

**EXAMINATION OF THE CORNWALL SITE ALLOCATIONS
DEVELOPMENT PLAN DOCUMENT**

**NOTE FROM THE INSPECTORS
REQUESTING FURTHER INFORMATION
11 MAY 2018**

Introduction

1. This note is prepared following the Hearings held during February to April 2018 on legal compliance, general matters and individual towns of the Cornwall Site Allocations Development Plan Document (CSADPD) and our subsequent review of the written and oral evidence provided in the Examination to date, including Version 3 of the schedule of suggested Main Modifications (MMs). However, at this stage we do not attempt an exhaustive, detailed review of the MMs but concentrate on a limited number of areas where we have found it necessary to seek further information from the Council.
2. This note is no way a formal partial or interim report and its contents are written entirely without prejudice to our ultimate findings as to the soundness of the Plan as a whole and any MMs which may be required to make it sound. Our views expressed herein could alter, depending on any additional information we receive from the Council in response.
3. Meanwhile, we reaffirm our commitment that we shall not submit our final Report to the Council on the Examination until we are satisfied that all points of view on any fresh evidence and any proposed MMs have been taken into account, including by way of additional oral Hearings, if these prove necessary. We shall decide whether any such further Hearings should take place, either before or after any proposed MMs are published for full public consultation, depending upon the response we receive to this note.

Overview

Duty to Co-operate and other legal compliance issues

4. Provisionally, we do not anticipate any finding that the Plan fails to meet the Duty to Co-operate or any of the other legal requirements. These include compliance with the Local Development Scheme, once amended as agreed, completion of Sustainability Appraisal (SA), subject to updating in due course with respect to MMs prior to their publication, as well as complying with the terms of the Statement of Community Involvement.

Future Direction of Growth Designations

5. Provisionally, we accept the clarification, provided by proposed MM1, that designated areas of Future Direction of Growth (FDG) within the Plan, as submitted, are not intended to meet the levels of development required

within the Plan period but are still regarded as allocated sites. We note that the FDGs are assessed as such in the evidence base.

6. We also note that, in one case in Launceston, housing FDG allocation LAU-H2, is, in effect, phased for development during the Plan period, in the event that supply falls below the required level. This would be achieved by proposed MM126 and we provisionally accept this approach in principle.

Soundness overall and in individual towns

7. At this stage, we confirm our approach that the soundness of this non-strategic Plan depends essentially on whether the strategy and site allocations for each and every one of the towns and eco-communities covered by the Plan provide for the timely delivery, in appropriate locations, of the amounts of development required for that town by the adopted Cornwall Local Plan Strategic Policies (LPSP).
8. To date, we are broadly satisfied that the provisions of the Plan for all the towns covered by the Plan, except those on which we comment further below, are likely to be found sound, subject to those MMs so far proposed in Version 3 of the draft MM Schedule. There may be a need for further additions or amendments to the draft MMs as detailed reporting proceeds but we would expect these to be agreed in correspondence, prior to publication, without significant additional work by the Council.
9. We deal below with one general consideration before setting out our views with requests for further work or information on three individual towns, Penzance, Bodmin and Saltash. For ease of reference, specific requests to the Council are set out in ***bold italic text***.

General Consideration – Matter 1

Flexibility of Land Supply

10. Taking the approach to soundness confirmed above, we do not, at this stage, anticipate recommending the introduction into the Plan of any overarching flexibility allowance, over and above the minimum requirements of the LPSP. However, we consider it essential to have regard to whether or not each town strategy offers sufficient flexibility to ensure that the minimum requirements for that town are achieved.
11. We have therefore reviewed the evidence of the Council and Representors for each town listed below with respect to the deliverability of both the existing supply of permitted sites as well as the allocations made by the Plan, including with reference to constraints posed by the need for the advance completion of necessary infrastructure, especially highway improvements.
12. In relation to housing land supply, in each town we have considered whether the percentage headroom, or surplus supply, predicted by the Council is likely to be realised in practice and whether it should be judged

sufficient, in the circumstances of the particular town strategy, having regard to the national imperative to boost the supply of housing.

13. It is widely accepted that there is no precise basis for calculating housing need and supply and it follows that there is no numerical norm to inform a flexibility allowance for any given town. However, where a town or eco-community is highly dependent upon one single or relatively few, large strategic sites, we consider that greater numerical flexibility is necessary than in cases where the supply is more subdivided. This is because such sites are often subject to wide ranging constraints or depend upon associated infrastructure upgrades.

Considerations Relating to Individual Towns and Eco-communities

Penzance and Newlyn – Matter 2

Strategic Aims

14. Our initial view is that the strategic aims of the Plan for Penzance are consistent with the LPSP. Strategic aims 8 and 9 for Penzance seek to respect the natural and historic environment and ensure that the settlements of Newlyn, Heamoor, Gulval and Long Rock maintain their individual and distinctive characteristics. This aligns with criterion (a) of Design Policy 12 of the LPSP, which states that development should create places with their own identity and promote local distinctiveness. This consideration is of particular relevance to the interests of the Cornish Minority.

Housing Land Supply and Site Allocations

15. In simple numerical terms, we consider that the Plan, as submitted, would provide for an appropriate level of housing for Penzance, including an excess of approximately 180 over the minimum requirement 2,150 dwellings, equivalent to 8 percent.
16. However, we have formed the provisional view that the arc of greenfield allocations, PZ-H4-8, proposed around the northern periphery of Penzance, would together change significantly the character of the surrounding area of Heamoor and Gulval and affect a number of designated heritage assets. In practice, we consider that this could lead to conflict with strategic aims 8 and 9.
17. Those allocations would enable development to the north of Boscathnoe Lane, Joseph's Lane, Polmennor Road and the A30 and into the hillside around Penzance, features which hitherto checked the expansion of the town. This would be to the detriment of the distinctive characters of Heamoor and Gulval, which derive in part from their semi-rural setting. Indeed, as noted in the Council's Heritage Assessment, allocations PZ-H5 and PZ-H6 would have the potential to break down the strong, historic line between Heamoor and the open countryside.

18. There is no assessment before us of the effect of these allocations in presaging further infilling or rounding off development around Heamoor and Gulval, which might come forward in compliance with Policy 3 of the LPSP and which could further affect local character.
19. Individual sites have been assessed in detail via the SA, and in terms of their effects on heritage and landscape character. However, we identify a shortcoming in the evidence for Penzance in that limited consideration has been given to the cumulative effect of allocations on local character, distinctiveness and heritage.
20. We have a number of further concerns regarding the evidence available for Penzance as follows:
 - i. Despite considerable evidence of a significant historic over-supply of industrial land in Penzance [*E3, D15.2, D15.3*], none is clearly accounted for in the Plan (e.g. in table PZ1 or *F.19*).
 - ii. Notwithstanding the provisions of Policy 26 of the LPSP regarding flood risk management and coastal change and the stated position of the Environment Agency, all the CSADPD allocations fall within the Penzance Critical Drainage Area and many are around the hillsides of the town. We do not appear to have before us either the Drainage Guidance referred to in the SFRA [*D4*] or Flood Management Strategy pursuant to the Flood and Water Management Act 2010 or any robust cumulative assessment of the likely effects of all the allocations together, as opposed to individually.
 - iii. A number of allocations have scored negatively in the SA in respect of accessibility, in particular PZ-H4, PZ-H5, PZ-H6, PZ-H7 [*D5.10*]. However this does not appear to have affected assumptions regarding reduced levels of future private vehicular use associated with allocations [*D15.4.3*].
 - iv. The Transport Evidence Base sets out that, if the 16 strategic transport interventions set out in CSADPD table PZ3 are implemented, the transport network is expected to operate within capacity to the end of the Plan period in 2030 [*D15.4*]. However, the modelling undertaken via the Town Model Report appears to show that a significant number of junctions would exceed design capacity in 2030 under 'scenario 4' [*D15.4.2, pages 25 and 26*].
 - v. Furthermore, only 7 of CSADPD strategic projects are costed in CC.S3.1. That excludes improved roundabout access off Jelbert Way, a speed restriction proposed along Joseph's Lane, and traffic management improvements associated with Newlyn Bridge. CSADPD paragraph 3.65 explains that all 16 strategic transport interventions are needed to support growth.
 - vi. Whilst evidence need only be proportionate to this stage of plan-making, it is unclear what assessment has been undertaken of the

safety or suitability of the road network and junctions around Heamoor and Gulval, much of which is historic and narrow, for the increased traffic that would result from the development proposed.

21. Given the foregoing matters, the Plan, as submitted, is unlikely to be found sound on the available evidence with respect to the strategy and housing site allocations for Penzance.
22. ***For the Plan to be sound, the Council is therefore requested to review the effects of the Penzance allocations in the light of our comments above, including whether strategic aims 8 and 9 are met by the provisions of the Plan for Penzance, and to consider possible alternative strategies or amended site allocations for Penzance to address any shortcomings and to put forward additional MMs, as appropriate.***

Bodmin – Matter 9

Housing Land Supply and Transport Infrastructure Provision

23. The Council anticipates that housing delivery in Bodmin for the Plan period would only marginally exceed the minimum requirement of 2,800 dwellings by 108 units or about 3 percent.
24. Four transport projects are costed in CC.S3.1. However 11 projects are listed in CSADPD table Bd3. Thirteen are tested under the 'do something' transport modelling contained in the 2031 Strategic Model Update of May 2016 [D7.3.7]. We therefore find a lack of coherent evidence in respect of intended infrastructure provision, its effect on highway capacity relative to development proposed and its funding or timescale of implementation.
25. Housing supply in Bodmin largely relies on three large urban extensions, which are dependent to some degree on infrastructure upgrades. In the circumstances, we consider that the housing provisions of the Plan for Bodmin include insufficient flexibility and that, in this respect, the Plan, as submitted, is likely to be found unsound in terms of its effectiveness.
26. Given the reliance upon this small number of sites, we judge that the surplus should be enlarged by 10 percent, to around 13 percent, equivalent to an additional 280 homes, if land is available. That figure would allow for a reasonable degree of flexibility to ensure that the housing provisions for Bodmin are effective and would be broadly consistent with the average level of surplus planned development in other towns of the Plan.
27. ***For the Plan to be sound, the Council is requested to clarify the evidence on the timing of necessary highway infrastructure improvements and to consider introducing one or more additional allocations, phased reserve sites or future directions of growth for Bodmin, amounting to an additional supply of in the order of 280 dwelling units, and to put forward additional MMs, as appropriate.***

Saltash – Matter 11

Housing Land Supply

28. We judge from the latest available evidence that the existing housing land supply for Saltash is of the order of 240 dwellings, such that full delivery of 1,000 dwellings at the sole mixed allocation at Broadmoor would provide the surplus, estimated by the Council, of 13 percent over the 1,200 unit requirement but this includes a windfall allowance of 104 units.
29. However, due to the constraints upon the permitted Broadmoor allocation, consequent upon the phasing requirements of the associated planning obligation and conditions related to the delivery of infrastructure, we consider that the predicted rate of delivery of 100 dwellings per annum (dpa) from 2020 is no more than possible and probably optimistic. Given the extreme reliance upon this single site, we judge that the surplus should be enlarged to at least 20 percent. To achieve this, the allocated supply needs to be increased by around 7 percent, equivalent to about an additional 85 units, to provide adequate flexibility and ensure that the housing provisions for Saltash are effective.
30. ***For the Plan to be sound, the Council is requested to consider introducing one or more additional allocations, phased reserve sites or future directions of growth for Saltash, amounting to an additional supply of the order of 85 dwelling units, and to put forward additional MMs accordingly.***

Further Action

31. ***The Council is now asked to provide an immediate acknowledgement and an initial indication of how it wishes to proceed in response to the matters we raise above, including dates for the submission of the further information requested.***
32. When we have studied the response and any further evidence and proposals by the Council, we will decide, in consultation with the Council, whether further public consultation should take place before the schedule of MMs is finalised for publication. That will depend on the extent of any additional work the Council undertakes outside the existing evidence base. We will also decide whether, after public consultation, any further oral Hearing is necessary.
33. ***We do not anticipate that the Council will find that to comply with the requests contained in this note will lead to unduly onerous additional work in order for the Plan to be achieve soundness. We suggest that will be the best course of action for the Council to follow.***
34. At the same time, the ownership of the Plan is vested strictly with the Council which has the option ultimately whether or not to adopt the Plan with our recommended MMs. In the case of this non-strategic plan, given the

precedent of a separate site allocation DPD for Bude and neighbourhood plans for certain other towns, including Truro, the Council also has the option to delete one or more towns from the CSADPD by way of MMs, in order to receive an earlier report on the Plan with those towns which would remain. The Council even has the option to withdraw the Plan altogether. We emphasise, though, that, whilst it is entirely for the Council to decide how to proceed, in practical terms, we do not recommend either of these alternative approaches.

Brian Sims

Lead Inspector

Thomas Bristow

Inspector