



INSP.S4 Matter 1

General Considerations

Cornwall Council Position Statement

02 February 2018

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?

The Council considers the individual allocations will implement the respective town strategies in terms of targets from the LPSP and support timely delivery of necessary infrastructure. The SADPD also supports delivery of LPSP CNA objectives, discussed further in the Council's town based Position Statements. Therefore the SADPD will be sound as a whole, as this is its purpose i.e. to deliver the requirements of the LPSP in accordance with Policy 3 Role and function of places – and as explained in the previous Councils response CC.S1, question 3 and as set out in the Councils LDS.

b. Is the existing housing land supply situation in each town based on robust, up to date evidence?

Yes. The Council has provided an updated position (as at 1/4/17) to supplement the data that was provided at the time of submission (which was based on figures at 1/4/16). This updated information is set out in CC.S4.4.

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?

5-Year-Supply

Cornwall Council has a 6.2year housing supply (at 31/3/17). This is based upon various assumptions:

- Housing provision in the LPSP adopted in Nov-16
- Any shortfall incurred since the start of the Plan period has been added to the 5-year requirement, on the basis that the LPSP states any shortfall should be met within five years (Sedgefield approach)
- 5% buffer applied to the requirement, on the basis there hasn't been a record of persistent under delivery.
- 10% discount applied to small sites with permission, for non-delivery within five years;
- Sites of 10+ have been reviewed, discounting/excluding delivery from sites known to no longer be coming forward, or will be delivering beyond the Plan period
- 97% of supply used to calculate the 5-year-supply is from permitted sites.

A detailed explanation of the assumptions/methodology is contained within the Cornwall 5 year housing land supply statement August 2017.

Since the LPSP was adopted there have been various appeal decisions, where 5-year supply was challenged, in all cases the inspectors have found that a 5-year supply could be demonstrated; plus various appeals considered issues of delivery and in each case they concluded that there wasn't persistent under-delivery, so a 5% buffer should be applied:

- Tregenna Lane, Camborne (APP/D0840/W/16/3142806)
- Land South of Clevelands, Wadebridge (APP/D0840/W?16/3161204):
- Gonwin Farm, Carbis Bay (APP/D0840/W/153002925 and APP/D0840/W/153005068)
- Nancledra, Penzance Appeal (APP/D0840/W/16/3150324)
- St Teath, Bodmin (APP/D0840/W/16/3149825)

These decisions were based upon the 2016 housing supply statement, which claimed a 5.25 years supply. The 2017 statement significantly increased the deliverable supply, plus building rates have exceeded LPSP requirements, so the Council is now in an even stronger position.

The Housing White Paper includes proposals to introduce a housing delivery test. This proposes that where delivery falls below 95% of the annual housing requirement, an action plan should be published; and if delivery falls below 85%, a 20% buffer should be applied. Table 1 below shows that, cumulatively over the last three years, building rates have exceeded the LPSP requirement. This means building rates are considerably higher than 85%, which would warrant applying a 20% buffer. This further proves that Cornwall is not a persistent under deliverer of housing.

LP target 2014-17 (2625x3)	7,875
Completions 2014-17	8,310

Overall Housing Land Supply

Firstly it's important to highlight an extract from the LPSP examination inspector's report, dated 23/9/16, regarding housing distribution:

*"139. I conclude under issue 5 below that a change is required to ensure that the overall housing requirement is regarded as a minimum. **However, it is not necessary to similarly indicate that all the apportionments for each town and CNA residuals should be minimum figures. The basis for the apportionments is not an exact science and some flexibility in delivery is reasonable.** A number of towns and CNA residual areas are projected by the Council to deliver more than their apportionment (MCC.HS.1, Appendix A). (part of MM17)"*

(Report: <http://www.cornwall.gov.uk/media/21914730/cornwall-inspectors-report-final-23-september.pdf>)

It demonstrates flexibility in delivery is reasonable; so if a town/CNA doesn't achieve the entirety of its target, but the Cornwall-wide target is met, then this is acceptable.

Delivery of the targets

In answering INSP.S6 (CC.S4.4), the Council provided updated statistics regarding its housing supply position. Summarised within Table A(ii).

Table A(ii) highlights that the capacity for housing delivery identified for the towns/eco-communities is 36,037 dwellings, against a corresponding target of 27,550 dwellings (131% of target). This represents the total of all known sources of delivery, but excludes future directions of growth and certain SHLAA sites discounted at an earlier stage (set out in the SADPD's various Housing Evidence documents).

However, it's recognised that there is an element of non-delivery that should be factored into the analysis:

- Permissions under 10 dwellings: discounted by 10%
- Permissions over 10: excluded/reduced the quantum to be delivered from sites clearly not going to deliver some/all of their dwellings within the Plan period
- SHLAA sites outside existing urban area: Excluded
- SHLAA sites within urban area: Screened to understand their appropriateness (*already excluded from Table A(ii)*); Remaining sites discounted by 30%
- Allocations: Start dates and build-out rates reviewed; resulting in some sites not delivering in full within Plan period

When incorporating these factors, it still allows for delivery of at least 31,126 dwellings within the Plan period (113% of target)¹.

Below is an extract from Table A(ii); this shows the town apportionments can be delivered, even with the various discounts discussed above (column r).

¹ Excludes Future Directions of Growth

Area	Local Plan Target	Delivery TOTAL		Delivery against Target	
		Gross	Net	Gross Delivery against Target	Net Delivery against Target
a	b	o	p	q	r
Pz & Newlyn	2,150	2,267	2,250	105%	105%
Hayle	1,600	2,339	1,909	146%	119%
CPIR	5,200	5,687	5,502	109%	106%
Helston	1,200	1,498	1,418	125%	118%
Falmouth & Penryn	2,800	3,048	3,019	109%	108%
Newquay	4,400	8,019	6,279	182%	143%
St Austell	2,900	3,305	3,076	114%	106%
Eco-community sites	1,200	2,000	1,275	167%	106%
Bodmin	3,100	4,645	3,207	150%	103%
Launceston	1,800	1,870	1,834	104%	102%
Saltash	1,200	1,360	1,356	113%	113%
Allocations DPD	27,550	36,037	31,126	131%	113%

Providing additional Flexibility

A small number of representations to the SADPD pre-submission consultation from developers suggested a percentage uplift/buffer to the target should be introduced, to ensure flexibility/delivery. The Council doesn't consider this is necessary, because in arriving at the number of dwellings that can be delivered in the Plan period, various discounts have already been applied to ensure flexibility/deliverability (as discussed previously). To add a percentage increase to the target, together with the measures already taken, will be seeking to add flexibility to figures that have already been discounted to provide flexibility.

Despite the Council not supporting the inclusion of another buffer, for clarity it has still considered the impact of such an inclusion.

Whilst the NPPF doesn't state a buffer for these purposes is required, the closest comparator is the approach to calculating 5-year supply, which indicates a 5% uplift should be used for Councils that can demonstrate they don't have a record of persistent under delivery, which the Council has demonstrated. As a result, to provide consistency, a 5% buffer has also been utilised for these purposes.

Based upon this position, as set out in CC.S4.4, the Council can still demonstrate a supply which is 109% of the net target. However, it is not considered that an additional buffer is appropriate/necessary, as it seeks to provide flexibility for non-delivery, against supply figures already discounted to reflect a level of non-delivery.

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?

The Council previous response (CC.S3.4) sets out the latest position (1/4/17) with regard to office and industrial space permissions/completions. The table below shows the position when incorporating allocations and vacant Employment Land Review (ELR) plots within the towns.

Town (CNA)	Type of employment space	LPSP CNA Employment targets	PP & completions total	Supply from allocations/vacant ELR plots	Residual
Penzance (West Penwith)	Office	16,083	2,140	9,798	4,145
	Industrial	16,083	797	14,722	564
Hayle	Office	19,083	10,145	17,688	- 8,750
	Industrial	19,083	6,907	35,360	- 23,184
Helston	Office	12,417	7,338	1,200	3,879
	Industrial	17,000	10,620	1,200	5,180
CPIR	Office	80,833	27,844	39,195	13,794
	Industrial	41,417	17,793	31,065	- 7,441
Falmouth & Penryn	Office	25,750	10,784	19,008	- 4,042
	Industrial	21,667	6,683	24,801	- 9,817
St Austell	Office	9,750	- 151	7,000	2,901
	Industrial	12,500	4,259	19,100	- 10,859
Newquay	Office	27,750	19,233	24,403	- 15,886
	Industrial	30,250	28,957	59,094	- 57,801
Bodmin	Office	22,833	8,650	15,700	- 1,517
	Industrial	24,667	- 482	19,900	5,249
Launceston	Office	14,083	161	14,000	- 78
	Industrial	28,167	15,196	10,000	2,971
Saltash (Cornwall Gateway)	Office	6,947	971	8,500	- 2,524
	Industrial	10,583	6,097	38,372	- 33,886

It should be noted that the LPSP target is for the entire CNA, not just the towns within the SADPD. Despite this the table shows that permissions/completions and allocations provide for the entire LPSP CNA targets in most locations. The exceptions to this are discussed below:

- Penzance/Newlyn – There are various industrial estates in the remainder of the CNA. Plus, although the St Erth allocation (H-E2) is included within the Hayle section/figures, due to its proximity to Hayle, it's located within the West Penwith CNA. This allocation will more than provide for the remaining shortfall in the CNA target, plus still support Hayle.
- Helston: Within the wider Helston CNA area is Goonhilly, which recently secured Enterprise Zone status for its strategic role regarding Cornwall's

Space Port proposals; this will support delivery of the employment targets. Furthermore, there are various smaller industrial estates within the Helston-Lizard CNA which will also contribute to delivery

- CPIR: The strategy focuses delivery on brownfield sites in line with the broader regeneration strategy for the CPIR area (supporting LPSP policy 21 and the objectives within the LPSP CNA document). To prioritise and support delivery of brownfield regeneration sites, further Greenfield sites were not allocated at the current time. The Council will review delivery and allocate further sites, through future reviews of the SADPD, once the brownfield sites within the SADPD are sufficiently progressed. The SADPD identifies sufficient sites not to hinder delivery in the short-medium term.
- Bodmin: There are proposals at Trewithan Dairy for significant expansion that will support delivery of the target
- Launceston: There are some smaller industrial estates in the remainder of the CNA; plus there are proposals for employment space coming forward at Kennards House (outside of the area covered by the DPD), which will support delivery.

Retail

The Council's previous response (CC.S4) clarified delivery of retail requirements, including an updated review of retail permissions (CC.S4.5), and explained the justification for no retail allocations in most towns, due to no/minimal retail capacity over the next 5+ years and uncertainty over figures later in the Plan period; plus a lack of appropriate town centre sites.

The reason for retail allocations on Penzance, St Austell and Newquay, is because they *are within the town centre and would offer the opportunity to improve the vitality of their centres.*

A modification is proposed to clarify this by the Council in its response in CC.S4 (Statement of Modifications (CC.S4.1), modification MM2). The Council believes the approach to retail in the SADPD is appropriate, justified and sound.

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?

Yes. The Councils previous response (CC.S3) to Inspectors questions INSP.S2, provided information regarding the delivery of infrastructure set out within the SADPD.

Transportation: The SADPD transport strategies are based upon the submitted town based Transport Evidence. This resulted in various projects being identified which are set out in a Table within each Transport Strategy section of the

SADPD. The Council's previous response to the inspectors questions (CC.S3.1) sets out the projects still to be delivered, plus their cost and estimated timescale for delivery; although timescales can alter depending upon interest in bringing forward sites and grant funding opportunities.

Cornwall Council has an excellent record of securing funding to deliver transport infrastructure. Over the last 6 years Cornwall Council has secured over £300m of grant funding for transport projects, as well as invested over £100m of LTP funding. In addition, Highways England has invested significant sums into the upgrade of the SRN. When this level of investment is assessed against the costs of transport projects within CC.S3.1, it shows that the future investment required (approx. £530m), is certainly achievable, particularly when adding in developer contributions. Furthermore, Highways England supports the proposals as demonstrated by the Statement of Common Ground (CC.S3.2).

Regarding Education, an evaluation of demand generated by the proposed growth was undertaken by the Council's Planning and Education Services, which is summarised within the SADPD's Infrastructure sections for each town. These sections also set out the proposed actions to address the shortfall. The Council's response to INSP.S2 (CC.S3.3) summarises the proposed schemes; estimated costs; and actions undertaken to date to support their implication.

f. Does the CSADPD make appropriate provision for open space and sports pitches and green infrastructure with reference to current guidance?

The Council's previous response (CC.S1) confirms that the SADPD fulfils the intention of setting out required levels of open space associated with site allocations, which are contained within the SADPD's GI Strategy sections for each town, as well as the site specific requirements within all relevant allocation policies. The Council is also preparing a Planning for Environmental Growth SPD in 2018, which will incorporate Open space standards for other areas and a standard for playing pitches (based on current guidance). This is set out in the Revised LDS.

Regarding the evidence base, the Council prepared an Open Space Strategy for 16 CNAs, which was adopted in 2014. This includes standards for 8 different types of open space. Sport England raised concerns in their regulation 20 representation regarding type 3 & 8 outdoor sports. The remaining elements are based upon robust and up to date investigations, to fully meet NPPF para73, which includes type 5 youth provision. Within this strategy the Council accommodated bespoke sports pitch standards (type 3) for each town study area, based upon local playing pitch assessments in 2009-2011, which included consultations with all sports clubs, schools and other leisure stakeholders on trends in demand at the time. The methodology followed Sport England guidance at the time. A resultant draft sports strategy was prepared by Cornwall Sports Partnership in 2013, which utilised this information, as well as supplementing it

with the latest information identified by the sports' governing bodies. This strategy document has contributed to the evidence base for the open space requirements and contributions within the CIL & DPD documents.

The Council maintains the methodology is appropriate for determining quantities of new sports pitches required resulting from development and meets both the planning obligation 3 test rule and the requirements of para 73 of the NPPF.

Following their representation under Reg-20, the Council engaged with Sport England and agreed an appropriate approach to progressing updated evidence in relation to playing pitches moving forward. This entails the preparation of an 'Artificial Playing Pitch Strategy' in 2018. This will in-turn support the Planning for Environmental Growth SPD listed in the updated LDS. An updated standard for playing pitch provision will be included in the SPD, and incorporated into the SADPD through a future update.

In relation to the delivery of GI, each town within the SADPD includes a GI section. As set out in the agreed SoCG with Natural England, any GI features within allocations will be expected to be delivered by the developer; any GI features outside of allocations (e.g. GI corridors) will be reliant on other funding such as CIL. The SoCG with Natural England also proposes minor modifications to certain allocations, to more clearly relate to the GI strategy map, and in relation to certain GI Policy requirements.

The GI strategy maps within each town represent a high level strategy and are not intended as a detailed and costed strategy. The Planning for Environmental Growth SPD will provide more detail.

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)?

Yes. The SADPD HRA (D2) assessed all of the proposed allocations. The HRA concluded at para 6.1.2: "*it is considered that Likely Significant Effects can be screened out for the site allocations or otherwise impacts can be avoided with the implementation of mitigation and environmental control measures*". Para 6.1.5 then identifies 6 bullet points of mitigation measures that will apply and detailed mitigation measures are listed in Table 5.2 of the HRA in relation to each relevant allocation. Through ongoing discussions in 2017 with Natural England, the Council acknowledged there was inconsistency in some of the mitigation references within certain allocations in the Submission version of the SADPD. The Council and Natural England agreed that these non-recreation mitigation measures be included in each relevant allocation policy text, as set out in the agreed Statement of Common Ground.

There are three designated European sites that require mitigation of increased recreational pressure to be included in the SPD. These are set out below:

- Penhale Dunes Terrestrial SAC: *This part of the SPD has been consulted on in draft form and an amended version will now be published for consultation prior to adoption by Apr-18*
- Fal & Helford Estuarine SAC: *A complete draft of this section of the SPD will be agreed with Natural England prior to the hearings, it will then proceed to consultation and subsequent adoption, by Summer-18.*
- Plymouth Sound and Estuaries SAC, and the Tamar Estuaries Complex SPA: *At the time of writing negotiations are ongoing with Plymouth City Council regarding formulae for calculating the likely cost of mitigation. Once resolved this will be published for consultation and will proceed to adoption, by summer 2018. (Also, in the absence of Plymouth's agreement Natural England & Cornwall Council has a [bi-laterally] agreed way forward for the Plymouth Sound and Estuaries SAC/Tamar Estuaries Complex SPA).*

Natural England and Cornwall Council have agreed to the above process and timescale in the SoCG.

Policies within the DPD refer to the contributions and mitigation that is set out within the SPD; the specific content and detail of the SPD will not be incorporated in the DPD. Prior to the adoption of the SPD, an interim approach has and is being successfully utilised for Development Management purposes regarding any planning applications requiring HRA mitigation measures.

h. Should the Purpose and Definition of 'Direction of Growth' allocations be clarified by way of a MM to the Plan text?

The council has proposed a modification to the Plan text within its previous response CC.S4 (set out in the Statement of Modifications (CC.S4.1), modification MM1)

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?

The Council's previous response CC.S4 set out an updated appraisal of the retail position for each of the key towns (CC.S4.5). The Council proposed a modification to the SADPD text on page 8, to clarify its position; new para 2.17 set out in the Statement of Modifications (CC.S4.1), modification MM2.