

**Minutes of The Saltash Neighbourhood Plan Steering Group Meeting No 127
held on Wednesday 10th October 2018 at Saltash Guildhall.**

Attending:- Cllr. David Yates (In the chair) (Town : Saltash West) (DY)
 Cllr. Sheila Lennox-Boyd (County & Town : Saltash South) (SL-B)
 Cllr. Steve Miller (Town : Saltash West) (SM)
 Mike Hocking (North & Middle Pill Neighbourhood Association) (MH)
 Steve Besford-Foster (Consultant Plan Support) (SB-F)
 William Holman (N&M Pill Landowners Consortium) (WH)

Apologies:- Cllr. Derek Holley (County : Saltash East) (DH)
 Cllr. Jean Dent (Town : Saltash West) (JD)
 Cllr. Richard Bickford (Town : Saltash East) (RB)

The meeting was not recorded.

Minute No.	Item	Action
849.	<p>Declaration of Interest.</p> <p>A Declaration of Interest was recorded by William Holman with regard to his pecuniary interest in a development project at North & Middle Pill.</p>	
850.	<p>Minutes of Meeting 126.</p> <p>Approved.</p>	WH
851.	<p>SNP Consultation Draft Update.</p> <p>1.Strategic Environmental Assessment Briefing Note</p> <p>1.1.SB-F ran through the following Briefing Note.</p> <p><i>It has been the practice that NDPs (Neighbourhood Development Plans) which have proposals such as land allocations that could be judged to have 'likely significant effects' on European level designated habitat and wildlife sites, such as SACs (Special Areas of Conservation) and SPAs (Special Protection Areas), could 'screen out' such effects at stage 1 of the Habitats Regs Assessment (HRA) process by identifying mitigating controls - which avoid, compensate for or reduce the harmful effect - to be included in their allocation policies. This would then exclude the need for a detailed SEA (Strategic Environmental Assessment) as well.</i></p> <p><i>However, as a result of a finding by the European Court (People Over Wind and Sweetman v Coille Teoranta) it seems that 'likely significant effects' of NDP proposals on European level designated sites cannot now be 'screened out' at the HRA Stage 1 by mitigating controls. Following the judgement, it is only at HRA stage 2, 'appropriate assessment' by the competent authority, that such controls can be accepted, and then only where a 'full and precise analysis of the measures capable of avoiding or reducing any significant effects on the site concerned' is carried out.</i></p> <p><i>If the NDP proposals can be seen to have already been covered by the higher Local Plan and its 'appropriate assessment' then there should not be an issue. This might cover the 'recreational impact' of new housing for example. If outside this umbrella then a two stage HRA is necessary.</i></p>	

	<p><i>Stage 2 HRA is more complex, but the real thorny issue is that if HRA 2 is required, then an SEA requirement is automatically triggered. All of which I'm afraid adds workload and additional timescale. Cornwall Council have sought legal opinion on whether the requirement for SEA is defiantly required, and I have been told this afternoon that the opinion is that SEA is triggered in such circumstances.</i></p> <p><i>In practical terms any NDP with a land allocation near to, or close to a 'pathway' to a European site, or within the Zone of Influence of a 'Natura 2000' European Site will be affected by this ruling and will need to do HRA 2 and SEA. I have attached a couple of maps showing these areas. See Appendix A</i></p> <p><i>I will circulate a note on the SEA process shortly. The Locality/MHLG grant scheme for NDPs can provide a technical assistance package to cover SEA in most cases.</i></p> <p>1.2.SB-F advised that Cornwall Council had taken legal advice which had indicated the need for the above procedure to be applied to Neighbourhood Plans.</p> <p>1.3.DY enquired if there was a scale of development below which such assessments was required. SB-F replied that there was no minimum level. It could apply to a single building plot.</p> <p>1.4.SB-F had concluded that CC would determine that a SEA would be required for the Saltash Neighbourhood Plan and we may require additional work on the side effects for our own already prepared SEA Assessments. There might also be the need to improve our Heritage Assessments by going into more depth. An extra 3 or 4 months work would be involved. Such work needed to be completed before the Regulation 14 Consultation for the SNP could proceed.</p> <p>1.5. SB-F determined that the sequence of events for the SNP programme would now be :-</p> <ol style="list-style-type: none"> 1. Await the outcome of Cornwall Council's SEA screening exercise; 2. Await the outcome of the DPD : Saltash Inspectors' examination; 3. Seek "Localism" funding and make SEA consultant commission; 4. Amend SNP Consultation Draft to reflect required changes; and 5. Conduct Reg 14 consultation. <p>2. Green Spaces Assessments. WH to check on progress.</p> <p>3. The Heritage Assessments : Local Listing Report As per Minute 844.4 the document was now with IT for checking on the architectural terms employed.</p> <p>4. The Draft Saltash Neighbourhood Plan : Reg. 14 Consultation. Still delayed until the outcome of the Cornwall Site Allocation DPD and now SEA requirements are clarified.</p>	<p>WH</p> <p>WH/IT</p>
852.	<p>Examination of The Cornwall Site Allocations Development Plan Document (CSADPD) : Saltash (Document CC.S10.3)</p> <p>MH indicated when discuss in g the minutes at the commencement of the meeting that he struggled to understand the North Pill Site Allocation. DY advised that it was the only feasible way ahead given the circumstances of the Inspector's report.</p>	

	<p>MH believed that contrary to the views of the Town Council in resolving to support the allocation “the Steering Group should be its own person”</p> <p>DY retorted that this was an instance where they agreed to differ. He also advised that the Town Council were not enthusiastic over receiving a presentation on Master Plan proposals.</p> <p>SB-F indicated that CC had undertaken SEA compliance work in respect of the MM.</p> <p>WH indicated that in view of his pecuniary interest he would leave the meeting at this point. He did refer to his interpretation for the application of the Steering Group’s Constitution and Code of Conduct drawing attention in particular to clauses 3.4. and 5.2 of the Code of Conduct in relation to both pecuniary and non-disclosable interests before departing.</p> <p>DY</p>	
853.	<p>Any Other Business.</p> <ol style="list-style-type: none"> 1. The General Data Protection Regulations. WH also to view the web-cast and receive a briefing with DY from STC. DY to arrange. 2. National Association of Local Councils report – October 2018 Where Next for Neighbourhood Plans ? Can they withstand the external pressures? DY drew attention to this report and the concerns and issues it raised. <p><i>A key theme in the evidence gathered by the Localism Commission was that, despite neighbourhood planning powers, communities felt principal/local authorities (LAs) were still very much in control and there were examples of poor LA practice including statements that neighbourhood plans (NPs) will not be taken into account in making planning decisions and of delays or failure to deal with applications for the designation of neighbourhood areas. There were also reports of modifications at the examination stage of NPs including changes that totally altered the plan’s overall objectives.</i></p> <p><i>In addition to the more unsettling findings of the Commission on the Future of Localism, NALC and some of the bodies it often works collaboratively with have become concerned by the growing number of planning appeal decisions overturning NPs (many featured in this report) and by the refreshed National Planning Policy Framework which we fear will discourage NPs due to the uncertainty over the validity of plans older than two years and other changes that will affect them. We therefore commissioned one of our National Assembly members to work with an academic doing a doctorate on neighbourhood planning to produce this report to inform deliberations about the future of neighbourhood planning.</i></p>	DY/WH
854.	<p>Date of Next Meeting.</p> <p>Steering Group – Wednesday ?? October 2018, The Guildhall at 6.00pm.</p>	ALL

The meeting ended at ????pm.

All Minutes of Steering Group meetings together with extensive information on the preparation of The Saltash Neighbourhood Plan can be found at plan4saltash.co.uk

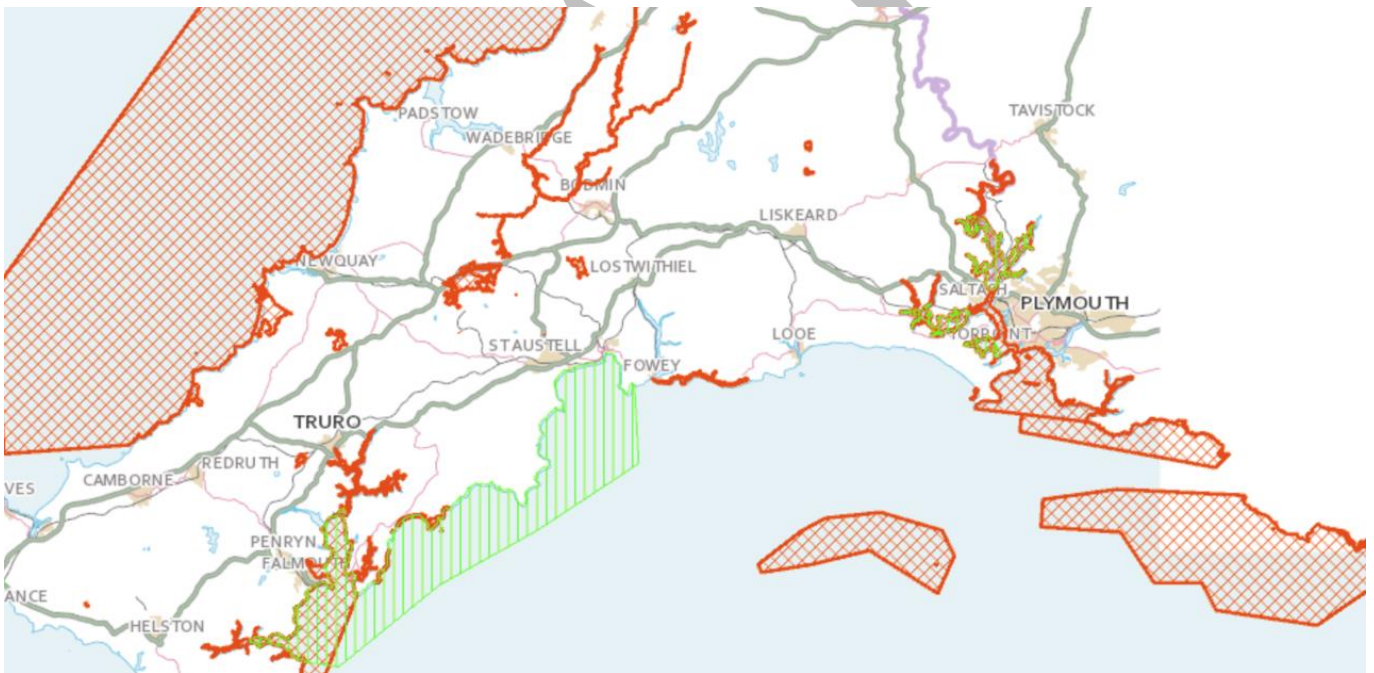
Circulation List (General Data Protection Regulation EU 2016/679 compliant.)
(Names in ***Bold Italics*** denote an elected member of the Steering Group.)

<i>Cllr. David Yates</i>	<i>Saltash West (STC)</i>	Alex Sharpe	China Fleet Country Club
<i>Cllr. Jean Dent</i>	<i>Saltash West (STC)</i>	Cllr. Sam Tamlin	Saltash West (CC)
<i>Cllr Derek Holley</i>	<i>Saltash East (CC)</i>	Adrian White	Saltash TC Tree Warden
<i>Mike Hocking</i>	<i>N&M Pill Neighbourhood Assoc'n</i>	Ray Lane	Town Clerk
<i>John Percil</i>	<i>Latchbrook Neighbourhood Assoc'n</i>	Roger Fursier	Forder Comm & Consvn. Assocn.
<i>Denise Watkins</i>	<i>Waterfront Residents Assoc@n</i>	Catherine Thomson	CC Community Network Manager
<i>William Holman</i>	<i>N&M Pill Landowner Consortium</i>	Jacky Swain	CEG Ltd. (Broadmoor Farm)
<i>Jane Hamlyn</i>	<i>Architect & Pillmere Resident</i>	Peter Ryland	Chamber of Commerce & CIC
<i>David Bennett</i>	<i>SWRA & Essa Cycling</i>		
<i>Ian Taylor</i>	<i>Port View Estate</i>		
Steve Besford-Foster	Consultant Plan Support		

Appendix A



Natural Habitats



SPA's and SCA's