Cornwall Local Plan

Strategic Policies 2010-2030
Pre-submission document
Representations on behalf of Blue Cedar Homes

April 2013
1.0 Introduction

1.1 These representations are submitted on behalf of Blue Cedar Homes.

1.2 Blue Cedar Homes controls land in St Ives and Mylor Bridge, by way of option agreements. The sites are identified on the plans attached as Appendix 1.

1.3 We welcome the opportunity to comment at this consultation stage upon the future plans and proposals as they affect the County and in particular in St Ives, Mylor and their respective Community Network Areas.

1.4 In preparing our comments we have been mindful of the requirement for any future Local Plan document to be sound (i.e. justified, effective and consistent with national policy).

Evidence base

1.5 We have also had regard to the suite of evidence base documents which underpin the Strategic Policies Pre-submission draft document, including the following:

- Sustainability Appraisal: Pre Submission Document Report plus
- Alternative Proposal for Cornwall Local Plan Housing Target 2010-2030;
- Housing Requirement for Cornwall (Peter Brett Associates);
- Community Facilities and Services Survey 2012 Update;
- Settlements: Hierarchy and Settlement Categories 2012 Update;
- Cornwall Employment Land Review;
- Population and Household Change 2013 Update;
- Growth Factors Profiles
- Infrastructure Needs Assessment Schedules;
- Topic Based Papers;
- Place Based Topic Papers.

1.6 However, we are concerned that some important evidence is not yet available including the Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Needs Assessment.
National Planning Policy Framework

1.7 It is imperative that the emerging Local Plan takes full account of the advice set out within the National Planning Policy Framework (the Framework). At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.

1.8 Local Plans should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

1.9 The Framework advises that a local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.10 The Framework advises that local plans should include strategic policies to deliver the homes and jobs needed in the area; the provision of retail, leisure and other commercial
development. They should also indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map; allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate.

1.11 "To boost significantly the supply of housing", the Framework advises that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

Structure of representations

1.12 The remainder of these representations have been structured to comment upon the individual chapters of the Core Strategy Preferred Approach consultation document as follows:

- Section 2: Vision and objectives
- Section 3: General Policies
- Section 4: Policy messages for places

2.0 Vision and Objectives

2.1 We believe that the Local Plan for Cornwall has to marry the key objectives set out within Cornwall’s vision, as set out within the Sustainable Community Strategy 'Future Cornwall', with the need to be consistent with national policy and the need to plan for the "full objectively assessed" housing needs.

2.2 We agree that in terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places and that there is not one answer across Cornwall. We absolutely agree that, first and foremost, development is necessary to meet the needs of Cornwall’s communities for homes, businesses, jobs and access to daily needs.

2.3 We believe that the strategy should be more closely aligned to the priorities set out within the National Planning Policy Framework and should make reference to the need to identify sufficient land for development, having regard to the available evidence, taking account of the needs of the residential and business community.

Policy 1

2.4 We support Policy 1.
Policy 2

2.5 We strongly object to Policy 2, particularly part 4 which proposes an overall housing requirement of 42,250 homes over the plan period (at an average rate of approximately 2,100) per year to 2030 to help deliver sufficient new housing of appropriate types to meet future requirements.

2.6 The report to Cabinet from the Head of Planning and Regeneration on 7th November 2012 recommended that the Cabinet approve the Submission Draft Local Plan which included a target of 49,000 new homes over the plan period. The report states,

"It is my view, and the strongest advice of the Head of Service that we would not be able to substantiate a plan proposing a lower housing target than proposed in appendix 1 (49,000) at an examination and the plan would fail or more likely not even reach an examination."

2.7 While this recommended target was revised to 45,400 within the report to the Extraordinary meeting of the Planning Policy Advisory Panel (PPAP) of 31 January 2013, there appears to be no available evidence whatsoever to support the housing target of 42, 250 now proposed. Indeed, the revised figure of 45,400 which was recommended to Members in January appears to be a direct consequence of an earlier PPAP recommendation (made against the advice of its own Local Plan working group and the strongest advice of officers), for a housing target of just 38,000 on the basis of an interpretation of recent preliminary results of the Census suggesting that the rate household formation has not been as rapid as expected concluding this would be a trend. Members were subsequently advised by Officers that the new data has yet to be modelled through to provide robust projections but while it can be assumed that the updated figures may be lower than the last nationally published projections for Cornwall of 58,000 it is highly unlikely that they will have fallen to the level of 38,000.

2.8 At a meeting on 31st January 2013, the Planning Policy Advisory Panel rejected the overall housing target for Cornwall recommended by officers of 45,400 and proposed an alternative figure of 38,000. The Full Council met on 12th February 2013 and were advised by officers that the figure of 38,000 could not be robustly defended as ‘sound’ or evidence-based. Subsequently, the Full Council approved a revised County-wide housing figure of 42,250

2.9 Average housebuilding rates experienced in Cornwall over the last 20 years has been circa 2,250 new homes per year. However, all the information contained within the suite of evidence base papers makes it clear that there will need to be a step change in housing
delivery over the next 20 years in order to ensure that the current and future housing need is met. The currently proposed level of growth would actually result in a lower level of growth (2,112 per annum) than the average experienced over the last 20 years, far from delivering the step change that is needed to ensure that sufficient housing of all types and tenures (including affordable housing) can be delivered to address the backlog of housing need and the predicted future need. It would fall well short of providing the number of affordable homes required. It would not be consistent with the National Planning Policy Framework and in our view would fail the relevant test of soundness in this respect. Furthermore, the proposals are not founded on robust and credible evidence and therefore not justified. We are also concerned that an overly pessimistic view on the recovery of the economy is being applied in arriving at the likely migration levels and the ability of the market to deliver the required housing.

2.10 The implications of not planning for the most likely population and household growth include:

- Limiting the amount of affordable housing that could be delivered, which in turn would have a serious knock on effect for meeting need identified in the housing waiting list.
- The competing demands for housing will increase from local residents, in-migrants, and second home purchasers and as a consequence house prices will increase.
- Restrict the viability of new infrastructure provision.
- Young and working age people are likely to move away from Cornwall if they can’t find affordable accommodation.
- Rising levels of homelessness and inadequately housed over-crowded households
- Threat to prosperity and achieving economic aspirations.
- Greater social inequality and exclusion leading to demographically and socially less balanced and unsustainable communities

2.11 In light of the above, and following an assessment of the various evidence base papers, we would support a higher level of housing growth in order that it can satisfy the actual and predicted housing requirements within Cornwall and begin to address some of the backlog of need that has built up over recent years.

2.12 We do not support the level of growth that the Local Plan - Strategic Policies proposes and consider that a higher level is required to meet the needs identified within the appropriate evidence base papers.
2.13 In terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places. We support a spatial strategy which seeks to allow smaller settlements to sustain themselves and where appropriate grow insofar as this is consistent with current national policy.

2.14 We believe that a greater focus should be directed towards the larger settlements but there should be some flexibility to allow for a more bespoke distribution strategy in certain areas.

Policy 3

2.15 As we have made clear already in these representations, we consider that the overall level of growth proposed by the Local Plan Strategic Policies consultation document is not sufficient to meet the development needs identified within the evidence based papers, particularly in respect of housing, throughout the County. However, we also believe this to be the case in respect of the level of growth proposed within the Hayle and St Ives CNA where the scale of growth has actually reduced from 3,200 recommended by the Head of Service in January 2013 to 2,400 now proposed. Given that the CNA includes two Category A settlements (as defined within the Settlements: Hierarchy and Settlement Categories evidence base paper), we believe that a higher level of provision would be suitable (to meet the need) and achievable.

2.16 The reduced growth proposals for the Hayle and St Ives CNA comprise an anticipated level of housing growth (approx. 120 per year) which is significantly lower than the housing growth rates seen over the past 10 years (average of approx. 160 per year). The evidence base makes clear that this would not meet the level of housing that the available evidence suggests will be required during the plan period.

2.17 There is a need for almost 1000 additional affordable homes to be provided over the next ten years to accommodate those already in housing need. This is before the need for additional market housing is taken into account or the inevitable transition to smaller households for those people already living in the area is taken into account. Given the uncertainty that this generates, we believe that it is imperative that the Local Plan seeks to plan for flexible and responsive supply of land to meet housing needs.
3.0 General Policies

Policy 6

3.1 We support Policy 6 which recognises that there is a need within Cornwall for an element of specialist housing provision. Blue Cedar Homes specialise in providing high quality low impact housing for the active retired (over 55s). Its schemes are typically small in nature (8-14 units) with freehold properties. Its homes require low maintenance and are energy efficient.

3.2 People are living longer and there have been various Governments reports in recent years (including the HAPPI report in 2009) looking at how this fact can be addressed within the housing market. One of the key objectives of the HAPPI report was improving the quality of life of our ageing population by influencing the availability and choice of high quality, sustainable homes and neighbourhoods. We believe that the Local Plan should be specifically addressing this need which is particularly relevant in Cornwall.

3.3 22% of the existing population is over 65 and forecast to grow. Para 2.10 of the Population and Household Change evidence paper states, "Life expectancy for males in Cornwall at birth for the years 2008-10 was estimated to be 79.3 and life expectancy for females in Cornwall at birth for the years 2008-10 was estimated to be 83.1. Disability free life expectancy at age 16 is also rising along with general life expectancy, and older people in the future will include the very active who may still be working in paid employment or in the voluntary sector, as well as those who are more vulnerable because of poor health and deprivation."

3.4 There are significant benefits in older people having purpose built homes that can cater for their needs and where, as a result, they can stay longer into their retirement years. Providing housing for the over 55s also releases family homes in the surrounding area.

Policy 8

3.5 Paragraph 2.21 states a Viability Study has been prepared to inform the affordable housing policies. It defines different value and viability areas. However, we consider that the viability evidence underpinning draft Policy 8 does not support the draft affordable housing policy. We further consider that the evidence base does not comply with the provisions of the NPPF, particularly para 173 which requires any such evidence to allow for "competitive returns to a willing landowner and willing developer to enable development to be deliverable". We consider that the viability evidence is based on several flawed assumptions relating to build
costs (including more onerous building regulations requirements during the plan period),
abnormal costs, residual Section 106 costs, land values and sales values.

3.6 Both Mylor and St Ives are identified within Zones 1 and 2 where draft Policy 8 seeks to
provide 50% affordable housing provision on all sites. We acknowledge that in Paragraph
2.27 it is stated that the policy target includes a range of places with different markets and
the policy will therefore require a significant degree of flexibility in its operation. However, we
believe that the rationale and evidence base behind the Affordable housing policy requires
further consideration and explanation. Until such time and as currently proposed, we object
to Policy 8.

4.0 Policy messages for places – local objectives

PP2 Hayle and St Ives Community Network Area

4.1 As previously stated, Blue Cedar Homes have an option agreement on land at Cameret Drive,
St Ives which falls within the SUE4 potential urban extension option identified within the
previously consulted upon Hayle and St Ives Community Network Area Discussion Paper. The
land represented by the SUE4 potential urban extension option was identified to reflect its
suitability in terms of location and ability to accommodate the future expansion of St Ives and
Carbis Bay. This followed a detailed assessment undertaken by the Council of all potential
development sites within the CNA and appraised each option in terms of its environmental,
accessibility, landscape impact and urban design constraints and opportunities. The fact that
the site at Cameret Drive identified in Appendix 1 was included within one of the favoured
areas is testament to its suitability for development having regard to such considerations.

4.2 The site is well related to St Ives and the existing built area and offers good access to
existing facilities. It is served by an existing field access at the end of a turning head within
an existing residential development, which lies to the north. A belt of woodland adjoins the
southern boundary providing a degree of containment within the landscape setting.

4.3 Policy PP2 seeks the provision of around 750 dwelling in St Ives. The land within the control
of Blue Cedar Homes is a deliverable site for housing in the immediate term and suitable for
development when considered within the context of a strategy for St Ives as a whole. It could
either be developed as part of a wider strategy within the SUE4 potential urban extension or,
alternatively, as a smaller stand alone scheme delivering housing to meet the needs of the
retirement population identified in Objective 2 which identifies that such specialist accommodation will be required within the CNA.

**PP5 Falmouth and Penryn Community Network Area**

4.4 The Falmouth and Penryn CNA includes the Parish of Mylor. Outside of Falmouth and Penryn, Policy PP5 proposes the provision of around 800 dwellings to 2030. It proposes that development in the CNA’s villages, including Mylor Bridge, should be of a size, nature and scale appropriate to the needs, character, role and services available in the villages. Mylor Bridge is a suitable and sustainable village to accommodate new housing as is evidenced by the recent approval of 30 dwellings at Bells Hill. It has a post office, newsagent, grocery store, fishmonger, butcher’s shop and a pub. The village also has a dental surgery and a primary school. The Mylor Parish Plan 2012 identified that 93% of households are satisfied with the range of community services in the Parish. It also identified housing for the elderly as the greatest need in the Parish. Furthermore it revealed that 43% of its residents are over 65 years and 40% of its households are in favour of further development.

4.5 The village is within an Area of Outstanding Natural Beauty which washes over the village but potential exists for further development without unduly harming its character or landscape setting. Indeed, the overriding need for the scale of new housing identified within PP5 to meet local needs will demand it.

4.6 Blue Cedar Homes has an option agreement on land at Cogos Park, Mylor Bridge. The site, which is identified on the plan attached as Appendix 1, is within a suitable and sustainable location within the village and can be accessed from an extension of the existing highway. It is also well contained within the landscape and provides an excellent opportunity to provide housing to meet the needs of the retirement population identified in the Parish Plan, as illustrated on the layout plan attached as Appendix 2. It could also deliver an element of age-restricted affordable housing to meet a need within the Parish identified by Cornwall Council's Affordable Housing team and to the aims of Draft Objective 1 which states that development in the CNA's villages should focus on meeting affordable housing needs.
Cornwall Local Plan

Strategic Policies 2010-2030
Pre-submission document
Representations on behalf of Mr George Hautot and Silex Land

April 2013
1.0 **Introduction**

1.1 These representations are submitted on behalf of Mr George Hautot and Silex Land.

1.2 Mr George Hautot is the long term owner of land in Newquay which he is promoting for development in conjunction with Silex Land. We made representations in response to the Core Strategy Options Paper in April 2011 and the Preferred Approach draft document in February 2012. We welcome the opportunity to comment again at this next consultation stage upon the future plans and proposals as they affect the County and in particular in Newquay and its Community Network Area.

1.3 In preparing our comments we have, as previously, been mindful of the requirement for any future Local Plan document to be sound (i.e. justified, effective and consistent with national policy).

**Evidence base**

1.4 We have also had regard to the suite of evidence base documents which underpin the Strategic Policies Pre-submission draft document, including the following:

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1.5 However, we are concerned that some important evidence is not yet available including the Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Needs Assessment.
National Planning Policy Framework

1.6 It is imperative that the emerging Local Plan takes full account of the advice set out within the National Planning Policy Framework (the Framework). At the heart of the Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking. For **plan-making** this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.

1.7 Local Plans should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

1.8 The Framework advises that a local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.9 The Framework advises that local plans should include strategic policies to deliver the homes and jobs needed in the area; the provision of retail, leisure and other commercial
development. They should also indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map; allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate.

1.10 "To boost significantly the supply of housing", the Framework advises that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

Structure of representations

1.11 The remainder of these representations have been structured to comment upon the individual chapters of the Core Strategy Preferred Approach consultation document as follows:

- Section 2: Vision and objectives
- Section 3: General Policies
- Section 4: Policy messages for places

2.0 Vision and Objectives

2.1 We do not repeat them here but we would reiterate our previous comments in respect of Cornwall’s vision as set out within the Sustainable Community Strategy ‘Future Cornwall’. We believe that the Local Plan for Cornwall has to marry the key objectives set out within this vision with the need to be consistent with national policy and the need to plan for the "full objectively assessed" housing needs.

2.2 We agree that in terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places and that there is not one answer across Cornwall. We absolutely agree that, first and foremost, development is necessary to meet the needs of Cornwall’s communities for homes, businesses, jobs and access to daily needs.

2.3 We believe that the strategy should be more closely aligned to the priorities set out within the National Planning Policy Framework and should make reference to the need to identify sufficient land for development, having regard to the available evidence, taking account of the needs of the residential and business community.
Policy 1

2.4 We support Policy 1.

Policy 2

2.5 We strongly object to Policy 2, particularly part 4 which proposes an overall housing requirement of 42,250 homes over the plan period (at an average rate of approximately 2,100) per year to 2030 to help deliver sufficient new housing of appropriate types to meet future requirements.

2.6 The report to Cabinet from the Head of Planning and Regeneration on 7th November 2012 recommended that the Cabinet approve the Submission Draft Local Plan which included a target of 49,000 new homes over the plan period. The report states,

"It is my view, and the strongest advice of the Head of Service that we would not be able to substantiate a plan proposing a lower housing target than proposed in appendix 1 (49,000) at an examination and the plan would fail or more likely not even reach an examination."

2.7 While this recommended target was revised to 45,400 within the report to the Extraordinary meeting of the Planning Policy Advisory Panel (PPAP) of 31 January 2013, there appears to be no available evidence whatsoever to support the housing target of 42,250 now proposed. Indeed, the revised figure of 45,400 which was recommended to Members in January appears to be a direct consequence of an earlier PPAP recommendation (made against the advice of its own Local Plan working group and the strongest advice of officers), for a housing target of just 38,000 on the basis of an interpretation of recent preliminary results of the Census suggesting that the rate of household formation has not been as rapid as expected concluding this would be a trend. Members were subsequently advised by Officers that the new data has yet to be modelled through to provide robust projections but while it can be assumed that the updated figures may be lower than the last nationally published projections for Cornwall of 58,000 it is highly unlikely that they will have fallen to the level of 38,000.

2.8 At a meeting on 31st January 2013, the Planning Policy Advisory Panel rejected the overall housing target for Cornwall recommended by officers of 45,400 and proposed an alternative figure of 38,000. The Full Council met on 12th February 2013 and were advised by officers that the figure of 38,000 could not be robustly defended as ‘sound’ or evidence-based. Subsequently, the Full Council approved a revised County-wide housing figure of 42,250.
2.9 Average housebuilding rates experienced in Cornwall over the last 20 years has been circa 2,250 new homes per year. However, all the information contained within the suite of evidence base papers makes it clear that there will need to be a step change in housing delivery over the next 20 years in order to ensure that the current and future housing need is met. The currently proposed level of growth would actually result in a lower level of growth (2,112 per annum) than the average experienced over the last 20 years, far from delivering the step change that is needed to ensure that sufficient housing of all types and tenures (including affordable housing) can be delivered to address the backlog of housing need and the predicted future need. The backlog of need has generated a pent up demand for family housing, both open market and affordable which must be addressed in the overall scale of growth proposed. As currently proposed, it would fall well short of providing the number of affordable homes required. It would not be consistent with the National Planning Policy Framework and in our view would fail the relevant test of soundness in this respect.

Furthermore, the proposals are not founded on robust and credible evidence and therefore not justified. The proposals do not take account of the likely impact of various Government housing initiatives being introduced during 2013, including those designed to address the ability of those currently housing within the rental market to assist in enabling them to buy their own home. We are also concerned that an overly pessimistic view on the recovery of the economy is being applied in arriving at the likely migration levels and the ability of the market to deliver the required housing.

2.10 The implications of not planning for the most likely population and household growth include:

- Limiting the amount of affordable housing that could be delivered, which in turn would have a serious knock on effect for meeting need identified in the housing waiting list.
- The competing demands for housing will increase from local residents, in-migrants, and second home purchasers and as a consequence house prices will increase.
- Restrict the viability of new infrastructure provision.
- Young and working age people are likely to move away from Cornwall if they can’t find affordable accommodation.
- Rising levels of homelessness and inadequately housed over-crowded households.
- Threat to prosperity and achieving economic aspirations.
- Greater social inequality and exclusion leading to demographically and socially less balanced and unsustainable communities.
2.11 In light of the above, and following an assessment of the various evidence base papers, we would support a higher level of housing growth in order that it can satisfy the actual and predicted housing requirements within Cornwall and begin to address some of the backlog of need that has built up over recent years.

2.12 **We do not support the level of growth that the Local Plan proposes and consider that a higher level is required to meet the needs identified within the appropriate evidence base papers.**

2.13 In terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places. While we do not oppose a spatial strategy which seeks to allow smaller settlements to sustain themselves and where appropriate grow, we are concerned that the dispersed strategy that part 7 of Policy 2 proposes could stymie growth and regeneration agendas in some of the County’s larger settlements. We have previously advised that we consider that a large focus of the required development should be directed towards the main urban areas as this would generally result in a distribution of housing that would reflect current national policy and its sustainable growth objectives. It would concentrate new homes in towns where there are employment opportunities (over half the employment in the County is provided in the main towns) and where new employment opportunities can be provided in step with new housing. It would ensure that facilities, services and infrastructure needed to support new housing already exists and/or where necessary can be delivered in locations which would reduce the need to travel by car. It would encourage regeneration which is a key component of the vision. Furthermore, it will still allow for sustainable growth of the smaller settlements at an appropriate scale. We remain of this view and believe that the proposal to distribute the development requirements in a more dispersed manner would conflict with current national policy and fails the tests of soundness on this basis.

2.14 **We consider that a greater focus should be directed towards the larger settlements but believe that there should be some flexibility to allow for a more bespoke distribution strategy in certain areas.**

Policy 3

2.15 As we have made clear already in these representations, we consider that the overall level of growth proposed by the Local Plan Strategic Policies consultation document is not sufficient to meet the development needs identified within the evidence based papers, particularly in respect of housing, throughout the County. However, we also believe this to be the case in
respect of the level of growth proposed within the Newquay CNA. The result of this is that the proposals for the Newquay and St Columb CNA comprise an anticipated level of housing growth (approx. 165 per year) which is no greater than the housing growth rates seen over the past 10 years which has included a significant period of recession. This will not meet the level of housing that the available evidence suggests will be required during the plan period let alone represent the growth agenda that Newquay is seeking. We believe that a higher level of provision would be suitable (to meet the need) and achievable.

2.16 In particular, we consider that Newquay has significant potential and land capacity (within the Newquay Growth Area) to accommodate higher levels of growth which can also assist in the regeneration and growth agenda for the town.

2.17 Indeed, we believe that the levels of growth for the Newquay and St Columb CNA proposed within the Local Plan Strategic Policies would be likely to unnecessarily curtail the level of growth that is required to meet the local housing need and deliver the infrastructure requirements which have been identified for Newquay.

2.18 This concern is compounded by the fact that the housing commitments within Newquay clouds the picture in respect of the need to identify additional land for housing within the next 20 years. Of the 3000 houses proposed in Newquay by 2030, land for only 794 additional houses will be required to be identified due to the number of dwellings claimed to have unimplemented planning permissions standing at 2206. However, a large proportion of these commitments relate to permissions for relatively small sites and/or permissions for flats on redevelopment sites within the town. In all probability, many of these are unlikely to be delivered for viability reasons. Even if a proportion of them are delivered it would not meet the actual housing need within Newquay which incorporates a much wider mix of housing including a significant need for family housing. Furthermore, we understand that many of these permissions will be holiday lets and will not therefore meet the local need. It is the actual delivery of family housing, such as that which has been developed at Trevenson Road as the first phase of the Newquay Growth Area that is required in Newquay as is evidenced by the speed at which those houses have been purchased/occupied.

3.0 General Policies

Policy 8

3.1 Paragraph 2.21 states a Viability Study has been prepared to inform the affordable housing policies. It defines different value and viability areas and Newquay has been identified within Zone 3. However, we consider that the viability evidence underpinning draft Policy 8 does not
support the draft affordable housing policy. We further consider that the evidence base does not comply with the provisions of the NPPF, particularly para 173 which requires any such evidence to allow for "competitive returns to a willing landowner and willing developer to enable development to be deliverable". We consider that the viability evidence is based on several flawed assumptions relating to build costs (including more onerous building regulations requirements during the plan period), abnormal costs, residual Section 106 costs, land values and sales values.

3.2 Policy 8 seeks to provide 40% affordable housing provision on all sites within Newquay, contrary to the evidence set out within the Viability Study that underpins it. We acknowledge that in Paragraph 2.27 it is stated that the policy target includes a range of places with different markets and the policy will therefore require a significant degree of flexibility in its operation. However, the target still needs to respond to the appropriate evidence base and it is clear that as currently proposed it does not. Indeed, Policy 8 appears to be at odds with the recommendations set out within the report to Cabinet from the Head of Planning and Regeneration on 31 January 2013 which was said to be based on the viability evidence but proposed an affordable housing target in Newquay of 35%.

3.3 Furthermore, we believe that reference should be made within the draft Plan to there being some flexibility in the level of affordable housing that will be sought if other priorities dictate, e.g. where contributions to facilitate the delivery of strategic infrastructure objectives such as highway schemes may need to take precedence.

3.4 Consequently, we believe that the rationale and evidence base behind the Affordable housing policy is unsound and requires further consideration. As currently proposed we object to Policy 8.

4.0 Policy messages for places – local objectives

PP8 Newquay and St Columb Community Network Area

4.1 Mr George Hautot and Silex Land control land within the NA: Newquay Growth Area potential urban extension option identified within the previous CNA Discussion Paper.

4.2 Most of the land represented by the NA: Newquay Growth Area potential urban extension option represents the logical option for the future expansion of the town. Much of it is allocated for mixed use development within the adopted Restormel Local Plan. It is well
related to the town and offers good access to existing facilities. It also benefits from significant previous consultation carried out by the former Restormel Borough Council and more latterly by the major landowner in respect of a Masterplan for the area. Mr Hautot and Silex Land have been consulting with the Cornwall Council and the major landowner regarding a co-ordinated Masterplan for the Growth Area which can reflect the Council's aims and objectives.

4.3 Planning permissions have been granted in recent years for a significant amount of new housing as part of mixed use proposals on different sides of the Growth Area. These permissions are included within the commitments identified within the Discussion Paper. These permissions and the development of the land adjoining Trevenson Road demonstrate that the delivery of the Growth Area, which has been a long standing aspiration and commitment, is now starting to happen. We believe that the Town Framework Plan for Newquay should recognise this fact and support its continued delivery by identifying the NA: Newquay Growth Area as the main location for the town’s development over the next 20 years and beyond.

4.4 Cornwall Council is progressing with planning applications for the Newquay Strategic Route (NSR) which when complete will take the form of a 3.3 km road linking the A392 at Hendra Holiday Park with the A3058 and A3059 at the north east of the town which will provide access to the Growth Area, mitigate its impact on the highway network and address some of the existing issues with congestion within the town. We also understand that funding for the first phase of the NSR is being sought from a combination of convergence and Local Transport Plan streams. This demonstrates a commitment to deliver more of the Growth Area which should be reflected in the Town Framework Plan. In order to deliver the future phases of the NSR, which will also generate substantial benefits to the significant employment development planned near the Airport, funding will be required from the development of the land within the Growth Area. A Town Framework Plan which did not identify land within the NA: Newquay Growth Area potential urban extension option for development would therefore represent an abandonment of a long term strategy at the very point when the strategy is beginning to be delivered. The window of opportunity which exists to utilise available grant funding to assist in the delivery of the first phase of the NSR is one that needs to be grasped in the interests of the delivery of the long term wider objectives of the Growth Area development. Mr Hautot and Silex Land have previously stated a willingness for development on the land owned by Mr Hautot to contribute towards the cost of delivering the NSR.
4.5 We note that the major landowner has indicated it’s timeframe for the delivery of development on its part of the Growth Area is 40-50 years. Clearly, as the Local Plan and Town Framework Plans will need to plan for a much shorter period of time (up to 2030) it is necessary to ensure that the strategy proposed will deliver the development requirements identified. Silex Land believes that the construction of houses adjoining Trevenson Road (the first houses to be delivered within the Growth Area), demonstrates its track record in promoting, planning and delivering development, in this case with a national housebuilder. The development of the land owned by Mr George Hautot is deliverable within the plan period in conjunction with the planned delivery of the NSR. We believe that appropriate cooperation, to which Mr Hautot and Silex Land are committed, between the key landowners will deliver the continued delivery of the Growth Area.
Cornwall Local Plan

Strategic Policies 2010-2030
Pre-submission document
Representations on behalf of Linden Homes & Cranford (Penpol) Ltd

April 2013
1.0 Introduction

1.1 These representations are submitted on behalf of Linden Homes and Cranford (Penpol) Ltd.

1.2 Linden Homes and Cranford (Penpol) Ltd control land in Hayle and made representations in response to the Core Strategy Options Paper in April 2011 and the Preferred Approach draft document in February 2012. We welcome the opportunity to comment again at this next consultation stage upon the future plans and proposals as they affect the County and in particular in Hayle and its Community Network Area.

1.3 In preparing our comments we have, as previously, been mindful of the requirement for any future Local Plan document to be sound (i.e. justified, effective and consistent with national policy).

Evidence base

1.4 We have also had regard to the suite of evidence base documents which underpin the Strategic Policies Pre-submission draft document, including the following:

- Sustainability Appraisal: Pre Submission Document Report plus
- Alternative Proposal for Cornwall Local Plan Housing Target 2010-2030;
- Housing Requirement for Cornwall (Peter Brett Associates)
- Community Facilities and Services Survey 2012 Update;
- Settlements: Hierarchy and Settlement Categories 2012 Update;
- Cornwall Employment Land Review;
- Population and Household Change 2013 Update;
- Growth Factors Profiles
- Infrastructure Needs Assessment Schedules;
- Topic Based Papers;
- Place Based Topic Papers.

1.5 However, we are concerned that some important evidence is not yet available including the Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Needs Assessment.
National Planning Policy Framework

1.6 It is imperative that the emerging Local Plan takes full account of the advice set out within the National Planning Policy Framework (the Framework). At the heart of the Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking. For **plan-making** this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.

1.7 Local Plans should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

1.8 The Framework advises that a local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.9 The Framework advises that local plans should include strategic policies to deliver the homes and jobs needed in the area; the provision of retail, leisure and other commercial
development. They should also indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map; allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate.

1.10 "To boost significantly the supply of housing", the Framework advises that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

Structure of representations

1.11 The remainder of these representations have been structured to comment upon the individual chapters of the Core Strategy Preferred Approach consultation document as follows:

- Section 2: Vision and objectives
- Section 3: General Policies
- Section 4: Policy messages for places

2.0 Vision and Objectives

2.1 We do not repeat them here but we would reiterate our previous comments in respect of Cornwall’s vision as set out within the Sustainable Community Strategy ‘Future Cornwall’. We believe that the Local Plan for Cornwall has to marry the key objectives set out within this vision with the need to be consistent with national policy and the need to plan for the "full objectively assessed" housing needs.

2.2 We agree that in terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places and that there is not one answer across Cornwall. We absolutely agree that, first and foremost, development is necessary to meet the needs of Cornwall’s communities for homes, businesses, jobs and access to daily needs.

2.3 We believe that the strategy should be more closely aligned to the priorities set out within the National Planning Policy Framework and should make reference to the need to identify sufficient land for development, having regard to the available evidence, taking account of the needs of the residential and business community.
Policy 1

2.4 We support Policy 1.

Policy 2

2.5 We strongly object to Policy 2, particularly part 4 which proposes an overall housing requirement of 42,250 homes over the plan period (at an average rate of approximately 2,100) per year to 2030 to help deliver sufficient new housing of appropriate types to meet future requirements.

2.6 The report to Cabinet from the Head of Planning and Regeneration on 7th November 2012 recommended that the Cabinet approve the Submission Draft Local Plan which included a target of 49,000 new homes over the plan period. The report states,

"It is my view, and the strongest advice of the Head of Service that we would not be able to substantiate a plan proposing a lower housing target than proposed in appendix 1 (49,000) at an examination and the plan would fail or more likely not even reach an examination."

2.7 While this recommended target was revised to 45,400 within the report to the Extraordinary meeting of the Planning Policy Advisory Panel (PPAP) of 31 January 2013, there appears to be no available evidence whatsoever to support the housing target of 42,250 now proposed. Indeed, the revised figure of 45,400 which was recommended to Members in January appears to be a direct consequence of an earlier PPAP recommendation (made against the advice of its own Local Plan working group and the strongest advice of officers), for a housing target of just 38,000 on the basis of an interpretation of recent preliminary results of the Census suggesting that the rate household formation has not been as rapid as expected concluding this would be a trend. Members were subsequently advised by Officers that the new data has yet to be modelled through to provide robust projections but while it can be assumed that the updated figures may be lower than the last nationally published projections for Cornwall of 58,000 it is highly unlikely that they will have fallen to the level of 38,000.

2.8 At a meeting on 31st January 2013, the Planning Policy Advisory Panel rejected the overall housing target for Cornwall recommended by officers of 45,400 and proposed an alternative figure of 38,000. The Full Council met on 12th February 2013 and were advised by officers that the figure of 38,000 could not be robustly defended as ‘sound’ or evidence-based. Subsequently, the Full Council approved a revised County-wide housing figure of 42,250
2.9 Average housebuilding rates experienced in Cornwall over the last 20 years has been circa 2,250 new homes per year. However, all the information contained within the suite of evidence base papers makes it clear that there will need to be a step change in housing delivery over the next 20 years in order to ensure that the current and future housing need is met. The currently proposed level of growth would actually result in a lower level of growth (2,112 per annum) than the average experienced over the last 20 years, far from delivering the step change that is needed to ensure that sufficient housing of all types and tenures (including affordable housing) can be delivered to address the backlog of housing need and the predicted future need. It would fall well short of providing the number of affordable homes required. It would not be consistent with the National Planning Policy Framework and in our view would fail the relevant test of soundness in this respect. Furthermore, the proposals are not founded on robust and credible evidence and therefore not justified. We are also concerned that an overly pessimistic view on the recovery of the economy is being applied in arriving at the likely migration levels and the ability of the market to deliver the required housing.

2.10 The implications of not planning for the most likely population and household growth include:

- Limiting the amount of affordable housing that could be delivered, which in turn would have a serious knock on effect for meeting need identified in the housing waiting list.
- The competing demands for housing will increase from local residents, in-migrants, and second home purchasers and as a consequence house prices will increase.
- Restrict the viability of new infrastructure provision.
- Young and working age people are likely to move away from Cornwall if they can’t find affordable accommodation.
- Rising levels of homelessness and inadequately housed over-crowded households
- Threat to prosperity and achieving economic aspirations.
- Greater social inequality and exclusion leading to demographically and socially less balanced and unsustainable communities

2.11 In light of the above, and following an assessment of the various evidence base papers, we would support a higher level of housing growth in order that it can satisfy the actual and predicted housing requirements within Cornwall and begin to address some of the backlog of need that has built up over recent years.
2.12 **We do not support the level of growth that the Local Plan - Strategic Policies proposes and consider that a higher level is required to meet the needs identified within the appropriate evidence base papers.**

2.13 In terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places. While we do not oppose a spatial strategy which seeks to allow smaller settlements to sustain themselves and where appropriate grow, we are concerned that the dispersed strategy that part 7 of Policy 2 proposes could stymie growth and regeneration agendas in some of the County’s larger settlements. We have previously advised that we consider that a large focus of the required development should be directed towards the main urban areas as this would generally result in a distribution of housing that would reflect current national policy and its sustainable growth objectives. It would concentrate new homes in towns where there are employment opportunities (over half the employment in the County is provided in the main towns) and where new employment opportunities can be provided in step with new housing. It would ensure that facilities, services and infrastructure needed to support new housing already exists and/or where necessary can be delivered in locations which would reduce the need to travel by car. It would encourage regeneration which is a key component of the vision. Furthermore, it will still allow for sustainable growth of the smaller settlements at an appropriate scale. We remain of this view and believe that the proposal to distribute the development requirements in a more dispersed manner would conflict with current national policy and fails the tests of soundness on this basis.

2.14 **We consider that a greater focus should be directed towards the larger settlements but believe that there should be some flexibility to allow for a more bespoke distribution strategy in certain areas.**

**Policy 3**

2.15 As we have made clear already in these representations, we consider that the overall level of growth proposed by the Local Plan Strategic Policies consultation document is not sufficient to meet the development needs identified within the evidence based papers, particularly in respect of housing, throughout the County. However, we also believe this to be the case in respect of the level of growth proposed within the Hayle and St Ives CNA where the scale of growth has actually reduced from 3,200 recommended by the Head of Service in January 2013 to 2400 now proposed. Given that the CNA includes two Category A settlements (as defined within the Settlements: Hierarchy and Settlement Categories evidence base paper), we believe that a higher level of provision would be suitable (to meet the need) and achievable.
2.16 In particular, we consider that Hayle has significant potential and land capacity (between the existing built up area and the A30) to accommodate higher levels of growth which can also assist in the regeneration agenda for the town. We believe that the levels of growth for the Hayle and St Ives would be likely to unnecessarily curtail the level of growth that is required to meet the local housing need and deliver the regeneration benefits which have previously been identified for Hayle (within the 2008 Penwith Core Strategy Preferred Options Report and 2006 Hayle Area Plan).

2.17 Indeed the reduced growth proposals for the Hayle and St Ives CNA comprise an anticipated level of housing growth (approx. 120 per year) which is significantly lower than the housing growth rates seen over the past 10 years (average of approx. 160 per year). The evidence base makes clear that this would not meet the level of housing that the available evidence suggests will be required during the plan period let alone represent the growth agenda that Hayle is seeking.

2.18 Our concern is compounded by the fact that the housing commitments within Hayle clouds the picture in respect of the need to identify additional land for housing within the next 20 years. The draft Local Plan proposes that of the 1300 houses proposed in Hayle by 2030, land for only 303 additional houses will be required to be identified due to the number of dwellings completed or within unimplemented planning permissions standing at 997. However, the vast majority of these commitments relate to outline permissions for the redevelopment of Hayle Harbour which is very likely to include huge numbers of flats which in all probability are unlikely to be delivered for viability reasons. Furthermore, even if a proportion of these are delivered it would not meet the actual housing need within Hayle which incorporates a much wider mix of housing including a significant need for family housing. There is a need for almost 1000 additional affordable homes to be provided over the next ten years to accommodate those already in housing need. This is before the need for additional market housing is taken into account or the inevitable transition to smaller households for those people already living in the area is taken into account.

2.19 Given the uncertainty that this generates, we believe that it is imperative that the Local Plan seeks to plan for flexible and responsive supply of land to meet housing needs.
3.0 General Policies

Policy 8

3.1 Paragraph 2.21 states a Viability Study has been prepared to inform the affordable housing policies. It defines different value and viability areas and Hayle has been identified within Zone 4, reflecting its relatively low values. However, Policy 8 seeks to provide 40% affordable housing provision on all sites within Hayle, contrary to the evidence set out within the Viability Study that underpins it. We acknowledge that in Paragraph 2.27 it is stated that the policy target includes a range of places with different markets and the policy will therefore require a significant degree of flexibility in its operation. This is also directly related to the levels of Community Infrastructure Levy to be applied in the different value zones and will ensure that the policy can adjust often to very local prevailing market conditions. However, the target still needs to respond to the appropriate evidence base and it is clear that as currently proposed it does not. Indeed, Policy 8 appears to be at odds with the recommendations set out within the report to Cabinet from the Head of Planning and Regeneration on 7th November 2012 which recommended that a target of 30% affordable housing be applied to Hayle.

4.0 Policy messages for places – local objectives

PP2 Hayle and St Ives Community Network Area

4.1 As previously stated, Linden Homes and Cranford (Penpol) Ltd control land at Penpol Road which falls within the Hayle South potential urban extension option (HUE2) identified within the previously consulted upon Hayle and St Ives Community Network Area Discussion Paper. We made representations in response to that Discussion Paper and do not repeat those here. However, we have made clear in those representations our belief that the land represented by the Hayle South (HUE2) potential urban extension option represents the logical option for the future expansion of the town. It was previously identified for future growth by the former Penwith District Council. It is well related to the town and offers good access to existing facilities. It also benefits from the previous consultation carried out by the former Penwith District Council. The land within the control of Linden Homes and Cranford (Penpol) Ltd, is a deliverable site for housing in the immediate term and as Appendix A to our Discussion Paper representations makes clear is eminently suitable for development when considered within the context of an appropriate Masterplan strategy for Hayle as a whole. Furthermore, it provides the opportunity to deliver an area of land for the expansion of the adjoining Penpol primary school in conjunction with new development as well as other community benefits including the potential for a new health centre and community leisure facilities.
Cornwall Local Plan

Strategic Policies 2010-2030
Pre-submission document
Representations on behalf of Linden Homes

April 2013
1.0 Introduction

1.1 These representations are submitted on behalf of Linden Homes.

1.2 Linden Homes controls land in Hayle at Trevassack Hill and made representations in response to the Core Strategy Options Paper in April 2011 and the Preferred Approach draft document in February 2012. We welcome the opportunity to comment again at this next consultation stage upon the future plans and proposals as they affect the County and in particular in Hayle and its Community Network Area.

1.3 In terms of Linden Homes’ comments on the overall scale and distribution of growth proposed within Cornwall, these representations should be read in conjunction with those made jointly by Linden Homes and Cranford (Penpol) Ltd. These representations only therefore seek to address the emerging proposals for Hayle.

2.0 Policy messages for places – local objectives

PP2 Hayle and St Ives Community Network Area

2.1 Linden Homes controls land at Trevassack Hill which falls within the Hayle South potential urban extension option (HUE2) identified within the previously consulted upon Discussion Paper. Linden Homes submitted representations in response to the Discussion Paper which provided a conceptual design framework for the Hayle South area and shows how it could be developed in a manner that responds to the key aims and objectives identified with the Discussion Paper and its appropriate evidence base.

2.2 We believe that the land represented by the Hayle South (HUE2) potential urban extension option represents the logical option for the future expansion of the town. It was previously identified for future growth by the former Penwith District Council. It is well related to the town and offers good access to existing facilities. It also benefits from the previous consultation carried out by the former Penwith District Council.

2.3 The parcel of land which Linden Homes controls is located at the north eastern end of the HUE2 option area. It is very well situated in proximity to the Copperhouse town centre and adjoins land which benefits from planning permission for affordable housing. The site itself is currently an unattractive redundant nursery with dilapidated glasshouses and can be regarded, to all intents and purposes, as previously developed land as it shares many of its
2.4 This land is within the control of a housebuilder, is a deliverable site for housing in the immediate term and is eminently suitable for development when considered within the context of an appropriate Masterplan strategy for Hayle as a whole.
Cornwall Local Plan

Strategic Policies 2010-2030
Pre-submission document
Representations on behalf of Hawkstone (2002) Ltd

April 2013
1.0 Introduction

1.1 These representations are submitted on behalf of Hawkstone (2002) Ltd.

1.2 Hawkstone (2002) Ltd controls land in Bodmin and made representations in response to the Core Strategy Options Paper in April 2011 and the Preferred Approach draft document in February 2012. We welcome the opportunity to comment again at this next consultation stage upon the future plans and proposals as they affect the County and in particular in Bodmin and its Community Network Area.

1.3 In preparing our comments we have, as previously, been mindful of the requirement for any future Local Plan document to be sound (i.e. justified, effective and consistent with national policy).

Evidence base

1.4 We have also had regard to the suite of evidence base documents which underpin the Strategic Policies Pre-submission draft document, including the following:

- Sustainability Appraisal: Pre Submission Document Report plus
- Alternative Proposal for Cornwall Local Plan Housing Target 2010-2030;
- Housing Requirement for Cornwall (Peter Brett Associates)
- Community Facilities and Services Survey 2012 Update;
- Settlements: Hierarchy and Settlement Categories 2012 Update;
- Cornwall Employment Land Review;
- Housing Strategic Viability Appraisal
- Population and Household Change 2013 Update;
- Growth Factors Profiles
- Infrastructure Needs Assessment Schedules;
- Topic Based Papers;
- Place Based Topic Papers.

1.5 However, we are concerned that some important evidence is not yet available including the Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Needs Assessment.
National Planning Policy Framework

1.6 It is imperative that the emerging Local Plan takes full account of the advice set out within the National Planning Policy Framework (the Framework). At the heart of the Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking. For **plan-making** this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.

1.7 Local Plans should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

1.8 The Framework advises that a local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.9 The Framework advises that local plans should include strategic policies to deliver the homes and jobs needed in the area; the provision of retail, leisure and other commercial
development. They should also indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map; allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate.

1.10 "To boost significantly the supply of housing", the Framework advises that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

Structure of representations

1.11 The remainder of these representations have been structured to comment upon the individual chapters of the Core Strategy Preferred Approach consultation document as follows:

- Section 2: Vision and objectives
- Section 3: General Policies
- Section 4: Policy messages for places

2.0 Vision and Objectives

2.1 We believe that the Local Plan for Cornwall has to marry the key objectives set out within this vision with the need to be consistent with national policy and the need to plan for the "full objectively assessed" housing needs.

2.2 We agree that in terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places and that there is not one answer across Cornwall. We absolutely agree that, first and foremost, development is necessary to meet the needs of Cornwall’s communities for homes, businesses, jobs and access to daily needs.

2.3 We believe that the strategy should be more closely aligned to the priorities set out within the National Planning Policy Framework and should make reference to the need to identify sufficient land for development, having regard to the available evidence, taking account of the needs of the residential and business community.

Policy 1

2.4 We support Policy 1.
Policy 2

2.5 We strongly object to Policy 2, particularly part 4 which proposes an overall housing requirement of 42,250 homes over the plan period (at an average rate of approximately 2,100) per year to 2030 to help deliver sufficient new housing of appropriate types to meet future requirements.

2.6 The report to Cabinet from the Head of Planning and Regeneration on 7th November 2012 recommended that the Cabinet approve the Submission Draft Local Plan which included a target of 49,000 new homes over the plan period. The report states,

"It is my view, and the strongest advice of the Head of Service that we would not be able to substantiate a plan proposing a lower housing target than proposed in appendix 1 (49,000) at an examination and the plan would fail or more likely not even reach an examination."

2.7 While this recommended target was revised to 45,400 within the report to the Extraordinary meeting of the Planning Policy Advisory Panel (PPAP) of 31 January 2013, there appears to be no available evidence whatsoever to support the housing target of 42, 250 now proposed. Indeed, the revised figure of 45,400 which was recommended to Members in January appears to be a direct consequence of an earlier PPAP recommendation (made against the advice of its own Local Plan working group and the strongest advice of officers), for a housing target of just 38,000 on the basis of an interpretation of recent preliminary results of the Census suggesting that the rate household formation has not been as rapid as expected concluding this would be a trend. Members were subsequently advised by Officers that the new data has yet to be modelled through to provide robust projections but while it can be assumed that the updated figures may be lower than the last nationally published projections for Cornwall of 58,000 it is highly unlikely that they will have fallen to the level of 38,000.

2.8 At a meeting on 31st January 2013, the Planning Policy Advisory Panel rejected the overall housing target for Cornwall recommended by officers of 45,400 and proposed an alternative figure of 38,000. The Full Council met on 12th February 2013 and were advised by officers that the figure of 38,000 could not be robustly defended as 'sound' or evidence-based. Subsequently, the Full Council approved a revised County-wide housing figure of 42,250

2.9 Average housebuilding rates experienced in Cornwall over the last 20 years has been circa 2,250 new homes per year. However, all the information contained within the suite of evidence base papers makes it clear that there will need to be a step change in housing
delivery over the next 20 years in order to ensure that the current and future housing need is met. The currently proposed level of growth would actually result in a lower level of growth (2,112 per annum) than the average experienced over the last 20 years, far from delivering the step change that is needed to ensure that sufficient housing of all types and tenures (including affordable housing) can be delivered to address the backlog of housing need and the predicted future need. It would fall well short of providing the number of affordable homes required. It would not be consistent with the National Planning Policy Framework and in our view would fail the relevant test of soundness in this respect. Furthermore, the proposals are not founded on robust and credible evidence and therefore not justified. We are also concerned that an overly pessimistic view on the recovery of the economy is being applied in arriving at the likely migration levels and the ability of the market to deliver the required housing.

2.10 The implications of not planning for the most likely population and household growth include:

- Limiting the amount of affordable housing that could be delivered, which in turn would have a serious knock on effect for meeting need identified in the housing waiting list.
- The competing demands for housing will increase from local residents, in-migrants, and second home purchasers and as a consequence house prices will increase.
- Restrict the viability of new infrastructure provision.
- Young and working age people are likely to move away from Cornwall if they can’t find affordable accommodation.
- Rising levels of homelessness and inadequately housed over-crowded households
- Threat to prosperity and achieving economic aspirations.
- Greater social inequality and exclusion leading to demographically and socially less balanced and unsustainable communities

2.11 In light of the above, and following an assessment of the various evidence base papers, we would support a higher level of housing growth in order that it can satisfy the actual and predicted housing requirements within Cornwall and begin to address some of the backlog of need that has built up over recent years.

2.12 **We do not support the level of growth that the Local Plan - Strategic Policies proposes and consider that a higher level is required to meet the needs identified within the appropriate evidence base papers.**
2.13 In terms of a Spatial Strategy Cornwall’s diversity requires different responses in different places. While we do not oppose a spatial strategy which seeks to allow smaller settlements to sustain themselves and where appropriate grow, we are concerned that the dispersed strategy that part 7 of Policy 2 proposes could stymie growth and regeneration agendas in some of the County’s larger settlements. We have previously advised that we consider that a large focus of the required development should be directed towards the main urban areas as this would generally result in a distribution of housing that would reflect current national policy and its sustainable growth objectives. It would concentrate new homes in towns where there are employment opportunities (over half the employment in the County is provided in the main towns) and where new employment opportunities can be provided in step with new housing. It would ensure that facilities, services and infrastructure needed to support new housing already exists and/or where necessary can be delivered in locations which would reduce the need to travel by car. It would encourage regeneration which is a key component of the vision. Furthermore, it will still allow for sustainable growth of the smaller settlements at an appropriate scale. We remain of this view and believe that the proposal to distribute the development requirements in a more dispersed manner would conflict with current national policy and fails the tests of soundness on this basis.

2.14 **We consider that a greater focus should be directed towards the larger settlements but believe that there should be some flexibility to allow for a more bespoke distribution strategy in certain areas.**

**Policy 3**

2.15 As we have made clear already in these representations, we consider that the overall level of growth proposed by the Local Plan Strategic Policies consultation document is not sufficient to meet the development needs identified within the evidence based papers, particularly in respect of housing, throughout the County. However, we are pleased that the level of growth proposed within the Bodmin CNA has increased compared with that proposed within the Preferred Approach consultation document, as we recommended in our previous representations. We therefore support the proposal to plan for at least 3000 dwellings within Bodmin within the new plan period.
3.0 General Policies

Policy 8

3.1 Paragraph 2.21 states a Viability Study has been prepared to inform the affordable housing policies. It defines different value and viability areas across Cornwall and Bodmin has been identified within Zone 4, reflecting its relatively low values. The viability evidence underpinning draft Policy 8 does not support the draft affordable housing policy. Indeed, whilst the evidence base doesn't even support the proposed policy, we consider that even the level of affordable housing which the evidence does support does not comply with the provisions of the NPPF, particularly para 173 which requires any such evidence to allow for "competitive returns to a willing landowner and willing developer to enable development to be deliverable". We consider that the viability evidence is based on several flawed assumptions relating to build costs (including more onerous building regulations requirements during the plan period), abnormal costs, residual Section 106 costs, land values and sales values.

3.2 Policy 8 seeks to provide 40% affordable housing provision on all sites within Bodmin, contrary to the flawed evidence set out within the Viability Study that underpins it. We acknowledge that in Paragraph 2.27 it is stated that the policy target includes a range of places with different markets and the policy will therefore require a significant degree of flexibility in its operation. This is also directly related to the levels of Community Infrastructure Levy to be applied in the different value zones and will ensure that the policy can adjust often to very local prevailing market conditions. However, the target still needs to respond to the appropriate evidence base and it is clear that as currently proposed it does not. Indeed, Policy 8 appears to be at odds with the recommendations set out within the report to Cabinet from the Head of Planning and Regeneration on 31 January 2013 which was said to be based on the viability evidence but proposed an affordable housing target in Bodmin of 30% . Indeed, the Executive Summary of the Housing Strategic Viability Appraisal which was attached a Appendix 6 to that report states,

"In zone 4 settlements e.g. Bodmin and Penzance, there is considerable variation in viability between small urban and large scale (greenfield) schemes. For the former, a 20% affordable housing requirement with £40 CIL may be the maximum that can be achieved, but slightly higher levels of both affordable housing and CIL will be viable on large greenfield schemes".

3.3 An affordable housing target of 25% and £70 per sq m CIL was recommended by Officers as a "realistic starting point" for large strategic greenfield schemes. Bizarrely the proposed
affordable housing policy seeks twice this amount of affordable housing on all sites in Bodmin, contrary to the Council own evidence. Indeed there is no evidence which supports the policy contention that 40% affordable housing is viable in Bodmin even with CIL set at zero.

3.4 Consequently, we believe that the rationale and evidence base behind the Affordable housing policy is unsound and requires further consideration. As currently proposed we object to Policy 8.

4.0 Policy messages for places – local objectives

PP11 Bodmin Community Network Area

4.1 As previously stated, Hawkstone (2002) Ltd control land at Priory Road which falls within the Priory Urban Extension (BdEU1) identified within the Bodmin Town Framework Consultation document 2013. We have made representations in response to that document and do not repeat those here. However, we have made clear in those representations our belief that the land represented by the Priory Urban Extension (BdUE1) urban extension option represents the logical option for the future expansion of the town.

4.2 It is well related to the town and offers good access to existing facilities. It also benefits from the previous consultation carried out by the former North Cornwall District Council. It is a deliverable site for housing led mixed use development as is evidenced by the current planning application Ref: PA/12/12115.
Local Plan – Strategic Policies

Pre-submission document representation form

Please return to Cornwall Council by **5.00pm on 22 April 2013**
Please complete a separate sheet for each representation you wish to make **(All representations will become public)**

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Q1. **Do you consider that the Local Plan meets the legal and procedural requirements?**
Yes [ ] No [x]

Q1. Please specify the reasons below

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name and address)

Q2. **A local planning authority should submit a plan for examination which it considers to be ‘sound’ – namely that it is; positively prepared, justified, effective and is consistent with national policy. Do you consider the Plan has met these tests?**
Yes [ ] No [x]

Q2. Please specify the reasons below

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name and address)

**SEE ATTACHED**
Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns. You will need to say how this change will address the concerns and it would be helpful if you could put forward your suggested revised wording to any policy or text and any evidence to support the change.

Please state which paragraph or policy your change refers to and specify the reasons below:

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Q4. Did you raise this issue earlier in the plan preparation process?

Yes ☐ No ☑

If yes, please specify at what stage:

Q5. If your representation is seeking a change, do you wish to participate at the examination in public?

No, I do not wish to participate at the examination in public ☐

Yes, I wish to participate at the examination in public ☑

If you require any assistance in completing this form or require any further explanation as to what is required please contact a member of the local planning team using the email address below or telephoning 01872 224283.

Completed forms should be submitted:

by e-mail to: localplan@cornwall.gov.uk
by post to: Cornwall Council
Local Plans Team
Carrick House
St Clement Street
Truro TR1 1EB

Please submit any views to Cornwall Council using the above methods by 5:00pm on 22 April 2013.

Next steps

The representations received during this formal round of consultation will be reported to and considered by the Council. Any significant changes will be consulted on prior to consideration by the planning inspectorate, who will appoint an inspector to conduct an examination in public.
Duty to Co-operate

Under Paragraph 181 of the National Planning Policy Framework (NPPF), Local Authorities are expected to demonstrate evidence of having effectively co-operated to plan for issues with cross boundary impacts when their local plans are submitted for examination.

Cornwall Council has three neighbouring local authorities namely Torridge District Council, Plymouth City Council and West Devon District Council. Under Paragraphs 17, 157 and 178 of the NPPF neighbouring authorities should work jointly together and co-operate to address planning issues which cross administrative boundaries or on matters that are larger than local issues.

The Council should co-operate with its neighbouring authorities to ensure that all housing needs are addressed. Since the abolition of the South West Regional Assembly and the proposed revocation of its Regional Spatial Strategy (RSS) in the very near future, there has been a significant drop in the collective level of housing provision envisaged by local authorities in the region. The overall proposed housing provision across the region is estimated to have fallen by -18%. In Policy 2 of the Cornwall Local Plan, the Council is proposing 42,250 dwellings (2,100 per annum) between 2010-2030 compared to the previous SWRSS figure of 3,410 dwellings per annum. This substantial reduction in housing provision in Cornwall is discussed in greater detail in the next section of this written representation.

However a reduction in housing provision is also evident in Cornwall’s neighbouring authorities, for example, Torridge and North Devon District Councils have produced a joint Draft Local Plan for which the consultation period ended on 15th March 2013. This joint Draft Local Plan proposes 16,000 dwellings over a plan period of 2011-2031 representing only 75% of the previously proposed figure of 21,600 in the SWRSS.

Similarly Plymouth City Council has an existing plan adopted in 2007 to deliver 17,250 homes, which is less than the former SWRSS figure and West Devon District Council has an existing plan adopted in 2011 to deliver 4,400 homes, which is the same as SWRSS.

These substantial reductions in housing provision across the region could have significant implications such as worsening an existing housing affordability crisis and increasing the number of households living in housing stress. Cornwall Council should not assume that just because its neighbouring authorities have not drawn attention to any matters of a strategic nature, such strategic pressures do not exist. If neighbouring authorities are not adequately assessing housing needs, these housing pressures could impinge upon Cornwall. Likewise it
cannot be assumed that neighbouring authorities have planned to accommodate any under supply of housing provision from Cornwall.

In conclusion, there is no evidence that there is any capacity or willingness among any of Cornwall’s neighbouring authorities to absorb any under-provision of housing that may occur in Cornwall nor vice versa. The Council will have to address this issue in order to satisfy its legal obligations under the duty to co-operate.
Policy 2 Key Targets and Spatial Strategy

The NPPF makes it clear in paragraph 47 that Local Plan should meet the full objectively assessed needs for market and affordable housing. Even if it cannot do so because of the exception in NPPF unmet needs must be objectively assessed so as to identify any unmet needs that should be sought in adjoining areas.

One of the main reasons for RSS abolition was to remove top down imposition of housing requirements. However, this needs to be considered in the context of a clear parallel message for Government that it expects to see an acceleration in house building through a planning system which proactively supports growth and views housing development positively as set out in the NPPF. Increasing house building is a frequently stated Government priority and the Ministerial Statement dated 6th September 2012 on “Housing and Growth” which stated:

“The Localism Act has put the power back in the hands of communities but with this power comes responsibilities: a responsibility to meet their needs for development and growth and to deal quickly and effectively with proposals that will deliver homes, jobs and facilities.”

The move towards abolition of the RSS has not been made to facilitate reduced housing provision solely on the basis of community consultation.

In stark contrast to these Government objectives, the Local Plan does seek to significantly reduce housing supply over the period, from the dRSS requirement of 3,422 dwellings per annum (2006-2026) (total 68,500 dwellings) to the LP provision of 2,122 per annum (total 42,500 dwellings) in the period 2010 to 2030. The earlier version of the Local Plan specified a higher housing provision of 48,500 new dwellings but this was rejected due to political influences rather than sound planning reasons.

In meeting the Council’s objectively assessed housing needs, the NPPF advises that the Council should as part of its evidence base prepare a Strategic Housing Market Assessment. However, the Core Strategy has been approved without such an up to date document being in place. It is still being prepared. In particular the report prepared by officers on 31st January 2013 ‘Extraordinary Planning Policy Advisory Panel’ states.

“The strategic housing market assessments is in the process of being updated as part of a joint project with our neighbouring authorities which will provide a fresher review before the plan is formally submitted but factors
such as affordability and assess to market have not changed that significantly to suggest a significant reduction in needs."

It is unclear how such a statement can be made when the evidence has not been finalised. In fact the opposite is true rather than looking at reducing the overall level of housing provision, the figures should be significantly increased. There are a number of factors which support a significant increase in housing provision namely:

i) The level of growth proposed is significantly less than the average achieved in the County. Over the last 10 years it has been 2,500 per annum and during the last 20 years average 2,100 per annum. However, most significant having the last 4 years within the recession, the level of housing growth has been 2,450 per annum. Clearly a higher level of housing can be delivered which is being proposed.

ii) The suggested level of economic growth is to provide for 50,000 jobs in the period up to 2030. The level of housing proposed is clearly a constraint to meeting that economic growth level and accordingly must be increased to be more in step.

iii) The current level of need for affordable housing is at least 1,570 dwellings per annum. This does not include any backlog in need being met, which is considerable. Given that at least only 30% of new dwellings are affordable this requires a significant increase in the provision of dwellings to meet that rate. However rather than increase the overall level, the Council has decided to reduce the level of housing growth.

It is clear that the dRSS requirement of 68,500 dwellings was supported by current tested evidence. In contrast the untested LP requirement will not meet objectively assessed housing needs given household and population projections. It is relevant to note in line with paragraph 14 of NPPF that there are early versions of the Local Plan were higher levels of housing growth were assessed and accepted within the accompanying Sustainability Appraisals. No ‘show stoppers’ were identified to accommodate a higher level of growth.

In view of the above, the Core Strategy is not sound in that the housing provision is not backed up by evidence, rather the evidence actually indicates that a substantially higher housing provision should be adopted of between 50,000-60,000 dwellings in the period up to 2030.
Turning to the delivery of housing, objections are lodged to the lack of identified housing sites in the Local Plan. It appears that the identification of potential sites for housing and employment is being left to either the Site Allocations DPD or the production of Neighbourhood Plans. It is considered that the lack of site identification is contrary to guidance in NPPF which seeks to boost the supply of housing and provide certainty to developers and landowners on the release of land for housing. This is especially important in Cornwall where the lack of a 5 year supply of deliverable housing has been evident for a number of years. Indeed within Truro a 5 year supply of deliverable housing sites has not been available for some considerable time and this backlog needs to be addressed. The preparation of Site Allocations DPD or Neighbourhood Plan will take some time to complete which consequently will produce a ‘lag’ in the delivery of housing sites. Indeed there is no certainty that Neighbourhood Plans will be produced in a realistic timescale. It is therefore recommended that the Local Plan be amended to specifically identify a number of strategic sites for both housing and employment. The objectors control significant land at Higher Besore, Threemilestone, Truro for housing (see attached plans). This site is immediately available and suitable for development. Indeed a planning application is currently being prepared for submission in May 2013. Furthermore there are no technical or environmental constraints which would prohibit their release. Accordingly, such land should be identified within the Local Plan.

It is therefore recommended that the Local Plan specifically identify a number of strategic housing sites which includes amongst other, land at Higher Besore, Threemilestone, Truro.
Policy 3 Role and Function of Places

The objectors welcome the principle of the policy which seeks to identify larger scale residential and employment development in a number of settlements. However, nowhere within the policy or the supporting text does it identify ‘larger scale’ …. Development’. Furthermore, it is unclear how the list of settlements have been arrived at. The objector controls considerable land at Higher Besore, Threemilestone, Truro which is suitable for housing development. Accordingly support is given to the inclusion of Truro with Threemilestone within the list of suitable settlements for large scale development.

With regards to the housing distribution, objections have already been made to Policy 2 concerning that overall level of housing provision in the period up to 2030. It is recommended that the overall level of housing be increased and accordingly the distribution to settlements such as Truro should be increased to say 5,000-5,500 dwellings and 2,000 dwellings in the remainder of the CNA. The Local Plan indicates that there are over 626 dwellings already committed in Truro. However an examination of the sites which have potential to deliver housing amounts to less than that quantum. It is considered that the Council is also potentially relying on a number of larger sites to assist its housing delivery e.g. Langarth Farm etc. Whilst there are no objections to such an approach there is always a longer lead in time for such sites to be developed. In such circumstances a range of additional sites needs to be identified to provide certainty of delivery and a choice of sites.

It is therefore recommended that the level of housing development should be increased to between 5,000-5,500 dwellings in Truro with Threemilestone and 2,000 dwellings in the remainder of the CNA.
Policy P6 Truro & Roseland CNA

At the outset, the specific section on Truro and Roseland CNA is welcomed. These representations should be cross referenced with our representations in respect of Policies 2 and 3 in particular. Those representations requested that the overall housing provision be increased and that the housing distribution for Truro be increased to between 5,000-5,500 dwellings and 2,000 for the remainder of the CNA.

It also identified issues in respect of:

i. Truro has been unable to demonstrate a 5 year supply of deliverable housing sites for a number of years. This persistent under delivery needs to be addressed and the backlog worked into the current housing provision. It is unclear whether this shortfall has been addressed.

ii. There is a reliance on a number of large sites to deliver the housing provision within the Truro and Threemilestone area e.g. Langarth Farm. Whilst the objectors have no objections to such an approach it is necessary to identify a range of other sites which can assist with housing delivery whilst providing a choice of housing sites.

The objectors have concern at the lack of site identification in the Local Plan and the potential delay in housing and employment delivery if housing and employment site allocations are left to the Strategic Sites Allocations DPD.

They consider that to aid housing delivery and provide certainty that the Local Plan should be proactive and specifically identify land at Higher Besore, Threemilestone in particular to accommodate future development.

We are aware that some work has already been undertaken with regards to potential options for future development at Truro and Threemilestone. The objector controls land at Higher Besore. With regards that land there are no constraints to its development in terms of technical or environmental issues. The site forms a logical extension to Higher Besore to clearly defined and definable boundaries. Accordingly it is considered that the site should be identified as an urban extension for circa 150-175 dwellings in this Local Plan. This would provide certainty towards its delivery and would enable the objector to proceed with the submission of a planning application in May 2013.

It is important that the Local Plan also identifies sites in Truro and Higher Besore to ensure that local needs are fully met. The objector will be submitting a planning application for circa 150-160 dwellings on land at Higher Besore, Threemilestone in May 2013.
Policy 8 Affordable Housing

The NPPF makes reference to the need to make provision for all housing need in an area to be met. With regards affordable housing however the NPPF advises that the economic consideration of providing affordable housing must be taken into consideration. Of particular concern with the policy are the following factors:

i. Affordable housing being provided on all new housing schemes where there is a net increase of 2 units or more than 0.1 hectares. The level of affordable housing is expected to be delivered without any public subsidiary.

ii. The community are unlikely to be supportive of that level of affordable housing.

iii. The level is not reflective of values, scales, rates, lending criteria and the current housing market in Cornwall.

iv. It exceeds the requirements of dRSS which was prepared in a good economic climate when grant funding was available. This is a poor market with no grant funding and is unlikely to change significantly during the plan period.

v. The balance between affordable housing and housing that is affordable is complex. The proportion of affordable housing will necessitate market demand to a much higher overall housing figure in order to meet the needs of local people who do not qualify for social housing like most of them.

vi. A viability clause is required in the policy for when it cannot be delivered.

vii. The scale of affordable housing will limit the availability of finance to S106 and infrastructure improvements significantly.

It is considered that the policy is fundamentally flawed and is underpinned by an unsound viability assessment.

The policy needs to be amended with the thresholds increased to enable a more realistic level of affordable housing to be provided.
Policy 28 Infrastructure Requirements

There is no objection of this policy, in principle, which requires infrastructure needs for and arising from development. However, it must be demonstrated that the requirement complies with the guidance in NPPF and the Community Infrastructure Levy 2010 (CIL) Regulation 122 i.e. that it is reasonable, necessary and proportionate to the development being proposed.

Concern is therefore raised to the requirements within this policy to fund specific and essential infrastructure and provision not in the Regulation 123. It is unclear what is meant by these phrases clearly if the Policy is seeking contributions not sanctioned by NPPF or CIL, then there is no justification for the funding sought.

There is no objection in principle to the provision of an Infrastructure Delivery Plan and Schedule. It is considered that such a document can provide certainty with regards the likely infrastructure improvements that need to take place and how they should be funded. However, such a document must be realistic and prepared in open discussion with the developers who will deliver the scheme. All too often the Infrastructure Delivery Plan and Schedule is prepared with no discussion with developers, rendering it worthless.

Finally, support is given to the recognition that independent viability testing is at times an essential part of the development process. It is however, not necessary for every scheme to submit an independent viability assessment. The policy should also recognise that some payments may not be capable of being made but that the scheme’s implementation is essential and so payments are not required.

Recommendations

i. The requirement for an independent viability assessment on every scheme should be deleted;

ii. Infrastructure Delivery Plans and Schedules should be prepared in consultation with developers;

iii. Full definitions of specific and essential infrastructure to be provided;

iv. Recognition should be given that some development may be not be able to fund all of the required infrastructure provision and deferred or no payments will be required.
Representation in respect of Cornwall Council’s
Local Plan Strategic Policies 2010 – 2030

Client: Cavanna Homes

April 2013
1. Introduction

1.1. The purpose of this brief representation is to provide comment on the Cornwall Local Plan Strategic Policies 2010 – 2030 on behalf of Cavanna Homes. Cavanna Homes is a well-established privately owned firm of housebuilders based in Torquay, Devon. This representation makes some general comments on the contents of the Local Plan and some specific comments in relation to the site shown at Penwinnick Road, St Agnes (map appended to this representation with site hatched red).

1.2. The representation has been set out in plan order, with a conclusion relating to individual policies or paragraphs after commentary on individual passages of policy or supporting text where appropriate. We have included reference to the overall housing numbers and have some serious concerns on this. We welcome this opportunity to engage with the Council’s in the policy making process and reserve the right to supplement with further information at later stages, including the eventual examination.

2. Commentary

2.1. The starting point for preparation of the Local Plan is the guidance set out in the National Planning Policy Framework (NPPF), as confirmed by paragraph 13 of the NPPF. Paragraph 6 states that “the purpose of the planning system is to contribute to the achievement of sustainable development”, which the following paragraph defines as having three dimensions; economic, social and environmental. The NPPF confirms that the plan led system is retained but introduces the presumption in favour of sustainable development, which is set out in full in paragraph 14. The text relating to ‘plan making’ is set out in full below.

“For plan-making this means that:

- Local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.”

2.2. The overarching message and thrust of the NPPF is an important consideration for the team drawing up the Local Plan to take into account. In relation to housing for instance, paragraph 47 of the NPPF refers to a need “to boost significantly the supply of housing” and that the Local Plan “meets the full, objectively assessed needs for market and affordable housing”. In the absence of the housing requirement being set by the Regional Spatial Strategy, there is an understandable concern that the evidence base supporting a
lower housing requirement than was previously the case is not an objective assessment of the needs for market and affordable housing and is limited to what is determined as being politically palatable. The strategic housing requirement as set out by officers at panels and committees leading up to Full Council was ignored and a lower target of 42,250 is found within the Local Plan. We have concerns that this will not meet the objectively defined need as required by the NPPF.

2.3. The updated and reduced housing requirement for the plan period requires careful scrutiny before it is put forward to be examined by the Inspectorate. We draw attention to a number of well publicised instances around the country where the temptation of reducing the housing requirement outside of the shackles of a top down requirement being imposed on a local planning authority (LPA) has not been quite as straightforward as previously hoped for by the LPA.

2.4. With regard to the overall strategic housing requirement, as set out in draft Policy 2 (Key targets and spatial strategy) we object to the target of 42,250 as being too low. The housing target should be expressed as a minimum in our view (i.e. at least....dwellings provided over the plan period). The NPPF requires, as noted above, in paragraph 47, local planning authorities to “use their evidence base to ensure that their Local Plan meets the full [our emphasis], objectively defined needs for market and affordable housing”. The reduced target fails in this regard the Local Plan cannot be found sound, especially in terms of the guidance in paragraph 182 of the NPPF for Local Plan to be positively prepared.

2.5. The previous iteration of the Local Plan set a target of 48,000 dwellings. The background paper (Housing Growth Targets (February 2011)) set out eight options for growth, based on different sources of evidence. This are set out below.

“Option A: below Trend: this equates to a 25% reduction in development based on past trends, and would deliver about 1,750 dwellings per annum, including 500-600 affordable homes.

Option B: Trend Based Growth: this reflects trends in development over the past 20-25 years and would deliver 2,250 new homes, including 700-800 affordable homes per annum.

Option C: Population and Household Growth Projections: this reflects recent trends in population and household growth in Cornwall and would deliver 2,400 new homes, including 720-840 affordable homes per annum. If migration levels decrease or increase this would affect the number of new homes required.

Option D: Cornwall County Council Response to Revised Household Projections (2007): this reflects the Cornwall County Council response to the South West Regional Assembly and would deliver 2,640 new homes, including 800-950 affordable homes per annum.
Option E: Cornwall Towns Study: this study examined how spatial planning in Cornwall could improve sustainability. It would deliver 2,800 new homes, including 850-1,000 affordable homes per annum.

Option F: Strategic Housing Market Assessment Growth: this study suggests that an additional 3,140 households will form in Cornwall each year. Some 1,570 households each year will require some assistance in terms of housing.

Option G: Regional Strategy Proposed Changes: this was the target proposed for the South West region and would deliver 3,410 new homes for Cornwall, including 1,000-1,200 affordable homes per annum.

Option H: High (National Housing & Planning Advisory Unit) Growth: this level of growth is proposed to enable the supply of housing to meet demand and would deliver 4,000 new homes, including 1,200-1,400 affordable homes per annum.

2.6. The proposed annualised requirement of 2,113 is at the lower end of the scale, when taking all sources of data into account. Paragraph 159 of the NPPF relates specifically to the housing element of plan making and states that local planning authorities should “prepare a Strategic Housing Market Assessment to assess their full housing needs”. At present, this document does not exist in its final form, although the Council does put forward a ‘Housing Requirement for Cornwall’ document, prepared by Peter Brett Associates as part of its evidence base. This document concludes, in paragraph 5.4.1, “that it does not provide a very straightforward answer to the fundamental question that has to be addressed in the Local Plan”. As noted in the February 2011 document referred to above, the previous SHMA indicated a requirement to meet the needs of 3,140 households per annum (62,800 over the plan period). Paragraph 2.4.2 of the PBA document states that demographic evidence referenced “would generate an illustrative housing requirement of between 53,800 and 64,700 homes respectively”.

2.7. Section 4 of the Housing Growth & Distribution (March 2013) background paper looks at growth needed to achieve the economic growth aims to 2030. Figure 7 sets out a range of 49,700 to 95,000 based on three scenarios. Section 6 of the same paper concludes that, based on capacity and historical delivery rates that “a range of between 42,000 and 52,000 new homes as most likely to be built to 2030”. Paragraph 7.1.3 highlights that the figure of 42,250 on Policy 2 was set by Full Council against officer recommendation and Figure 10 shows that the target in Policy 2 is at the low end of the ‘spectrum of objectively defined needs’. It is inherently likely that the target in the emerging Local Plan is planning to fall some way short of the objectively defined need.

2.8. This iteration of emerging policy concludes, against the weight of evidence to the contrary, that the annualised provision should 2,113, far below what the SHMA and other sources of evidence have
concluded. The Local Plan actively aims to fail to meet the objectively defined housing needs. As such, the regenerative aims, which will be met through growth, will not be met.

2.9. We do not propose a revised target for Policy 2, but, as a matter of principle, do consider that it needs to increase to fully meet the housing needs and achieve the economic aims of the Local Plan. The 2011 Household Projections projected that an increase of 2,420 households a year up to 2021 in Cornwall.

2.10. There is a certain circular argument in the use of household projections as an assessment of future needs as they do not take into account imposition of policy and are also based on a period of time in which household formation rates have been suppressed by economic circumstances and inadequate supply of housing. As such, if the aim of policy is to meet objectively defined housing needs, it cannot undercut projections based on historic trends where housing needs were not being met. If policy is to right the previous wrong, then projections are below the absolute bare minimum that policy should seek to achieve. To do anything else effectively plans for a continuation of harmful trends and a worsening housing situation for many in need of housing. The Local Plan should not be seeking to replicate the past decade of housing delivery and the overall housing target should be increased significantly. A much sounder range would be 50,000 (2,500 pa) to 60,000 (3,000) subject to further work on the SHMA. Paragraph 2.11 makes the telling statement that the Local Plan “must plan for the housing needs of our future communities. Failing to do this will undermine the economic strategy, place excessive pressure on an already straining housing market and restrict our ability to secure affordable housing to meet the very acute needs of many in Cornwall”.

2.11. Turning to the rest of the plan, in plan order we have a number of comments. In each instance, we have set out the concern and suggested changes we consider necessary.

2.12. On page 3, we consider that, rather than reference to the four tests set out, the document should more correctly use the tests under which the Plan will be examined as set out in paragraph 182 of the NPPF.

2.13. We support the overall positive policy thrust reflecting paragraph 14 of the NPPF found in Policy 1.

2.14. We support the recognition in paragraph 1.20 that many smaller places provide better opportunities to be more self-contained. This is also referred to in paragraph 2.17. We consider that the overly dogmatic policy approach of only focussing growth on the larger settlement is misplaced and support the Local Plan is positively planning for places like St Agnes. We are, however concerned with the text in paragraph 1.29 where it is state that growth in anything other than the main towns will be limited to those identified through the Neighbourhood Plan along with commitments, affordable housing led schemes and infill development. The local planning authority should pro-actively seek to address all housing needs throughout the county. The need for market housing is not something to be only considered in the main towns. We are concerned that the Neighbourhood Planning process will not deliver and meet the
objectively defined need. It should not be relied on to deliver growth and meet needs. This concern is relevant to Policy 3.

2.15. Paragraph 1.36 addresses the issue of five year land supply. We would welcome further clarification on how the local planning authority will determine five year land supply. The last sentence seems to favour a disaggregated approach, albeit it is used in a positive way.

2.16. We support the reference in Table 1 to the distribution figures being the minimum required. Within the St Agnes and Perranporth CNA the site shown hatched red on the appended map is well placed to help to meet the requirement for the identified residual requirement of 810 dwellings.

2.17. We consider that the statement in paragraph 2.12 is a worrying admission. This states that the strategic housing requirement is a judgement. The NPPF, in paragraph 159, clearly points to the requirement being assessed against an objective measure, rather than a subjective judgement.

2.18. We are concerned that the overall levels of affordable housing are too high, especially taking into account the evidence base for the preliminary draft charging schedule which highlights the problems on viability with the proposed targets and the proposed levels of CIL.

2.19. We consider that paragraph 2.35 should be deleted. Meeting needs is more important than pleasing those with a vested interest in not meeting needs. The same comment applies to Policy 9(iii).

2.20. We support the general thrust of Policy 11 and consider that a pragmatic approach to the issue of viability will enable delivery of the required housing and the overall vision, aims and objectives of the Local Plan.

2.21. Policy 24 imposes a higher test than is necessary. Under a. text should be changed to “protect, conserve or enhance…”

2.22. Policy 27(4) should be amended to include reference to “or be suitably mitigated” or words to the same effect.

2.23. We have significant concerns over the preliminary draft charging schedule and the Infrastructure section, from paragraph 2.115 onwards, provides the basis for infrastructure provision, along with Policy 28. Policy 28(2) refers to the strategic viability assessment; we consider that there are serious flaws within the viability assessment. The benchmark figures used for land values are set too low for instance. We acknowledge that the local planning authority has a difficult job implementing what central Government requires. However, the assessment clearly shows that, in order to make CIL a viable proposition, policy aspirations on affordable housing, as expressed in the emerging Local Plan, have to be put to one side. Supporting text refers to the Regulation 123 list. We consider that there is too much uncertainty over the distinction between items and types of infrastructure that will be paid for by s106 and that which will be
paid for via CIL. It is essential that a Regulation 123 list is prepared as soon as possible to rectify this lack of clarity.

2.24. Turning to PP7 (St Agnes and Perranporth Community Network Area), we support the Local Plan is meeting the needs of this area. We support reference in paragraph 10.2 to thriving communities with potential to be more self-contained. This will only be achieved through accommodating growth in key settlements, the two key foci in this CNA being St Agnes and Perranporth. This is acknowledged in paragraph 10.3. We consider that at least 40% of the growth within the CNA should be accommodated within St Agnes and that supporting text and Policy PP7 should clearly reflect this focus.

2.25. We draw attention to the background evidence relevant to this CNA. In the ‘Growth Factors’ (February 2013) document the following is concluded;

“The number of new households in the area is forecast to grow by almost 2,000 over the next twenty years, and many of these household will require additional homes to be built. In addition there is a need for almost 700 additional affordable homes to be provided over the next ten years to accommodate those already in housing need”.

2.26. It is clear that the Local Plan is undershooting delivery and will fail to provide the affordable homes needed within this CNA. This partially stems from the artificial lowering of the housing target to 42,250 of course, but, if the Local Plan is to meet its aims and objectives, it needs to aim higher. On the assumption that the overall housing requirement is increased to a realistic level above the current restrictive total, we consider that a proportionate increase within the CNA should occur. Subject to further work on the subject, we consider that this increase should be within the 20% to 40% range above the current requirement set out in Policy 2. This would bring the target within Policy PP7 to 1,320 to 1,540 dwellings to be provided over the plan period. Table 1, referred to above, clearly shows that it is likely that these targets could be achieved with 290 dwellings forming supply as at April 2012 (134 completions and 156 under construction or unimplemented). In general, therefore, we support, Policy PP7 in that is focusses on growth to St Agnes. However, we consider that it should be increased.

2.27. Turning to the specific site shown hatched red on the appended plan (Taylor Wimpey and Ocean Housing sites shown for information), we contend that it is ideally placed to deliver a proportion of the growth expected in the CNA. It is important to note that it sits at the entrance to the village on the main road (B3277) and has excellent road frontage. The B3277 is the primary access to the village from the A30 roundabout. St Agnes is a village with a historical core with narrow streets. Providing housing growth to the south of the village means that traffic associated with that growth will not impact on highway safety and congestion in the village centre. As a matter of principle, therefore, any growth at St Agnes is likely to be more acceptable in highway terms if it is to the south. This is no doubt part of the thinking, along with
reuse of previously developed land, behind allowing the Taylor Wimpey scheme on the former film studios opposite the site.

2.28. The site is free of protective designations, unlike much of the land around St Agnes, particularly land to the north. Land around the village is variously designated as Area of Outstanding Natural Beauty, Area of Great Historic Value, part of the Cornwall Mining World Heritage Site, Area of Great Scientific Value or Heritage Coast. In many instances, some sites around the village are subject to multiple protective designations.

2.29. We consider that the land should be allocated for growth as part of the forthcoming site allocations DPD and we will be making representations to this effect in future. Whilst we consider that Neighbourhood Planning can deliver some growth, we do not support the reference within paragraph 10.8, which appears to infer that needs will be met through the Neighbourhood Planning process. We consider that needs will not be met in full via this process and that key strategic sites, such as the one shown hatched red on the appended plan, should be specifically allocated.

3. **Conclusion**

3.1. In conclusion, Cornwall Council is to be commended for bringing the strategic planning work of seven different planning authorities into one cohesive Local Plan. It is inherently sensible to break the County down into coherent community network areas. Whilst they do not always relate to ‘functional’ areas, they are clearly much more manageable for the Local Plan to deal with. Our fundamental objection to the Local Plan is that it does not plan to meet the full objectively defined housing needs as clearly identified in sources of data. Paragraph 47 of the NPPF underscores the key policy aim of Government, which is to boost significantly the supply of housing. In order for hits to be achieved, the Local Plan should oversupply numbers to give the market flexibility to deliver this primary policy aim. The strategic housing requirement in Policy 2 needs to increase significantly to meet housing need and to also meet the economic regeneration aims of the Local Plan.

3.2. We have made a number of detailed comments, which we do not repeat here, but the other main part of this representation is to support Policy PP7 as a matter of principle, to request that a proportionate increase be made to the housing requirement for the CNA and to set out the attributes of the site shown on the attached as a suitable and deliverable site that can accommodate growth to meet the housing needs of St Agnes and the wider community network area.
Land at Penwinnick Road, St Agnes, Cornwall
CIL Strategic Policy Team
Cornwall Council
Circuit House
St Clements Street
Truro
TR1 1DT

22nd April 2013

McCarthy & Stone Retirement Lifestyles Ltd.
Representation to the Community Infrastructure Levy Preliminary Draft Charging Schedule

As the market leader in the provision of retirement housing for sale to the elderly, McCarthy and Stone Retirement Lifestyles Ltd considers that with its extensive experience in providing development of this nature it is well placed to provide informed comments on the emerging Cornwall Council Community Infrastructure Levy (CIL), insofar as it affects or relates to housing for the elderly.

The effect of the imposition of CIL will be to constrain land supply. This is a significant threat to land with a high existing use value and therefore to the delivery of retirement developments, which due to the nature of residents are required to be sited in close proximity to town and local centres. It is hoped that the CIL schedule can be adopted in a way that does not constrain this much needed form of development.

The CIL Guidance published in December 2012 by the Department for Communities and Local Government (DCLG) states consistently that ‘In proposing a levy rate(s) charging authorities should show that the proposed rate (or rates) would not threaten delivery of the relevant Plan as a whole’ (Paragraph 29).

The CIL Guidance also stresses the importance of this principle to individual market sectors that play an important role in meeting housing need, housing supply and the delivery of the Development Plan, such as specialist accommodation for the elderly. This is relevant in the context of Paragraph 37 of the Guidance:

“... However, resulting charging schedules should not impact disproportionately on particular sectors or specialist forms of development and charging authorities should consider views of developers at an early stage”.

Where the provision of specialist accommodation for the elderly plays a clear role in meeting housing needs in the emerging or extant Development Plan, by not properly considering the effect of CIL on this form of development the Council would be putting the objectives of the Development Plan at risk and thereby contravening Government Guidance. It is therefore of clear importance that the emerging CIL rate accurately assess the development of specialist accommodation for the elderly in Cornwall.
Growing Elderly Population

The National Planning Policy Framework stipulates that the planning system should be ‘supporting strong, vibrant and healthy communities’ and highlights the need to ‘deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community...such as...older people’ [emphasis added].

The “What Housing Where Toolkit” developed by the Home Builders Federation uses statistical data and projections from the Office of National Statistics (ONS) and the Department for Communities and Local Government (DCLG) to provide useful data on current and future housing needs. The table below has been replicated from the toolkit and shows the projected change to the demographic profile of Cornwall between 2008 and 2033.

![Chart APP2: 2033 projected age profile compared with 2008](image)

In line with the rest of the country, this toolkit demonstrates that the demographic profile of Cornwall is projected to age significantly, with the proportion of the population aged 65 and over increasing from 21.59% to 31.54% between 2008 and 2033. The largest proportional increases in the older population is expected to be of the ‘frail’ elderly, those aged 75 and over, who are more likely to require specialist care and accommodation.

The emerging Cornwall Local Plan (2013) reflects this by identifying the demographic profile of the area is ageing, raising concerns over the future provision of adequate support and accommodation for the growing elderly population. The provision of suitable housing to meet the diverse needs of the population is addressed in Policy 6: Housing Mix which states ‘New housing developments will be required to include a mix of house size, type, price and tenure to address identified needs and market demand and to support mixed communities’. The associated justification for this policy (paragraph 2.15) makes specific reference to the provide specialist accommodation for the elderly stating ‘It is important that our housing market is appropriate to meet the needs of the community. These needs include not only those of affordability but also meeting the challenges presented by our aging population’. It is therefore clear that the development of specialist accommodation for the elderly is a priority for the Council.

In light of the above, we consider that it is of vital importance that the emerging CIL does not prohibit the development of specialist accommodation for the elderly at a time when there is an existing and urgent need for this form of development and that by not properly assessing this form of development the proposed CIL rate would threaten the delivery of the relevant Development Plan contravening Government Guidance.
Development Scenario

As you are aware, as a national retirement housing company, McCarthy & Stone are currently submitting planning applications throughout the Country. Presently all but a handful of our schemes are unable to support policy compliant levels of affordable housing contributions and as such have required viability assessments. In light of this we obviously need to ensure that the supporting viability work for the CIL is actually representative of what is happening in the real market place for all forms of housing, as, if it is not, the adoption of CIL may prevent needed development coming forward.

The Preliminary Draft Charging Schedule, whilst differentiating between the higher and lower value areas of the Authority, provides a uniform CIL levy rate for all forms of residential development and does not differentiate between houses, flats and specialist accommodation for the elderly, despite the significant differences between these forms of accommodation.

Whilst there is an understandable desire to keep the charging rates as simple as possible the broad inclusion of some retirement housing within a “general residential heading” fails to acknowledge the very specific viability issues associated with such specialist accommodation for the elderly. Given the significant differences between sheltered accommodation and standard market housing, it is unclear as to what the basis for such advice is, particularly as the Viability Assessment does not appear to include a development scenario for sheltered housing.

A crucial element of the CIL viability appraisal will be to ensure that the baseline land value against which the viability of the retirement scheme is assessed properly reflects the spatial pattern of land use in the locality.

Therefore the viability of retirement should be assessed against both likely existing site values, and just as importantly, of potential alternative (i.e. competitor) uses. Our concern is that CIL could prejudice the delivery of retirement housing against competing uses on the land suitable for retirement housing schemes.

The average age of residents in retirement housing is around 79 years old, likely to have abandoned car ownership, be of lower mobility and/or rely on close proximity to public transport. For this reason retirement housing developers will not consider sites that are over a walking distance of approximately half a mile from a town or local centre with a good range of shops and services to meet a resident’s daily needs. The result is that retirement housing can only be built on limited range of sites, typically high value, previously developed sites in close proximity to town centres. It is worth noting that Paragraph 27 of the December 2012 Community Infrastructure Levy Guidance recognises that brownfield sites are those where the CIL charge is likely to have the most effect, stating; “The focus should be in particular on strategic sites on which the relevant Plan relies and those sites (such as brownfield sites) where the impact of the levy on economic viability is likely to be most significant”.

The Viability Assessment should therefore provide a development scenario for a typical flatted retirement housing scheme, located on a previously developed site within 0.4 miles of a town centre.

Viability Assumptions

Any CIL viability assessment should consider the effect of the imposition of CIL on a retirement apartment scheme and should be quantified using appraisal inputs specific to the retirement
housing product. It is not correct to simply assume that a general needs apartment scheme is comparable to a retirement apartment scheme as there are a number of key differences which will affect the land value that can be produced by each.

The remainder of this representation will provide details of the appraisal inputs specific to retirement housing.

**Communal Areas**

Many forms of specialist accommodation for the elderly, such as retirement housing, provide communal areas for residents at an additional cost to developers. Specialist housing providers also have additional financial requirements as opposed to other forms of development that will only pay on 100% saleable floorspace. This does not provide a level playing field for these types of specialist accommodation and a disproportionate charge in relation to saleable area and infrastructure need would be levied.

In comparison to open market flats the communal areas in specialist accommodation for the elderly are considerably larger in size, fulfil a more important function and are accordingly built to a higher specification in order to meet the needs of the elderly than those provided by open market flatted developments. Typically an open market flatted residential development will provide 16% non-saleable floorspace, whereas this increases to 30% for sheltered accommodation and 35% for Extra Care accommodation.

This places providers of specialist accommodation for the elderly at a disadvantage in land acquisition as the ratio of CIL rate to net saleable area would be disproportionately high when compared to other forms of residential accommodation.

**Sales Rate**

In the case of retirement housing for example there is also a much longer sales period which reflects the niche market and sales pattern of a typical retirement housing development. This has a significant knock on effect upon the final return on investment. This is particularly important with empty property costs, borrowing and finance costs and sales and marketing which extend typically for a longer time period. Currently the typical sales rate for a development is approximately one unit per month, so a 45 unit retirement scheme (i.e. an average sized scheme) can take 3-4 years to sell out.

As a result of this typical sales and marketing fees for specialist accommodation for the elderly are typically in excess of 6% of GDV, not the 3% assumed in the Viability Assessment.

**Empty Property Costs**

Properties can only be sold upon completion of the development and the establishment of all the communal facilities and on-site house manager. These communal areas cost additional monies to construct and are effectively subsidised by the developer until a development has been completely sold out. In a McCarthy and Stone development the staff costs and extensive communal facilities are paid for by residents via a management / service charge. However, due to the nature of these developments the communal facilities have to be fully built and operational from the arrival of the first occupant. Therefore to keep the service charge at an affordable level for residents, service charge monies that would be provided from empty properties are subsidised by the Company (these are typically known as Empty Property Costs). This is a considerable financial responsibility as, as
previously mentioned, it usually takes a number of years to fully sell a development. For a typical 45 unit McCarthy and Stone Later Living development the Empty Property Costs are on average £100,000.

**Build Costs**

Whist the Viability Assessment differentiates between the build costs between bungalows, houses and apartments, excluding abnormalities, it does not consider the build costs of flatted sheltered housing.

The Build Costs Information Services (BCIS) shows that the Mean Average Build Costs per m² for a region. This database consistently shows that build costs vary significantly between housing types with the cost of providing sheltered housing consistently higher than for general needs housing and apartments.

The most recent BCIS figures for Cornwall (6th April 2013) show that the mean cost of building one m² of estate housing is £833, while the equivalent cost for apartment developments is £980 per m². Sheltered housing costs £1037 per m² - 5.8% more expensive than the cost of building apartments and 24.4% more expensive than estate housing.

While the BCIS figures are subject to fluctuation it is our experience that specialist accommodation for the elderly tends to remain in the region of 5% more expensive to construct than apartments and generally between 15 to 20% more expensive than estate housing. No analysis of the build costs for sheltered accommodation is provided in the Viability Study.

**Payment by Instalments**

Consideration should also be given to the timing of CIL payments and an allowance for payment by instalments. Whilst we appreciate that, in line with 69B of the CIL Regulations 2011, an instalment policy does not form part of the charging schedule and would not be subject to examination, we would welcome flexibility in the timing of CIL payments as on commencement would introduce an additional financial cost on the development prior to the receipt of any revenue from the proposed development. This would place an additional burden on the developer and would affect the viability of the development, and possibly in the case of residential development impinge upon the developer’s ability to provide for affordable housing.

This issue is compounded in the case of specialist accommodation for the elderly, as developments need to be completed in their entirety before a single unit of accommodation can be sold. It is considered that at the earliest, part payment on *first occupation* would be fairer and would reduce unnecessary financial costs to the developer. This should then be *phased depending upon occupation levels*. For the foreseeable economic climate, such as currently being experienced, there is considerable merit in staged payments reflecting occupation levels throughout the sale of the development.

**Summary**

Given the extent of projected housing need for older person’s accommodation it is paramount that the Cornwall Council CIL schedule recognises the potential shortcomings of providing a uniform CIL rate for all forms of residential development. The additional costs associated with the construction and initial maintenance of this form of development, coupled with the slower sales rate, make it
clear that the financial viability of such developments are more finely balanced than those of houses and apartments.

It is for the above reasons that we suggest either a bespoke CIL rate is prepared for sheltered housing and other forms of specialist accommodation, or, that the CIL levy is restricted to the saleable areas of these forms of development.

Thank you for the opportunity for comment.

Yours faithfully,

Ziyad Thomas
Policy Planner
The Planning Bureau Ltd.
£/m² study

Description: Rate per m² gross internal floor area for the building Cost including prelims.

Last updated: 06-Apr-2013 12:19
Rebased to Cornwall

Maximum age of results: Default period

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22nd April 2013

Cornwall Council
Local Plans Team
Carrick House
St Clement Street
Truro
TR1 1EB

Dear Sirs,

McCARTHY & STONE RETIREMENT LIFESTYLES LTD.
RESPONSE TO CONSULTATION ON THE CORNWALL COUNCIL LOCAL PLAN DRAFT STRATEGIC POLICIES DOCUMENT

Thank you for the opportunity to comment on the consultation papers for the aforementioned document. As the market leader in the provision of sheltered housing for sale to the elderly, McCarthy and Stone Retirement Lifestyles Ltd considers that with its extensive experience in providing development of this nature it is well placed to provide informed comments on the Cornwall Local Plan Draft Strategic Policies document, insofar as it affects or relates to housing for the elderly.

We recently submitted a representation on the emerging Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule in which we detail how, in line with the rest of the country, the demographic profile of Cornwall is projected to age. The largest proportional increases in the older population are expected to be of the ‘frail’ elderly, those aged 75 and over, who are more likely to require specialist care and accommodation. This raises concerns over the future provision of adequate support and accommodation for elderly persons and private sheltered accommodation schemes specifically for the elderly, such as those developed by McCarthy and Stone, will have a key role in addressing future housing needs.

We therefore commend the Council for taking a positive approach in seeking to provide appropriate accommodation to meet the needs of its elderly population particularly within Policy 6: Housing Mix and the accompanying justification to this policy.

Whilst we are in broad agreement with the general tone and objectives of this policy, some aspects do concern us.

Policy 6: Housing Mix

As mentioned previously, McCarthy and Stone welcome the proactive stance the Council has taken in seeking to provide appropriate levels of accommodation to meets the needs of its aging population in Policy H6: Housing Mix.
In particular we consider that requirement of sub-clause 2) of Policy H6 which encourages developments to "seek to incorporate an element of housing provision to meet special care or shelter needs" to be impractical.

In selecting sites for elderly persons' accommodation careful consideration should be given to locational criteria including: Topography, Environment (including safety and security), Mobility, Services and Community Facilities. As such, suitable sites for specialist accommodation for the elderly are difficult to find and tend to be located within, or adjacent to town or local centres. It is therefore highly unlikely that the majority of development sites will be suitable for specialist accommodation for the elderly, particularly on urban extension sites where access to goods and services may be limited.

Specialist accommodation for the elderly also usually provides an element of care and communal facilities at an additional cost to the developer. This requires a critical mass of residents in order to be feasible and small scale developments of specialist housing for the elderly could not be realistically asked to provide or maintain such facilities. It is therefore unrealistic to expect the provision of specialist accommodation for the elderly to be met piecemeal in general needs housing developments.

We appreciate that the Council wishes to increase and diversify the level of housing stock that meets the needs and aspirations of older people and we commend it for doing so. Unlike affordable housing however, specialist accommodation for the elderly cannot be located piecemeal within general needs housing developments and forcing such a requirement on developers would result in a considerable amount of accommodation for the elderly that is both unsuitably located and unfit for purpose.

We appreciate that the Council wishes to increase the level of housing stock that meets the needs of older people. It is however more realistic for the Council to stipulate a requirement for a proportion of houses in larger development sites be built to a standard that is suitable for the elderly; such as housing built to the Building for Life and Lifetimes Homes standards which is capable of being easily adaptable to meet the needs of the elderly and disabled.

The provision of housing suitable for the elderly would not, by itself, address the diverse housing needs of the elderly in Cornwall. Accordingly a variety of specialist accommodation for the elderly should also be encouraged, through either allocated or appropriately located windfall sites.

In light of the above we recommend that Policy H6 is reworded in line with the advice provide in the Housing in Later Life: Planning Ahead for Specialist Housing for Older People toolkit. This toolkit was developed by a consortium of private and public organisations with an interest in housing for the elderly, led by McCarthy and Stone, and encourages a joined up approach to planning, housing and social care policy both in the collection of evidence and the development of specialist accommodation for the elderly. A copy of this document has been appended for your convenience.

Whilst we appreciate that no one planning approach will be appropriate for all areas, an example policy is provided that, we feel, offers a more suitable approach than the one currently suggested by the Council:

"The Council will encourage the provision of specialist housing for older people across all tenures in sustainable locations.

The Council aims to ensure that older people are able to secure and sustain independence in a home appropriate to their circumstances and to actively encourage developers to build new
homes to the ‘Lifetime Homes’ standard so that they can be readily adapted to meet the needs of those with disabilities and the elderly as well as assisting independent living at home.

The Council will, through the identification of sites, allowing for windfall developments, and/or granting of planning consents in sustainable locations, provide for the development of retirement accommodation, residential care homes, close care, Extra Care and assisted care housing and Continuing Care Retirement Communities.”

At the very least however, we would expect Policy H6: Housing Mix to be amended so that the inappropriate requirement for larger developments to provide an element of specialist housing be removed and substituted with something more suitable – such as a requirement for a proportion of houses built to a standard that is suitable for older people.

**Policy 11- Managing Viability**

We have some concerns regarding the suitability of the wording and content of this policy; specifically the potential inclusion of ‘Clawback’ mechanisms as a method of securing planning gain. The RICS Professional Guidance for England ‘Financial viability in planning’ document (1st Edition, August 2012) advises against the use of the clawback mechanism in this way. The guidance states that: “The practice is not considered appropriate as it cannot take account of risk, uncertainty and funding at the point of implementation. If re-appraisals are to take place, the guidance recommends this is undertaken prior to implementation.”

An additional aspect of concern regarding this policy is the sequential approach to securing affordable housing contributions. It is not considered that attempts to vary the ‘mix and design’ of proposals, in order to secure higher affordable housing contributions is good planning practice. The alteration of ‘design’ suggests that the build costs of the proposal would be reduced. This could contradict or affect the success of Policy 13 Design which states that “the Council is committed to achieving high quality buildings and places” by delivering buildings which have a diminished quality of design. We would also question whether the alteration of the mix of a build would realise a greater affordable housing contribution. The provision of larger, higher grossing units could impact on the deliverability of smaller units of housing in Cornwall, where there has been a historic under provision of housing land. For these reasons we respectfully ask that the wording and detail of this policy are amended.

It is clear from local and national statistical data that the demographics of Cornwall and the UK as a whole are ageing. The Council recognise the current and future increase in the older people in the borough and in older person households which will have significant implications on the overall housing market in a district with many physical constraints on residential development. The evidence suggests that there is a current and growing need for specialised forms of private sector accommodation for older persons such as retirement housing (cat II type sheltered housing) and assisted living extra care.

If the Strategic policies are not amended or supplemented it would result in the Local Plan failing to accredit sufficient policy weight on this important subject, which would make the strategy unsound on this issue. I have appended to this letter recent assessments and reports including the ‘Housing in Later Life: Planning Ahead for Specialist Housing for Older People toolkit.’ As mentioned in this representation. These documents outline the need for LPAs to give more appropriate weight to such specialist housing and extra care. I trust that due weight will be given to these reports and the requirements of the NPPF to provide policy support for this highly sustainable form of development.
Thank you for the opportunity for comment.

Yours faithfully,

Carla Fulgoni
Planner
The Planning Bureau Ltd.
Planning Policy Team
Cornwall Council
Circuit House
St Clements Street
Truro
TR1 1DT

22nd April 2013

Dear Sir / Madam

CORNWALL LOCAL PLAN STRATEGIC POLICIES 2010-2030 PRE SUBMISSION DOCUMENT MARCH 2013

Thank you for consulting with the Home Builders Federation (HBF) on the Cornwall Local Plan Strategic Policies 2010-2030 Pre-submission Document March 2013.

The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We would like to submit the following representations and we also wish to appear at the Examination in Public (EIP) to debate these matters in greater detail.

Duty to co-operate

Under Paragraph 181 of the National Planning Policy Framework (NPPF), Local Authorities are expected to demonstrate evidence of having effectively co-operated to plan for issues with cross boundary impacts when their local plans are submitted for examination.

Cornwall Council has three neighbouring local authorities namely Torridge District Council, Plymouth City Council and West Devon District Council. Under Paragraphs 17, 157 and 178 of the NPPF neighbouring authorities should work jointly together and co-operate to address planning issues which cross administrative boundaries or on matters that are larger than local issues.
The Council should co-operate with its neighbouring authorities to ensure that all housing needs are addressed. Since the abolition of the South West Regional Assembly and the proposed revocation of its Regional Spatial Strategy (RSS) in the very near future, there has been a significant drop in the collective level of housing provision envisaged by local authorities in the region. The overall proposed housing provision across the region is estimated to have fallen by -18%. In Policy 2 of the Cornwall Local Plan, the Council is proposing 42,250 dwellings (2,100 per annum) between 2010-2030 compared to the previous SWRSS figure of 3,410 dwellings per annum. This substantial reduction in housing provision in Cornwall is discussed in greater detail in the next section of this written representation.

However a reduction in housing provision is also evident in Cornwall’s neighbouring authorities, for example, Torridge and North Devon District Councils have produced a joint Draft Local Plan for which the consultation period ended on 15th March 2013. This joint Draft Local Plan proposes 16,000 dwellings over a plan period of 2011-2031 representing only 75% of the previously proposed figure of 21,600 in the SWRSS.

Similarly Plymouth City Council has an existing plan adopted in 2007 to deliver 17,250 homes, which is less than the former SWRSS figure and West Devon District Council has an existing plan adopted in 2011 to deliver 4,400 homes, which is the same as SWRSS.

These substantial reductions in housing provision across the region could have significant implications such as worsening an existing housing affordability crisis and increasing the number of households living in housing stress. Cornwall Council should not assume that just because its neighbouring authorities have not drawn attention to any matters of a strategic nature, such strategic pressures do not exist. If neighbouring authorities are not adequately assessing housing needs, these housing pressures could impinge upon Cornwall. Likewise it cannot be assumed that neighbouring authorities have planned to accommodate any under supply of housing provision from Cornwall.

In conclusion, there is no evidence that there is any capacity or willingness among any of Cornwall’s neighbouring authorities to absorb any under-provision of housing that may occur in Cornwall nor vice versa. The Council will have to address this issue in order to satisfy its legal obligations under the duty to co-operate.

Housing

The Council has undertaken various modelling scenarios, which are discussed in detail in the report titled Housing Growth & Distribution : Housing Growth Pre Submission Version March 2013 and from which the diagram below has been taken. This diagram illustrates the range in housing numbers generated from the various modelling scenarios and highlights the Council’s proposed housing target of 42,250 homes (average of 2,100 homes per year) over the plan period 2010-2030 as set out in Policy 2 Key Targets & Spatial Strategy.
The findings of this report can be summarised as follows:

- “The resident population of Cornwall has tended in the past to reduce with fewer births than deaths, but substantial net migration has resulted in an overall growth in the number of people living in the area each year. It is anticipated that the population of Cornwall could increase by between 63,700 and 107,900 persons between 2010 and 2030”.

- “Household composition and size in Cornwall is changing, and even if the resident population were to remain static, more homes will still be required, up to almost 19,000 additional homes. Cornwall also experiences substantial net migration which results in a growth in the number of households each year. It is anticipated that the number of households in Cornwall could increase by between 34,800 and 65,200”.

- “Economic changes are a key driver affecting housing demand and household formation rates. Three scenarios have been considered in this element, and this analysis has resulted in a range of 49,700 to 95,000 new homes being required to meet the needs of economic growth to 2030”.

- “The 2010 Strategic Housing Market Assessment concluded that there was a need to accommodate an additional 3,200 new homes per annum, which indicates a housing growth target of some 64,000 new homes between 2010 and 2030”.

- “Some 1,285 household per year being considered as in housing need, giving a twenty year affordable housing target of some 25,700”
dwellings (which at an overall affordable housing delivery rate of 30-
35% of all dwellings built) and could indicate a need for a total housing
target in excess of 75,000 dwellings for the twenty year period.
Cornwall Council has set an ambition to deliver 1,000 affordable homes
per annum in the latest Housing Investment Plan. Given that affordable
housing delivery tends to account for between 30-35% of all housing,
this would indicate a requirement of some 3,000-3,500 homes per
annum, giving a twenty year target of at least 60,000 and up to 70,000
new homes. Three scenarios have been considered in this element,
and this analysis has resulted in a range of 60,000 to over 75,000 new
homes being required to meet the housing needs of people in Cornwall
to 2030”.

- “On previous rates of house building over the last twenty years, we
could reasonably expect to deliver 42,000 homes (2,100 per annum)
for the period 2010-30. If house building delivery were to continue as it
has over the past ten years, then we could reasonably expect to deliver
some 50,000 homes (2,500 per annum) for the period 2010-30.
Despite concerns over the decline in the housing market nationally and
locally, housing delivery in Cornwall has remained fairly buoyant.
Housing delivery has averaged almost 2,600 completions per year for
the last five years (2007-12) and has averaged around 2,300
completions per year over the last three years (2009-12). This indicates
that up to 52,000 new homes could be built based on the last five year
delivery rate”.

- “The SHLAA indicates that there is capacity to accommodate at least
92,000 new dwellings around the main towns, and early indications
from the 2012 update is that there is capacity to accommodate about
105,000 new dwellings across Cornwall. Whilst short term demand in
Cornwall is thought to have fallen, medium and long term demand for
housing is still considered by the market to be relatively strong. An
analysis has resulted in a range of between 42,000 and 52,000 new
homes as most likely to be built to 2030, with capacity to deliver over
100,000 new homes”.

As shown by the above diagram of Potential Housing Targets, the Council has
chosen to proceed with the lowest housing provision figure possible. This
figure is below all housing need, economic and previous delivery modelling
scenarios. It is at the bottom end of the demographic projections. The closest
scenario to the proposed figure is based upon past building rates over the last
twenty years but if the most recent house building rates (2007-12) through a
period of economic recession are used a higher figure of 52,000 homes is
generated.

However past housing delivery is not an appropriate methodology for the
assessment of housing need. The Council is mixing housing demand with
housing supply. An objective assessment of need is a two stage process the
determination of need (demand) by a SHMA and then an evaluation to
accommodate that need (supply) by a SHLAA. So firstly, the Council must
establish what housing is needed? Secondly it must establish what housing
can be accommodated? And finally it must determine how to deal with any unmet needs? This may be facilitated by co-operation with neighbouring authorities. Whilst it is legitimate for a Council to claim environmental constraints may restrict housing supply, an argument Cornwall Council is not making about land availability. It is not acceptable for a Cornwall Council to constrain housing development on an assertion that the house building industry cannot deliver.

The “What Homes Where?” website has been developed as a resource to provide independent and publicly available data on the household and population projections for every local authority in England. The aim of the resource is to assist Local Planning Authorities understand the drivers of housing need. This resource has been jointly sponsored by the Local Government Association, the HBF, the Planning Advisory Service, the Planning Officers Society and Shelter among others. This website shows an expected increase in households of 57,773 (2,889 per year) in Cornwall between 2010-2030 based on Department of Communities and Local Government (DCLG) 2008-based household projections. This is a midway point in the demographic projections shown in the above diagram.

The figure of 42,250 homes in Cornwall over the plan period is not representative of an objective assessment of housing need. **Policy 2** will not deliver the Vision, Themes, and Objectives set out in the plan in particular:

- **Theme 1**: to support the economy;
- **Objective 4**: meet housing need;
- **Objective 7**: meet a wide range of local needs including housing.

It is also appropriate to refer to the Report to Extraordinary Planning Policy Advisory Panel on 31st January 2013, which discusses the dire consequences of the under-supply of housing and cautions the Council members against setting an inappropriately low housing provision figure in the Local Plan. The report states:

- **“Issue 1 (i) Levels of Housing Growth. Housing provision is fundamental to future planning. A key risk is under provision that is likely to cause increasing house prices, insufficient affordable housing, impact upon economic growth and increase of homelessness and exclusion leading to less well balanced and unsustainable communities. The local plan must plan to manage change and meet housing need in the market. It cannot be based on a view that we do not want it.”**

- **“(a) Recommendation from Cabinet of 48,500 (and suggested distribution across Cornwall and its towns). It is unlikely to fully satisfy wider policy objectives and still leaves significant challenges in terms of delivering our affordable housing needs and responding to the**
scale of second and holiday homes lost to the existing housing market.”

- **“Economic Growth.”** The Council’s target and aspiration is to seek to provide for 50,000 jobs over the period to 2030. The level of housing growth proposed, is likely to be seen as a constraint to meeting that economic growth”.

- **“Meeting Affordable Housing Need.”** The lower the target the lower the delivery of affordable housing, as well as other housing. The SHMA is in the process of being updated but factors such as affordability and access to the market have not changed that significantly to suggest a significant reduction in need”.

- **“Delivery and Demand.”** The relatively buoyant market during a recession will be considered as clear evidence of need and demand and a higher target”.

There is a major concern that the housing provision figure of 42,250 dwellings over the plan period does not represent an unbiased and thus objective assessment of housing need. The NPPF in Paragraphs 14, 17, 47, 158, 159 and 182 requires Local Planning Authorities (LPA) to positively prepare plans that objectively identify and assess their needs for market and affordable housing based on adequate, up to date and relevant evidence in order to set strategic policies to meet their identified needs in full over the plan period.

There are three dimensions to sustainable development: economic, social and environmental. Under Paragraphs 8 and 152 of the NPPF for LPA’s to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously. Cornwall Council cannot ignore their social and economic responsibilities:

- to provide the supply of housing required to meet the needs of present and future generations (NPPF Paragraph 7) ;
- to build a strong, responsive and competitive economy by supporting growth and innovation (NPPF Paragraph 7) ;
- to widen opportunities for home ownership and to deliver a wide choice of high quality homes by planning for a mix of housing based on current and future demographic trends and market trends (Paragraphs 9 and 50) ;
- to make it easier for jobs to be created in cities, towns and villages (NPPF Paragraph 9) ;
- to boost significantly the supply of housing (Paragraph 47).

**Policy 2** also sets out the distribution of new development across Cornwall in sub clause (7) to “re-enforce dispersed development pattern to best sustain
the role and function of local communities in towns and villages and their catchments”. This policy is further enforced by Policy 3 Role & Function of Places, which sets out a settlement hierarchy and distribution of new dwellings. The Local Plan does not allocate specific housing sites. It is proposed that sites will be allocated in a Cornwall Site Allocations Development Plan Document (DPD) and Neighbourhood Plans.

Policy 22 Best Use of Land & Existing Buildings contains a preference for brown-field first by stating “development proposals should give priority to”. The policy prioritises the use of land as (a) previously developed land, (b) derelict land and also proposes the safeguarding of agricultural land Grade 1, 2, 3a and 3b in sub clause (d). This approach is contrary to NPPF. Paragraph 17 encourages the re-use of brown-field land it does not advocate a brown-field before green-field policy. The Council should consider using the same wording as the NPPF. The NPPF encourages it does not give preference to or prioritise. The dictionary definition of priority is to place first in time, place or rank whilst the definition of the word encourage does not involve any such ranking mechanism. By inclusion in a Local Plan all sites are deemed sustainable and therefore should be granted planning permission as and when planning applications are submitted under the presumption in favour of sustainable development (Paragraphs 6-14 of the NPPF) rather than judged against a prioritising mechanism.

Although the Council refer to a capacity to accommodate about 105,000 new dwellings identified in the SHLAA and Policies 2 and 3 propose a distribution of new dwellings across Cornwall by postponing the allocation of housing sites to the Cornwall Site Allocations DPD and Neighbourhood Plans, the Local Plan fails to clearly identify a five year land supply of deliverable sites as required by Paragraph 47 of the NPPF. The Council should be aware that under Paragraph 49 of the NPPF “relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites”. Furthermore the Council needs to confirm if a 5% or 20% buffer to the housing supply is proposed dependent upon its past performance of housing delivery as well as including a housing trajectory and housing implementation strategy as required by Paragraph 47 of the NPPF.

Viability and deliverability

Paragraph 173 of NPPF states “pursuing sustainable development requires careful attention to viability and costs in plan making and decision taking. Plans should be deliverable. Therefore the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is not threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”.

Home Builders Federation
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07817 865534 info@hbf.co.uk www.hbf.co.uk
Paragraph 174 of the NPPF continues “LPA should set out their policy on local standards in the local plan including requirements for affordable housing. They should assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious risk and should facilitate development throughout the economic cycle”.

The Cornwall Council Housing Strategic Viability Appraisal Final Report by Three Dragons and Opinion Research Services dated September 2012 assesses the financial viability implications of affordable housing provision and proposed CIL charges.

**Policy 8 Affordable Housing** proposes that affordable housing is provided on sites of 2+ dwellings. There is a variable target proposed dependant on site locations so in Zones 1 and 2, 50% provision is proposed, and in Zones 3, 4 and 5 40% provision is proposed. In all cases the affordable housing split proposed is 70% social rent and 30% intermediate tenure. **Policy 8** sets out very ambitious affordable housing targets as was pointed out in the Report to the Extraordinary Planning Policy Advisory Panel on 31st January 2013 under Issue 5 (iii) Targets for Affordable Housing stating “It is important for Members to realise that if more aspirational targets, which were in many areas were a challenge to deliver even in the peak of the market with significant public sector funding, then using these targets will lead to examples where their delivery is not possible and this needs to be understood by all those involved in the process”.

The Cornwall Council Housing Strategic Viability Appraisal Final Report by Three Dragons and Opinion Research Services is dated September 2012; there is a concern that this document was prepared at the end of the plan-making process and therefore it did not inform that process. The Council should refer to the following document:-

- **Viability Testing Local Plans Advice for Housing Delivery Practitioners** – Local Housing Delivery Group chaired by Sir John Harman (June 2012).

This report emphasises the importance of viability testing throughout the plan-making process rather than as a bolt on at the end of the process after the policies contained within a plan have been decided, the Harman Report concludes that “If the assessment indicates significant risks to delivery, it may be necessary to review the policy requirements and give priority to those that are deemed critical to development while reducing (or even removing) any requirements that are deemed discretionary. The planning authority may also consider whether allocating a larger quantity of land, or a different geographical and value mix of land, may improve the viability and deliverability of the Local Plan”.
There are a number of assumptions within this viability appraisal report, which require further clarification. For example, the BICS build costs used are only basic build costs. These do not appear to include any additional costs beyond present day standards for Building Regulations, the Government’s mandatory changes to standards under the Zero Carbon Homes programme, which will be implemented by 2016 should be included in viability assessments. The Council should refer to the following document:

- DCLG Cost of Building to Code for Sustainable Homes (CfSH) Updated Cost Review 2011 which shows the cost of building to Code 5 represents an increase of 28-31% on build costs dependant on type of site and its location.

It is also unclear if the substantial cost implications of policies contained within the Local Plan are fully accounted for in the viability appraisals. These potential additional costs include:

- **Policy 6 – Housing Mix** refers to major residential developments should incorporate special care / sheltered needs or contribute financially to appropriate alternative sites;

- **Policy 11 – Managing Viability** refers to installation of fire sprinklers in residential dwellings;

- **Policy 14 – Development Standards** refers to low carbon heat networks;

- **Policy 15 – Renewable & Low Carbon Energy**;

- **Policy 17 – Health & Wellbeing** in sub clauses refers to (2) maximise walking and cycling, (3) cycle storage and (4) garden sizes for vegetable growing and greenhouses;

- **Policy 27 – Transport & Accessibility**;

- **Policy 28 – Infrastructure**.

The draft Cornwall Community Infrastructure Levy (CIL) Charging Schedule proposes the following charges:

- Residential Zone H1: £100 square metre;

- Residential Zone H2: £40 square metre;

- Residential Zone H3: £0 square metre.

However it is not clear if there is an inconsistency / anomaly between the CIL charges proposed and the percentage of affordable housing provision as per **Policy 8** of the Local Plan. The Council needs to clarify this issue. Section 7 of the Viability Appraisal Final Report is particularly confusing as **Policy 8** of
the Local Plan and the CIL charging schedule do not seem to follow the recommendations as set out in Paragraph 7.29. It would be of assistance if the policy requirements of Policy 8 and the CIL charges as drafted were assessed and set out to illustrate whether or not development schemes are viable.

The Council should be mindful that it is inappropriate to set unachievable policy obligation targets. Under Paragraph 174 of the NPPF the Council must properly assess viability. It is unrealistic to negotiate every site on a one by one basis because the base-line aspiration of a policy is set too high as this will jeopardise housing delivery. DCLG guidance on CIL charges also advises against setting targets, which are too challenging. Such guidance states “charging authorities should avoid setting a charge right up to the margin of economic viability”.

**Supplementary Planning Documents and Development Plan Documents**

There is also concern about a number of Development Plan Documents (DPD) and Supplementary Planning Documents (SPD) proposed in the Local Plan policies, namely :-

- **Policy 2 Key Targets & Spatial Strategy** – Site Allocations DPD ;
- **Policy 8 Affordable Housing** – proposal for SPD ;
- **Policy 11 Managing Viability** – Design Guide SPD ;
- **Policy 14 Development Standards** – Noise Impact SPD.

Paragraph 153 of the NPPF specifically states that “any additional development plan documents should only be used where clearly justified. Supplementary Planning Documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development”.

It is unclear what these SPD’s will contain. There is a risk, therefore, that these documents will unnecessarily increase the financial burdens on development and as a consequence impact on the amount of development achieved and its timely delivery. Furthermore as SPD’s are not independently reviewed, if these documents were found to contravene Paragraph 153 of the NPPF, there would be no re-course for public comment on the content or potential financial cost of proposals contained within these documents.

**Conclusion**

The Cornwall Local Plan should be found **unsound** because :-
• Its policies have not been justified with an up to date, robust and credible evidence base, the assumptions used are not always reasonable and the choices made are not backed by facts;

• The plan will not be effective because it is not deliverable. There are no coherent strategies with neighbouring authorities, viability studies are unreliable and there is insufficient flexibility within the plan.

• Its policies are not always consistent with NPPF.

Of particular concern are :-

• A failure by the Council to fully satisfy its obligations under the duty to co-operate;

• The under provision of housing, which is not based on an objective assessment of housing need;

• The inadequate allocation of housing land and a failure to identify a five year supply of developable sites;

• An unviable affordable housing policy and the late preparation of Viability Appraisals, which should have informed decision making earlier in the plan making process;

• The number of unnecessary Supplementary Planning Documents.

Yours faithfully
for and on behalf of HBF

Susan E Green MRTPi
Planning Manager – Local Plans
Local Plan – Strategic Policies
Pre-submission document representation form

Please return to Cornwall Council by **5.00pm on 22 April 2013**
Please complete a separate sheet for each representation you wish to make (**All representations will become public**)

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<th>1. Personal details.</th>
<th>2. Agent details (if applicable).</th>
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<tr>
<td>Name</td>
<td>Prof. Mike Jenks (Chairman).</td>
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<td>Organisation</td>
<td>Angela Beale (Secretary), on</td>
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Q1. Do you consider that the Local Plan meets the legal and procedural requirements?

**Probably**

Q2. A local planning authority should submit a plan for examination which it considers to be ‘sound’ – namely that it is; positively prepared, justified, effective and is consistent with national policy. Do you consider the Plan has met these tests?

- **Yes,** probably
- **No**

Please specify the reasons below

Overall we consider this a good and well thought out document that is setting policies that generally move Cornwall in the right direction for a secure and potentially sustainable future. Our comments below are given in the spirit of strengthening and improving the document, as well as pointing out one or two shortcomings where we consider changes might be made.
Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.

You will need to say how this change will address the concerns and it would be helpful if you could put forward your suggested revised wording to any policy or text and any evidence to support the change.

Please state which paragraph or policy your change refers to and specify the reasons below:

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<th>Document</th>
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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Vision and Objectives (pages 10-11)</td>
<td>Themes 1 – 4. Objectives 1 - 10</td>
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<tr>
<td>Sustainability Appraisal Report</td>
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We agree with the overall aim for Cornwall to ‘achieve a leading position in sustainable living’. We support the four broad themes, with reservations.

However we suggest that they could fall short of achieving the overall aim for sustainable development. Partly this stems from the use of an old definition of sustainable development used in the National Planning Policy Framework (NPPF) – namely the 1987 Brundtland definition. It seems that its use there may have constrained the broad definition in paragraph 1.17 of the Local Plan. Both nationally and internationally the definition and understanding of sustainable development has moved on from the three pillars of social, economic and environmental sustainability to incorporate a fourth (governance) and sometimes a fifth (sound science). These wider definitions include, inter alia, concepts of green growth, a just society, accessibility to facilities and services, empowerment and participation, and a call for a strong evidence base.

Although the four themes and 10 objectives may cover much of this, there are some gaps, and we suggest that another theme related to governance be added that gives more emphasis not just to resilience, but also to empowerment and meaningful participation, and that reflects current thinking on sustainable development. We suggest that consideration is given to further objectives that stress a just society and tackling inequalities, giving more significance to these issues; e.g. by adding ‘reduce social exclusion’ to objective 7 appears more as an afterthought, and it deserves more. Also, we suggest there should be an objective that deals with sound science to help ensure that, for example, place-specific supplementary planning guidance is evidence-based.

We consider that it is vital to get the definition of sustainable development right, and clear. At the moment the vague words in the NPPF, and to an extent in the Local Plan give, at the same time, enough for both ruthless developers to exploit, and ammunition for local interest groups to object to any development. Thus we see no reason why the Local Plan should not arrive at a clearer and more comprehensive definition that elaborates on the NPPF.

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2 While there are provisions for Neighbourhood Plans and Localism, these processes are highly constrained.
We support a presumption in favour of genuinely sustainable development. This is why we note above the importance of the Local Plan getting the definition right. It is also important that there is integration between the elements of sustainable development, and the NPPF does acknowledge this. Inevitably the Local Plan sets out its policies under specific headings and this may make it difficult to understand how policies might integrate or interact. It is unlikely every development would be able satisfy every policy, as there inevitably will be trade-offs depending on the particular context or circumstances. Giving meaning to these and making any definition of sustainable development operational might, we suggest, be something that could be done locally, within the overall framework of the Local Plan.

We suggest that Policy 1 includes a statement that will enable and support local areas to define what they mean by sustainable development in their particular areas, and to identify the general weighting, criteria or potential trade-offs of individual policies most suitable to their context. Also, that the production of place-specific design guidance will also be supported. We suggest that these should be added as Supplementary Planning Documents, especially as they would support any Neighbourhood planning process. These documents should give more clarity and certainty to developers and to the consideration of planning applications by local councils, and would give local examples to supplement the Cornwall Design Guide and its Sustainability Assessment.
We agree with sub-paragraphs 3, 5, 6 and 7. We have no opinion on the numbers for growth in sub-paragraphs 1, 2 and 4, other than to say we consider them largely theoretical, and that what numbers eventually emerge will be based on political decisions. Our concern is that, whatever the numbers that growth is sustainable, well-designed, accessible, of an appropriate density, and will represent the best of urban design.

We agree with 8(g) about supporting town centres, housing renewal and regeneration.

However, we think that there is a large omission in the spatial and economic strategy, and this relates in part to sub-paragraphs 8(c) and (f), and also to the map on page 146. A connection between the triangle of towns, St Austell, Bodmin and Newquay is drawn to indicate an economic growth area, including green industries perhaps because a small eco-community is proposed and the Eden Project is there. Yet Falmouth, Truro and Camborne/Pool/Redruth also form a triangle of Cornwall’s most significant educational facilities, as well as having a similar projected growth in housing, and vastly more commercial space. **We suggest the policy should actively support connections between the universities and colleges, and in the industries within the Falmouth & Penryn, Camborne, Pool, Redruth, and Truro and Roseland community network areas.** It is not just marine industries, but also green and creative industries. We suggest there is also room for high-tech and leading edge development here, especially with the direct links to higher education.
We support the concept of mixed use development and investment in infrastructure, with reservations.

Given that national and local policy focusses on sustainable development, we suggest that all new development should be to ‘eco-community’ standards, and there should be no distinction made between the two. Separating out ‘eco-communities’ as something distinct is unhelpful, as it implies other development can be less than sustainable.

We have some concerns that the wording ‘proportionate’ and ‘role and function’ are vague terms that can be interpreted differently by different interest groups. We suggest there should be locally specific criteria against which to test the terms ‘proportionate’ and ‘role and function’.
### Cornwall Local Plan – Strategic Policies

**Shopping, services and community facilities**

**Policy 4 (pages 15-16)**

### Sustainability Appraisal Report

**We support the aims of this policy, with reservations.**

**We suggest that the conditions (2 a-c) which might permit community facilities and local shops to be lost, should be subject to independent assessment.** It is not sufficient for self-interested applicants to make a ‘case’ which so often is comprised of half-truths.
Pre-submission document representation form
Falmouth Civic Society - continued

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<tr>
<th>Document</th>
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<tr>
<td>Cornwall Local Plan – Strategic</td>
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<td>Table 1 (pages 16-17)</td>
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<td>Policies</td>
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We believe that whatever growth numbers are eventually agreed will be politically driven. Our concern therefore is that growth will be genuinely sustainable, of a high quality and beneficial in terms of infrastructure and facilities for any existing communities affected.

We reiterate our overall response to the 2012 Cornwall Local Development Framework, and attach a copy to be considered with our response (see FCS Appendix below).

FCS APPENDIX - Cornwall Local Development Framework

**Falmouth Civic Society’s response to the 2012 Falmouth and Penryn Community Network Area Discussion Paper (March 2012)**

**Overview**

We respect the large and varied amount of evidence that has gone into the preparation of the Core Strategy, and have included some of it in our response.

Our response is based on a vision and understanding of what we would like the Community Network Area to be and how best to achieve growth in a sensitive and sustainable way. Inevitably, our response concentrates on Falmouth.

Our vision is for an integrated and planned holistic approach and not one that simply responds to development on fragmented sites. We believe that development should be compact and respect existing boundaries, and not spread out as suburbs into highly valued landscape and agricultural land. We believe that all development should be sustainable, and built to the standards that would be expected of eco-towns or villages. We want to ensure that public transport is well integrated and connected to the main towns and areas of population, and that all development is interconnected, and not car-dependent. We believe that development can be designed and planned in such a way that it provides sufficient community facilities and that access to them is equitable. We also believe that there should be a social mix, and a mix of uses, so that affordable housing is an indistinguishable part of the overall environment. Planning should also ensure that employment is well integrated and accessible, and that economic development should allow for those starting out on business, and the possibility of live/work units. We consider that the development of marine industries is important, so support the port’s ambitions, particularly for dredging, providing this does not have a significant adverse impact on marine ecology and related industries. We also support the importance of town centres and their viability which should not be further compromised by out-of-town developments. In other words, that growth, regeneration and development in the area should build sustainable communities with their own identity within main towns and outlying villages.

Our response therefore suggests the containment of development at higher densities, to give more defined boundaries to Falmouth and Penryn, while providing the predicted growth in the number of homes. We are therefore confident in rejecting two sites that would breach existing boundaries and spread development unacceptably into the countryside. We propose a solution to Falmouth’s parking problems that will allow pedestrianisation, that will encourage more people into the town centre, and that will increase the number of parking spaces provided. We believe that all this can be achieved, but only by the best integrated planning and design. To this end, a Neighbourhood Plan is essential, and we propose backing this up with an update of our initiative ‘Falmouth by Design’. 
Pre-submission document representation form
Falmouth Civic Society - continued

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<tbody>
<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td><strong>Jobs and skills</strong></td>
<td><strong>Policy 5 (pages 18-22)</strong></td>
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<tr>
<td>Sustainability Appraisal Report</td>
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*We support this policy without reservation.*
We agree that there should be mixed tenure development.

We agree with the policy to ‘plan, monitor and manage’, and suggest that phasing and priorities are set locally, where appropriate through neighbourhood planning.
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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Housing in the countryside</td>
<td>Policy 7 (page 23)</td>
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<tr>
<td>Sustainability Appraisal Report</td>
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<td>No comment (with respect to Falmouth)</td>
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We support the aims of this policy.

Given the low incomes and that Cornwall is one of the UK’s poorest areas, the aims of this policy are modest, and we believe that they should be enforced. **We also support the community infrastructure levy.** While this may give rise to opposition from some private sector developers who may wish to continue to develop standard homes on a ‘business as usual’ basis, we suggest that these policies should encourage more imaginative ways of funding affordable and social housing - perhaps through encouraging the release of pension funds and different forms of partnership. We would wish to see new forms of sustainable housing, at appropriate densities and form that meet the most compelling needs, and that these will be the first priority for any housing growth and release of land.
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<td>Cornwall Local Plan – Strategic Policies</td>
<td>Gypsies</td>
<td>Policy 12 (page 29)</td>
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<td>Sustainability Appraisal Report</td>
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No comment in relation to Falmouth, but in general is a policy we would support.
We support the policy on design and its link to the Cornwall Design Guide.

As above, we suggest that there should be encouragement for local areas to produce place-specific guidance and sustainable development definitions.
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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Development Standards</td>
<td>Policy 14 (page 31)</td>
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<td>Sustainability Appraisal Report</td>
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**We support this policy, with reservations.**

We reiterate our point, in relation to para 6 about zero and low carbon development, that **all new development should be to eco-community standards.**
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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Renewable and low carbon energy</td>
<td>Policies 15-16 (pages 31-33)</td>
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<td>Sustainability Appraisal Report</td>
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We support these policies, with no reservations.
We support this policy.

We support the aims of ‘growing your own food’, and note that this should be extended to embrace urban agriculture, which could be a part of new development. Spatially, and in terms of examples, this would need to be included in the Cornwall Design Guide.
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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Minerals and waste</td>
<td>Policies 18-21 (pages 35-41)</td>
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<td>Sustainability Appraisal Report</td>
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No comment
Pre-submission document representation form
Falmouth Civic Society - continued

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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Best use of land and existing buildings</td>
<td>Policy 22 (pages 41-42)</td>
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<td>Sustainability Appraisal Report</td>
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We support this policy without reservation.
We support these policies.

We note the possibilities of mitigation, and agree that a balance should be maintained. We think for instance the dredging proposals for Falmouth, which we support. However, there will be AONBs, and other high quality environments where development is inappropriate, and where no mitigation could cover the loss.
We fully support the policy to ‘protect, conserve and enhance the historic environment’.

We suggest that the process of ‘proportionate historic environments assessment and evaluations’ be strengthened to ensure that these are independent and expert. We would not wish to see the further erosion, for example, of Pendennis headland with further development on it or adjacent to it.
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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Green infrastructure</td>
<td>Policy 25 (page 48)</td>
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<td>Sustainability Appraisal Report</td>
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**We support this policy**
### Cornwall Local Plan – Strategic Policies

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<tr>
<td>Flood risk management and coastal change</td>
<td>Policy 26 (page 49)</td>
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We support this policy.

We suggest that SUDS is mentioned here (in addition to its mention in the Cornwall Design Guide)
We support this policy, with reservations.

We suggest that, in order to encourage a shift towards more sustainable modes of transport that the first paragraph be modified to read: “To ensure a resilient, reliable and affordable transport system for people, goods and services.....”
We support this policy, with reservations.

We believe that infrastructure should be put in place first, and not left as an afterthought, and often, if past experience is a guide, forgotten about. We also suggest that this policy should be energetically pursued, as too often agreements get watered down. Such enforcement, we suggest, should lead to better and more innovative development and ways of delivering development and infrastructure. One thinks of initiatives such as Urban Splash.

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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>Infrastructure</td>
<td>Policy 28 (page 51)</td>
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<td>Sustainability Appraisal Report</td>
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### We think it unacceptable that the Falmouth Town Framework is not published alongside the Local Plan for comment.

While there is a general summary of some of the Framework findings, this is at a general level. The devil is often in the details. More details were published in the 2012 Core Strategy, on which we commented in some depth. We understand that the Town Framework was used as evidence to inform policy PP5, and so it is material to the process. This evidence should be available to be tested through consultation, as it forms a basis for the policy and therefore if there are questions, the Local Plan would be affected, and might need to be changed. This cannot happen if the Local Plan is agreed and then the Town Framework is opened up for consultation afterwards.

Without the full documentation, the Local Plan offers only unexceptional generalities. In principle we agree with these, but reserve our judgement until the Framework is made available.

**We therefore ask that the Local Plan is not finalised until Falmouth is given the opportunity to consult on the Town Framework, as the two are closely interlinked and affect each other.**

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<td>PP5 (pages 76-81)</td>
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The Falmouth and Penryn Community Network Area
Pre-submission document representation form
Falmouth Civic Society - continued

Q4. Did you raise this issue earlier in the plan preparation process?

Yes [ ]

If yes, please specify at what stage:

In response to the Core Strategy document 2012.

Q5. If your representation is seeking a change, do you wish to participate at the examination in public?

No [ ] I do not wish to participate at the examination in public

Yes [X] I wish to participate at the examination in public

If you require any assistance in completing this form or require any further explanation as to what is required please contact a member of the local planning team using the email address below or telephoning 01872 224283.

Completed forms should be submitted:
by e-mail to: localplan@cornwall.gov.uk
by post to: Cornwall Council
Local Plans Team
Carrick House
St Clement Street
Truro TR1 1EB

Please submit any views to Cornwall Council using the above methods by 5:00pm on 22 April 2013.

Next steps
The representations received during this formal round of consultation will be reported to and considered by the Council. Any significant changes will be consulted on prior to consideration by the planning inspectorate, who will appoint an inspector to conduct an examination in public.
Local Plan – Strategic Policies

Pre-submission document representation form
Please return to Cornwall Council by 5.00pm on 22 April 2013
Please complete a separate sheet for each representation you wish to make (All representations will become public)

1. Personal details.
   - Name: Paul Barnard
   - Organisation: Plymouth City Council
   - Address line 1:
   - Address line 2:
   - Address line 3:
   - Address line 4:
   - Postcode:
   - Telephone number:
   - Email address: paul.barnard@plymouth.gov.uk

Where applicable, the Council has addressed the below questions in the body of its representations as follows:

Q1. Do you consider that the Local Plan meets the legal and procedural requirements?
Q2. A local planning authority should submit a plan for examination which it considers to be ‘sound’ – namely that it is; positively prepared, justified, effective and is consistent with national policy. Do you consider the Plan has met these tests?
Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.
Q4. Did you raise this issue earlier in the plan preparation process?
Q5. If your representation is seeking a change, do you wish to participate at the examination in public?

Plymouth City Council Representations

The Council’s concerns can be broadly summarised as follows:

Duty to Cooperate – Accommodating Growth in South East Cornwall

- Whilst cooperation in some areas such as infrastructure planning has been good, (for example, appropriate account has been taken of concerns expressed by the Council about the capacity of the Tamar Bridge to accommodate increased vehicular traffic), the Council believes that the inter-relationships between Plymouth and South Cornwall could have been better and more holistically considered to deliver a plan which addresses the needs of both South East Cornwall and Plymouth.
- Work was jointly undertaken between Cornwall, Plymouth, Devon, South Hams and West Devon as part of the South West Regional Strategy in 2006, with the aim of setting out a consistent approach to planning across the
Plymouth sub-region – which extends out to Liskeard and Looe and includes Callington. This approach attempted to set broad strategic principles showing how south east Cornwall could benefit from the growth of Plymouth. The outcomes of this work are embedded in the Plymouth Core Strategy, the Plymouth Local Economic Strategy and the Plymouth Local Transport Plan 3. Despite several meetings with Cornwall officers, the Cornwall Local Plan fails to recognise this sub-regional context, and in fact has very few mentions of Plymouth or its growth agenda. This is a weakness of the Local Plan and suggests that Cornwall Council have not fulfilled their obligations under the Duty to Cooperate in this respect.

**Housing Provision**

- The Council acknowledges the Government’s intent to revoke the Regional Spatial Strategy for the South West (RPG10). The Council also acknowledges Cornwall Council’s legitimate right to consider how it provides for its needs within the context of the Localism agenda. Nevertheless, it should be recognised that the evidence base for the draft South West RSS (which was not formally adopted) consistently pointed to a higher level of housing growth for Cornwall. Plymouth City Council has concerns over the level of housing growth proposed for Cornwall in the draft Local Plan. In particular there has been very little dialogue over the course of the preparation of the Local Plan between the City Council and Cornwall Council over the County’s housing need, whether the Plan sets out a realistic assessment of housing need, and how that assessment relates to Plymouth’s growth aspirations.

- The Council is concerned that the proposed level of housing provision is considerably below the level proposed in the RSS, and also considerably below the level proposed in the 2012 ‘Preferred Approach for a Core Strategy’ consultation publication. The City Council does not comment on Cornwall Council’s strategy of dispersing housing development across all Community Network Areas, but is concerned that the overall level of housing provision proposed does not appear to be based on an assessment of objectively assessed need, as required by the National Planning Policy Framework. It is unclear whether a robust assessment of housing need has taken place and how this has informed the housing provision figures in the Local Plan. In particular, the City Council is unclear how the Cornwall Local Plan will meet the needs of the part of the Plymouth Housing Market area which extends into South East Cornwall. The City Council has an ambitious agenda for growth in the City and its sub-region, and Cornwall Council have in the past been party to evidence base work setting out growth aspirations for the sub-region (eg the Sustainable Growth Distribution Study (2005) by Baker Associates). It is unclear how the Cornwall Local Plan, and particularly its housing targets, will assist in making the most of the opportunities presented by the growth of Plymouth to initiate regeneration in the towns of south east Cornwall, such as Liskeard, Looe and Callington. The Council is also keen to understand how the level of housing provision proposed fits with the emerging Strategic Housing Market Needs Assessment.

- The Duty to Cooperate requires authorities to have discussions on housing need with neighbouring authorities in order to understand the cross
boundary implications of housing targets. In the absence of such discussion, some opportunities for South East Cornwall to take advantage of growth in Plymouth, as summarised above, may have been missed. This again suggests that Cornwall Council have not fulfilled their obligations under the Duty to Cooperate.

**Economy**

- The Council does not wish to comment specifically on the proposed provision of land for employment purposes in the Pre-Submission Local Plan. However, it should again be noted that Plymouth’s aspirations for growth in the City which also trigger growth in its sub-region envisage South East Cornwall benefitting from increased economic activity over the plan period. The City Council’s adopted Core Strategy (2007) sets out that it is expected that 42,000 new jobs will be created in the City and its travel to work area, which extends out to Liskeard. The City council is concerned on two counts:
  - It is unclear how the Cornwall Local Plan responds to the potential for economic growth in Plymouth to also trigger job growth in South East Cornwall; and,
  - The Local Plan as a whole does not contain any strategic direction which recognises that South East Cornwall is part of the Plymouth sub-region, its travel to work area or its housing market area. It is therefore difficult to tell how the Plan will maximise the benefits to South East Cornwall which could come from its proximity to Plymouth.

- The Council would like to commend Cornwall Council’s constructive participation in the Plymouth City Deal initiative, the scope of which extends well into Cornwall, and which has the potential to bring significant benefits to the far south west.

**Green Infrastructure – Plymouth Sound and Tamar Estuaries European Marine Site (EMS)**

**Integrated Coastal Zone Management**

- The NPPF states that in coastal areas, local planning authorities should take account of the UK Marine Policy Statement and apply Integrated Coastal Zone Management across local authority and land/sea boundaries, ensuring integration of the terrestrial and marine planning regimes. The Cornwall Local Plan Strategic Policies do not yet do this, although the Local Plan has improved upon the preceding ‘Preferred Approach for a Core Strategy’. More needs to be said on how this will be done, and at the very least it should follow the requirements arising from the emerging EU draft directive on Integrated Coastal Zone Management (http://ec.europa.eu/environment/iczm/prop_iczm.htm).
Habitats Regulations Assessment & Addressing Cumulative Impacts on the European Marine Site through CIL

- There is currently insufficient information relating to the Habitats Regulations Assessment as required under the Conservation of Habitats and Species Regulations 2010, in order to assess the likelihood of significant effect of the strategic policies on the sites and features of the Plymouth Sound and Tamar Estuaries European Marine Site.
- Natural England have already undertaken a risk assessment of the Plymouth Sound and Tamar Estuaries European Marine Site (EMS), and have identified that coastal development entails a risk to the designated sites and features of EMS. Through the single management scheme for Plymouth Sound and the Tamar Estuaries, which Cornwall Council has adopted, it has been identified that all local and neighbourhood plan documents are to be assessed as a ‘Plan or Project’ under the Habitats Directive.
- The method of addressing the cumulative impacts arising from development has already been successfully developed by Plymouth City Council as part of their Habitats Regulations Assessment of the Plymouth LDF published in 2007. This identified that the proposed increase in development would result in a range of impacts of which most could be avoided through appropriate controls. However, recreational disturbance impacts at Plymouth Sound and the Tamar Estuaries European Marine Site was seen to be a clear issue with increases in recreational use likely as house building results in population increases. The full report is available from [https://www.plymouth.gov.uk/sustainabilityappraisalsandotherassessments/sustainabilityappraisalsandotherassessmentshabitatreplayoungulationsassessments](https://www.plymouth.gov.uk/sustainabilityappraisalsandotherassessments/sustainabilityappraisalsandotherassessmentshabitatreplayoungulationsassessments)
- The report identified the following list of activities & operations which it is reasonable to assume may increase as a direct, or indirect result of rising recreational pressure on or around the EMS:
  - Potential for Oil Spill – arising as a direct result of increased water based traffic and related shoreside activity;
  - Physical loss of habitat due to dredging, removal of sediments or smothering through disposal of dredging spoil – arising as a result of increased pressure to dredge to accommodate increased water based traffic;
  - Demand for moorings or, marinas or shore side infrastructure;
  - Physical damage to habitats as a result of anchoring & mooring – arising as a direct result of having more water borne recreational craft using the EMS. Damage to seagrass beds as a result of mooring & anchoring is already recognised as a significant issues requiring assessment management;
  - Bait collection / shore crab fishery – these activities are driven by the market for angling bait;
  - Angling – the direct impacts of angling upon the EMS designated features is still poorly understood but there is sufficient concern that it has been flagged as priority for further research on a precautionary basis. Any potential impacts are likely to increase with the forecasted growth in this sector;
- Physical disturbance of roosting & feeding bird populations - there is the potential for this to rise as an indirect result of increased public access & use of the foreshore;
- Pressure for coastal development - increased pressure for development such as marinas, slipways & other recreational infrastructure.

- The report went on to state that whilst the detail of the inter-relationships between growth in Plymouth, recreational pressure and direct, indirect or in-combination ecological impacts are very complex, it was sufficient to recognise that the water is a major focus of recreational activity and that Plymouth’s LDF established a development agenda that past evidence suggests will increase recreational pressure upon the European Marine Site.
- The report also said that given that a number of the threats to the EMS are associated with recreational activity it was logical to conclude that additional pressure for recreation will exacerbate these threats and that unless recreational pressures are suitably managed it is likely that there will be an adverse impact on the integrity of the EMS.
- The report stated that the issue of increasing recreational pressure is a generic problem associated with growth wherever it takes place and that local mechanisms can manage these providing there is sufficient resource. The coastal zone is a work environment characterised by shared and overlapping interests and responsibilities, and if future pressures for increased recreation are to be regulated or managed appropriately, then sufficient resources need to be allocated to ensure a robust and coordinated approach.
- The Tamar Estuaries Consultative Forum (TECF) provides the only recognised management vehicle for delivering the management actions required to avoid and mitigate the impacts, and Plymouth City Council went on to develop a mechanism for dealing with this through a tariff approach whereby a proportion of development contributions were ringfenced for such purposes. However, developments are now expected to contribute to offsetting these impacts through the Council’s Community Infrastructure Levy. The Council’s Community Infrastructure Levy Regulation 123 List identifies projects to mitigate the impacts arising from increased recreational use of the EMS as a recipient of CIL receipts. TECF is the preferred delivery mechanism for the works required.
- Under DEFRA’s “Guidance on the competent authority coordination under the Habitats Regulations” (July 2012), DEFRA state that where a previous decision has been taken relevant to the plan or project, then the competent authority adopts the elements of the previous assessment that are robust and have not become outdated by further information or developments.
- Cornwall Council should therefore adopt a similar approach to securing the funding to manage these impacts on the European Marine Site, particularly as this approach has been agreed by all the relevant authorities through TECF and is acceptable to Natural England. The ‘duty to cooperate’ would also support this approach.

**Waste**
• The Council is concerned to understand how cross-border movements of waste have been accounted for in the waste arisings assessment and therefore how provision is being made for sub-regional waste management infrastructure solutions. The Council is also concerned to understand the timetable for the production of Cornwall Council’s Waste Local Plan.

Transport

• The Council is encouraged by recent and ongoing dialogue in respect of accommodating future growth in Saltash and Torpoint. However, the Council remains concerned that the Local Plan is not clear about the infrastructure needed to deliver the proposed growth of 1000 new dwellings in Saltash. The Council would expect to see more emphasis on encouraging travel by non-car modes particularly in urban areas where these present viable alternatives. The Council believes there are opportunities to increase emphasis on improving options for travelling from the Cornwall Gateway Community Network Area to Plymouth, in particular access to the growth area at Derriford by bus. The Council believes there may also be scope to recognise the inter-dependencies between Cornwall and Plymouth when it comes to the provision of long distance rail services between the far south west and other parts of the country.

Cornwall Gateway CNA

• In addition to the above comments, the Council is concerned that Policy PP17: Cornwall Gateway CNA does not adequately reflect the relationship of Saltash to Plymouth. Paragraph 20.4 of the supporting text refers to Plymouth, stating that it has ‘constrained/influenced’ Saltash. This seems an over-simplification of the relationship. The City Council does not wish to see Saltash evolve into a dormitory town for the City and therefore supports proposals to strengthen its sustainability, but would also like to see the benefits that residents of Saltash enjoy due to their proximity to the higher tier facilities in Plymouth recognised. It is also of concern that reference is made to Saltash recovering retail expenditure lost to Plymouth, simply because this issue has not been discussed in any detail with the City Council, and it would be better if the implications of such an approach on the City’s retail strategy has been assessed.
• The City Council supports the efforts the Local Plan makes to improve the attractiveness of Saltash and increase numbers of jobs in the town. Notwithstanding the above comments on infrastructure, the City Council is also pleased that housing growth has been limited given the infrastructure constraints limiting additional movements to and from Plymouth, and given that earlier iterations of the Local Plan floated the possibility of substantially larger amounts of new housing.

Changes Sought and Participation in Examination in Public

• Plymouth City Council would like to reserve the right to appear at the Examination in Public of the Local Plan.
• In terms of changes sought, the Council believes the Local Plan should better reflect the reality of the Plymouth Sub-Region in terms of its functional economy and housing market:
  o It is suggested that the Plan would be improved by the addition of a new sub-section to the Spatial Strategy on page 12 setting out that South East Cornwall is part of the Plymouth Sub-Region in functional terms, recognising the growth which will take place over the plan period and how South East Cornwall will take part in the exciting vision for the sub-region.
  o It is also suggested that the Plan could be improved by Part 8 (d) of Policy 2 – ‘Key Targets and Spatial Strategy’ being expanded to reflect the importance of the Plymouth sub-region.
  o It is finally suggested that the Key Diagram on page 146 should be amended to include a ‘Post-It’ note annotation setting out the extent of and opportunities presented by the Plymouth Sub-Region.

Comments at Earlier Plan Preparation Stages

• At the most recent prior stage, Plymouth City Council submitted comments on Cornwall Council’s ‘Preferred Approach for a Core Strategy’ on 2 March 2012.

If you require any assistance in completing this form or require any further explanation as to what is required please contact a member of the local planning team using the email address below or telephoning 01872 224283.

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by post to: Cornwall Council
Local Plans Team
Carrick House
St Clement Street
Truro TR1 1EB

Please submit any views to Cornwall Council using the above methods by 5:00pm on 22 April 2013.

Next steps
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Local Plan Team
Cornwall Council
VIA EMAIL ONLY

Dear Sir or Madam:

THE CORNWALL LOCAL PLAN – STRATEGIC POLICIES PRE-SUBMISSION DOCUMENT

Representations by McLoughlin Planning on behalf of Carlyon Bay Camping Park

Further to the above consultation, please find enclosed representations on behalf of Carlyon Bay Camping Park in respect of its land interests at St Austell. The representations include the following:

• A document setting out specific representations on identified policies and paragraphs.

• A site location plan.

At this stage, my client would like to revere the right to attend the examination and I look forward to hearing from you in respect of it timetable in due course.

I look forward to hearing from you.

Yours faithfully

Nathan McLoughlin BSc (Hons) DipTP MRTPI
Director
Objective 4

1. Support is expressed for setting a plan objective which seeks to provide new homes over the Plan period. However, this has to be done in the context of maintaining a 5 year supply of housing land. There is concern that the approach adopted by the Council in preparing this Local Plan Strategic Policies document is to delay the delivery of housing land by relying upon either a Site Allocations DPD or a Neighbourhood Plan document.

2. This objective can be met (in part) through the allocation of housing land at Carlyon Bay Camping Park.

Objective 9

3. The approach adopted by Objective 9b is unsound in that it runs counter to the Framework and its treatment of previously developed site. Guidance in paragraph 17 bullet point 9 of the Framework only requires ‘encouragement’ to be given the re-use of previously developed land. Should such an approach be adopted, the would jeopardise the delivery of housing land throughout Cornwall. This is because given the level of development required, there will be a need to bring forward greenfield development sites. Furthermore, there may not be brownfield land available in lower order settlements and greenfield development will be the only way of meeting development needs.

Policy 2

4. The Plan’s approach to defining a housing target is unsound, because it is not justified on a robust evidence base.

5. Paragraph 159 of the Framework sets out that LPAs should have a “clear understanding of housing needs in their area”. This in turn requires the production of a Strategic Housing Market Assessment. The most up-to-date version of the SHMA is 2010, which pre-dates the Framework and, crucially, the need to boost the supply of housing.

6. The 42,250 target in the Policy is markedly lower than the 62,200 anticipated for the constituent authorities’ of Cornwall in the South West RSS Proposed Changes, published by the Secretary of State in July 2008 for a Plan period which ran between 2006 and 2026. It is not clear how the Plan can propose a level of growth some 20,000 homes lower than what had been previously assessed as being necessary?
7. Reviewing the 2010 SHMA, it does not appear as if the document has rehearsed any other housing scenarios than what is proposed. This means that there is a question mark over whether the plan passes the test of being “justified” in that what are the reasonable alternatives that have been assessed? Further evidence of this can be found in paragraph 12.10 of the 2010 Full Report, which recommend an Annual Update to the SHMA. Given that this Assessment was produced in July 2010, it is coming up to being three years old by the time the Local Plan is submitted to the Secretary of State for examination.

**Policy 3**

8. The Policy is considered unsound because it does not effectively explain the settlement strategy outside of identified locations and is therefore unsound.

9. Plan looks to Neighbourhood Plans to deliver housing outside of such locations. As with other representations submitted, placing an over-reliance on Neighbourhood Plans to deliver housing sites in the County will generate issues of delay and under-delivery. A Neighbourhood Plan can only be adopted if there is an adopted Local Plan in place for it to relate to. Given the current position of the Plan, it remains to be seen as to when it will be eventually adopted and thus allow Neighbourhood Plan to be prepared. Neighbourhood Planning is of course reliant upon a Parish Council (or other approved organisation) to create such a Plan. If no such impetus exists in the lower tier locations, there is a question mark as to whether the Plan will deliver the levels of development required in Policy 2.

**Table 1**

10. See representations in respect of Policy 2.

**Paragraph 2.14**

11. It should be noted that whilst the UK economy is experiencing difficulties, the requirement of the Framework is to maintain a rolling 5 year supply at all times. The concern with this paragraph is that it could be interpreted to allow for lower levels of growth for this period.
Policy 6

12. The approach adopted in Policy 6 could be interpreted to dictate housing mix, based on a perceived, need rather than prevailing market conditions. This could lead to uneconomic demands being placed on developer to meet a residual requirement, which, for example the RSL sector has failed to meet. A further complication is that such development could lead to a distortion of the demographic structure of an area by seeking to encourage a specific class of housing development, to meet a particular demographic. This approach is unsound as it is inconsistent with the Framework.

Policy 8 Affordable Housing

13. The following comments should be noted.

14. As drafted, the respondent supports the provision of affordable housing on development sites as a means of providing a mixed and balanced community. However, in terms of specific in the Policy the following comments should be noted:

Tenure

15. As drafted, the Policy draws no distinction between affordable rent and social rented properties, both of which are included in the definition of affordable housing. Further complication of the rented sector are the changes brought about by the Welfare Reform Act which has seen a reduction in benefits being paid to people in rented properties which are seen as under occupying rented housing. The concern with being prescriptive in the Policy is that it could lead to a situation where the Policy is no longer reflective of what is actually happening in practice.

Policy 11

16. Policy 11 is considered unsound as it is not consistent with the Framework. Paragraph 173 of the document seeks to ensure viability and deliverability and the emphasis in the guidance is ensuring that viability is not threatened. The approach set out the in the policy appears to direct applicants to redesign their schemes and not consider whether the obligation of affordable housing, or other developer contributions should be reduced.

Policy 13 Design

17. The following concern is raised in respect of criterion D
18. Adaptability – in designing residential development, the proposed development is highly tailored to a specific end user. The potential for alternative uses of residential dwellings is highly unlikely. As a result, the need for adaptability should be deleted.

**PP9 St Austell and Mevagissey: China Clay; St Blazey, Fowey and Lostwithiel CNA’s**

19. The following observations about this Section of the Plan should be noted:

**Figure 13**

20. Given the specified role of St Austell to accommodate new development on greenfield sites outside of the Town’s current limits, Figure 13 should be modified to make strategic development allocations, including land at Carlyon Bay Camping Park to help the Plan meet its requirements.

**Paragraphs 12.21 to 12.32**

21. Support is expressed for the paragraph as it recognises the need to extend beyond the town’s limits and this will result in the development of greenfield land to help achieve this. However, the paragraph fails to allocate development sites, to meet this objective. Paragraph 157 of the Framework requires Local Plans to allocate development sites and it is seen as a “crucial” part of the Local Plan. There does not appear to be a justified rationale for the approach adopted by the Council in not making such allocations.

22. The level of development is objected to as being too low, as set out above.

**Policy PP9**

23. In conjunction with the above representations, the Policy is unsound as:

- It makes insufficient provision for new housing development and not specifying how housing will be distributed.

24. In light of the above concerns, the soundness issue of the Policy could be addressed (in part) through the allocation of land at Carlyon Bay for residential development through the Strategic Policies document. The benefit of this approach is that it would allow for immediate housing to be delivered without the lead-in time issues associated with the completion of a Site Allocations DPD or Neighbourhood Plan.
25. In order to do so, it is essential that the site’s suitability is assessed against the tests in the Framework in that is it available suitable and achievable?

**Available?**

26. Yes – McLoughlin Planning has been instructed by the owners of the site to promote it for residential development.

**Suitable?**

27. Yes- The site is adjacent to St Austell, which is a major urban centre in the County and has , which has been identified in the CNA. It is states in the Policy that there is a requirement for 1700 new homes to 2030, which is further endorsed by the supporting text, which recognises that greenfield land will be required for development.

28. The site is located on the eastern side of the town and is close to employment, retail and leisure opportunities. This provides genuine opportunities for sustainable patterns of travel to be created by the development.

29. The site is currently used as a camp site and this has a quantifiable impact on the highways network. Access to the site would be via local road off the A3082 which in turn provides connections to the centre of St Austell or Biscovey, where there is the nearest school. The site is passed by a regular bus service, providing links to the main bus station in St Austell and the railway stations.

30. Part of the site is in the floodplain. However, the remainder is not and surface water run-off can be mitigated through the use of sustainable urban drainage systems.

31. The site is circa 13 ha in size and this could accommodate 390 houses at a density of 30 dwellings per hectare. However, the ultimate figure would be lower because of the need to avoid development in the floodplain.

32. As part of on-going technical work, further studies will be undertaken to assess capacity of the site, access, ecology, landscape and drainage issues.

**Achievable**

33. There are no ownership or other barriers to the development of this site.

34. A plan showing the site is attached to these representations.
Local Plan – Strategic Policies
Pre-submission document representation form
Please return to Cornwall Council by 5.00pm on 22 April 2013
Please complete a separate sheet for each representation you wish to make (All representations will become public)

1. Personal details.
   Name
   Organisation
   Address line 1
   Address line 2
   Address line 3
   Address line 4
   Postcode
   Telephone number
   Email address

2. Agent details (if applicable).
   Name
   Organisation

Q1. Do you consider that the Local Plan meets the legal and procedural requirements?

Please see attached documents

Q2. A local planning authority should submit a plan for examination which it considers to be ‘sound’ – namely that it is; positively prepared, justified, effective and is consistent with national policy. Do you consider the Plan has met these tests?

No

Please specify the reasons below

Please see attached representations

Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.
You will need to say how this change will address the concerns and it would be helpful if you could put forward your suggested revised wording to any policy or text and any evidence to support the change.

Please state which paragraph or policy your change refers to and specify the reasons below:

<table>
<thead>
<tr>
<th>Document</th>
<th>Paragraph number</th>
<th>Policy number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sustainability Appraisal Report</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please see attached representations

Q4. Did you raise this issue earlier in the plan preparation process?

☐ No

If yes, please specify at what stage:

Q5. If your representation is seeking a change, do you wish to participate at the examination in public?

☐ No I do not wish to participate at the examination in public

☒ Yes I wish to participate at the examination in public

If you require any assistance in completing this form or require any further explanation as to what is required please contact a member of the local planning team using the email address below or telephoning 01872 224283.

Completed forms should be submitted:
by e-mail to: localplan@cornwall.gov.uk
by post to: Cornwall Council
Local Plans Team
Carrick House
St Clement Street
Truro TR1 1EB
Please submit any views to Cornwall Council using the above methods by 5:00pm on 22 April 2013.

Next steps
The representations received during this formal round of consultation will be reported to and considered by the Council. Any significant changes will be consulted on prior to consideration by the planning inspectorate, who will appoint an inspector to conduct an examination in public.
1.0 Introduction and Summary

1.1 The following comments are being submitted to Cornwall Council as part of the Public Consultation Process in respect of CC’s Draft Core Strategy, but specifically the preferred future housing allocations as set out in the Falmouth and Penryn Community Network Area Discussion Paper - January 2012. It is noted that the CNA discussion Papers represent CC’s “preferred approach to development” (Foreward) and that “these options are for consideration only at this stage” (para. 6.10[2]). Thus the following comments are aimed at assisting CC adopt its future housing growth strategy for Falmouth and Penryn and they are, therefore, commended to the Council. In drafting these comments we are mindful of the questions posed in your F & P CNA Discussion Paper, particularly questions FP 13 (Do you agree with the housing options proposed?), and FP 14 (Are there any other sites which you feel would be more appropriate for housing related development?) and our response to these questions is enshrined in the comments below.

1.2 These comments are specifically aimed at Housing Option FUE1, Falmouth, Goldenbank. This notional allocation is on two parcels of land, namely:

i. the land to the west of the Bickland Water Road south of Roscarrack House, to include the Maen Valley up to the eastern bank of the river, and then southeast across Roscarrack Road to meet the Bickland Water Road where it turns south-west at the bend in the road at the new roundabout to Goldenbank housing estate This notional allocation embraces Roscarrick Road, a narrow and windy country lane, four houses alongside the river in the Maen Valley and Higher Roscarrick Farm and Cottage. South of Roscarrick Road the south-western boundary of the notional allocation is marked by Pendra Loweth, my holiday homes complex of 116 holiday cottages. This area within FUE1 is open farmland on the eastern slope of Maen Valley, with a field pattern marked by hedgebanks and hedges,

ii. land to the south-east of Bickland Water Road and Pennance Hill that is bounded to the north by Swanpool Road, the east by Falmouth Golf Course and the south by Twinbrook Caravan Park. This land embraces the Falmouth pitch and putt, Trelevra Farm Nursery and Pennance Cottage and Green Acres on the Pennance Hill frontage, with a substantial area of woodland to the south of Trelevra Farm.
1.3 No attempt has been made to challenge the housing requirement that is set out in the F & P CNA Discussion Paper for the year 2030 - the figures are accepted as the basis for the housing options explored in the discussion paper. This is primarily because the options explored will more than accommodate the assessed need, even if FUE1 is deleted as a future housing site (see section 4.0).

1.4 In summary it is argued that FUE1 should be deleted in the next iteration of the Core Strategy for the following reasons:

i. Unacceptable impact upon the principles of an AONB,

ii. An unacceptable extension of Falmouth that will harm the local character and setting of Budock Water, and will result in an ill-defined urban boundary for Falmouth to the south and west,

iii. An unknown and potentially unacceptable impact upon the setting of heritage assets

iv. Unacceptable extension to Falmouth in terms of its integration with the existing urban fabric and the potential impact upon the existing social fabric in and around the Maen Valley,

v. Roscarrack Road is wholly inappropriate as a means of access to FUE1, given its rural, winding and narrow nature. FUE1 is poorly served by public transport and the cost of provision of new infrastructure to serve FUE1 is likely to be greater than for other FUE sites,

vi. The development of FUE1 would have a harmful impact upon the rural setting of Pendra Loweth, with the potential to harm the contribution that this holiday complex makes to the rural economy and the local jobs market.

1.5 In the event that CC seeks to retain FUE1 in the next iteration of the Core Strategy, we would wish to be consulted on drawing-up a proposal for housing on a much reduced area within FUE1. It might prove possible to develop a “strip” of land directly alongside the Bickland Water Road, with access solely off that road. However, we have only “flagged” this as a fall-back position because we believe that FUE1 is unacceptable as an urban extension to Falmouth, of whatever scale and, therefore, it should be deleted as a future housing option.

2.0 Existing Planning Designations / Constraints

2.1 The land and buildings within the notional allocation of FUE1 is currently the subject of existing planning designations that act as constraints to development. These designations are:
i. **Area of Outstanding Natural Beauty** - this statutory allocation affects all the land to the south of Roscarrack Road, namely the land within the loop formed by Roscarrack Road and Pendra Loweth to the south-west, and the land south-east of Bickland Water Road and Pennance Hill. The importance of an AONB in protecting the character of the landscape so designated is nationally recognised and there is, therefore, no need to repeat the policy value of this designation here. Suffice to say that the development of the land within FUE1 would have a significant impact upon the AONB and would be harmful to this national designation,

ii. **Open Area of Local Significance** - is a local designation adopted in the Kerrier District Plan 2004. Whilst this plan was never formally Adopted, it was a designation aimed at protecting “those areas close to settlements and contributing to their character, the character of their setting and that of the surrounding countryside” (para. 3.30). Policy ENV5 (Landscape - The Setting of Settlements) sought to resist development “where it would be significantly harmful to…(i) an open area of landscape that is important to the visual appearance or quality of the landscape setting of the settlement…, or (ii) a locally distinctive land form or landscape feature that provides a clearly definable settlement boundary…”. The Maen Valley to the east and south of Budock Water is defined as an OALS (no: 352) and it includes “the open area on the slopes of the Maen Valley between Budock Water and Roscarrack Road (which marks the edge of the AONB). This whole valley is part of the setting of Budock Water and the western edge of Falmouth and it is important to the visual amenity of the settlements that it remains open”. In essence the Maen Valley provides a distinct landscape feature that serves to re-enforce the western edge of Falmouth and provide an open setting to Budock Water, a function that it would cease to perform should FUE1 be developed with housing. And this function remains valid today as is noted in the text describing FUE1 in the F & P CNA. The second paragraph notes that “other issues include demonstrating how the southern and western extent of development would be addressed in order to clearly define the outer limits of development growth and protect the identities of outlying communities”.

iii. **Listed Buildings (Heritage Assets)** - there are two listed buildings within the notional area of FUE1 namely Roscarrack Mill and Higher Roscarrack Farm (and Cottage?). Roscarrack Mill is set close to the river on the western edge of the notional boundary for FUE1, whereas the other buildings are located within the centre of the area. LPA’s have a statutory duty in determining planning applications affecting listed buildings to have regard to the “particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset)” (PPS5 - Planning for the Historic
Environment, March 2010: Policy HE7 - Policy principles guiding the determination of applications for consent relating to all heritage assets. Any development on FUE1 would therefore be obliged to take account of this statutory requirement to protect the setting of a heritage asset. In simple terms there would clearly be no impact upon these local heritage assets if FUE1 was not developed, particularly Higher Roscarrack Farm (and Cottage) where there is the potential to completely surround the properties in the centre of FUE1, a wholly inappropriate setting for a group of listed buildings. An alternative might be to provide substantial “buffer” strips¹ (extensive and intensive landscaping, including re-shaped landform and planting) to these heritage assets. However, given that these assets are located on the side of or in the bottom of the valley, where as a result new development could overlook and impinge upon their settings, the ability of any buffer strip to protect these assets should be properly determined at this options stage rather than further down the line of the development process i.e. at the planning application / impact assessment stage. For this reason it is considered that the “precautionary principle” should be applied and FUE1 should, therefore, be deleted as a housing option.

3.0 Evidence Base Supporting the F & P CNA

3.1 It is acknowledged that CC has undertaken a number of studies to provide the Evidence Base for its Preferred Options in the F & P CNA. These studies are quite comprehensive and detailed and have, therefore, only been briefly perused to avoid an overlong appraisal in support of these comments on FUE1. However, attention is drawn to the following in respect of this evidence base:

i. Falmouth & Penryn Town Framework - Urban Extensions Assessment (Nov. 2011): Initially fourteen areas, or cells, were examined in this UEA and whittled down to the final five set out in the F & P CNA in a process using a number of criteria. The process has a logic of its own, and without detailed study it is not intended to challenge it here. However the criteria used, including landscape and urban design assessments, accessibility and proximity to services have been used to help guide the comments below in respect of FUE1,

ii. Infrastructure Planning - Town Framework Evidence Base (Jan. 2012): this study looks at existing infrastructure provision and the long-term need for infrastructure to serve Falmouth & Penryn as a whole with the levels of growth factored into the F & P CNA. Any shortfall in infrastructure is therefore generally urban-area wide and not

¹ CC HES acknowledged the potential harm that could arise to Higher Roscarrick Farm where the Farm s “identified as important and that this should be considered and incorporated into the landscape and buffer zones at the periphery of the cell area” (F & P Town Framework - Urban Extensions Assessment; page 19).
solely applicable to FUE1, albeit additional public transport infrastructure to serve FUE1 will have a cost implication in relation to other FUE sites.

iii. (Interim) Sustainability Appraisal of Options (Undated): this 67 page document seeks to justify the preferred (housing) options in relation to nineteen sustainability appraisal objectives, and provides a brief commentary on the potential conflict with the SA objectives for each preferred option. For FUE1 the paper states “FUE1 is located within the Area of Outstanding Natural Beauty, and care would need to be taken to minimise any negative impacts on the character of the AONB to minimise any potential negative impacts on SA Objective 8: Landscape. Further, there is a need to make provision for local facilities to support any growth and the exiting community in order to address the potential for negative impacts on SA Objectives 12: Social Inclusion, 12: Antisocial Behaviour and 15, Health / Sport / recreation”. This appraisal of FUE1 is commented on in section 5.0 below.

4.0 Potential Housing Provision identified in the Preferred Options

4.1 It is acknowledged that “development outside of the existing urban area will be necessary to meet the required housing targets, which could be up to 2,185 dwellings (i.e. overall target of 3,500 minus 1,315 capacity of the urban area)” (F & P CNA, para 6.10). There are five sites being promoted as preferred options with the following potential housing capacity. It is understood that the housing capacity figures for the preferred sites is “conservative” insofar as they are based upon around 30% of the land area being devoted to housing, with the remaining land being earmarked for additional infrastructure such as open space or shops. Thus it may well be that there is potential for these sites to accommodate a greater level of housing as and when they come forward for development.

4.2 The following table is based upon the commentary found in section 6.10 of the F & P CNA:

<table>
<thead>
<tr>
<th>Site</th>
<th>Potential Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>FUE1</td>
<td>760</td>
</tr>
<tr>
<td>FUE2</td>
<td>1,000</td>
</tr>
<tr>
<td>FUE3</td>
<td>335</td>
</tr>
<tr>
<td>FUE4</td>
<td>1,100</td>
</tr>
<tr>
<td>FUE5</td>
<td>190</td>
</tr>
<tr>
<td>Total</td>
<td>3,385</td>
</tr>
</tbody>
</table>

When the anticipated housing demand of 2,185 dwellings to be to be accommodated in urban extensions is deducted from the potential capacity noted above, there is a potential
surplus of 1,200 dwellings. With this potential excess capacity, any one of the option sites could be deleted and the overall potential capacity would still remain in surplus. Thus, if the potential capacity of 760 dwellings within FUE1 was deleted, there would still remain a surplus of some 440 houses. Bearing this in mind, and taking account of the comments below, Cornwall Council is urged to delete FUE1 as a preferred housing option.

5.0 Considered Constraints to Developing FUE1

5.1 The following is a considered view as to why FUE1 should be deleted as a preferred housing option.

5.2 **Within an AONB:** FUE1 is the sole of the five option sites that has an AONB designation, and it is our view that the AONB designation should have been a primary criterion for not considering developing any AONB land in the urban extensions assessment. Not only is this a long-standing designation of national significance, it is highly regarded by both the public and LPA’s. We believe that to include AONB land within the potential search area, let-alone to earmark such land as a preferred option for housing, de-values the designation and may make it more difficult for the LPA to resist “other” development within the AONB in the future. In addition, as noted above, there is sufficient surplus housing capacity without including FUE1. And by CC’s own admission “care would need to be taken to minimise any negative impacts on the character of the AONB to minimise any potential negative impacts”. It is believed that it is not possible to develop AONB land without damaging the principle of this safeguarding designation; mitigation measures are not considered appropriate given the harm to the principle.

5.3 **Within an OALS:** currently Falmouth is constrained by the Bickland Water Road, as backed up by the landscape feature of the Maen Valley that is defined in OALS 352. The Bickland Water Road is a hard edge that is simply defined and readily understood. However, any development that “crosses” the Bickland Water Road will pose the question of how to define and / or prevent the further outward expansion of Falmouth? This issue is acknowledged by CC in the F & C CNA where in the supporting text to FUE1 it is recognised that the “southern and western extent of development (should) be addressed in order to clearly define the outer limits of development growth and protect the identities of outlying communities”. This issue is does not arise if FUE1 is deleted. In addition the Maen Valley OALS has a distinct landscape character of its own that will be greatly harmed, if not destroyed, together with its natural resources, if FUE1 goes ahead.
5.4 **Heritage Assets**: FUE1 will impact upon the setting of two heritage assets and until an impact appraisal has been undertaken the harm cannot be assessed at this point in the development process. Given that there would be spare capacity if FUE1 is deleted, and on the basis of the “precautionary principle”, the potential impact upon heritage assets is considered to add further weight to deleting FUE1.

5.5 **Local Services and Integration with Existing Urban Fabric**: there is a small local shop/post office in Budock Water, with greater services available at Boslowick (a distance of around 1km). For more extensive facilities residents in the vicinity of FUE1 currently have to travel into Falmouth, an issue acknowledged in the supporting text to FUE1. The text acknowledges that “any proposed development would need to consider the provision of community facilities such as community shop(s) and appropriate community play / open space, to an appropriate scale to support both it and the existing community at Goldenbank”. Whilst we acknowledge that any extensive development on FUE1 would need to cater for its own needs, it is unclear if the additional services are also aimed at meeting a shortfall to the east (Falmouth side) of the Bickland Water Road. If that is an objective of FUE1, the question of accessibility across that road has to be addressed - how to successfully integrate an urban extension into the existing fabric of Falmouth when there is a major barrier, in the form of the Bickland Water Road, running through the area? And if FUE1 is considered to be a major extension to Falmouth, this also raises questions of the resultant social fabric.

5.6 **Social Fabric**: the Sustainability Appraisal acknowledges the potential conflict with SA objective 12, namely “Social Inclusion…(and)...Antisocial Behaviour”. Social inclusion may give rise to issues of anti-social behaviour, and the latter could be more marked in the semi-rural character that FUE1 would represent than in a more urban area. This issue must be given full weight to ensure that the existing social harmony within and close to FUE1 is not harmed.

5.7 **Access and Accessibility**: if FUE1 is developed, access to the new housing must be solely off the Bickland Water Road and not off Roscarrack Road. This road may be capable of carrying the additional traffic generated by FUE1, but certainly not Roscarrack Road. Roscarrack Road is a narrow, winding country lane that in places can only accommodate single file traffic. To eliminate these potential accident blackspots would mean altering the road, resulting in the undoubted loss of trees and hedgebanks, thus destroying the character of the road and this part of the Maen Valley. Also, because access must be off the principle roads, the quality of the layout of the resultant development should include, if
a smaller development is agreed, a buffer strip from junction Bickland Water Road with Roscarrack Road to behind the protected higher Roscarrack Cottage. New public transport would also be needed to provide for the residents of FUE1 if CC is to achieve its own objectives for securing a move away from the private motor vehicle to public transport and other forms of sustainable transport. Given that FUE1 is more remote from the “heart” of the existing urban areas, there will be a need to question the cost / benefits of providing new public transport infrastructure for FUE1 vis a vis the other FUE sites.

6.0 Impact upon Pendra Loweth

6.1 Pendra Loweth is a holiday destination comprising 116 holiday cottages set within an award winning environment and gardens. Pendra Loweth is in a rural location, within the AONB, and it is accessed via Roscarrack Road, a rural, winding country lane. This rural location, with its strong rural character, is the principle raison d'être for the success of Pendra Loweth. Most, it not all of the visitors to Pendra Loweth live in urban environments and this is why they visit Pendra Loweth - for its peace and quiet. If FUE1 was developed with housing, this would destroy the rural environment of Pendra Loweth with unknown consequences for the rural economy and local employment.

6.2 Tourism is a major component of Cornwall's economy, contributing of visitor spend of £176,000 billion to the County. Tourism also employs some 53,030 people, again making a major contribution to the County's employment market (Source, Visit Cornwall Survey 2010) In turn, Pendra Loweth makes a contribution to the local economy, providing seven full-time jobs and some twenty extra seasonal jobs, together with generating a rate income of £110,000. And £1,763,000 visitor spend in local economy year on year, all this would be put at risk, with unknown consequences, if FUE1 goes ahead. To repeat, even if FUE1 is deleted there will still be spare capacity to be secured from the remaining FUE sites. Again, therefore, we urge that FUE1 is deleted on the basis of the “precautionary principle” in order to protect this valuable tourism asset.

6.3 Pendra Loweth is not a static business, we have to be able to adapt to customers needs and aspirations to the same high environmental and design standards that currently pertain, providing we can be assured that it has a future. However, in view of the presence of FUE1 as a potential development on our doorstep, this future may not be realised. That said, can we formally request that Pendra Loweth is acknowledged as a tourism resource in its own right with the potential to expand providing its future is assured through the plan process.
Dear Sirs,

I am acting on behalf of Pendra Loweth, Maen Valley, Goldenbank, TR11 5BJ and other local residents. John Hick of Pendra Loweth and other residents raised objections to the inclusion of land at Goldenbank (option FUE1) as a potential urban expansion of Falmouth onto open land up to the Maen Valley as set out in your “Falmouth and Penryn Community Network Area Discussion Paper - Preferred Approach: Consultation Paper December 2011”. We raised a detailed objection (please see attached “Pendra Loweth Comments”) in March 2012 with a subsequent letter clarifying our position in May 2012. We also raised concerns to the Pre application Consultation (your ref. PA12/02789/PREAPP) that sought to receive support, in principle, to develop the option FUE1 land with housing. We were not party to your Council’s reply to this PAC because you do not publish your replies on your applications online website. John Hick and other residents, and myself, have discussed this site with Matthew Williams in order to impress upon him our concerns.

I note that you have recently published a range of documents for public consultation, starting with the emerging Local Plan for Cornwall (March 2013) and the “Cornwall Local Plan Place-Based Topic Paper: 1 Falmouth and Penryn Community Network Area”. I am aware that the Local Plan has a target provision of 42,250 dwellings for the County as a whole during the plan period, with Falmouth/Penryn’s share being 4,000 dwellings, 3,200 of which are to be provided within or as additions to these two main towns. These target figures were arrived at during a Full Council debate on the Local Plan on 12 February 2012 where the Planning Policy Advisory Panel had recommended an overall provision of 38,000 new dwellings during the plan period, with Falmouth / Penryn’s share being 2,900. I acknowledge that a total of 4,000 new dwellings for the Falmouth/Penryn CNA is the same figure as promoted in your Preferred Approach Consultation Paper (December 2011) and that the existing main towns of Falmouth/Penryn are expected to now accommodate 3,200 dwellings as opposed to the 3,500 promoted in December 2011. However, the decision of Full Council to adopt a growth figure of 4,000 dwellings for Falmouth / Penryn during the plan period was not taken with any reference to where such growth would take place e.g. on land at FUE1, and we can only conclude, therefore, that land at Goldenbank is still an option that is “on the table”.

In our original objection to FUE1 we did not challenge the quantum of new housing proposed for the Falmouth / Penryn CNA because, as the table included in the objection demonstrated, the exclusion of FUE1 or any one of the four other FUE option land would not prevent Falmouth / Penryn from delivering the target figure of 3,500 dwellings during the plan period. We accept that the latest, lesser requirement of 3,200 dwellings may, at face value, make it easier for Falmouth / Penryn to deliver its share of new housing during the plan period. However because the Falmouth / Penryn Framework Plan (FPFP), which we understand will identify the housing growth sites, has not been published the question of developing land at Goldenbank still appears to remain an option. Therefore, as a matter of principle, we consider that we have no choice but to object to this housing growth figure for the Falmouth / Penryn CNA in order to maintain our objection to the development of FUE1. Should FUE1 no longer be identified in the FPFP as a site for future housing, then we will consider withdrawing this objection. However, should FUE1 be carried through into the FPFP as an on-going option site for the expansion of Falmouth, we will not only maintain our objection to FUE1, but will also seek to challenge the basis of the current growth figures for Falmouth / Penryn in the emerging Cornwall Local Plan (March 2013), as further explained in your “Place-Based Topic Paper” for Falmouth / Penryn.
Please note that our objections to FUE1 remain as set out in the attached “Pendra Loweth Comments” documents, including the impact of developing the land upon the economic, employment and tourism benefits offered by Pendra Loweth. We also raised a concern that the development of land at Goldenbank would have an “unacceptable impact upon the principles of an AONB” and we clearly maintain this objection for the reasons set out in detail at paragraph 5.2 of our comments. However, we believe that our objection to developing land in the AONB is strengthened by a decision taken by the Full Council in February this year. At that meeting the Council resolved to add the following criterion to the policy on Renewable and Low Carbon Energy (now policy 15 in this consultation draft of the Cornwall Local Plan) – “When assessing proposals for wind turbines on the outskirts of Areas of Outstanding Natural Beauty, the status of the Area of Outstanding Natural Beauty shall be taken into account when assessing landscape impact.” This additional criterion will strengthen the Council’s ability to resist unacceptable green energy proposals outside an AONB where there is potential for an impact upon the AONB. In view of this additional criterion promoted by the Full Council, we do find it very difficult to accept that FUE1 was even promoted as a development option on land within the AONB in the first instance. It is our view that the principles behind designating land as an AONB must be fully supported by Cornwall Council, as reflected in this resolution to adopt additional criterion to protect the AONB from unacceptable green energy proposals outside the AONB.

Would you please acknowledge this email as a formal objection to the housing provisions in the Cornwall Local Plan (March 2013) for the reasons set out above in accordance with your “Statement of Procedure for making Representations”. Please contact me if you require any clarification or further comments.

Yours sincerely
Robert Murray
Local Plan – Strategic Policies

Pre-submission document representation form

Please return to Cornwall Council by **5.00pm on 22 April 2013**

Please complete a separate sheet for each representation you wish to make (**All representations will become public**)

<table>
<thead>
<tr>
<th>Name</th>
<th>Patricia Edward</th>
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<tbody>
<tr>
<td>Organisation</td>
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<td>Address line 1</td>
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1. **Personal details.**

Q1. Do you consider that the Local Plan meets the legal and procedural requirements?

   **Not known**

Q2. A local planning authority should submit a plan for examination which it considers to be ‘sound’ – namely that it is; positively prepared, justified, effective and is consistent with national policy. Do you consider the Plan has met these tests?

   **Yes**  **No**

Please specify the reasons below

**Not known**
Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.

You will need to say how this change will address the concerns and it would be helpful if you could put forward your suggested revised wording to any policy or text and any evidence to support the change.

Please state which paragraph or policy your change refers to and specify the reasons below:

<table>
<thead>
<tr>
<th>Document</th>
<th>Paragraph number</th>
<th>Policy number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>18.9</td>
<td>PP15  Remainder of Liskeard &amp; Looe CNA</td>
</tr>
<tr>
<td>Sustainability Appraisal Report</td>
<td></td>
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</table>

May I suggest that the statement referring to Looe in paragraph 18.9 is changed to...

“Looe has a good range of facilities and services and has a rail connection to Liskeard but growth will be subject to the availability of land for building which is restricted by the physical constraints of Looe’s hilly topography, sloping hillsides and flood risk from surface water run-off and high tides. The adequacy of the road network in and around Looe will also need to be addressed before allocating development sites within the remainder of the CNA.”

I feel that if the statement in 18.9 is left as is, then the word “more” will leave to door open to inappropriate development, especially in the interim period before the Neighbourhood Plan is in place and although there are safeguards in other areas of the plan, it will still be available as material consideration even though its basis is unproved.

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</table>

Q4. Did you raise this issue earlier in the plan preparation process?
Yes  No

If yes, please specify at what stage:

no

Q5. If your representation is seeking a change, do you wish to participate at the examination in public?

No I do not wish to participate at the examination in public

Yes I wish to participate at the examination in public

If you require any assistance in completing this form or require any further explanation as to what is required please contact a member of the local planning team using the email address below or telephoning 01872 224283.

Completed forms should be submitted:
by e-mail to: localplan@cornwall.gov.uk
by post to: Cornwall Council
Local Plans Team
Carrick House
St Clement Street
Truro TR1 1EB

Please submit any views to Cornwall Council using the above methods by 5:00pm on 22 April 2013.

Next steps
The representations received during this formal round of consultation will be reported to and considered by the Council. Any significant changes will be consulted on prior to consideration by the planning inspectorate, who will appoint an inspector to conduct an examination in public.