

ST JUST-IN PENWITH DRAFT NEIGHBOURHOOD DEVELOPMENT PLAN SECTION 16 CONSULTATION: RESPONSE TO CONSULTEE COMMENTS

Comments from Natural England

These comments refer to policy RE3. The drafting process for this policy was subject to extensive consultation with Natural England and advice from Cornwall Council. Natural England agreed with the final draft, as confirmed in the SEA screening report and accompanying letter in November 2020.

- (1) With regard to the proposed exclusion of the Lower Bostraze /Leswidden SAC, we understand the principle which NE is following, but the extent of the SAC in the area of the Leswidden clayworks does not match conditions on the ground. There is already a band 2 turbine on the site, the remainder of which is given over to a derelict clayworks and a building suppliers' yard, and as a result does not have high nature conservation value. We do not think, therefore, that this specific area should be excluded as a potential wind turbine site. In our view it would be helpful for NE to reconsider the extent of the designation in this specific area.
- (2) The comments in relation to Cornwall Council's draft 2020 LUC Renewable Energy Landscape Sensitivity Study are confusing. We understand that the revision of Cornwall Council's website may have caused this difficulty, although our reference document, the 2016 Cornwall Renewable Energy Planning Advice, does seem still to be available. We note that the boxed summary of advice does not refer to this point. The importance of wind energy for the Parish is demonstrated by the number of class A turbines in use and the strong support in our Household Survey. We would wish to avoid any further revision of this policy, which we assume might involve a further round of consultation and SEA screening. We assume also that in the event of the Cornwall Council DPD on climate change passing examination and being adopted, it would automatically supersede the NDP provision if there is a contradiction.

Comments from Devon and Cornwall Police

We are of the opinion that it is not necessary to include within our policies measures to prevent crime and antisocial behaviour. As stated in the Police submission, measures to reduce crime and anti-social behaviour are already included in national and local planning policy. It is felt that there is no need to reinforce these policies in the NDP as we are fortunate in having very low levels of property crime and anti-social behaviour. Crime figures for the last 3 years show only 24 recorded burglaries in the parish and 245 recorded incidents of ASB. There are no identified hotspots for crime and ASB which would potentially benefit from additional designing out crime measures. We also think that a very general statement of the sort suggested would not assist in planning decisions.

Comments from CC Affordable Housing

We have no objection to the figures in the Housing Statement (section 9 of the narrative) being updated if this is required.

Comments from LLFA

We have no difficulty with amending the SUDS definition in Appendix 4 of the NDP in line with the LFFA text.

Comments from National Grid

No response required.

Comments from MMO

We do not think a reference to Marine Licensing requirements is necessary. As far as we can see, it is not relevant to any of the proposed policies, but is a general planning issue which would be covered in Cornwall Council documents (and the response seems to be a standard letter).

Comments from Principal Public Space Officer (Landscape)

While we understand the point about the scope of the Landscape Character Assessments for CA, we do not in practice think that this represents a difficulty for our evidence base.

We had originally intended to use local landscape character assessments to be provided by Penwith Landscape Partnership, who were training volunteers to carry these out as part of their own work programme. The reports were repeatedly delayed until we had to conclude that they would not be available. (No LLCAs have since been published on the PLP website.) Advice from Cornwall Council at drafting stage was that the existing range of documentation about the Parish, including that from the AONB and WHS was sufficient to justify relevant policies, and this issue was not raised by the Public Space team during the informal consultation period. We could also cite *Archaeology and Landscape at the Land's End, Cornwall: The West Penwith Surveys 1980-2010. Herring et al. Cornwall Council 2016.*

We note that the references are to the narrative in the NDP rather than to specific policies. At this point we do not think it would be reasonable to delay the progress of the Plan by undertaking further work.

Comments from CC Public Space Team

1. We are disappointed that these issues have been raised at this stage rather than during the informal consultation with Cornwall Council teams when policies were being developed prior to publishing the first draft of the NDP and section 14 consultation. At no point have we been advised that an assessment of the type referred to is required, and the suite of guidance documents on Cornwall Council's website do not appear to refer to this as a requirement.
2. The standards set out in the CC document *Open Space Strategy Standards* apply to larger towns, as the document makes clear. We consider that they cannot simply be transferred to our context. For example, distance accessibility criteria would be hard to apply in a rural parish with a dispersed population and very limited public transport. This would be the case even if we followed the suggestion of applying them to St Just Town (not Village) only. It should be noted that population data are held at Parish, not settlement level. However we have given attention to how far the draft NDP could include provision for open spaces.

3. We approached the NDP on the basis that it must be led by public views. For this the key documents are the initial 'Have Your Say' consultation (2018) and the Household Survey (2019). In 'Have Your Say' 13% of respondents wanted the NDP to provide improvement to facilities, which included facilities for young people, particularly a skate park, which is now under way, but also including indoor facilities. (The viability of the latter is a serious local concern). The Household Survey showed strong support for the view that there should be more facilities for children and young people (question 9). In question 8, we listed specific sites which are owned either by a public body or by a voluntary / community organisation or charity to find out how important they were to residents. The responses showed generally firm support for them. We were therefore aware of public views in respect of both existing facilities and needs for the future. The research did not throw up a demand for additional open spaces per se. (Appendix 3 of the NDP maps how the Plan responds to the Household Survey, and responses to Question 8 are on the Evidence page of our website).

4. Using the Cornwall typology in *Open Space Strategy Standards* (2014) we can list open spaces within the Parish:

	Typology of open space	Local provision
1	Parks and gardens, amenity green space, civic spaces	Plain-an-Gwarry (scheduled monument); 4 small amenity green sites in Pendeen (Crescent Place, Parc an Pyth, The Leat, Moorland Close)
2	Natural and semi-natural green spaces, beaches, green corridors, accessible non-productive countryside in urban fringe areas	Extensive countryside holdings of National Trust; extensive moorlands; coastline of parish; farmland green corridors between settlements. Access to open spaces through an extensive footpath network.
3	Public access sports facilities outdoor, available for community games	Recreation Field St Just
4	Children's play areas with equipment	Recreation Park Pendeen; Play Area St Just
5	Provision for teenagers - equipped	Skate park in development
6	Allotments, community gardens, city farms	2 allotment sites, total 49 plots (Bosavern, Kenidjack); some private allotments; Bosavern Community Farm
7	Cemeteries and churchyards	3 churchyards (St Just Church, St Just Miners' Chapel, Pendeen Church); 1 closed graveyard; cemetery; additional cemetery in development
8	School pitches and outdoor sports club facilities (no/limited public access)	School pitches Cape School; field St Just Primary; St Just Football Club; St Just Rugby Club; Football Field Pendeen, St Just Cricket Club In addition, Cape Golf Club (not included in the survey as it is privately owned)

Other than type 2, where the space is of regional and national significance all the sites listed would be in the Neighbourhood 1 and Neighbourhood 2 categories in the *Open Space Strategy Standards*. The list shows an extensive range of open space amenity in all but category 5. However, it should be noted that category 2 in particular is permeable: category 2 open space in the Parish provides opportunities for sport such as surfing, exercise and play. Type 2 space is safeguarded by the extensive designations which apply in the Parish, particularly AONB and WHS status.

5. While we have not used metrics, we think that the survey provides sufficient information on residents' views and priorities in relation to open spaces (such as the strong support for the environment, and for the WHS), and that we have provided sufficient information to support our proposed policies.
6. We do not accept the comment that policy BD4 is unsubstantiated. As explained above and shown in the draft NDP, the requirements in the policy are drawn from public views. It should be noted that policy AD1 places a size limit on developments, which would make the availability of land for extensive green spaces within a development unlikely. Further, because developments could be at very different locations across the Parish and cater for different needs (such as the proportion of sheltered housing included) in practice the scale and use of green space would need to be agreed for each site, with BD4 setting the parameters (similarly for use of section 106 and CIL or successor contributions). We do not consider that it is practicable to impose a formula. Also, even if provision on a small site were practical to meet the limitations of provision in category five, it would not necessarily be useful to teenagers across the parish.
7. We do not accept the comment that policy BD4 could be in contradiction to CLP Policy 13.2. The policy helpfully refers to 'scale of development'. As indicated above, we would say that the 'local need' defining the type of open space required would have to be discussed on a case-by case basis. This specific criticism was not raised in Cornwall Council's scrutiny of the draft NDP. We understand the aspiration in the last paragraph of the submission but we do not believe that there is a requirement for compliance with this principle.