



# **Council's Response to Inspectors' Note INSP.S15**

26 July 2018

## **Introduction**

This note sets out Cornwall Council's response to the inspectors' note INSP.S15. Separate to this note, as requested, the Council has also provided Version 4 of the Schedule of Modifications, which incorporates the proposed modifications set out in the Council's response to INSP.S14 (i.e. notes CC.S10.1, CC.S10.2 and CC.S10.3).

## **Point 1 - Jennings Street**

***Extract from Inspectors Note: The Council is requested to clarify how the emergence of proposed allocation PZ-H14, Jennings Street, relates to the wider evidence base of the Plan in terms of its selection in comparison with any other alternatives.***

As set out within the introduction and section 1 of the Penzance & Newlyn Housing Evidence Base Report (ref. D15.1), the basis of all of the Council's assessments for sites has started with a review of land within the existing urban area, as this helps to minimise use of greenfield land.

To retain this consistency of approach, when seeking to provide for the loss of the dwellings from the 3 sites proposed to be deleted in the Council's note CC.S10.1 (Polmennor Road (PZ-H5), Josephs Lane (PZ-H6), Poltair (PZ-H7)), the Council initially looked to see whether this loss could be accommodated through the identification of further site(s) within the existing urban area.

Part f of the urban capacity assessment within (D15.1) considered sites appropriate for development that were not already permitted or within the SHLAA. At the time of this assessment, 5 sites were identified, which are set out in Table 5 of D15.1 (and were subsequently proposed as allocations in the CSADPD). This was further updated within the Penzance Housing Delivery Schedule (F.16) where two additional sites were identified (site 12: The White House & Factory, Chywoone Hill; and site 13: Former Bolitho School). At the time of these analyses, this represented all of the sites (for 10 or more dwellings) that the Council was aware of within the existing urban area that would be appropriate for housing development.

Subsequent to these assessments, Penzance Town Council commissioned a study to look at the regeneration of the town centre, including any development opportunities. This work identified an area of brownfield land to the rear of Market Jew Street (the primary retail area of the town), which was felt could be redeveloped as a residential focused scheme – which is the proposed Jennings St allocation. Furthermore, the work commissioned was led by an architectural practice, who developed a concept plan / capacity study for the site, which felt 80-85 dwellings, primarily within a flatted development could be delivered on the site, when appropriately responding to constraints in and around the site (an extract of the assessment can be seen in Appendix 1).

As the Council's approach is to prioritise appropriate sites within the existing urban area, the emergence of the opportunity to develop the Jennings Street site is considered an appropriate and more sustainable strategy in a plan making context, than seeking further urban extension(s).

Nonetheless, the Council did also undertake a review of the Urban Extension Assessment work within the Penzance & Newlyn Housing Evidence Base report (re. D15.1). Section 2 of the report (ref. D15.1) considered all options for delivery of housing on the edge of the existing settlements; this concluded that the only reasonable and deliverable options were the sites being proposed for allocation. This is also set out in the Penzance and Newlyn Site Allocations SA Summary document (ref. D5.10) in particular in Tables PZ2 'Penzance and Newlyn Preferred Greenfield Sites' and PZ3 'Penzance & Newlyn Discounted Greenfield Sites'.

In preparing its previous response set out in note CC.S10.1, the Council concluded that the urban extension assessment and Sustainability Appraisal are still relevant (with particular reference to the urban extension assessment's prioritisation/discounting of cells/sites set out in D15.1 - Table 5, Table 6, Table 12), subject to the proposed deletion of Polmennor Rd, Josephs Lane and Poltair, as set out in CC.S10.1). This means there are no new urban extension options that would be a reasonable or realistic alternative, in a plan making context, to the Jennings Street site.

The landowners for the Jennings Street site have been contacted and they have confirmed their interest in the site coming forward for a residential focused scheme as proposed.

To conclude, with no new urban extension options to consider, together with the identification of a new brownfield site in a highly sustainable location within the centre of the town, which the Council would seek to prioritise in any case, it has resulted in the Council identifying the Jennings St site for allocation.

Finally, whilst the Jennings St site was not part of Cornwall's SHLAA, for the reasons set out above, it meets the criteria to become a SHLAA site and the intention is to take it through this process, in the intervening period, whilst the Allocations DPD is being finalised.

## **Point 2 – Westheath Road**

***Extract from Inspectors Note: The Council is requested to clarify how the emergence of proposed allocation Bd-H1, Westheath Road, relates to the wider evidence base of the Plan in terms of its selection in comparison with any other alternatives.***

When addressing the Inspectors' request to demonstrate additional delivery within Bodmin, to be consistent with the Council approach to identifying sites, it firstly considered whether there are any additional sites within the existing urban area, which have come to light since the original assessment. This original assessment is set out within chapter 1 of the Bodmin Housing Evidence Base Report (D7.1), together with the update provided within the Bodmin Delivery Schedule (F.9).

As a result of reviewing the existing urban area, the Council was not aware of any new sites, of 10 or more dwellings, that could help to provide additional delivery.

As a result of this, in line with the assessment work undertaken in D7.1, the Council then considered whether there are additional sites on the edge of the existing settlement that would be appropriate for development.

Chapter 2 of the Bodmin Housing Evidence Base document (D7.1) sets out the consideration of appropriate options, with particular reference to the points at which cells/sites were either discounted or prioritised:

- Step 5, set out on page 16, highlighted cells that should be discounted from the initial analysis;
- Step 8, set out on page 19-20, highlighted which sites should be discounted, as a result of the more detailed assessments; leaving appropriate options for development
- Plus page 25 updates the Step 8 assessment, as a result of additional information

The consideration of options is also set out in the Bodmin Site Allocations SA Summary document (ref. D5.3) in particular in Tables B2 'Bodmin's Greenfield Site Allocations' and B2 'Bodmin's Discounted Greenfield Sites'.

In reviewing the urban extension assessment and Sustainability Appraisal, and in particular the sections highlighted in the bullet points above, it was felt that there was not a change in circumstances since the assessment, which would alter the Council's conclusions on the discounted cells/sites. In turn, all of the remaining sites that were considered reasonable and available options are proposed as allocations.

However, as part of the urban extension assessment, the discounting of cell 11 highlighted the following:

*Cell 11 – The cell was discounted in its entirety from this process, mainly due to the presence of the railway line which creates a significant barrier to overcome to*

*appropriately integrate the vast majority of the site with the rest of the town. The small parcel of land to the north of the railway line might be still appropriate for development, but too small for consideration as part of this process.'* (D7.1 – page 20)

The referenced small parcel of land north of the railway line in the above excerpt is the proposed Westheath Road allocation. This was the only instance where a cell within the Urban Extension Assessment was discounted, but a small section of it was highlighted as being appropriate for development.

As well as the Council considering that the site represented an appropriate location for development, the landowner has also been continuing to promote the land through the SHLAA process, as well as the Allocations DPD consultations and hearing session, which demonstrates its availability.

As a result, the Westheath Road site has always been considered appropriate for development through the Allocations DPD assessments and evidence base; but previously it was concluded that it was of a scale that did not require an allocation. Of the discounted cells within the urban extension assessment, this was the only parcel of land that was identified as being appropriate for development, even though it wasn't originally taken forward as an allocation. Furthermore, when undertaking further review of the assessments, it was not felt that there were any changes in circumstances that would highlight any other/alternative new urban extension sites that could be identified.

For these reasons, it was felt consistent to the evidence base set out in D7.1 that the Westheath site should be prioritised, when seeking to identify additional housing delivery.

### **Point 3 - Halgavor Urban Extension**

***Extract from Inspectors Note: The Council is requested to clarify how the subdivision of allocation Bd-UE2 as now proposed would result in the advanced delivery of 230 dwellings within the Plan period.***

Firstly, it is felt that the Council was being particularly cautious with the build out rates in relation to Bodmin, which are set out within the Councils Cornwall Housing Trajectory (ref. E6.2) for the Halgavor site (Bd-UE2), as well as the St Lawrences Urban Extension (Bd-UE3) and the Callywith Urban Village (Bd-UE4). The Council's trajectory methodology usually assumes delivery of approx. 35 dwellings per year, but for sites of this size, delivery would increase because there would be more than one developer operating on the site. However the trajectories for the Bodmin allocations were only assuming one developer on each site, delivering 35 dwellings per year; this was partly due to the number of national housebuilders it was felt could operate from Bodmin at any one time.

As set out within Point 2, the review of the urban extension assessment for Bodmin (ref. D7.1) did not highlight any additional reasonable or realistic sites to come forward, with the exception of Westheath Road. As a result, the Council then looked to review whether a modification to one or more of its existing allocations would promote additional delivery within the Plan period, beyond what the Council's trajectory (ref. E6.2) currently shows.

In reviewing the sites, as set out in the Council's previous note (ref. CC.S10.2), it was considered that the circumstances and characteristics relating to the Halgavor site, would lend it to being split, as proposed, and in turn would help to increase delivery. The reasons why this would help to increase delivery include:

1. The Halgavor West site (Bd-UE2a) is almost entirely within the control of a national housebuilder; this means they can undertake the masterplanning for the site without the need to involve other developers/private landowners, which will help to speed up the process of securing permission/delivery of the site.
2. The three urban extensions (St Lawrences, Halgavor and Callywith), in their original form, were all of a scale that were likely to require a national housebuilder to bring them forward. As a result of sub-dividing the Halgavor site, it means the Halgavor East site (Bd-UE2b) (at 230 dwellings) is of a scale that local/regional housebuilders could take on. This in turn means it offers an opportunity to further diversify and increase the number of housebuilders that would be operating within Bodmin at any one time.
3. By having different developers on the Halgavor East and Halgavor West sites it means they will be offering different designs/products to the market at any one time, which offers the opportunity to create demand

from different segments of the market and in turn help to accelerate delivery.

4. With Lostwithiel Road being used to sub-divide the Halgavor site, it enables the developers for the two sites to progress their schemes independently of one another; as Lostwithiel Rd can provide access for both sites, for its construction traffic and access for completed early phases.

For these reasons (and acknowledging the Councils already cautious approach to delivery rates in Bodmin), it is considered reasonable and realistic that the sub-division of the site will enable both sites to come forward at the same time, which in turn would enable the additional 230 dwellings to be delivered within the Plan period, as set out within the Council’s previous note (ref. CC.10.2)

Finally, as a result of the proposals regarding the inclusion of the Westheath Rd site and the increased delivery from splitting the Halgavor Urban Extension site (as set out in CC.S10.2, together with Point 2 and Point 3 in this note), it would result in a revised Summary of Housing Delivery for Bodmin, as set out below:

| Housing requirement | Completions 2010-2017 | Permissions Under 10 net | Permissions 10 or over net | Sites 10 or over awaiting the signing of S106 | Urban SHLAA Net | Windfall | CLI / other net | Allocations net | Total net | Percentage of target |
|---------------------|-----------------------|--------------------------|----------------------------|---|-----------------|----------|-----------------|-----------------|-----------|----------------------|
| 3100                | 546                   | 65                       | 1451                       | 71  | 7               | 112      | 0               | 1235            | 3487      | 112%                 |

*(Revised from the version set out in Table 1 of the Bodmin Housing Delivery Schedule (F.9))*

# Appendix 1 – Extract from the Penzance Town Centre Spatial Strategy



Figure 8: Proposed Layout Plan

BACKLANDS

|                | GF   | FF   | SF   | TF  | FF | quantity              |
|----------------|------|------|------|-----|----|-----------------------|
| 1A (Potential) | 168  | 168  |      |     |    | retail GF - comm FF   |
| 1B (Potential) | 90   |      |      |     |    | retail GF - comm FF   |
| <b>block A</b> |      |      |      |     |    |                       |
| 1              | 58   | 58   | 0    |     |    | 1b flat 2             |
| 2              | 71   | 71   | 71   |     |    | 2b flat 3             |
| 3              | 71   | 71   | 71   |     |    | 2b flat 3             |
| 4              |      | 78   |      |     |    | 2b FOG 1              |
| circulation    | 35   | 35   | 35   |     |    |                       |
| <b>block B</b> |      |      |      |     |    |                       |
| 1              | 66   | 66   | 66   |     |    | 2b flat 3             |
| 2              | 47   | 47   | 47   |     |    | 1b flat 3             |
| 3              | 47   | 47   | 47   |     |    | 1b flat 3             |
| circulation    | 30   | 30   | 30   |     |    |                       |
| <b>block C</b> |      |      |      |     |    |                       |
| 1              | 62   | 62   | 62   |     |    | 2b flat 3             |
| 2              | 51   | 51   | 51   |     |    | 1b flat 3             |
| 3              | 50   | 50   | 50   |     |    | 1b flat 3             |
| circulation    | 17   | 17   | 17   |     |    |                       |
| <b>block D</b> |      |      |      |     |    |                       |
| 1              | 50   | 50   | 50   |     |    | 1b flat 3             |
| 2              | 46.5 | 46.5 | 46.5 |     |    | 1b flat 3             |
| circulation    | 17   | 17   | 17   |     |    |                       |
| <b>block E</b> |      |      |      |     |    |                       |
| 1              | 52.5 | 52.5 |      |     |    | 2b flat 2             |
| 2              | 52.5 | 52.5 |      |     |    | 2b flat 2             |
| 3              | 90   | 90   |      |     |    | 2b flat 2             |
| 4              | 40   | 40   |      |     |    | 2b house 1            |
| 5              | 40   | 40   |      |     |    | 2b house 1            |
| 6              |      | 84   |      |     |    | 2b FOG 1              |
| circulation    | 23.5 | 23.5 |      |     |    |                       |
| <b>block F</b> |      |      |      |     |    |                       |
| 1              |      | 92   |      |     |    | FOG 1                 |
| 2              | 40   | 40   |      |     |    | 2b house 1            |
| 3 (Potential)  |      | 73   |      |     |    | 1b flat - potential 1 |
| <b>block G</b> |      |      |      |     |    |                       |
| 1              |      | 90   |      |     |    | FF 2b flat 1          |
| 2              | 32   | 32   | 32   |     |    | 3b townhouse 1        |
| <b>block H</b> |      |      |      |     |    |                       |
| 1              |      | 44   |      |     |    | studio 1              |
| 2              | 59   | 59   | 59   |     |    | 1b flat 3             |
| 3              | 47   | 47   |      |     |    | 2b house 1            |
| circulation    | 15.5 | 15.5 | 15.5 |     |    |                       |
| <b>block I</b> |      |      |      |     |    |                       |
| 1              | 75   | 75   | 75   |     |    | 1b flat 3             |
| 2              | 75   | 75   | 75   |     |    | 2b flat 3             |
| 3              | 82   | 82   | 82   |     |    | 1b flat 3             |
| 4              | 80   | 80   | 80   |     |    | 1b flat 3             |
| 5              |      |      |      | 110 |    | 2b penthouse 1        |
| circulation    | 58   | 58   | 58   | 25  |    |                       |
| <b>block J</b> |      |      |      |     |    |                       |
| 1              | 76   | 76   | 76   |     |    | 2b flat 3             |
| 2              | 52   | 52   | 52   |     |    | 1b flat 3             |
| 3              | 62   | 62   | 62   |     |    | 1b flat 3             |
| 4              | 75   | 75   | 75   |     |    | 2b flat 3             |
| 5              | 65   | 65   | 65   |     |    | 1b flat 3             |
| 6              | 70   | 70   | 70   |     |    | 2b flat 3             |
| 7              |      |      |      | 121 |    | 2b penthouse 1        |
| 8              |      |      |      | 110 |    | 2b penthouse 1        |
| 9              |      |      |      | 97  |    | 2b penthouse 1        |
| circulation    | 120  | 120  | 120  | 50  |    |                       |

Figure 9: Initial land use budget