

**Cornwall Site Allocations DPD
Examination**

DRAFT SCHEDULE OF MATTERS AND ISSUES

The Inspectors considers that the following issues require to be addressed.

Legal Compliance

1. The Examination must first consider whether the Plan and its preparation have complied with all legal requirements, in particular:
 - a. *The **Duty to Co-operate*** (DtC) with neighbouring and other authorities on cross-boundary strategic matters. This will be considered chiefly with reference to the submitted Duty to Co-operate Statement [B.5]
 - b. ***Sustainability Appraisal*** (SA) and ***Habitats Regulations Assessment*** (HRA). It will be considered whether the submitted SA [D.5] and HRA [D.2] have been prepared in accordance with the relevant legislation. Thereafter, the contents of the SA and HRA are treated as components of the evidence base supporting the Plan.
 - c. ***Statement of Community Involvement*** (SCI) and ***Local Development Scheme*** (LDS). It will be considered whether the several stages of consultation and preparation of the Plan have complied with the Council's SCI [B.4] and LDS [B.3]. In practice, the Council has been alerted to amend the LDS, in particular, to list accurately the several DPDs now proposed and their expected adoption dates, including the separate Bude SADPD.
 - d. The ***Planning and Compulsory Purchase Act 2004*** and the ***Town and Country Planning (England) Regulations 2012***. It will be considered overall whether the Plan meets the requirements of this overarching legislation.

and
 - e. ***National Policy***. The legal requirement to comply with national policy is closely linked to consideration of the issues of soundness in terms of whether the Plan is positively prepared, justified and effective in meeting not only the relevant provisions of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) but also the overarching requirements of the adopted Cornwall Local Plan Strategic Policies (LPSP) and relevant Community Network Area (CNA) Sections 2010-2030.

Soundness

Scope for Assessment

2. It is important to establish clearly the purpose of this non-strategic Site Allocations Plan in relation to the adopted Local Plan. It is established in law that it is not for this examination to revisit housing requirement and supply matters that informed the adopted LPSP.
3. Equally, there is nothing in legislation and policy to prohibit the preparation and adoption of multiple plan documents within the statutory development plan, in the manner adopted by Cornwall Council. Moreover, the submitted Plan document makes itself clear at paragraphs 1.4-5 that its purpose is limited to providing the necessary site allocations to meet the requirements set down by the adopted LPSP for specific settlements. Table 1 of the Plan document indicates those other settlements where reliance is placed upon Neighbourhood Plans (NPs) or, in the case of Bude, a separate Bude SADPD.
4. The purpose of the present Examination is therefore to determine whether the Plan achieves consistency with the LPSP and is robustly and soundly justified, effective and consistent also with national policy, in terms of the numerical development targets for the towns concerned.
5. As background to the Examination, the Council has provided clarification [CC.S1 Q.3] that the residual development requirements set for each CNA by the adopted LPSP will be delivered by NPs agreed by local communities and supported by a dedicated Cornwall Council team, as well as by rounding off, infill and exception sites. In support of this assertion, the Council refers to Policy 3 of the adopted LPSP on the Role and function of Places and to the annual housing monitoring trajectories of its Housing Implementation Strategy. These demonstrate, including to the satisfaction of the Inspector who examined the LPSP, that a sufficient supply of housing land is available to meet the CNA residual requirements.
6. The Council also cites paragraph 1.59 of the adopted LPSP as providing for monitoring the progress of NPs to determine whether intervention is required in the form of additional allocations. The Council also provides background on co-operation with neighbourhood planning groups on town frameworks.
7. In its Regulation 22(1)(c) statement of issues the Council, in effect, sets aside housing requirement and five year supply issues and focuses upon planning issues facing the individual settlements. We take the same approach.

8. Accordingly, representations that the overall County housing requirement or supply is inadequate will not be heard. Such matters are now for the consideration of individual planning applications.

Matters and Issues

9. Within the scope of assessment outlined above, the Inspectors consider that the issues arising that are relevant to the soundness of the Plan are as follows:

Matter 1 – General Considerations

Notes

- i. The following matters of a general nature relate to the Plan as a whole but will require to be addressed in the light of considerations of the individual towns and their respective strategies and site allocations. For this reason, the programme will allow for these subjects to be introduced and discussed in general terms in an early general Hearing. Further discussion may take place at a later session, depending upon any interim findings following the hearings for each individual town section of the Plan.*
- ii. The Council has been asked by Document INSP.S6 to clarify the most up to date housing delivery evidence in a convenient site by site presentation and to provide the evidence of prospective development density, capacity, delivery and trajectory in a convenient site by site presentation in time for it to be taken into account in the preparation of Position Statements or further written responses.*

Plan-wide Issues

- a. Is the CSADPD sound as a whole if the individual town site allocations are found to provide for the timely and effective implementation of the respective town strategies with respect to the numerical requirements of the adopted Cornwall LPSP?
- b. Is the existing housing land supply situation in each town based on robust, up to date evidence?
- c. Do the housing land allocations of the CSADPD make a sufficient contribution to the overall and five year housing land supply requirements of the adopted Cornwall LPSP 2010-2030?
- d. Do the employment (commercial, industrial and retail) land allocations of the CSADPD make a sufficient contribution to the employment land supply requirements of the adopted Cornwall LPSP?

- e. Does the CSADPD make effective provision for the delivery of necessary highway and other infrastructure necessary to the implementation of the respective town strategies?
- f. Does the CSADPD make appropriate provision for open space and sports pitches and green infrastructure with reference to current guidance?
- g. Does the CSADPD make appropriate provision for the protection of European wildlife habitats (in advance of the adoption of a European Sites Mitigation SPD)?
- h. Should the Purpose and Definition of 'Direction of Growth' allocations be clarified by way of a MM to the Plan text?
- i. Should the 'retail requirement' of the Plan be clarified in the absence of any retail allocations in the towns by way of a MM to the Plan text?

Matter 2 – Penzance and Newlyn Spatial Strategy and Allocations

General Issues

- a. Is the strategy for Penzance consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?
- c. Is the approach to the selection of sites for allocation consistent with Strategy, including with respect to the use of previously developed (brownfield) and greenfield (agricultural) land?
- d. Will the site allocations achieve the vision and aims for Penzance as set out in paragraph 3.6 of the CSADPD, with particular regard to maintaining the character of different areas?
- e. Will mixed use allocations PZ-M1, PZ-M2 and PZ-M3 effectively support the vitality of the town centre?
- f. Does the CSADPD make effective provision to safeguard the Marazion Marsh Special Protection Area and other protected habitats?

Issues relating to individual sites

Note – The Programme and Agenda will identify individual allocated sites for discussion according to the issues that arise in each case.

- g. Are the individual allocated sites and proposed land uses suitable, having regard to planning and environmental constraints?

- h. Is there robust evidence to demonstrate that allocations and infrastructure would be delivered at a sufficient rate and suitable timescale to meet the minimum numerical development requirements for the town, including with reference to the five year housing land supply required by the NPPF?
- i. Do allocations PZ-H1 and PZ-H4 make effective provision for the preservation of the setting of Grade I Listed St Michael's Mount, in accordance with national policy?
- j. Does allocation PZ-H8 make effective provision for the preservation of the setting of Grade II* Listed Trengwainton, in accordance with national policy?
- k. Is there robust evidence that allocation PZ-H12 could deliver a level of affordable housing exceeding that indicated by LPSP Policy 8 - 'Affordable Housing', as prescribed in the additional Policy Requirements?

Matter 3 – Hayle Spatial Strategy and Allocations

General Issues

- a. Is the Strategy for Hayle consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?
- c. Is the approach to the selection of sites for allocation consistent with Strategy?

Issues relating to individual sites

Note – The Programme and Agenda will identify further individual allocated sites for discussion according to the issues that arise in each case.

- d. Are the individual allocated sites and proposed land uses suitable, having regard to planning and environmental constraints?
 - i. Would the allocated employment site H-E2 give rise to unacceptable traffic that could not be accommodated on the highway network?
 - ii. Would the employment element of the allocated Trevassack urban extension H-UE1 give rise to unacceptable traffic that could not be accommodated on the highway network?
- e. Is there robust evidence that the allocated sites and infrastructure, including the future direction of growth H-D1 if relevant, will be

delivered at a sufficient rate and to a suitable timescale to ensure that the minimum numerical development requirements of the Town Strategy and of the adopted LPSP will be met, including with reference to the five year housing land supply required by national policy?

Matter 4 – Camborne-Pool-Illogan-Redruth (CPIR) Spatial Strategy and Allocations

General Issues

- a. Is the strategy for CPIR consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust evidence?
- c. Is the approach to the selection of sites for allocation consistent with the LPSP and appropriate?
- d. Is the existing housing land supply situation in CPIR based on robust evidence?
- e. How will the focus on brownfield redevelopment in CPIR affect the delivery of affordable housing in line with LPSP Policy 8?

Issues relating to individual sites

Note – The Programme and Agenda will identify further individual allocated sites for discussion according to the issues that arise in each case.

- f. Are the individual allocations and proposed land uses suitable, having regard to planning and environmental constraints, including air quality and the proximity of mineral development and safeguarded reserves?
- g. Is there robust evidence to demonstrate that allocations and infrastructure would be delivered at a sufficient rate and suitable timescale to meet the minimum numerical development requirements for the town, including with reference to the five year housing land supply required by the NPPF

Matter 5 – Helston Spatial Strategy and Allocations

Issues

- a. Is the Strategy for Helston consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?

Matter 6 – Falmouth and Penryn Spatial Strategy and Allocations

General Issues

- a. Is the Strategy for Falmouth and Penryn consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?
- c. Is the approach to the selection of sites for allocation consistent with Strategy, including with respect to the use of previously developed (brownfield) and greenfield (agricultural) land?
- d. Is the approach to the provision of student accommodation appropriate with respect to its relationship to the market and affordable housing market within Falmouth and Penryn?
- e. Are the Green Buffers (south of Penryn and east of Falmouth) appropriate with respect to the Strategy and necessary in planning terms?

Issues relating to individual sites

Note – The Programme and Agenda will identify individual allocated sites for discussion according to the issues that arise in each case.

- f. Are the individual allocated sites and proposed land uses suitable, having regard to planning and environmental constraints?
- g. Is there robust evidence that the allocated sites and infrastructure will be delivered at a sufficient rate and to a suitable timescale to ensure that the minimum numerical development requirements of the Town Strategy and of the adopted LPSP will be met, including with reference to the five year housing land supply required by national policy?

Matter 7 – Newquay Spatial Strategy and Allocations

General Issues

- a. Is the strategy for the Newquay consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?
- c. Is the approach to the selection of sites for allocation consistent with the LPSP and appropriate?
- d. Is the existing housing land supply situation in Newquay based on robust evidence?

- e. Is the level of housing development proposed for Newquay via the CSADPD justified with reference to the targets in the LPSP?

Issues relating to individual sites

Note – The Programme and Agenda will identify individual allocated sites for discussion according to the issues that arise in each case

- f. Are the individual allocations and proposed land uses suitable, having regard to planning and environmental constraints?
- g. Is there robust evidence to demonstrate that allocations and infrastructure, including the Newquay Strategic Route, would be delivered at a sufficient rate and suitable timescale to meet the minimum numerical development requirements for the town, including with reference to the five year housing land supply required by national policy?
- h. How will the CSADPD allocations for Newquay interact with economic development planned for Newquay Aerohub?
- i. Are figures NQ1, NQ2, and NQ3 consistent with the Newquay Growth Area Masterplan?

Matter 8 – St Austell and the Carclaze and Par Docks Eco-communities Spatial Strategy and Allocations

General Issues

- a. Is the Strategy for St Austell consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?
- c. Are the Green Buffers west of Carclaze Road appropriate with respect to the Strategy and necessary in planning terms?

Issues relating to individual sites

Note – The Programme and Agenda will identify individual allocated sites for discussion according to the issues that arise in each case.

- d. Are the individual allocated sites and proposed land uses suitable, having regard to planning and environmental constraints, including air quality?
- e. Is there robust provision for the necessary supporting infrastructure for the Eco-communities, including with respect to education, sports facilities and highways?

- f. Is there robust evidence that the allocated sites and infrastructure will be delivered at a sufficient rate and to a suitable timescale to ensure that the minimum numerical development requirements of the Town Strategy and of the adopted LPSP will be met, including with reference to the five year housing land supply required by national policy?

Matter 9 – Bodmin Spatial Strategy and Allocations

General Issues

- a. Is the strategy for Bodmin consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?
- c. Is the approach to the selection of sites for allocation consistent with the LPSP and appropriate, including in respect of the use of previously developed land (brownfield) and greenfield land?
- d. Is the level of housing and retail development proposed for Bodmin via the SADPD justified with reference to the requirements of the LPSP?

Issues relating to individual sites

Note- the Programme and Agenda will identify further individual sites for discussion according to the issues that arise in each case.

- e. Are the individual allocations and proposed land uses suitable, having regard to planning and environmental constraints, including air quality and flood risk?
- f. Is there robust evidence to demonstrate that allocations and infrastructure would be delivered at a sufficient rate and suitable timescale to meet the minimum numerical development requirements for the town, including with reference to the five year housing land supply required by national policy?
- g. Is allocation Bd-UE2 justified with reference to its potential effect on the natural qualities of Halgavor Moor?

Matter 10 – Launceston Spatial Strategy and Allocations

General Issues

- a. Is the strategy for the town consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?

- c. Is the approach to the selection of sites for allocation consistent with the LPSP and appropriate?
- d. Is the level of housing and commercial development proposed for Launceston, justified with regard to the targets in the LPSP? With particular regard to allocation LAU-H2 as a future direction of growth and to local market conditions.
- e. Is the existing housing land supply situation in Launceston based on robust evidence?

Issues relating to individual sites

Note - the Programme and Agenda will identify further individual sites for discussion according to the issues that arise in each case.

- f. Are the individual allocations and proposed land uses suitable, having regard to planning and environmental constraints?
- g. Is there robust evidence to demonstrate that allocations and infrastructure, particularly education infrastructure and transport infrastructure related to LAU-H3 and LAU-H1, would be delivered at a sufficient rate and suitable timescale to meet the minimum numerical development requirements for the town, including with reference to the five year housing land supply required by national policy?

Matter 11 – Saltash Spatial Strategy and Allocations

General Issues

- a. Is the Strategy for Saltash consistent with the LPSP?
- b. Is the existing housing land supply situation based on robust, up to date evidence?
- c. Does the Plan make adequate provision for retail development in Saltash, having regard to the lapse of prior planning permission?
- d. Does the Plan make adequate provision for the prior delivery of sewage treatment capacity to serve development proposed within the Plan period?

Issues relating to individual sites

- e. Is there robust evidence that the housing supply trajectory for Saltash is realistic and deliverable, having regard to its high dependence on strategic allocation SSLT-UE1 at Broadmoor?

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