the new dwelling will help ensure the viability of the farm (or rural) business.

Intention

This policy is intended to help existing farms or established businesses remain viable, family run, or provide rented accommodation for local people. The safeguard to prevent abuse of this policy is to ensure that these dwellings are to remain an indivisible part of that farm or rural business. New houses allowed under this policy will be subject to conditions that they will only be occupied by persons with a local connection.

Relevant Higher Level Policies

NPPF paragraphs 28, 50, 54 and 55

CLP Policy 1, 2, 3, 7, 13, 14, 22, and PP9

LH2:Housing on Farms

Established farm enterprises or rural businesses may have additional dwellings that can be used by family members or for renting to local people. Applications for any additional housing must be accompanied by justification for at least one of the forms of housing that the policy intends to permit and to discourage sporadic development in the countryside.

Consideration of the siting and design of such new houses will be important to allow both the flexibility that the policy intends and also ensuring that there will be no unacceptable impact upon the visual or landscape amenity of the area. The reuse of an existing traditional building within the landscape or a suitable plot within or near to the existing farmyard may prove to be a suitable site.

Such development should be limited to a maximum of 3 properties where such a need is clearly demonstrated. Local people shall include only those who live or work within the Parish or have immediate family ties within the Parish.

Housing for Older People

Reasoned Justification

Steps need to be taken to facilitate the delivery of housing for older people. The Lanlivery area has a high proportion of older people and owner occupiers. As an appealing area it has attracted inward migration of households often through downsizing from more expensive areas of England. When those households need more specialised housing there is at times a lack of choice and there is the possibility of older people occupying larger unsuitable properties. Currently there is no housing stock tailored for the elderly.

Intention

The policy seeks to balance the need for more general low cost housing; these will be restricted to one and two bedroom housing which is the priority for the Lanlivery area for younger and older people in housing need. In the Parish as an addition to exception sites for the delivery of low cost housing this can be augmented by the provision of an older person's household. To qualify for consideration older persons housing should be restricted in price to no more than the mean local housing price and be available only to those local households that are unsuitably housed and whose household income is no more than the mean local household income. These will also free up larger houses in the Parish for families.

These homes could be available to rent as well as well as buy. New homes under this policy should be located in the centre of the village for easy access and community inclusion, and in existing settlements close to family support networks.

Relevant Higher Level Policies

NPPF paragraphs 50, 54 and 55

CLP Policy 1, 2, 3, 7, 13, 14, 22, and PP9

LH3:Housing for Older People

Within the Parish housing developments should address the local need for older persons' housing. This can occur through the provision of bungalows or other suitable housing types restricted to occupancy for those local households where one person is over state pensionable age.

Proposals for housing suitable for and accessible to older residents, close to the village amenities will be supported where they comply with other policies in this plan. Developers will be encouraged to offer such properties for sale to people with a local connection to the Parish first. Local people shall include only those who live or work within the Parish or have immediate family ties within the Parish.

Proposals when at least one occupant is over state pensionable age (or requires specialist housing by virtue of personal incapacity or impairment) will be assessed and supported where the following are met: a) meeting the needs of an identified older local person in housing need b) releasing an unsuitable dwelling into the market or, for transfer to a family member; c) does not have an unacceptable impact on the visual or landscape amenity of the area.

Change of Use of Holiday Lets

Reasoned Justification

There is a general need for low cost housing in the Lanlivery area. The Parish contains a large number of holiday lets and it is common knowledge that some are being used as permanent homes due to the lack of low cost housing. It would be better to acknowledge this need and allow full residential use where appropriate i.e. where there is a genuine need.

Further evidence of house prices as a multiple of earnings suggests that many emerging households are (and will be) unable to buy or rent housing, particularly if they wish to stay local to the Parish, family or community links. This policy relaxes the existing constraints on providing accommodation as holiday lets. This will provide more dwellings within the Lanlivery area where the opportunity and the need for low cost housing will coincide. The provision of housing which is secured as low cost in rural areas can benefit, not only the initial occupier(s), who may have work, family links, caring responsibilities or simply the best opportunity to provide a suitable house for themselves, but it will also benefit the local community by ensuring that the dwelling is available after initial occupation to those in housing need in the future from the Parish. Such housing may provide additional benefits in terms of sustaining the local community, the school or providing opportunities for more employment.

Intention

In recent years planning policy has resulted in a large number of holiday lets in the Parish restricting opportunity for local people.

The intention of this policy is to allow local people to access housing which is affordable to them in rural areas. This policy is intended to help those local people who have access to buildings in this rural area and who cannot afford to buy or rent on the open market.

Relevant Higher Level Policies

NPPF paragraphs 50, 54 and 55

CLP Policy 1, 2, 7, 22, and PP9

LH4 :Change of Use of Holiday Lets

There is a general need for starter and retirement housing in the Parish. Removing planning restrictions or conditions which limit the use of residential buildings to holiday letting will be supported provided that the dwelling will be used as to address this shortfall and sufficient amenity space and parking is available.

Standard Condition

Local Occupancy Condition

Housing permitted under policies LH1 - 4 are required to be restricted for local occupancy only. The following condition will be used to secure this.

Properties restricted for local occupation only shall only be occupied by a person or household who: currently lives in the relevant locality and has done so for a continuous period of at least three years; and/or works in the relevant locality and has done so for a continuous period of at least three years; and/or has moved away but has strong established and continuous links with the relevant locality by reason of birth or long term immediate family connections; and/or has an essential need through age or disability to live close to those who have lived in the relevant locality for at least three years; and/or has, for whatever reason, the written support of the Parish Council.

The definition of 'locality' refers to the Parish of Lanlivery in the first instance, and if, after an initial period of active marketing an occupier cannot be found, a second active marketing period would allow the definition to cascade out to include the adjoining parishes, a third period of active marketing would eventually cover the County.

Adjoining parishes are defined as the parishes of Lanivet, Lanhydrock, St Blaise, Luxuylan, Tywardreath & Par, St. Sampson and the Town of Lostwithiel.

Following the third period of active marketing, if still no occupier has been found the property may be occupied on the open market.

“Active Marketing” means the advertising for sale or letting of any interest in the relevant Low Cost Dwelling for not less than 90 days at each stage, a total of 270 days, in accordance with a scheme to be approved by the Parish Council (such approval not to be unreasonably withheld or delayed) which scheme shall include unless otherwise agreed with the Parish Council:

- (a) In the case of Low Cost dwellings for sale an advertisement on the website of Help to Buy South West or any other similar organisation promoting intermediate market housing; and
- (b) Such other local advertising as shall be agreed in writing by the Parish Council, including local estate agents, newspapers and two national property websites.

Older persons housing condition.

In addition to the local occupation restriction, dwellings permitted under LH3 are to be restricted to occupation by older people or for people with particular personal incapacity or impairment. The following condition will be used to secure this:

The properties restricted for older people's occupation only shall be occupied by a person or household comprising at least one person who has reached the State Retirement Age which applies at the date of their first occupation of the property. This condition is deemed to be met if the State Retirement Age subsequently exceeds the occupier's age. The properties restricted for occupation by people with a particular personal incapacity or impairment shall be occupied only by a person, or household comprising at least one person, who requires specialist accommodation as a consequence of that incapacity or impairment.

Extensions and annexes

Reasoned Justification

The increase in the elderly population and the need for housing for young people who have not left home leads to an increased need for extra accommodation and for homes to adapt to changing circumstances. In addition to the need for extensions to provide additional accommodation there is a trend towards small businesses being run from home. Superfast broadband will likely accelerate this trend.

Intention

The LNP recognises that there may be occasions where extensions or conversions are required to properties to enable homeworking and will encourage these subject to retaining residential amenity and the quiet and quality of the Parish.

Relevant Higher Level Policies

NPPF paragraph 58

CLP Policy 1, 2, 7, 13, 14 and 22

LH5:Extensions and Annexes.

Proposals for extensions or annexes will be supported subject to the following:

- (i) there being no significant adverse impact upon the residential amenities of adjoining properties through loss of privacy, loss of daylight, visual intrusion by a building or structure, loss of car parking or loss of mature vegetation or landscape screening;**
- (ii) the design of any extension or annex is subsidiary in size and sympathetic to the character of the existing dwelling;**
- (iii) due consideration is given to retaining proportionate garden space, trees, planting and landscaping in keeping with other dwellings in the surrounding area;**
- (iv) the development is in keeping with its setting and respects the distinctive local character of the area in terms of bulk, scale, height and materials;**
- (v) safe access and adequate parking are available or can be provided;**
- (vi) a condition will be imposed to ensure that the extension or annex is retained as ancillary to the main dwelling and not used as a separate unit without the consent of the planning authority.**

In addition to the above, to ensure there is no abuse of the general presumption against new dwellings in the open countryside, the Local Planning Authority will require that:

- (vii) an extension or annex is physically attached or closely related to the existing dwelling and is of a size and layout to facilitate its eventual integration into the main house;**
- (viii) conditions will be imposed, or a Section 106 agreement sought, restricting occupation of extensions or annexes to the main householders or their relatives or dependents, to ensure that the annex remains ancillary to or is integrated into the original dwelling if the original circumstances justifying the development cease to exist.**
- (ix) some extensions will be covered by Permitted Development**

Rural Economy

Reasoned Justification

The local community is supportive of commercial development in the Parish but only wishes to see development of a scale, design and size consistent with the character of the area. The areas and features that the LNP seeks to afford protection are those that have been recognised as being special through designation or as being of local importance.

The main industry in the Parish of Lanlivery has been traditionally from scattered farmsteads and more recently holiday accommodation as part of farm diversification. There are two camping and caravanning sites; these work because they have good access to the A390 which runs south east of the Parish. Most other local businesses are run from either homes or converted farm building.

Intention

To encourage commercial development in keeping with the Parish ethos e.g. agricultural and small scale tourist business. We would also encourage small scale retail such as a farm shop but consider large retailers or industrial business are not suitable for the Parish. Small scale industry maybe supported providing it does not compromise the rural nature of the Parish e.g. the narrow lanes

To allow farm diversification that it suits the character of the village.

These policies seek to maintain, and where possible enhance Lanlivery's highly valued environment with its rich diversity and habitats while also supporting suitable commercial development.

Higher Policies

NPPF paragraphs 28, 109 and 118

CLP Policy 1, 5, 22, PP9

LRE1: Commercial Development

To support economic growth, proposals for economic development and premises for business and other development such as infrastructure or necessary utilities development (where they require planning permission) will be supported provided that it has been demonstrated that:

- (i) the development does not involve building on greenfield sites unless there are no suitable, available or deliverable opportunities to re-use existing buildings or previously developed land (including buildings and land already in commercial use);**
- (ii) the development does not entail building on good quality agricultural land Grades 3a or, where reasonable alternatives can be identified, Grade 3b agricultural land;**

- (iii) the development does not involve building on or immediately adjacent to land subject to statutory and non-statutory designations for wildlife and geological value or semi-natural habitat;**
- (iv) the development would not have significant harmful impacts on the natural and historic environment of the area or the built environment of the settlements;**
- (v) the development respects the character of settlements and any adjoining residential properties;**
- (vi) any extension or additions to an existing complex should be sympathetic in terms of scale, design and materials;**
- (vii) the development has regard to the Cornwall Design Guide, i.e. the design and layout of the development should create a minimal impact upon the surrounding landscape;**
- (viii) the proposal does not relate to areas subject to risk of flooding as identified by the Environment Agency;**
- (ix) the proposal does not require development on visually-exposed plateaus, ridges or skylines or on steep sided valley sides or any other visually exposed sites;**
- (x) the approach roads are capable of accommodating the volume of traffic generated on the development and a safe access can be provided;**
- (xi) adequate parking is provided;**
- (xii) the development should be suitably landscaped involving a mix of appropriate soft and hard landscaping retaining existing trees and hedgerows where appropriate;**
- (xiii) external storage areas should be appropriately landscaped and screened;**
- (xiv) the development should not cause a new or exacerbate an existing pollution problem where pollution is defined widely and includes chemical, light, noise and smell pollution;**
- (xv) adequate provision can be made for the disposal of foul and surface water drainage to the satisfaction of the local planning authority;**
- (xvi) appropriate provision is made for the protection of any significant wildlife interest which would be displaced by the development;**
- (xvii) special care is taken to ensure that bats, barn owls or other birds or their nesting areas or roosts are not disturbed.**

LRE2:Re-use of Farm Buildings

The reuse of farm and rural buildings for business purposes will be supported provided that it has been demonstrated that:

- (i) the building at the time of the application by reason of its form, bulk, design and materials is in keeping with its surroundings and is sympathetic to the character of its location;**
- (ii) the building is capable of conversion without significant extension, i.e. the volume of the new building does not exceed the total volume of the original building plus the maximum additional volume that could be generated using the maximum limits imposed for extensions under permitted development;**
- (iii) the conversion would use traditional materials where appropriate;**
- (iv) the proposed conversion would not result in the character, appearance, architectural or historic integrity of the building or its setting being adversely affected;**
- (v) appropriate provision is made for the protection of any significant wildlife interest which would be displaced by the conversion;**
- (vi) special care is taken to ensure that bats, barn owls or other birds or their nesting areas or roosts are not disturbed;**
- (vii) where feasible, enhancements for wildlife are incorporated, for example, swift boxes on buildings over 5 m tall and bat roosting opportunities.**

New Agricultural Buildings

Reasoned Justification

Changes in agriculture towards larger equipment and more intensive production have led to the necessity for larger agricultural buildings. It is particularly important to the community that everything possible is done to ensure that new or extended agricultural buildings merge with the landscape.

The policy below relates to building of new agricultural buildings which require planning permission. The LNP also encourages those undertaking such work under permitted development to adopt the same standards.

Intention

To ensure agricultural development follows the guidance in Section 10 of the Cornwall Design Guide.

Relevant Higher Level Policies

NPPF paragraphs 28,109 and 118

CLP Policy 1, 5, 22, PP9

LRE3: Agricultural Buildings

Planning proposals for agricultural buildings will be supported provided that it has been demonstrated that the proposal:

- (i) is in conformity with Section 10 of the Cornwall Design Guide;**
- (ii) is not located on visually-exposed plateaus, ridges or skylines or on steep sided valley sides as identified in the Cornwall & Isle of Scilly Landscape Character Assessment or any other visually- exposed sites.**

Energy Production

Reasoned Justification

Whilst the Parish recognises the need to encourage renewable energy, both large scale wind turbine and solar farms have been an emotive issue within the Parish. Whilst the questionnaire showed that the majority of respondents supported small scale renewable projects respondents were emphatic in their dislike of large scale commercial wind or solar farms. There is currently one small scale wind turbine in the Parish and many residents have small scale unobtrusive PV solar panels for their own use. There is also a hydroelectric plant within the Luxulyan Valley which is scheduled to be upgraded and this is capable of producing 200 kilowatts of power.

The community has clearly expressed its view that it has serious concerns about many aspects of the installation of wind turbines and solar panels (the use of productive farmland, visual and other negative impacts on the character of the landscape and the Parish). Although this intention is in line with current national policies, we are aware that it is important to respect the views of local residents during the full lifetime of this plan irrespective of any changes in national policy.

Intention

The Parish is not suitable for large scale commercial wind or solar farms, small scale PV solar panels and geothermal/ ground source schemes should be encouraged.

These policies seek to support appropriate energy production technologies that are of a scale and design that do not erode the character of the landscape or the village and hamlets.

Relevant Higher Level Policies

NPPF paragraph 97, 109 and 132

CLP Policy 1,2,15 and 22

LE1: Wind Turbines.

Proposals for wind turbines in the Plan area will be supported provided that all of the following criteria are met:

- (i) a Landscape and Visual Impact Assessment (LVIA) has been produced from key public viewpoints both within the Plan area and at a distance outside the Plan area of 2 kilometres in accordance with best practice as currently defined within the Landscape Institute guidance GLVIA3;**
- (ii) the LVIA demonstrates that the location, design and layout of the proposed development would create an impact no greater than 'minimal' (as defined by the LVIA methodology) on the surrounding landscape;**
- (iii) the installation involves a single turbine related to a group of existing buildings (e.g. farm buildings), i.e. the turbine is not an isolated structure;**

- (iv) the overall height of the proposed turbine (tower, hub or blade) cannot exceed 11.1 m and the lowest part of any turbine blade should be more than 5 m from the ground; (this is in keeping with the questionnaire Q21a which demonstrated that 92% of residents were opposed to large scale wind turbines).**
- (v) the wind turbine must be made of non-reflective materials of a colour which blends with the background landscape to lessen visual impact and preserve the integrity of the unique landscape.**
- (vi) to minimise the impact of noise and shadow flicker on neighbours, the installation should be at least 1km from any neighbouring property;**
- (vii) the development does not involve building on land subject to statutory and non-statutory designations for wildlife and geological value or semi-natural habitat;**
- (viii) appropriate provision is made for the protection of any significant wildlife interest which would be displaced by the development;**
- (ix) special care is taken to ensure that neither bats nor owls or their flight paths or nesting areas or roosts are disturbed;**
- (x) a binding agreement, in the form of an enforceable planning condition, is accepted by the applicant to ensure that site reinstatement to the original landscape quality and character is achieved within 12 months of the expiry of the planning permission period.**
- (xii) where an LVIA indicates a development would create an impact greater than 'minimal' (as defined by the LVIA methodology) on the surrounding landscape and nearby dwellings a scheme for provision of a Community benefit payment shall be prepared and agreed by the Lanlivery Parish Council.**

LE2: Ground-mounted Solar Panels

Proposals for the installation of ground-mounted solar panels will be supported where it can be demonstrated that:

- (i) the panels are to be located in a manner sensitive to the surrounding landscape particularly in given the small scale field pattern in many areas of the Parish.**
- (ii) there would not be an adverse impact on views of the wider area;**
- (iii) the development would extend to no more than 100 square metres to preserve the integrity of the valued landscape and small scale field patterns.**
- (iv) they do not entail building on good quality agricultural land Grades 3a; in addition, where reasonable alternatives can be identified, Grade 3b agricultural land should not be built on;**

- (v) the proposals do not require development on visually exposed plateaus, ridges or skylines or on steep sided valley sides or any other visually exposed sites;**
- (vi) they do not involve building on land subject to statutory and non-statutory designations for wildlife and geological value or semi-natural habitat;**
- (vii) a binding agreement, in the form of an enforceable planning condition, is accepted by the applicant to ensure that site reinstatement to the original landscape quality and character is achieved within 12 months of the expiry of the planning permission period.**
- (viii) where an LVIA indicates a development would create an impact greater than 'minimal' (as defined by the LVIA methodology) on the surrounding landscape and nearby dwellings a scheme for provision of a Community benefit payment shall be prepared and agreed by the Lanlivery Parish Council.**

Plan Delivery & Implementation

The Lanlivery Neighbourhood Plan will be delivered over a long timescale, 2031 is the end date of the plan, although 5-year reviews will be implemented.

The LNP will also be delivered by a variety of different stakeholders and it acts as a framework for change and development within the Parish rather than a rigid blue print. The Parish Council will be a key organisation in helping to facilitate and promote elements of the LNP and it will work closely with Cornwall Council and other statutory agencies to ensure that proposals can come forward within the framework of the LNP.

The Parish Council will work with landowners, investors and developers to ensure that private sector resources and investment is channelled into delivering the LNP.

The Parish Council will also harness and coordinate public sector funds and investment where possible to bring forward elements of the LNP that require additional resources. It will also work with Cornwall Council to prioritise S106 or Community Infrastructure Levy (CIL) contributions raised in the Parish are directed towards relevant parts of the LNP.

The voluntary and community (third) sector will also have a role to play especially in supporting and delivering community infrastructure and the Parish Council will work closely with all organizations to ensure that these efforts can be properly aligned to private and public sector resources.

Monitoring and Review

The Parish Council is concerned to ensure that this Neighbourhood Plan is actively managed over the plan period. The LNP will be reviewed periodically to ensure that it takes into account possible changes to national planning policy or to local policy in the form of the emerging Cornwall Local Plan.

The Parish Council will monitor the LNP's implementation annually and a report to the Annual Meeting will detail any progress of the LNP during the previous year and the likely implementations and impact of the LNP for the forthcoming year. The report will be uploaded to the Parish Council's website for residents' to access. Any other information relating to the LNP or progress of it will also be posted on the website.

The LNP will have a thorough review at 5-year intervals - 2021 and 2026, which will be led by the Parish Council which has representation from the wider community. The purpose of these reviews will be to guide the Parish Council in its delivery and monitoring of the LNP, and to consider the need for amending or altering elements of the LNP.

The LNP should be monitored, where possible, against indicators which are compatible with the Annual Monitoring Report for the Cornwall Local Plan for the policies developed. In this way the performance of the Lanlivery Neighbourhood Plan can be compared and related to the higher level plans which it sits under. It is proposed that a limited number of indicators are used to populate the report and these are:

- The number of new homes built annually.
- The number of low costs homes built annually.

Lanlivery Neighbourhood Plan Policy Summary

The Neighbourhood Plan is created by the Community; the responses to the questionnaire identified a number of key concerns that have informed the policies set out below.

The Lanlivery Neighbourhood Plan provides a systematic approach to actively support sustainable development, where it is best placed to be delivered. It identifies the future housing needs for Lanlivery as the highest priority and sets out policies to address this concern in a way that ensures important services and the infrastructure are not overstretched and the qualities of the landscape and heritage are protected.

General principles and design	<p>LGEN1: Presumption in favour of sustainable development</p> <p>LGEN2 - Design and Character</p>	To ensure that new development is well designed, sustainable and reinforces Lanlivery's character whilst ensuring that significant issues are addressed.
Landscape and natural environment	<p>LLNE1 - Local Landscape Character.</p> <p>LLNE2 - Biodiversity and Geological Conservation.</p>	These policies seek to maintain, and where possible enhance Lanlivery's special, highly valued natural environment with its rich diversity, including a number of important habitats and species.
Historic Environment and Heritage	<p>LPCH1 - Listed Buildings</p> <p>LPCH2 - Archaeological Heritage</p>	The community rates the importance of protecting its historic features and culture highly. The Questionnaire responses showed that the community agrees that heritage sites in the parish are important.
Avoiding Loss of Local Services	LSF1 - Services/Facilities	The safeguarding of existing, and development of new community facilities, is fully supported by the community
Housing	<p>LH1 - Rural Exceptions Housing for Local People</p> <p>LH2 - Housing on Farms</p> <p>LH3 - Housing for Older People</p> <p>LH4 - Change of Use of Holiday Lets</p>	There is a need and desire for low cost housing in Lanlivery

	LH5 - Extensions and Annexes	There is increased need for extra accommodation and for homes to adapt to changing circumstances.
Rural Economy	LRE1 - Commercial Development	The community is supportive of commercial development but only wishes to see development of a scale, design and size consistent with the character of the area.
	LRE2- Re-use of Farm Buildings	
	LRE3- Agricultural Buildings	Changes in agriculture towards larger equipment and more intensive production have led to the necessity for larger agricultural buildings. It is particularly important to the community that everything possible is done to ensure that new or extended agricultural buildings merge with the landscape.
Energy production	LE1 - Wind Turbines	The Community support small scale renewable projects but were emphatic in their dislike of large scale commercial wind or solar farms.
	LE2 - Ground-mounted Solar Panels	

Background Reference Documents

Basic Conditions Statement
 Statement of Public Consultation
 Copy of the Public Notice
 National Planning Policy Framework March 2012
 Planning Practice Guidance March 2014 (as amended)
 The Town and Country Planning Act 1990 (as amended)
 The Localism Act 2011
 The Neighbourhood Planning (General) Regulations 2012
 Cornwall Local Plan Strategic Policies Submission draft February 2015
 Cornwall Council Design Guide 2013

APPENDIX 1 – LANLIVERY NEIGHBOURHOOD PLAN 2016

LISTED BUILDINGS & SCHEDULED ANCIENT MONUMENTS WITHIN THE PARISH OF LANLIVERY (HistoricEngland.org.uk)

1. BUTTER WELL ABOUT 10 METRES SOUTH OF LOWER TREGANTLE FARMHOUSE

- List Entry Number: 1137632
- Heritage Category: Listing
- Grade: II
- Location:
 - BUTTER WELL ABOUT 10 METRES SOUTH OF LOWER TREGANTLE FARMHOUSE, Lanlivery, Cornwall

2. MILESTONE AT SX 089611

- List Entry Number: 1137636
- Heritage Category: Listing
- Grade: II
- Location:
 - MILESTONE AT SX 089611, Lanlivery, Cornwall

3. PERROSE FARMHOUSE

- List Entry Number: 1137640
- Heritage Category: Listing
- Grade: II
- Location:
 - PERROSE FARMHOUSE, Lanlivery, Cornwall

4. TRETREW

- List Entry Number: 1137683
- Heritage Category: Listing
- Grade: II
- Location:
 - TRETREW, Lanlivery, Cornwall

5. CHURCH OF ST BREVITA

- List Entry Number: 1137701
- Heritage Category: Listing
- Grade: I
- Location:
 - CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

6. KENDAL MONUMENT IN THE CHURCHYARD ABOUT 1 METRE SOUTH OF TOWER OF CHURCH OF ST BREVITA

- List Entry Number: 1137746
- Heritage Category: Listing
- Grade: II
- Location:

- KENDAL MONUMENT IN THE CHURCHYARD ABOUT 1 METRE SOUTH OF TOWER OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

7. ROW OF 3 MONUMENTS IN THE CHURCHYARD ABOUT 5 METRES EAST OF SOUTH AISLE OF CHURCH OF ST BREVITA

- List Entry Number: 1137756
- Heritage Category: Listing
- Grade: II
- Location:
 - ROW OF 3 MONUMENTS IN THE CHURCHYARD ABOUT 5 METRES EAST OF SOUTH AISLE OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

8. SIERS MONUMENT IN THE CHURCHYARD ABOUT 7 METRES SOUTH OF SOUTH AISLE OF CHURCH OF ST BREVITA

- List Entry Number: 1137767
- Heritage Category: Listing
- Grade: II
- Location:
 - SIERS MONUMENT IN THE CHURCHYARD ABOUT 7 METRES SOUTH OF SOUTH AISLE OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

9. SARCOPHAGUS IN THE CHURCHYARD ABOUT 10 METRES SOUTH OF PORCH OF CHURCH OF ST BREVITA

- List Entry Number: 1144246
- Heritage Category: Listing
- Grade: II
- Location:
 - SARCOPHAGUS IN THE CHURCHYARD ABOUT 10 METRES SOUTH OF PORCH OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

10. THE CROWN INN

- List Entry Number: 1144247
- Heritage Category: Listing
- Grade: II
- Location:
 - THE CROWN, LANLIVERY, Lanlivery, Cornwall

11. LANLIVERY VILLAGE HALL AND ATTACHED FLIGHT OF STEPS

- List Entry Number: 1144248
- Heritage Category: Listing
- Grade: II
- Location:
 - LANLIVERY VILLAGE HALL AND ATTACHED FLIGHT OF STEPS, LANLIVERY, Lanlivery, Cornwall

12. LOWER MILLTOWN

- List Entry Number: 1144249
- Heritage Category: Listing
- Grade: II
- Location:
 - LOWER MILLTOWN, MILLTOWN, Lanlivery, Cornwall

13. MERLIN COTTAGE

- List Entry Number: 1144250
- Heritage Category: Listing
- Grade: II
- Location:
 - MERLIN COTTAGE, MILLTOWN, Lanlivery, Cornwall

14. CROSS AT SX 079579

- List Entry Number: 1144278
- Heritage Category: Listing
- Grade: II
- Location:
 - CROSS AT SX 079579, Lanlivery, Cornwall

15. GUIDEPOST AT SX 086617

- List Entry Number: 1144279
- Heritage Category: Listing
- Grade: II
- Location:
 - GUIDEPOST AT SX 086617, Lanlivery, Cornwall

16. LANCROW FARMHOUSE

- List Entry Number: 1144280
- Heritage Category: Listing
- Grade: II
- Location:
 - LANCROW FARMHOUSE, Lanlivery, Cornwall

17. LIMEKILN AT SX 108579

- List Entry Number: 1144281
- Heritage Category: Listing
- Grade: II
- Location:
 - LIMEKILN AT SX 108579, Lanlivery, Cornwall

18. LOWER TREGANTLE FARMHOUSE

- List Entry Number: 1144282
- Heritage Category: Listing
- Grade: II

- Location:
 - LOWER TREGANTLE FARMHOUSE, Lanlivery, Cornwall

19. PELYN TOR

- List Entry Number: 1144283
- Heritage Category: Listing
- Grade: II
- Location:
 - PELYN TOR, Lanlivery, Cornwall

20. ROSELATH OLD FARMHOUSE

- List Entry Number: 1144284
- Heritage Category: Listing
- Grade: II
- Location:
 - ROSELATH OLD FARMHOUSE, Lanlivery, Cornwall

21. GATEWAY ABOUT 10 METRES NORTH OF TRETHEVY

- List Entry Number: 1144285
- Heritage Category: Listing
- Grade: II
- Location:
 - GATEWAY ABOUT 10 METRES NORTH OF TRETHEVY, Lanlivery, Cornwall

22. LITTLETON MONUMENT IN THE CHURCHYARD AGAINST THE EAST WALL OF THE NORTH TRANSEPT OF CHURCH OF ST BREVITA

- List Entry Number: 1144286
- Heritage Category: Listing
- Grade: II
- Location:
 - LITTLETON MONUMENT IN THE CHURCHYARD AGAINST THE EAST WALL OF THE NORTH TRANSEPT OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

23. UNIDENTIFIED MONUMENT IN THE CHURCHYARD ABOUT 1 METRE SOUTH OF SOUTH AISLE OF CHURCH OF ST BREVITA

- List Entry Number: 1144287
- Heritage Category: Listing
- Grade: II
- Location:
 - UNIDENTIFIED MONUMENT IN THE CHURCHYARD ABOUT 1 METRE SOUTH OF SOUTH AISLE OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

24. STRICKENSTON FARMHOUSE

- List Entry Number: 1312204

- Heritage Category: Listing
- Grade: II
- Location:
 - STRICKENSTON FARMHOUSE, Lanlivery, Cornwall

25. BRENEY FARMHOUSE

- List Entry Number: 1327302
- Heritage Category: Listing
- Grade: II
- Location:
 - BRENEY FARMHOUSE, Lanlivery, Cornwall

26. GREADOW HOUSE

- List Entry Number: 1327303
- Heritage Category: Listing
- Grade: II
- Location:
 - GREADOW HOUSE, Lanlivery, Cornwall

27. GUIDEPOST AT SX 087582

- List Entry Number: 1327304
- Heritage Category: Listing
- Grade: II
- Location:
 - GUIDEPOST AT SX 087582, Lanlivery, Cornwall

28. LOWER PENHALE FARMHOUSE

- List Entry Number: 1327305
- Heritage Category: Listing
- Grade: II
- Location:
 - LOWER PENHALE FARMHOUSE, Lanlivery, Cornwall

29. MILESTONE AT SX 082577

- List Entry Number: 1327306
- Heritage Category: Listing
- Grade: II
- Location:
 - MILESTONE AT SX 082577, Lanlivery, Cornwall

30. TRETHEVY

- List Entry Number: 1327307
- Heritage Category: Listing
- Grade: II
- Location:
 - TRETHEVY, Lanlivery, Cornwall

31. YONDERTOWN

- List Entry Number: 1327308
- Heritage Category: Listing
- Grade: II
- Location:
 - YONDERTOWN, Lanlivery, Cornwall

32. UNIDENTIFIED MONUMENT IN THE CHURCHYARD ABOUT 6 METRES SOUTH OF SOUTH AISLE OF CHURCH OF ST BREVITA

- List Entry Number: 1327309
- Heritage Category: Listing
- Grade: II
- Location:
 - UNIDENTIFIED MONUMENT IN THE CHURCHYARD ABOUT 6 METRES SOUTH OF SOUTH AISLE OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

33. STURTRIDGE MONUMENT IN THE CHURCHYARD ABOUT 9 METRES SOUTHEAST OF SOUTH AISLE OF CHURCH OF ST BREVITA

- List Entry Number: 1327328
- Heritage Category: Listing
- Grade: II
- Location:
 - STURTRIDGE MONUMENT IN THE CHURCHYARD ABOUT 9 METRES SOUTHEAST OF SOUTH AISLE OF CHURCH OF ST BREVITA, LANLIVERY, Lanlivery, Cornwall

34. CHURCHTOWN HOUSE

- List Entry Number: 1327329
- Heritage Category: Listing
- Grade: II
- Location:
 - CHURCHTOWN HOUSE, LANLIVERY, Lanlivery, Cornwall

35. Combined viaduct and aqueduct called Treffry Viaduct

- List Entry Number: 1007279
- Heritage Category: Scheduling
- Location:
 - Lanlivery, Cornwall

36. Earlier prehistoric hillfort, stone hut circle settlement and field system at Helman Tor

- List Entry Number: 1007306
- Heritage Category: Scheduling
- Location:
 - Lanlivery, Cornwall

37. Medieval wayside cross 300m NW of Trevorry Farm

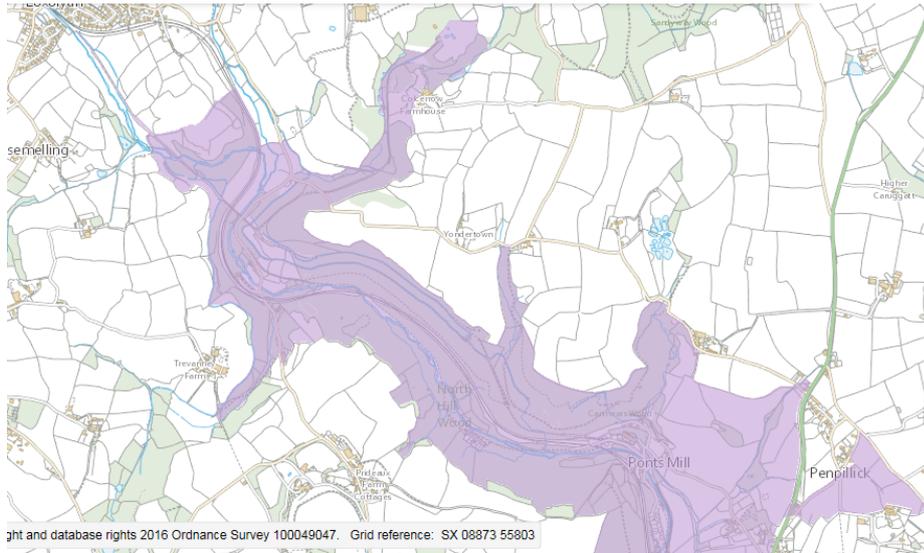
- List Entry Number: 1007759
- Heritage Category: Scheduling
- Location:
 - Lanlivery, Cornwall

38. Wayside cross 200m North West of Trethew

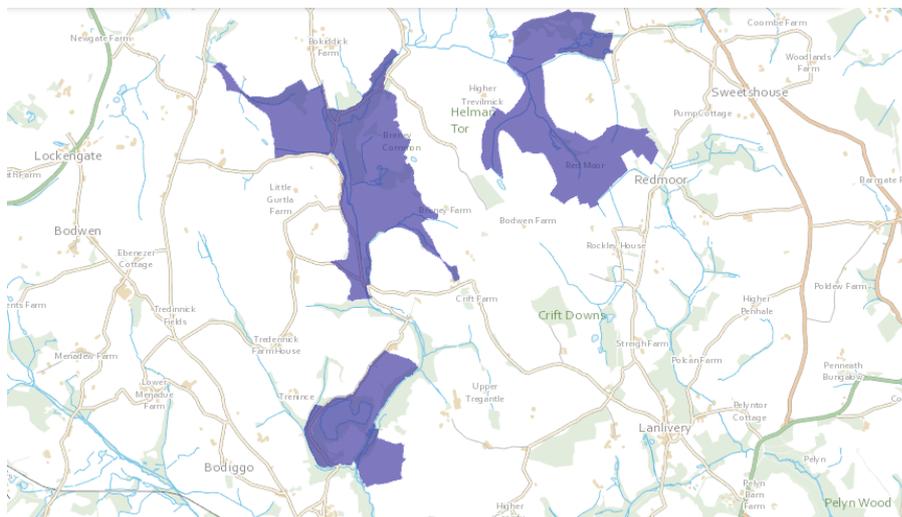
- List Entry Number: 1018696
- Heritage Category: Scheduling
- Location:
 - Lanlivery, Cornwall

39. Cornwall and West Devon Mining Landscape

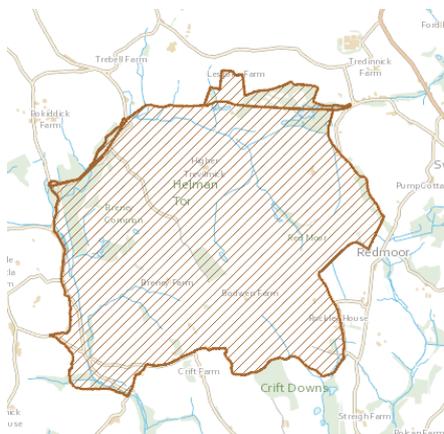
- List Entry Number: 1000105
- Heritage Category: World Heritage Site
- Location:
 - Camborne, Cornwall



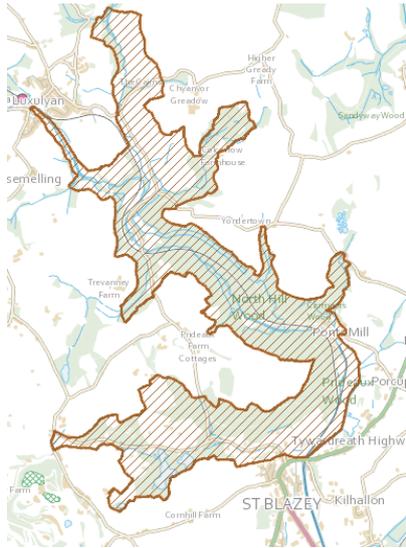
Lanlivery – Luxulyan Valley World Heritage Site



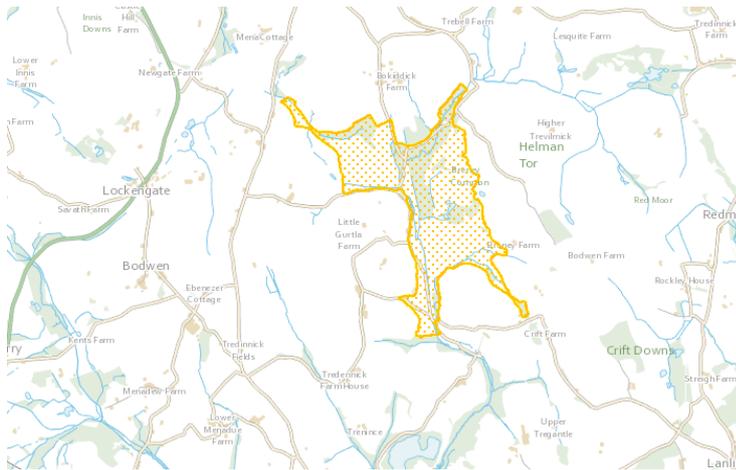
Lanlivery: Area of SSSI



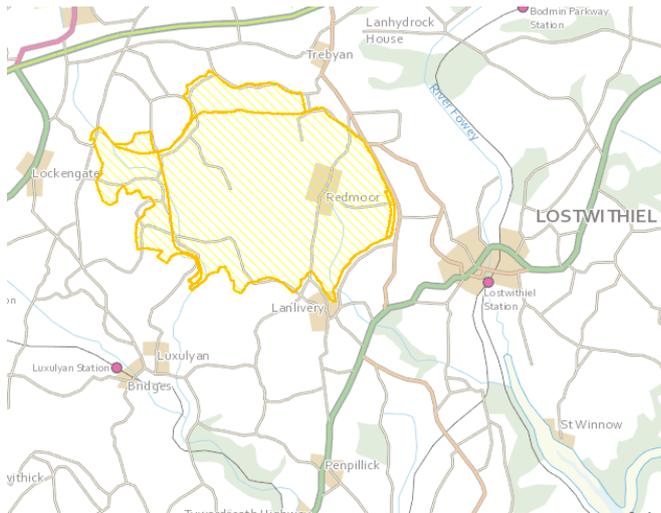
Helman Tor: Area of Great Historic Value



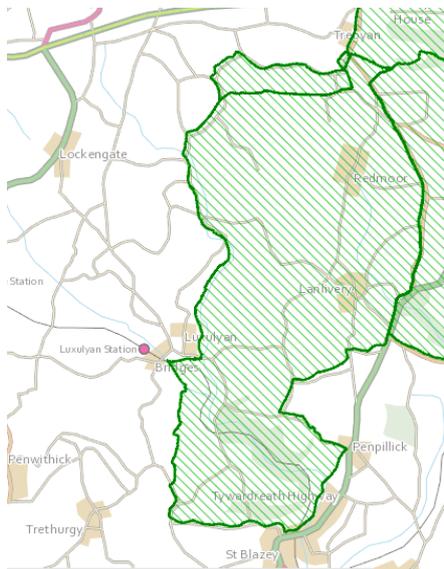
Luxulyan Valley: Area of Great Historic Value



Special areas for conservation: Breney Common and Goss & Tregoss



Redmoor & Helman Tor Area of Great Scientific Value



Areas of Great Landscape Value

