



Ludgvan Neighbourhood Plan

Basic Conditions Statement

Ludgvan Parish Council July 2019

Basic Condition Statement - Ludgvan Neighbourhood Plan

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Introduction

Ludgvan Neighbourhood Plan has been produced by Ludgvan Parish Council, as the ‘qualifying body’ with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. The development of the plan and management of the process has been marshalled by a Neighbourhood Plan Steering Group comprised of members of our community and parish councillors.

What are the Basic Conditions and why do we need this Statement?

The ‘Basic Conditions’ are a set of conditions that a Neighbourhood Plan must pass, in order for it to proceed to referendum. In relation to neighbourhood plans, the plan will pass the basic conditions if:

- A. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan
- B. the making of the plan contributes to the achievement of sustainable development
- C. the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- D. the making of the plan does not breach, and is otherwise compatible with, EU obligations
- E. prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan

These requirements (and those for neighbourhood development orders) are formally set out in of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act (as amended by the Localism Act 2011)¹.

This ‘Basic Conditions Statement’ is submitted alongside the Ludgvan Neighbourhood Plan. In submitting the Statement and, through its content, demonstrating how the Neighbourhood Plan meets the Basic Conditions, we have satisfied one of the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012. This Regulation sets out what the Parish Council, as the ‘qualifying body’ responsible for producing the Plan, must submit as part of the neighbourhood plan proposal. Regulation 15 (1) states² that:

“(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—

- a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;*
- b) a consultation statement;*
- c) the proposed neighbourhood development plan; and*
- d) a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.”* (i.e. this Statement).

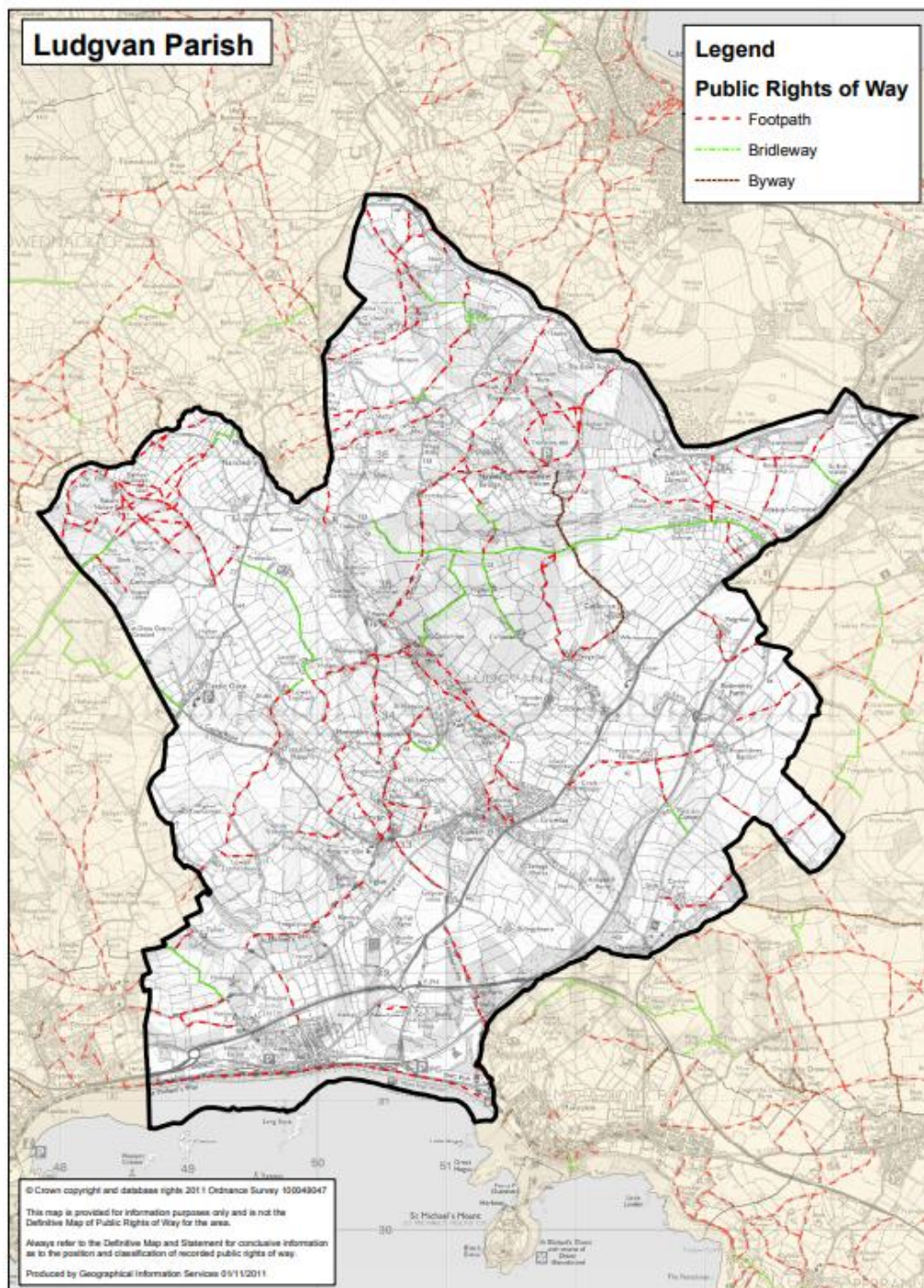
¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

² See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

Our Neighbourhood Area

The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the Parish Council, as the 'qualifying body' for neighbourhood planning, has the right to produce a plan for. Our application to designate the Neighbourhood Area was submitted in writing, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to Cornwall Council as the local planning authority on 25th February 2015 (see Appendix 1 to this Statement). Following due consideration, the Ludgvan Neighbourhood Area was formally approved by the local planning authority, Cornwall Council, on 30th April 2015. The approval/decision notice of Cornwall Council is reproduced as Appendix 2 to this Statement. Our approved Neighbourhood Area, which coincides with the parish area, is indicated by the black boundary below in Figure 1.

Figure 1 – Approved Ludgvan Neighbourhood Area



Why do we need a Neighbourhood Plan?

Ludgvan is a rural parish situated in the far south-west of England. Ludgvan Parish is currently one of the largest parishes in Cornwall by way of area, but also is a very disparate one with no one centre of population. Around 1,500 households live in the Parish's 1,750 dwellings that are largely grouped in a series of historic settlements linked together by long-established routeways. Ludgvan, Crowlas, Long Rock, Cockwells, Whitecross, Canon's Town and Rose-an-Grouse have all grown incrementally in their own way over time, establishing their own distinct character, based on their role and function in the local economy, and influenced significantly by the impact of major routeway (A30), which they all straddle. Other settlements in the quieter rural parts of the Parish, i.e. the hamlets of Castle Gate, Crippleasease, Lelant Downs, Trink, Trencrom, and Nancedra, have remained small and relatively unaffected by development pressures.

In so many ways we are blessed to live in this attractive coastal and rural location. However, we are constantly reminded, almost daily, how vulnerable the local environment and the quality of life it offers is, to the demands and excesses of modern life. Climate change is having an effect on local agricultural practices and increasing flood risk in coastal areas. The growth and commercial demands of Penzance impinge on land in the south, where lies a major nature reserve and the beautiful coastline of Mounts Bay. The ever-increasing use of the motor vehicle congests and clogs the only main road through the area and brings with it, intolerable levels of pollution.

We recognised that neighbourhood planning is about accommodating growth and change. The purpose we had in mind for the Ludgvan Neighbourhood Plan was to ensure that such growth and change is not at the cost of those things we hold as precious, which must be safeguarded and/or enhanced so they can be enjoyed by future generations. We shall strive to remain a community living in harmony with its environment.

The Cornwall Local Plan (adopted in 2016) has provided a strategic framework with which we accord and has put in place policies that provide a degree of protection and guidance for development in Ludgvan Parish.

Our reasons for producing the Ludgvan Neighbourhood Plan are:

- We have been encouraged to do so by the legislation and by Cornwall Council;
- Our community wanted to formulate its own more detailed local policies so that we can have an influence over the type, scale, design and form of development which may come forward in the area between now and 2030;
- We want to have some control over local planning matters and decisions;
- We want to maintain the special character of our rural landscape and environment; and
- We want to ensure that new development has a positive effect.

The Neighbourhood Plan has been developed with the full participation of the local people through a process of regular community consultation. This process is summarised in the introductory sections of the Neighbourhood Plan and set out in detail in the Consultation Statement that also accompanies the Submission Version of the Plan.

Having explored the issues and identified the key messages and things of importance to the community, our Plan has been framed around the following aims and objectives:

Aims	Objectives
Natural Environment	
<p>Protect and enhance the character of the local countryside and coastline</p> <p>Safeguard and improve responsible access to the countryside</p>	<ul style="list-style-type: none"> • <i>Ensure coastal protection remains adequate</i> • <i>Protect sensitive ecological and geological areas</i> • <i>Identify and improve wildlife corridors and links</i> • <i>Prevent harm to the character of the landscape from development</i> • <i>Improve and extend the network of public rights of way</i> • <i>Reduce all forms of pollution</i>
Built Environment and Heritage	
<p>Respect local heritage and character</p> <p>Establish the limits of growth</p>	<ul style="list-style-type: none"> • <i>Ensure heritage assets are recognised and protected</i> • <i>Protect and enhance green spaces and the heritage environment</i> • <i>Ensure the design of new buildings is of high quality and in keeping with the local area</i> • <i>Prevent ribbon development</i> • <i>Ensure adequate infrastructure is in place</i>
Housing	
<p>Influence the scale and location of housing development</p>	<ul style="list-style-type: none"> • <i>Ensure new development addresses local housing needs</i> • <i>Ensure housing provides realistic affordable options for local people</i> • <i>Encourage sustainable development practices</i>
Community Services and Facilities	
<p>Protect and enhance local facilities and services</p> <p>Ensure health care and education facilities meet the needs of the community</p>	<ul style="list-style-type: none"> • <i>Ensure local facilities meet changing needs and serve all age groups</i> • <i>Facilitate the local delivery of social care, health and education</i> • <i>Enable the provision of a high-quality communications network</i> • <i>Ensure there are adequate local sports and recreation opportunities</i> • <i>Provide appropriate green areas, recreation and amenity space</i>
Transport and Travel	
<p>Ensure transport infrastructure is appropriate and safe</p> <p>Reduce the adverse effect of through traffic and heavy lorries on the quality of life</p> <p>Improve the safety of roads, cycle routes and footways</p> <p>Encourage more use of sustainable transport modes</p>	<ul style="list-style-type: none"> • <i>Minimise the impact of heavy traffic on residential areas</i> • <i>Ensure all new developments have adequate off-street parking</i> • <i>Provide electric vehicle charging points in appropriate locations</i> • <i>Improve connectivity through the provision of safer cycling and walking routes</i> • <i>Support the improved co-ordination of public and community transport services</i>
Business and Jobs	
<p>Encourage sustainable business development and practices</p>	<ul style="list-style-type: none"> • <i>Support business development appropriate to its location</i> • <i>Bring redundant buildings back into use</i> • <i>Enable farm diversification in the interests of viability</i>

Summary of Compliance with Legislation

This section sets out how our Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood Plan regulations.

Qualifying Body

A 'qualifying body' is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act³ as *"a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area..."*.

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁴ sets out the qualifying body's entitlement to prepare a Neighbourhood Plan. It states that: *"(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan."*

We confirm that the Neighbourhood Plan has been prepared by Ludgvan Parish Council as the 'qualifying body' for the purposes of Neighbourhood Planning.

Neighbourhood Area

The Neighbourhood Area (as shown in Figure 1) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)⁵. Both the application and the decision minute of Cornwall Council are appended to this Statement (Appendices 1 and 2).

What a Neighbourhood Plan is and the Content of the Neighbourhood Plan

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁶ sets out the meaning of 'neighbourhood development plan'. It states that:

"(2) A "neighbourhood development plan" is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan."

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁷ sets out what the Plan may include. It states that:

"(1) A neighbourhood development plan—
(a) must specify the period for which it is to have effect,
(b) may not include provision about development that is excluded development, and
(c) may not relate to more than one neighbourhood area."

'Excluded development' is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁸ as:

"(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
(b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
(c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),

³ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁴ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁵ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

⁶ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁷ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁸ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

(d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),
(e) prescribed development or development of a prescribed description, and
(f) development in a prescribed area or an area of a prescribed description.”

Section 38B(2)⁹ states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that the Ludgvan Neighbourhood Plan:

- covers the period up until 2030, aligning with the plan period of the Cornwall Local Plan
- is the only Neighbourhood Plan for the parish of Ludgvan
- does not contain policies relating to ‘excluded development’¹⁰
- relates only to the defined Neighbourhood Area set out in Figure 1 of this report
- sets out policies in relation to the development and use of land

Given the importance of some of the issues and non-planning matters raised by our community and the cross-cutting nature of some of these issues with planning and land-use matters, our Neighbourhood Plan refers to ‘Community Actions’ (see para. 6.5 of the Ludgvan Neighbourhood Plan), which are signposted as actions that will be addressed outside of the remit of the Neighbourhood Plan. This joins up and links actions to address issues and opportunities requested by the community. Whilst they are not able to be dealt with by the planning system, they are nevertheless important issues which relate to people, services, projects or how we live in our community.

Submission Documents

As referred to earlier in this Statement, all the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Plan.

Basic Conditions

As referred to earlier in this Statement, we consider that all the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.¹¹) have been met, as demonstrated in this Statement.

⁹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹⁰ No policy in the Neighbourhood Plan relates to county matters (mineral extraction and waste development) or to any Nationally Significant Infrastructure Projects

¹¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

Content of Our Neighbourhood Plan Proposal

To comply with the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012¹², and to provide enough material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local planning authority:

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which our Plan relates)
- Supporting Evidence Base Documents (and weblinks)
- Our Consultation Statement
- Our Basic Conditions Statement (this document)

How our Neighbourhood Plan meets the Basic Conditions

A. Having Regard to National Policies and Advice Contained in Guidance Issued by the Secretary of State

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy No. LUD1 Protecting the Natural Environment	NPPF para. 174 <i>promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species</i>	Policy LUD1 supports development only if it protects habitats and priority species and encourages enhancements wherever possible.
Policy No. LUD2 Wildlife Corridors	NPPF para. 174 <i>Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect them;</i>	Policy LUD2 recognises the value of wildlife corridors and supports measures to protect or enhance the local network.
Policy No. LUD3 Public Rights of Way	NPPF para. 98 <i>planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users</i>	Policy LUD3 supports measures to protect or enhance the area's public rights of way so long as their biodiversity value is recognised and protected and/or enhanced.
Policy No. LUD4 Coastal Change Management Area	NPPF para. 167 <i>Plans should.... reduce risk from coastal change by avoiding inappropriate development in vulnerable areas ...and identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast</i>	Policy No. LUD4 designates the coastline as a CCMA and supports appropriate development that protects the character of the coastline and has wider sustainability benefits.
Policy No. LUD5 Heritage Assets	NPPF para. 185 <i>set out a positive strategy for the conservation and enjoyment of the historic environment</i>	Policy LUD5 supports development that will maintain or enhance the character and setting of a heritage asset and uses appropriate to its status.
Policy No. LUD6 Local Green Space	NPPF para. 99 <i>The designation of land as Local Green Space through local and neighbourhood</i>	Policy LUD6 identifies areas of significant local green space that are important to the community and

¹² See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
	<i>plans allows communities to identify and protect green areas of particular importance to them.</i>	should be protected from development.
Policy No. LUD7 Settlement Area Boundaries	NPPF para. 13 <i>Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.</i>	Policy LUD7 establishes boundaries to ensure development is focussed where it can be most sustainable and have the least negative impact on the rural character of the Parish.
Policy No. LUD8 Development in the Countryside	NPPF para. 79 <i>avoid the development of isolated homes in the countryside unless....</i>	Policy LUD8 establishes criteria that development proposals outside the defined settlement areas should meet.
Policy No. LUD9 Sensitive Design and Sustainable Development	NPPF para. 127 <i>... ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change....</i>	Policy LUD9 establishes layout and development design standards in the interests of respecting local character and the rural setting.
Policy No. LUD10 Open Space	NPPF para. 91 <i>... high quality public space, which encourage the active and continual use of public areas;</i>	Policy LUD10 supports proposals to provide public open space in new development that adds to the character of the area and enhances biodiversity.
Policy No. LUD11 Local Housing Needs	NPPF para. 61 <i>the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies</i>	Policy LUD11 requires major new development to contribute to meeting identified local housing needs.
Policy No. LUD12 Second Homes	NPPF para. 72 <i>Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way.</i>	Policy LUD12 reflects the community's desire to ensure that new housing development provides for principle residency occupation so that local people get access to new homes and the sustainability of local communities is safeguarded or strengthened.
Policy No. LUD13 Community Facilities	NPPF para. 92 <i>... plan positively for the provision and use of shared spaces, community facilities..... guard against the unnecessary loss of valued facilities and services</i>	Policy LUD13 seeks to protect existing community facilities and supports development to provide more local facilities that are needed by the community.
Policy No. LUD14 Recreation and Sports Areas	NPPF para. 97 <i>Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</i>	Policy LUD14 protects key recreation sites.
Policy No. LUD15 Sports Facilities	NPPF para. 96 <i>Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.</i>	Policy LUD15 supports the provision of new sports facilities that will serve local needs for space for sport and physical activity.
Policy No. LUD16	NPPF para. 91	Policy LUD16 protects local allotments and encourages the use of redundant

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Community Horticulture	<i>enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example.... access to healthier food, allotments....</i>	land for community horticultural activity.
Policy No. LUD17 Communication and Connectivity	NPPF para. 112 <i>support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections</i>	Policy LUD17 seeks to ensure that the communications network in the Parish is as high quality and environmentally sensitive as possible.
Policy No. LUD18 Traffic Management	NPPF para. 102 <i>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that the potential impacts of development on transport networks can be addressed;</i>	Policy LUD18 supports traffic management measures that help minimise the negative impact of traffic.
Policy No. LUD19 Parking	NPPF para. 105 <i>.... local parking standards for residential and non-residential development, policies should take into account: a) the accessibility of the development; b) the type, mix and use of development; d) local car ownership levels; and....</i>	Policy LUD19 seeks to ensure adequate parking provision is made for all new developments and valuable off-road parking spaces are not lost through development.
Policy No. LUD20 Electric Charging Outlets	NPPF para. 105 <i>.... take into account.... the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.</i>	Policy LUD20 supports the provision of electric vehicle charging outlets in suitable locations.
Policy No. LUD21 Walking and Cycle Routes	NPPF para. 104 <i>.... provide for high quality walking and cycling networks and supporting facilities such as cycle parking....</i>	Policy LUD21 supports proposals to provide better and more local walking and cycling routes that link to the wider network.
Policy No. LUD22 Public Transport	NPPF para. 104 <i>.... opportunities to promote walking, cycling and public transport use are identified and pursued;</i>	Policy LUD22 supports development that helps maintain and enhance existing public transport provision.
Policy No. LUD23 Business Development	NPPF para. 83 <i>..... enable the sustainable growth and expansion of all types of business in rural areas,</i>	Policy LUD23 supports appropriate business/commercial development.
Policy No. LUD24 Employment Space	NPPF para. 83 <i>.... enable the retention and development of accessible local services and community facilities, such as local shops....</i>	Policy LUD24 applies a locally relevant level of protection to existing employment and/or business space.

B. The Making of the Plan Contributes to the Achievement of Sustainable Development

The Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the Cornwall Local Plan. The tables below set out how we feel that our Neighbourhood Plan has dealt with the achievement of sustainable development against the key relevant parts of the NPPF and Cornwall Local Plan.

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<p>NPPF para. 8</p> <p><i>Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</i></p> <p><i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></p> <p><i>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</i></p> <p><i>c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>The Neighbourhood Plan has embraced all three dimensions to sustainable development.</p> <p>The following policies of our Plan address the economic dimension of sustainable development by supporting employment development in the appropriate locations:</p> <p>Policy LUD23 – encourages new development of the right type in the right areas</p> <p>Policy LUD24 – protects existing employment space</p> <p>The following policies of our Plan address the social dimension of sustainable development:</p> <p>Policy LUD11 – calls for a relevant mix of new dwellings</p> <p>Policy LUD12 – supports strong and cohesive communities</p> <p>Policy LUD13 – improves community facilities</p> <p>Policy LUD14 – protects recreation spaces</p> <p>Policy LUD15 – supports new facilities</p> <p>Policy LUD16 – supports community initiatives</p> <p>The following policies of our Plan address the environmental dimension of sustainable development:</p> <p>Policy LUD1 – protects and enhances biodiversity</p> <p>Policy LUD2 – safeguards wildlife corridors</p> <p>Policy LUD3 – supports responsible public access</p> <p>Policy LUD4 – protects the natural coastline</p> <p>Policy LUD5 – protects the historic built environment</p> <p>Policy LUD6 – protects valuable local green spaces</p> <p>Policy LUD8 – limits development in the countryside</p> <p>Policy LUD9 – supports sustainable design</p>
<p>NPPF para. 11</p> <p><i>Plans and decisions should apply a presumption in favour of sustainable development.</i></p> <p><i>For plan-making this means that:</i></p> <p><i>a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;</i></p> <p><i>b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:</i></p> <p><i>i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or</i></p>	<p>The Ludgvan Neighbourhood Plan has been mindful of the need to promote sustainable development within the context of a sensitive and characterful rural environment.</p> <p>Plan-making has attempted to achieve a balance between achieving the strategic requirements and targets of the Local Plan whilst safeguarding local assets and ensuring interests are taken fully into account.</p>

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<i>ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.</i>	
NPPF para. 29 <i>Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies</i>	The neighbourhood planning process has brought the community closer together and enabled a positive dialogue to take place about what development is required and how it can be best accommodated and facilitated. Part of the process has been to agree what is important to us and how this can be protected and enhanced by development to realise our vision for a sustainable future.
NPPF para.72 <i>identify suitable locations for such development where this can help to meet identified needs in a sustainable way</i>	The Neighbourhood Plan promotes sustainable development in locations where it will help maintain or enhance the vitality of local communities. Policies in the Plan identify preferred locations when appropriate to do so: Policy LUD7 – defines the settlement areas within which development should be focussed Policy LUD8 – limits development in the countryside Policy LUD23 – encourages new business development in appropriate areas
NPPF para. 81 <i>Planning policies should: set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration</i>	The Neighbourhood Plan recognises the need for local economic growth and includes policies in support of the local economic strategy: Policy LUD23 – encourages new business development in appropriate areas Policy LUD24 – protects existing employment space
NPPF para. 83 <i>Planning policies and decisions should enable: sustainable rural tourism and leisure developments which respect the character of the countryside;</i>	Policy LUD15 facilitates the provision of new sports facilities on the edge of settlement areas.
NPPF para. 84 <i>.... ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).</i>	Policies LUD3 and LUD4 – protects existing routeways Policy LUD18 supports measures to manage the impact of traffic on the local road network. Policies LUD20, LUD21 and LUD22 – support developments that specifically provide for greater local use of sustainable transport modes.
NPPF para. 103 <i>Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes</i>	The following policies in our Plan are relevant to encouraging the greater use of sustainable transport modes as outlined in this NPPF paragraph: Policy LUD7 – identifies the areas within which development should be focussed Policy LUD18 - supports measures to manage the impact of traffic on the local road network Policy LUD21 – supports extensions to the walking and cycling network Policy LUD22 – supports provision of improved public transport infrastructure
NPPF para. 124 <i>Good design is a key aspect of sustainable development, creates better places in which to live</i>	Policy LUD9 places emphasis on well-designed development that enhances and complements the character of the built environment of the Parish.

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<i>and work and helps make development acceptable to communities</i>	
NPPF para. 192 <i>take account of...</i> <i>b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality</i>	Policies LUD5 and LUD10 recognise the positive contribution that the safeguarding of heritage assets and features can have.

Cornwall Local Plan Policy	How our Plan contributes towards this
Policy 1: Presumption in favour of sustainable development	The Ludgvan Neighbourhood Plan (NP) provides additional policies to ensure that development proposals are sustainable in local terms Policy LUD7 – focusses development to the more sustainable locations Policy LUD8 – sets local criteria for development in the countryside Policy LUD9 – encourages sustainable design and construction Policy LUD23 – focusses business development to areas with the relevant infrastructure
Policy 2: Spatial Strategy	The NP accords with the spatial strategy by maintaining the dispersed development pattern of Cornwall and supporting the provision of homes and jobs based on the role and function of each place. See policies: Policy LUD7 - focusses development on the main settlement areas of Crowlas and Long Rock Policy LUD23 - focusses major business development to the strategic locations such as at Long Rock and near St Erth
Policy 3: Role and function of places	The NP recognises that Long Rock is a strategic development area in proximity to Penzance, one of the “named towns”. Policy LUD7 - establishes settlement areas boundaries to focus development on Crowlas and Long Rock Policy LUD23 - focusses major business development on the strategic locations such as at Long Rock and near St Erth
Policy 4: Shopping, Services and Community Facilities	The NP has policies to support and protect shopping, services and community facilities. Policy LUD13 – protects existing local community facilities and encourages the provision of new facilities that meet a local need Policy LUD24 – protects existing commercial spaces from a too hasty demise
Policy 5: Business and Tourism	The NP supports the expansion of business opportunities and the further development of business activity on strategic sites identified in the Site Allocations Development Plan Documents. Policy LUD17 – promotes a first-class communication infrastructure Policy LUD23 – supports new business development in appropriate locations

Cornwall Local Plan Policy	How our Plan contributes towards this
	Policy LUD24 – protects existing business space for new business activity
Policy 6: Housing Mix	The NP seeks to ensure that an appropriate mix of house size, type, price and tenure is provided by new developments to address identified needs and market demand and to support mixed communities. Policy LUD11 – requires developers to acknowledge and respond to local housing needs Policy LUD12 – seeks to ensure that new dwellings of all kinds are available to local people
Policy 7: Housing in the Countryside	The NP establishes locally relevant criteria to control housing development in the countryside. Policy LUD 8 – sets locally significant criteria based on the local settlement pattern
Policy 8: Affordable Housing	The NP supports the provision of a locally relevant level of affordable dwellings on major new developments. Policy LUD11 – supports provision of adequate proportion of affordable homes
Policy 12: Design	The NP’s policies provide local detail to increase the relevance of the Local Plan’s comprehensive place-shaping approach Policy LUD8 – establishes criteria for development in countryside areas Policy LUD9 – requires high quality sustainable design and construction
Policy 13: Development Standards	The NP provides locally relevant criteria in the interests of ensuring high quality design and layout for new development. Policy LUD9 – requires high standards of sustainable design and construction
Policy 16: Health and wellbeing	The NP recognises the value of high-quality open space in providing for healthy lifestyles Policy LUD6 – recognises the value of local green spaces and protects them Policy LUD10 – requires open space in new developments of adequate quality Policy LUD14 – protects important recreation areas Policy LUD15 – supports the provision of new or improved recreational and sports facilities Policy LUD16 – protects existing allotments and facilitates community horticulture initiatives
Policy 21: Best use of land and existing buildings	The NP encourages development that makes use of previously developed land and buildings. Policy LUD7 – focusses development on land within existing settlement areas Policy LUD8 - focusses development on land within existing settlement areas Policy LUD16 – encourages use of redundant land for community purposes Policy LUD23 - encourages use of redundant buildings
Policy 22: European Protected Sites – mitigation of recreational impacts from development	The NP recognises the European Protected sites in the area and has policy to protect them from development Policy LUD1 – seeks to protect sites and habitats of national importance from harm from development

Cornwall Local Plan Policy	How our Plan contributes towards this
	<p>Policy LUD4 – protects the natural coastline and vulnerable habitats</p> <p>Policy LUD7 – limits most development to existing settlement areas</p>
<p>Policy 23: Natural Environment</p>	<p>The NP has policies to ensure that the quality and vulnerability of the natural environment is recognised, conserved and enhanced.</p> <p>Policy LUD1 – seeks to protect sensitive ecological sites and habitats from harm from development</p> <p>Policy LUD2 – recognises and safeguards important wildlife corridors</p> <p>Policy LUD3 – supports improved public access to the countryside as long as wildlife corridors and habitats are protected and enhanced</p> <p>Policy LUD4 – protects the natural coastline and vulnerable habitats</p>
<p>Policy 24: Historic Environment</p>	<p>The NP has policies to protect heritage assets and safeguard the historic character of the area.</p> <p>Policy LUD5 – supports appropriate development that protects and enhances heritage assets</p>
<p>Policy 25: Green Infrastructure</p>	<p>The NP has policies that recognise the importance of the local green infrastructure and seek enhancements to it.</p> <p>Policy LUD2 – recognises and safeguards important wildlife corridors</p> <p>Policy LUD3 - encourages improvements to the links between green infrastructure</p> <p>Policy LUD4 – safeguards the coastline environment</p>
<p>Policy 26: Flood risk management and coastal change</p>	<p>The NP acknowledges in relevant policies the need to ensure that the flood risk is not increased and the value of wetlands such as Marazion Marshes as part of the flood reduction strategy.</p> <p>Policy LUD1 – supports measures to safeguard and enhance wetland areas</p> <p>Policy LUD4 – facilitates necessary flood defence work on the coastline</p> <p>Policy LUD7 – requires development to take account of recognised flood risk areas</p>
<p>Policy 27: Transport and accessibility</p>	<p>The NP supports measures to reduce congestion and improve safety on the road network and encourage travel by means other than the private motor car</p> <p>Policy LUD18 – supports traffic management measures that reduce the harmful impact of motor traffic</p> <p>Policy LUD19 – seeks to reduce the impact of cars by providing sufficient off-road parking spaces</p> <p>Policy LUD20 – supports the use of electric vehicles</p> <p>Policy LUD21 – supports improvements and extensions to existing walking and cycle routes and connection with the wider network</p> <p>Policy LUD22 – supports measures to maintain and enhance the local public transport service</p>

The Ludgvan Neighbourhood Plan has not been required to undertake a Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA). The explanation is set out in greater detail in Section D of this Report.

C. The Making of the Plan is in General Conformity with the Strategic Policies Contained in the Development Plan for the Area of the Authority (Or Any Part of That Area)

Neighbourhood Plan Paragraphs and/or Policies	Cornwall Local Plan Strategic Policies	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?
Policy No. LUD1 Protecting the Natural Environment	Local Plan Policy 23 Natural Environment	Policy LUD1 seeks to sustain local distinctiveness and character and protect and where possible enhance the natural environment and assets.
Policy No. LUD2 Wildlife Corridors	Local Plan Policy 25 Green Infrastructure	Policy LUD2 recognises the value of wildlife corridors and protects and encourages enhanced connectivity through the site and linking to adjacent sites or green routes.
Policy No. LUD3 Public Rights of Way	Local Plan Policy 23 Natural Environment	Policy LUD3 protects rights of way and provides for improved access if the importance of habitats and designated sites and their value as wildlife corridors are taken into account.
Policy No. LUD4 Coastal Change Management Area	Local Plan Policy 26 Flood Risk Management and Coastal Change	Policy LUD4 designates the coastline that forms the southern boundary of the Parish as a CCMA and supports development that is consistent with the Shoreline Management Plan and the Coastline Improvement Plan.
Policy No. LUD5 Heritage Assets	Local Plan Policy 24 Historic Environment	Policy LUD5 establishes protection for local heritage assets and their setting.
Policy No. LUD6 Local Green Space	Local Plan Policy 25 Green Infrastructure	Policy LUD6 protects an important facet of the green infrastructure network in Cornwall, which may be locally significant because of its importance to recreation, leisure, community use, townscape or landscape quality.
Policy No. LUD7 Settlement Area Boundaries	Local Plan Policy 2 Spatial Strategy Local Plan Policy 3 Role and function of places	Policy LUD7 seeks to maintain the dispersed development pattern of Cornwall and provide homes and jobs based on the role and function of each place and establishes where new development can be provided in a sustainable manner. It supports the strategic development proposals for Long Rock.
Policy No. LUD8 Development in the Countryside	Local Plan Policy 3 Role and function of places	Policy LUD8 restricts development at smaller settlements outside of the settlement area boundaries to rounding-off and infill development.
Policy No. LUD9 Sensitive Design and Sustainable Development	Local Plan Policy 2 Spatial Strategy	Policy LUD9 requires development to respect the quality of the local environment and setting and respect and enhance the quality of place.
Policy No. LUD10 Open Space	Local Plan Policy 12	Policy LUD10 requires development to respect and work with the natural and historic environment and provide high quality safe public spaces.
Policy No. LUD11 Local Housing Needs	Local Plan Policy 10 Housing Mix	Policy LUD11 requires major housing developments to include an appropriate mix of house size, type, price and tenure to address identified needs and market demand and to support mixed communities.
Policy No. LUD12 Second Homes	Local Plan Policy 2 Spatial Strategy	Policy LUD12 seeks to ensure that new development realises sustainable communities and provides a well-balanced mix of economic, social and environmental benefits.

Policy No. LUD13 Community Facilities	Local Plan Policy 4 Shopping, Services and Community Facilities	Policy LUD13 seeks to retain existing community facilities and village shops and supports the provision of new ones in response to community needs.
Policy No. LUD14 Recreation and Sports Areas	Local Plan Policy 25	Policy LUD14 protects areas that are part of the local green infrastructure that are important to recreation, leisure, community use.
Policy No. LUD15 Sports Facilities	Local Plan Policy 16 Health and Wellbeing	Policy LUD15 seeks to maximise the opportunity for physical activity through the provision of outdoor sports and leisure facilities.
Policy No. LUD16 Community Horticulture	Local Plan Policy 16 Health and Wellbeing	Policy LUD16 encourages the provision of neighbourhood spaces for growing of local food in furtherance of the healthy living agenda.
Policy No. LUD17 Communication and Connectivity	Local Plan Policy 5 Business and Tourism	Policy LUD17 – promotes a first-class communication infrastructure
Policy No. LUD18 Traffic Management	Local Plan Policy 27 Transport and Accessibility	Policy LUD18 supports development that reduces the harmful impact of traffic and requires major new developments to produce an effective travel plan.
Policy No. LUD19 Parking	Local Plan Policy 13 Development Standards	Policy LUD19 requires new development to provide an appropriate level of off-street parking and cycle parking taking into account the accessibility of the location.
Policy No. LUD20 Electric Charging Outlets	Local Plan Policy 2	Policy LUD20 assists the delivery of renewable and low carbon energies, by providing facilities in support of the use of renewable and low carbon technologies.
Policy No. LUD21 Walking and Cycle Routes	Local Plan Policy 16 Health and Wellbeing	Policy LUD21 advocates the provision and enhancement of active travel networks that support and encourage walking, riding and cycling
Policy No. LUD22 Public Transport	Local Plan Policy 27 Transport and Accessibility	Policy LUD22 promotes public transport solutions that will help remove traffic from the highway network.
Policy No. LUD23 Business Development	Local Plan Policy 5 Business and Tourism	Policy LUD23 supports the provision of employment space on areas as suitable for long-term business and commercial use.
Policy No. LUD24 Employment Space	Local Plan Policy 5 Business and Tourism	Policy LUD24 protects local employment or business space from loss unless it can be fully justified.

D. The Making of the Plan Does Not Breach, and is Otherwise Compatible with, EU Obligations

A screening process was carried out by Cornwall Council to determine whether a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and / or a Habitats Regulation Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). Through consultation with the statutory environmental agencies, Cornwall Council has advised that the Ludgvan Neighbourhood Plan *“based on the scale and location of development proposed in the draft plan, Cornwall Council is of the opinion that the Ludgvan Parish NDP, is unlikely to have significant effects on the environment and that SEA and HRA are therefore not required”*.

Therefore, neither a SEA nor HRA was required for our Neighbourhood Plan and the basic conditions concerning Habitats and Environmental Impact Assessment as described in Schedules 2 and 3 of the Regulations have been accounted for. An extract from the formal written Screening Opinion of Cornwall Council¹³, issued in January 2019, is appended to this Statement as Appendix 3. The Opinion was based on the Pre-submission Version of the Plan. This opinion was re-affirmed for the Submission Version of the Plan by email on 13th June 2019. The up-dated SEA/HRA Opinion said:

“Ludgvan Parish contacted Cornwall Council with a slightly updated submission version NDP, to check whether SEA and HRA were required. There are minor wording changes in the text, and these do not trigger the need for SEA or HRA. The main change is the inclusion of a Coastal Change Management Policy. The aim of this policy is to designate the coastal boundary of the parish as a Coastal Change Management Area and restrict development within the area. The area is defined in accordance with the Cornwall Coastal Vulnerability map and in accordance with the Shoreline Management Plan (SMP). In accordance with the SMP the policy allows only development to protect Marazion Marsh SPA, coastal management i.e. protecting the railway line and maintaining the coastal route. This policy is in line with the SMP and the principles of coastal change management. Individual projects associated with coastal change management may require Appropriate Assessment, but the new policy itself does not trigger the need for SEA or HRA.”

Neighbourhood Plans are also required to take account of European Human Rights requirements. The Ludgvan Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

The principal parts of the European Convention on Human Rights that can be relevant to neighbourhood plans are: Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). In preparing the draft Neighbourhood Plan, Ludgvan Parish Council, through its Steering Group, has acted in an open way, but always respecting the privacy of those participating. The interests of all sectors of the community have been taken into account, especially in ensuring that the Plan would take account of the needs and aspirations of the more vulnerable members of our community including the elderly and disabled, and younger people – thus ensuring no unfair discrimination.

The consultation process included all locally resident people in these groups as well as some organisations outside the plan area but with responsibilities or interests extending over some or all of the area of the draft Plan. The Parish Council also believes that its policies will not affect property rights beyond the legitimate role of the town and country planning system in operation where policies are properly explained and justified.

¹³ <http://www.Ludgvanparishcouncil.co.uk/LudgvanPC/UserFiles/Files/SEA%20HRA%20Assessment.pdf>

E. The Prescribed Conditions Are Met in relation to the Plan and Prescribed Matters Complied with in connection with the Proposal for the Plan

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹⁴ sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out one basic condition in addition to those set out in the primary legislation. This is:

- *the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects)*

The following European Designated Sites are within 10km of Ludgvan:

Marazion Marsh SPA lies along the coastal boundary of the parish. Its qualifying species are Great Bittern and Aquatic warbler. This area is also an SSSI.

There are no areas of land within the development boundary at Long Rock which are not covered either by greenspace designations or by the Site Allocations DPD. It is the view of Cornwall Council that *“as a result of the assessment...., it is unlikely there will be any significant environmental effects on European Sites arising from the Ludgvan NDP and HRA is therefore not required”*.

Natural England was consulted as part of the SEA screening process.

¹⁴ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Appendix 1.

Neighbourhood Area Application – 25th February 2015

LUDGVAN PARISH COUNCIL

Chairman:
Councillor Richard Sargeant
Clerk to the Council:
Steve Hudson

Brynmor,
St Ives Road, Carbis Bay,
St Ives, Cornwall TR26 2SF
(01736) 799637
ludgvanclerk@btinternet.com
www.ludgvan.org.uk

25/02/2015

Chloe Pitt
Senior Development Officer
Planning and Enterprise
Cornwall Council

Dear Chloe,

Application under Part 2 (5) (1) of The Neighbourhood Planning (General) Regulations 2012 for the designation of a Neighbourhood Area.

The Ludgvan Parish Council give notice that they wish to make an application under Part 2 (5) (1) of The Neighbourhood Planning (General) Regulations 2012 for the designation of a Neighbourhood Area for the Ludgvan Parish *Neighbourhood Development Plan*


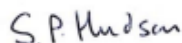
The application is accompanied by a map identifying the area to which the application relates, being the entire parish area of Ludgvan

This area is considered appropriate to be designated as a neighbourhood area for the following reasons:

- The area is a discrete administrative area, entirely within the boundary of Ludgvan Parish;
- Early consultation with the public has indicated a strong desire to be involved in shaping the development within the parish.

The Ludgvan Parish Council is the relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act (as amended by the Localism Act 2012) being the parish council for the entire area applied for.

Yours sincerely,



S P Hudson
Clerk to Ludgvan Parish Council

Appendix 2.

Neighbourhood Area Designation – Approval Notice 30th April 2015

Cornwall Council

Dolcoath Avenue Camborne Cornwall TR14 8SX

Email: planning@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA15/00006/NDP

Applicant:

Mr S Hudson
Ludgvan Parish Council
Brynmor
St Ives Road
Carbis Bay
St Ives
TR26 2SF

**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 25th February 2015 and accompanying plan(s):

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

Relevant Body: Ludgvan Parish Council

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.



DATED: 30 April 2015

**Phil Mason
Head of Planning, Housing and
Regeneration**

REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

The Cornwall Council has considered the proposed Designation of the Neighbourhood Area and finds that:

- The area proposed is appropriate to be designated as a Neighbourhood Area;
- The Parish Council is a relevant body for the purposes of Section 61G of the 1990 Act; and
- No substantive objection has been made to the designation of the area under Regulation 6

It is therefore considered that the Designation of the Neighbourhood Area should be approved.

Appendix 3.

Strategic Environmental Assessment / Habitats Regulation Assessment Screening Opinion (Extract) – January 2019

Table 2 likely significant effects	
SEA requirement	Comments
The characteristics of plans and programmes, having regard, in particular, to:	
1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The Plan provides local criteria-based policies to control the quality of development within the parish. The Plan aims to meet the Local Plan target for housing. The strategy for delivery of development is through settlement boundaries and limited development in the countryside in accordance with Policy 7 of the Cornwall Local Plan.
2. the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The neighbourhood plan must be in general conformity with the National Planning Policy framework and the Local Plan.
3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	The neighbourhood development plan will be examined against four basic conditions, one of which is whether the plan contributes to sustainable development
4. environmental problems relevant to the plan or programme,	N/A
5. the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	N/A
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:	
6. the probability, duration, frequency and reversibility of the effects,	The Plan period is 2019-2030, to align with the Cornwall Local Plan period. There is scope to review the NDP during this time, if monitoring shows that the NDP is not achieving the desired objectives or if other changes to strategic policy suggest the need for review.
7. the cumulative nature of the effects,	The NDP aims to meet and not exceed Cornwall Local Plan targets. Past delivery rates have historically been approx. 6 per year. The residual rural parish housing figure does not increase this.
8. the transboundary nature of the effects,	None arising from the NDP.
9. the risks to human health or the environment (e.g. due to accidents),	N/A
10. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Ludgvan parish is relatively large and covers an area of approximately 10 square miles/ 2651 ha. The population was recorded as 3270 in the 2011 census and the 2016 mid-year estimate was 3340.
11. the value and vulnerability of the area likely to be affected due to: -special natural characteristics or cultural heritage, - exceeded environmental quality standards or limit values, - intensive land-use,	Marazion Marsh SPA lies along the coastal boundary of the parish. Its qualifying species are Great Bittern and Aquatic warbler. This area is also an SSSI. The coastal boundary of the parish is also alongside the Mounts Bay Marine Conservation Zone. This MCZ protects a range of habitats including several different types of rock, both on the shoreline and on the seabed. The site also protects intertidal sediment and sand, which are above water at low tide and below water at high tide. The range of habitats support a variety of life, which includes worms and bivalves (with their paired, hinged shells) living in soft sediments and sea snails, anemones, starfish and sea squirts found on rocky shores.

	<p>This site is also important for protecting stalked jellyfish and giant goby.</p> <p>There are County Wildlife sites at Trenowin Downs Trink Hill Higher and Lower Hill Woods (including Trencrom Hill) Marazion Marsh Tolver Wood and Mount's Bay.</p> <p>Ludgvan Churchtown is a designated conservation area.</p> <p>There are 72 entries on the national heritage list in the parish, including 12 SAMs. The SAMs are a mixture of wayside crosses and rounds, scattered throughout the countryside, plus Castle an Dinas, a small multivallate hillfort which has a 18 century folly, the listed 'Roger's Tower' within it.</p> <p>There is a cluster of listed buildings in the conservation area, including the II* listed Hogus House and Church of St Paul. Other listed farmhouses are scattered throughout the parish and are all Grade II listed.</p> <p>The overall aim of the NDP is to meet the Local plan requirement though incremental growth in and around existing settlements, through infill and rounding off</p> <p>The development boundaries identified in LUD 6 and Maps 6a and 6b do not encroach on any of the SSSI/SPA or designated wildlife sites. The Development boundary at Longrock is close to the SPA/SSSI designation; this reflects the Site Allocations DPD designation which the NDP must be in general conformity with. This is a strategic allocation which the NDP cannot override. Appropriate Assessment of these allocations has been carried out for the DPD and the SEA requirement has been covered by the Sustainability Appraisal of the DPD. Protection of the environment relating to these sites is covered by the policies in the DPD.</p> <p>The development boundaries indicate where development should be focused, but that other policies also exist to control the quality of development and some areas within the development boundary are protected as playing fields and open green space. There are no specific allocations for housing or other development identified by the NDP. Any proposals for development will be subject to NDP and strategic policies for the protection of the environment and historic assets.</p> <p>Outside the settlement boundaries limited small scale infill within existing continuous s built up frontages is supported by Policy LUD7. This is in conformity with Policy 3 of the Cornwall Local Plan. This strategy gives flexibility for the housing requirement to be met in appropriate locations. Strategic policies 23 and 24 of the Cornwall Local Plan and the local policies in the NDP including policy LUD8 <i>Sensitive Design and Sustainable Development</i>, LUD1 <i>Protecting the Natural Environment</i> and LUD 4 <i>Heritage Assets</i> will operate to ensure protection of the environment.</p>
<p>12. the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>An area at the northern and north western tip of the parish is part of the West Penwith AONB. This parish is part of the Penwith Central Hills landscape character area characterised by rounded hills rising to moorland with rocky outcrops. The development proposed within the parish is remote from this area and will not impact on the AONB or its setting. Policy LUD8 Sensitive Design and Sustainable Development requires specific consideration of landscape, This, together with the strategic policy framework, ensures protection of the landscape.</p>