



The Planning Inspectorate

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# Report to Cornwall Council

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**Inspectors appointed by the Secretary of State**

**Date: 10 April 2019**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Cornwall Site Allocations Development Plan Document**

The Plan was submitted for examination on 31 October 2017

The Examination Hearings were held between 27 February and 10 April 2018

File Ref: PINS/D0840/429/15

## Abbreviations

AONB	Area of Outstanding Natural Beauty
AQMA	Air Quality Management Area
CDA	Critical Drainage Area
CLI	Cornwall land Initiative
CMSDPD	Cornwall Minerals Safeguarding DPD
CNA	Community Network Area
CPIR	Cambourne-Pool-Illogan-Redruth
CSADPD	Cornwall Site Allocations Development Plan Document
dpa	dwellings per annum
DPD	Development Plan Document
DtC	Duty to Co-operate
EA	Environment Agency
ECJ	European Court of Justice
EH	English Heritage
FCNM	Framework Convention for the protection of Racial Minorities
FDG	Future Direction of Growth
GPDO	General Permitted Development Order
HA	Highways Agency
ha	hectares
HCA	Homes and Communities Agency
LDS	Local Development Scheme
LPSP	Cornwall Local Plan Strategic Policies 2010-2030
MEZ	Marine Enterprise Zone
MM	Main Modification
MSA	Mineral Safeguarding Area
NAEZ	Newquay Aerohub Enterprise Zone
NE	Natural England
NP	Neighbourhood Plan
NPPF12	National Planning Policy Framework 2012
NSR	Newquay Strategic Route
PBSA	purpose built student accommodation
PCC	Plymouth City Council
PNP	Penzance Neighbourhood Plan
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SLR	Southern Loop Road
SOCG	Statement of Common Ground
SPA	Special Protection Area
SPD	Supplementary Planning Document
sqm	square metres
SFRA	Strategic Flood Risk Assessment
the Council	Cornwall Council
the Plan	Cornwall Site Allocations Development Plan Document
the Regulations	The Town and Country Planning (Local Planning)(England) Regulations 2012
WHS	World Heritage Site
WWTW	Waste Water Treatment Works

## Summary and Contents

This Report concludes that the Cornwall Site Allocations Development Plan Document (CSADPD – the Plan) provides an appropriate basis for the planning of development to the year 2030 in the towns and communities of Cornwall listed below, in compliance with the adopted Cornwall Local Plan Strategic Policies (LPSP) and subject to a number of Main Modifications [MMs]. Cornwall Council has specifically requested us to recommend any MMs necessary to enable the Plan to be adopted.

A Schedule of Proposed Main Modifications was prepared by the Council and was subject to Sustainability Appraisal and to public consultation over a six-week period. We have recommended their inclusion in the Plan after considering all the representations made in response to the public consultation. We have amended the MM Schedule where necessary but none of these amendments affects the essential soundness of the Plan.

The **Main Modifications** are summarised, in Report order, as follows:

- 1 General Considerations** – paragraphs 43-69 - **MMs1-4**
  - New text and new Policy 1 to provide clarification regarding Future Direction of Growth allocations, retail provision, windfall housing and design quality.
- 2 Penzance and Newlyn** – paragraphs 70 - 111 – **MMs5-28**
  - Deletion of housing of Sites PZ-H5, PZ-H6, PZ-H7 (79 dwellings) north of Penzance and replacement with new housing allocation PZ-H14, Jennings Street (80 dwellings).
  - Increase housing allocation PZ-H9, St Clare, from 130 to 197 dwellings.
  - Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
  - Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.
- 3 Hayle** – paragraphs 112-135 – **MMs29-41**
  - Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
  - Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.
- 4 Camborne, Pool, Illogan and Redruth (CPIR)** – paragraphs 136-155 – **MMs42-53**
  - Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
  - Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.
- 5 Helston** - paragraphs 156-163 – **MMs54-57**
  - Clarification of the amounts of development provided by employment sites including maps of safeguarded site.
  - Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.

**6 Falmouth and Penryn - paragraphs 164-196 – MMs58-75**

- New text to clarify the purpose of Green Buffer areas south of Penryn and east of Falmouth.
- Increase in the amounts of purpose built student accommodation to be delivered by allocated sites FP-H4, Falmouth Road (400 units), FP-M2, Parkengue.
- Increased flexibility in the land uses within allocated site FP-M3, Treliever.
- Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
- Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.

**7 Newquay - paragraphs 197-211 – MMs76-89**

- Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
- Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.

**8 St Austell and the Eco-communities – paragraphs 212-237 – MMs90-103**

- Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
- Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.

**9 Bodmin - paragraphs 238-269 – MMs104-126**

- Sub-division of allocation Bd-UE2, Halgavor Urban Extension to create two allocations Bd-UE2a, Halgavor Urban Extension West and Bd-UE2b, Halgavor Urban Extension East.
- New housing allocation Bd-H1, Westheath Road for approximately 50 dwellings.
- Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
- Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.

**10 Launceston - paragraphs 270-290 – MMs127-148**

- Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
- Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.

**11 Saltash - paragraphs 291-318 – MMs149-178**

- Clarification of the amounts of development provided by employment sites including maps of safeguarded sites.
- Additional development management criteria to ensure protection of biodiversity, heritage and other material interests.

## Preamble

### Introduction

1. This Report contains our assessment of the Cornwall Site Allocations Development Plan Document (CSADPD – the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of the Plan has complied with the Duty to Co-operate. It then considers whether the Plan is sound and whether it is compliant with relevant legal requirements.
2. The National Planning Policy Framework (NPPF) 2012, at paragraph 182, makes clear that, in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy. The revised NPPF was published in July 2018 and updated in January 2019. This includes, at paragraph 214, a transitional arrangement whereby, for the purpose of examining this Plan, the policies in the 2012 Framework will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this Report to the NPPF are to the 2012 Framework and the versions of the PPG which were extant prior to the publication of the 2018 NPPF, unless otherwise stated.
3. The starting point for the Examination is the assumption that Cornwall Council (the Council) has submitted what it considers to be a sound plan. The Cornwall Site Allocations DPD, submitted in October 2017 is the basis for our Examination. It is the same document as was published for consultation in June 2017.

### Main Modifications

4. In accordance with section 20(7C) of the 2004 Act, the Council requested that we recommend any Main Modifications [MMs] necessary to rectify matters that make the Plan unsound or not legally compliant and thus incapable of being adopted. This Report explains why the recommended MMs, all of which relate to matters that were considered during the Examination, are necessary. The MMs are referenced in bold (**MM**) and are set out in full in the **Appendix** to this Report. Some of the MMs incorporate minor corrections or amendments that do not affect soundness but are included for convenience.
5. Following discussions during the Examination, the Council prepared a Schedule of Proposed MMs, which was subject to Sustainability Appraisal (SA). The Schedule of MMs was subject to public consultation for six weeks from 10 September to 22 October 2018, together with the updated SA Report, evidence sought during the Examination and additional evidence submitted by the Council in support of the MMs. We have taken account of the consultation responses in coming to our conclusions and made some amendments to the MM Schedule where these are necessary for consistency or clarity. None of these amendments significantly alters the content of the MMs, as published for consultation, or undermines the

participatory processes and SA that has been undertaken. Where necessary we have drawn attention to these amendments in the Report text.

## **Policies Map**

6. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a Submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted Plan. In this case, the Submission Policies Map comprises the set of plans identified as the CSADPD Proposals Map. Individual site allocation boundaries are also delineated on town strategy maps and as part of the individual site allocation policies within the Plan document itself and some of these are subject to consequential changes.
7. The Policies Map is not defined in statute as a development plan document and we do not have the power to recommend MMs to it. However, a number of the published MMs to the policies of the Plan require further corresponding changes to be made to the Policies Map, as distinct from the strategy and site allocation plans, which form part of the Plan itself. These further changes to the policies map were published for consultation alongside the MMs.
8. When the Plan is adopted, in order to comply with legislation and give effect to the policies of the Plan, the Council will need to update the adopted Policies Map to include all the changes proposed.

## **Background Matters**

### **Purpose of the Plan and Scope of the Examination**

9. The statutory development plan for Cornwall already includes the adopted Cornwall Local Plan Strategic Policies (LPSP) and its Community Network Area (CNA) Sections 2010-2030. These were adopted in November 2016, following public examination.
10. The LPSP sets out, at Policy 2a, Key Targets including the provision, by 2030, of: a minimum total of 52,500 homes within local communities and their catchments; some 360,000 sqm of Class B1a-b offices and some 345,000 sqm Class B1c, B2 and B8 industrial premises; additional Purpose Built Student Accommodation (PBSA) commensurate with any agreed expansion of the Falmouth and Penryn campus; and 2,550 bed spaces in older persons accommodation. These Key Targets are subdivided, within Policy 2a, into employment land targets in square metres (sqm) per CNA and housing apportionments by town, with a further residual housing target for each CNA as a whole.
11. It is established in law that it is not for the examination of a non-strategic, site allocations Plan, such as the CSADPD, to revisit development land

supply, economic or other matters which informed the preparation and examination of the strategic local plan, once it has been adopted. Therefore, it would not have been appropriate for this Examination to reopen discussion on issues that were determined in the examination of the adopted LPSP. We therefore sought from the Council, at an early stage in the Examination, clarification as to the purpose of the CSADPD in relation to the adopted local plan and the LPSP in particular.

12. In response, the Council provided confirmation that the residual development requirements set for each CNA by the adopted LPSP are intended to be delivered by Neighbourhood Plans (NPs) agreed by local communities and supported by a dedicated Cornwall Council team, as well as by rounding off, infill and exception sites maintaining a windfall contribution (*considered further under Matter 1 below*). In support of this assertion, the Council relies upon Policy 3 of the LPSP on the Role and Function of Places, as well as the annual housing monitoring trajectories of its Housing Implementation Strategy. These have demonstrated, including to the satisfaction of the Inspector who examined the LPSP, that a sufficient supply of housing land is available to meet the CNA residual requirements. In the same connection, the Council also cites paragraph 1.59 of the adopted LPSP as providing for monitoring the progress of NPs to determine whether intervention is required in the form of additional allocations.
13. There is nothing in legislation and policy to prohibit the preparation and adoption of multiple plan documents within the statutory development plan, in the manner adopted by Cornwall Council. Moreover, the submitted Plan document, at paragraphs 1.4-5, itself makes clear that the purpose of the CSADPD is limited to setting out the strategy for the future growth of 10 towns or conurbations and two eco-communities, for which the housing and economic development targets are set by the adopted LPSP. The Plan seeks to achieve this by allocating sites to meet the LPSP housing apportionments for the specific settlements covered by the Plan. Table 1 of the Plan document indicates those other settlements where reliance is placed upon NPs or, in the case of Bude, a separate Bude SADPD.
14. We are accordingly satisfied that the proper role of the Examination, and this Report, is limited to the determination of whether the CSADPD achieves consistency with the LPSP and is robustly and soundly justified, effective and consistent also with national policy, in terms only of the minimum numerical development targets for the towns and eco-communities concerned. Consideration of whether the residual CNA requirements of the LPSP are met in other DPDs or NPs is beyond the scope of the CSADPD and this Report and is for resolution by the Council pursuant to the relevant provisions of LPSP.
15. In its Regulation 22(1)(c) statement of issues the Council, in effect, sets aside County-wide housing requirement and five year supply issues and focuses upon planning issues facing the individual settlements. It follows from the foregoing commentary on the purpose of the Plan that we take the same approach.

16. Accordingly, representations that the overall County housing requirement or supply is inadequate did not form part of the discussion at the Hearings. Such matters are outside the scope of this Report.
17. However, for the CSADPD to be soundly consistent with the LPSP, it is necessary for the required housing to be delivered broadly at the rate set down by adopted Policy 2a and the LPSP Monitoring Framework. Otherwise, the achievement of the required housing land supply throughout the Plan period for Cornwall as a whole could be compromised. We therefore assess the supply of permitted and housing sites and deliverability of the allocations in each town, as a consideration material to the soundness of the Plan overall, in terms of its flexibility and effectiveness.

### **Neighbourhood Plans**

18. We comment above in relation to the scope of the Examination regarding the relationship between this Plan and the respective component NPs of the development plan in providing for the residual development requirements of the several CNAs.
19. The question also arises how consistency is maintained between the CSADPD and the NPs, particularly in towns including Penzance, Bodmin and Saltash, where NPs are made or their preparation is advanced at the cost of much voluntary local endeavour.
20. Under the Localism Act, a made NP is part of the statutory development plan and the PPG advises that the Council should liaise with those preparing NPs to avoid conflicts. However, there is no legal or policy requirement for a local plan to comply with an emerging NP, whereas it is a requirement that a NP is in general conformity with the Local Plan.
21. Consultation upon the NP is a matter between the local planning authority and those preparing the NP, whilst the Local Plan is itself open to public objection via this examination process. However, potential conflict between this Plan and NPs is not a matter for this Report.

### **Post-Submission Documentation**

#### *Housing and Employment Land Supply Data*

22. The Council provided additional documentation, bringing together the sources of information regarding the delivery of housing and employment sites for each town covered by the Plan both within the existing land supply and from the allocated sites. The new information comprises Housing Delivery Schedules related to the Housing Trajectory of March 2017, plus anticipated delivery from sites identified in the Strategic Housing Land Availability Assessment (SHLAA), anticipated delivery of employment floor space from completed and permitted workspace and for each allocated or safeguarded employment site of the Plan.

### *Modified Housing Allocations*

23. Following the Examination Hearings, the Council provided further information regarding housing sites in Penzance and Newlyn, Bodmin and Saltash. This resulted in changes to the site allocations in those towns, incorporated in the schedule of MMs published for consultation.

### *Habitats Regulations Assessment*

24. During the Examination, the Council provided an updated Habitats Regulations Assessment (HRA) Report incorporating Appropriate Assessment to ensure its compliance with recent case law. This was published alongside the MMs for consultation. Of particular concern was the judgment in the case of *People Over Wind v Coillte Teoranta (C-323/17)* in the European Court of Justice (ECJ) wherein it is held that mitigation measures must not be considered at the screening stage, so that it is no longer acceptable to rule out likely significant effects based on incorporated avoidance, mitigation and compensation measures.
25. Other subsequent judgments were cited. The judgment in the case of *Grace v An Bord Pleanala (C-164/17)* takes the same approach as *People Over Wind*. The case of *Holohan v An Bord Pleanala (C-461/17)* provides clarification regarding subsequent determination of construction phase parameters already considered in the revised HRA with reference to Construction Environment Management Plans and sustainable drainage systems. The more recent case of *Cooperatie Mobilisatie for the Environment UA (C-293/17)* refers to agricultural activities on protected sites where nitrogen deposition levels were already exceeded. There is no evidence of comparable circumstances influencing the HRA of this Plan.
26. Accordingly, we take the view that, in the context of a proportionate evidence base, the HRA, as revised following the *People Over Wind* judgment, remains legally compliant.

## **Public Consultation**

### *Late Representations*

27. A small number of representations were made after the closing date for the Regulation19 consultation but prior to the submission of the Plan for examination. In the circumstances, the Council included them for consideration.

### *Consultation Process*

28. The process of public consultation adopted by the Council was criticised with reference to the Statement of Community Involvement (SCI) and the Town and Country Planning (Local Planning)(England) Regulations 2012 (the Regulations).

### *Cornish Minority*

29. In particular, concern was expressed regarding the nature and timing of notification given to local residents in Penzance, where a significant number of greenfield sites were allocated for housing, north of the existing urban area with potential to affect the Cornish identity of the area. In the latter respect, the considerations raised are those of soundness, related to the identification of sites for allocation in Penzance and Newlyn. These are discussed below, in connection with Matter 2, where a number of MMs are recommended to vary the site allocations.
30. The interests of Cornish Minority had already been considered in the Examination of the LPSP prior to its adoption and, for reasons explained above, we do not revisit those matters in this Report. However, attention was understandably drawn to the European Framework Convention for the protection of Racial Minorities (FCNM), under which the minority status of Cornish people is protected by Article 16. We have regard to the aim of Article 16 of the FCNM to protect national and ethnic minorities against measures that change the proportion of the population in areas inhabited by those minorities.

### *Conclusion on Public Consultation*

31. Overall, there is no evidence that the Council failed to comply with any of the requirements of its Statement of Community Involvement (SCI) or of the Regulations, as properly applied to the preparation of the Plan over several years and iterations and with respect to its examination. Moreover, we are satisfied that all matters of the legal compliance and soundness of the Plan have been aired orally or in writing in line with the Regulations during the Examination.
32. Furthermore, by way of the six-week consultation on the MMs and the post-submission evidence provided during the Examination, including the SA of the MMs, full public consultation regarding the legal compliance and soundness of the Plan was assured in practical terms. The MM consultation was equivalent to that which was conducted, under Regulations 19, 20 and 22(3), prior to the original submission of the Plan.

### **Assessment of Compliance with the Duty to Co-operate**

33. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council has complied with any duty imposed by section 33A of the 2004 Act in relation to the preparation of the Plan. In particular, Section 33A requires constructive, active and on-going engagement with local authorities and other prescribed bodies with respect to strategic matters affecting more than one planning area. It is necessary for the Council to demonstrate that the Plan, on submission, is compliant with this Duty to Co-operate (DtC).

34. The Council submitted evidence in connection with the DtC by way of a Duty to Co-operate Statement. This demonstrates that, throughout the preparation of the Plan, the Council engaged with all the prescribed bodies, as applicable. These were neighbouring authorities including the Dartmoor National Park, Isles of Scilly and adjoining Districts as well as public bodies including the Environment Agency, English Heritage, Natural England, Homes and Communities Agency and the Highways Agency.
35. Following a scoping consultation, formal public consultation and a range of community-based partnership group and individual meetings were held.
36. Many of the recorded outcomes of this consultation amounted to the identification of matters strictly for the internal plan preparation process and site-specific considerations, as distinct from cross-boundary strategic issues. These matters related to consideration of impacts on the strategic highway network, natural and historic environments and the practical delivery of new homes.
37. Engagement with Devon County Council led to work being undertaken to secure sufficient waste recycling capacity to serve new development in adjoining Launceston without excessive cross-boundary demand and to ensure that school provision in Launceston would serve just the new development without detriment to surrounding schools.
38. Engagement with the Isles of Scilly raised awareness of the need to reference and protect transport and other links between the Isles and Penzance and Newlyn and Newquay Airport.
39. Engagement with Plymouth City Council (PCC) in relation to neighbouring Saltash resulted in the consideration of potential impacts of the major strategic Broadmoor Farm allocation on highway junctions within Plymouth, the aspiration of PCC to deliver a Park and Ride facility to be included within the Transportation Strategy for Saltash and the need to reflect positive elements of the interrelationship of Plymouth and Saltash. The latter consideration is discussed in relation to the soundness of the Plan regarding Saltash under Matter 11 (*below*).
40. Otherwise, cross-boundary issues affecting plan preparation in Cornwall were substantively addressed in the preparation and adoption of the Cornwall LPSP, with which the CSADPD is required to comply, including with respect to the quantum of housing development in each CNA and in each town. For reasons explained above, it is not within the scope of this Report to revisit the adopted provisions of the LPSP.
41. Overall, we are satisfied that, where necessary, the Council has engaged constructively, actively and on an on-going basis with prescribed bodies in the preparation of the Plan and that the DtC has therefore been met.

## **Assessment of Soundness**

### **Main Matters**

42. Taking account of all the representations, the written evidence and the discussions that took place at the Examination Hearings we have identified 11 Matters, upon which the soundness of the Plan depends. Matter 1 covers certain Plan-wide, general issues and Matters 2 to 11 relate in turn to each town covered by the Plan. Under each Matter, this Report deals with the main issues of soundness and any MMs required, rather than responding to every point raised by representors. The issues considered do not necessarily follow the order or terminology in which they were discussed during the Hearings.

### **Matter 1 - General Considerations**

#### **Is the Plan sufficiently flexible and positively prepared in re-stating LPSP minimum development requirements as numerical targets with no overall allowance for flexibility, with particular reference to affordable housing needs?**

43. Although, the Plan incorporates no overall flexibility allowance over and above the LPSP housing figures, the individual numerical requirements for each town were derived via the preparation and examination of the LPSP, which was found sound and adopted on evidence that it would provide for a sufficient market, affordable and older persons housing land supply overall. Therefore, we do not consider there to be any necessity for an overarching flexibility allowance to be applied to the housing requirement for every town of the Plan.
44. At the same time, we do consider in each case, under Matters 2-11 below, whether there is sufficient flexibility in the supply of land from the allocated sites to ensure that the stated minimum requirements of the LPSP, and of the CASDPD itself, will be met. This is applied to all categories of living accommodation and for other development including employment and student accommodation where applicable.
45. In relation to housing land supply, in each town we have considered whether the percentage headroom, or surplus supply, predicted by the Council is likely to be realised in practice and whether it should be judged sufficient, in the circumstances of the particular town strategy, having regard to the national imperative to boost the supply of housing.
46. It is widely accepted that there is no exact scientific basis for calculating housing need and supply and it follows that there is no numerical norm to inform a flexibility allowance for any given town. The appropriate degree of flexibility will need to be judged on the individual constraints and circumstances of each town. In particular, where a town is highly dependent upon one single or relatively few, large strategic sites, we consider that greater numerical flexibility is necessary than in cases where

the supply is more subdivided. This is because such sites are often subject to wide ranging constraints or depend upon associated infrastructure upgrades.

47. In setting its numerical requirements as targets, the Plan does not expressly state the housing or employment requirement figures for each town to be a minimum with no ceiling to development. Even so, we do not consider that the phraseology of the Plan, in terms of targets, denies the principle that its numerical requirements should be regarded as minima when the development plan is properly read as a whole, especially as Policy 2a of the LPSP refers expressly to a minimum housing requirement.
48. Neither the preparation of the CSADPD or the previously adopted LPSP included a prediction of the level of need for affordable housing in individual towns. However, the thresholds and targets for affordable housing contributions from new development were considered in detail in the examination of the LPSP and an uplift was incorporated into the overall housing requirement for Cornwall, set by Policy 2a. It was accepted and expressly stated that the LPSP could realistically achieve delivery of no more than 58% of affordable need. The LPSP was found sound and adopted on that basis.
49. The CSADPD, once adopted, and the LPSP will form parts of the development plan to be read together as whole. Our limited remit is to assess the soundness of the CSADPD in terms of whether each town meets the stated requirements of the LPSP. Even accepting that the individual town housing allocations were not apportioned with reference to local affordable housing need, there is no scope to revisit the individual affordable housing provision for individual towns and no ground to vary the housing land requirement of the Plan for any town with respect to affordable housing demand. Any substantive change in circumstances following the adoption of the LPSP could become a material consideration in the determination of specific planning applications.
50. For these reasons, we consider that, in general terms, the CSADPD is sufficiently flexible and positive overall in providing for numerical targets rather than the minimum requirements. However, we judge the appropriate degree of flexibility in land supply individually for each town.

### **Should the Plan make express provision for windfall housing development?**

51. We note above in relation to the Purpose of the Plan and Scope of the Examination that some reliance is placed upon windfall development to meet the housing targets for each town and CNA of the Plan. It is necessary to the effectiveness of the Plan to set down criteria for the approval of windfall development from acceptable sources. This is achieved by **MM3** which inserts into Chapter 1, Introduction, a new Policy 1 for Windfall Development from existing permitted sites as well as by infill, rounding off settlements and redevelopment of previously developed land. That modification is thus consistent with and has no effect on the support of

Policies 3 and 9 of the adopted LPSP respectively for infill and rounding off to settlements and rural exception sites.

**Does the Plan make effective numerical provision with respect to the capacity of safeguarded and allocated sites to provide the requisite amounts of employment floorspace and to define the extent of safeguarded employment areas?**

52. As submitted, the CSADPD includes no site plan defining the extent of employment areas which are safeguarded in several towns. Nor does it state the anticipated employment floorspace capacity of the safeguarded employment and mixed use allocations. The employment provisions of the submitted Plan are neither effective and nor able to be monitored and in this respect the Plan is not sound.
53. For the employment provisions of the Plan to be effective, all safeguarded and allocated employment site policies, as well as those covering mixed use allocations with an element of employment, need to indicate the quantum of employment floorspace anticipated to come forward to contribute to the respective town or CNA requirement. Employment safeguarding policies also need to incorporate a site boundary plan to delineate the safeguarded area, equivalent to the site plans for new allocations. The requisite information is contained within the submitted evidence. We identify MMs to provide the changes necessary for soundness town by town in Matters 2 to 11 below.

**Should the Purpose and Definition of Future Direction of Growth allocations be clarified?**

54. The Plan allocates four areas indicating Future Direction of Growth (FDG): H-D1 in Hayle, FP-M4 in Falmouth-Penryn and LAU-H2 and LAU-E1 in Launceston.
55. There are subtle differences between the development criteria for these allocations, as considered below in relation to the towns concerned. However, for the Plan to be effective in this respect, a single definition of Direction of Growth is required to be inserted into the Background section of the Introduction. This is to clarify that these sites are not required to meet the current development requirements of the LPSP or the CSADPD at adoption but are allocated to highlight and provide a level of certainty for the longer-term development strategy for the settlements. This necessary change is achieved by **MM1**. We make an addition to the consultation version of MM1 to cover the prospect, discussed below under Matter 10, that a FDG allocation might come forward within the Plan period in the event of a housing land shortfall.

**Does the CSADPD make effective provision for the delivery of highway and other infrastructure necessary to the implementation of the respective town strategies?**

56. The Transport Strategy within each town section of the Plan is drawn from the town-based Transport Evidence, leading to the specific highways projects proposed in each case. The Council has set out those projects still

to be delivered, their cost and potential timescale of delivery, depending on grant funding and whether the allocated sites are brought forward in practice.

57. Prior grant and local transport funding secured for transport infrastructure amounts to over £400m in the six years to 2018. Together with investment by Highways England (HE) in the strategic road network, this indicates that the future required funding is likely to be achieved, together with developer contributions. Highways England supports the highways improvements necessary to planned development in a Statement of Common Ground.
58. An evaluation of demand for education facilities due to proposed development, undertaken by the Cornwall Council Planning and Education Services, is summarised within the Infrastructure sections for each town, together with actions to address shortfall. The Council provides evidence of the estimated costs and prospective implementation of the schemes.
59. The Community Infrastructure Levy (CIL) Charging Schedule came into effect on 1 January 2019. Whilst that will aid strategic infrastructure provision, CSADPD allocated sites are exempt from the CIL charge in favour of site-specific planning obligations. There is no substantive evidence that any of the requirements for contributions from CSADPD allocations would undermine their viability.
60. Subject to detailed consideration in relation to each town, we consider that overall the Plan provides effectively for the delivery of necessary infrastructure.

**Does the CSADPD make appropriate provision for open space and sports pitches and green infrastructure?**

61. The Plan sets out the required levels of open space associated with site allocations, which are contained within the Green Infrastructure Strategy for each town, within the site-specific requirements of all the relevant allocation policies. Significant variation from town to town is justified by the availability of existing provision.
62. These requirements are derived from an Open Space Strategy for Larger Towns in Cornwall to meet national policy requirements at paragraph 73 of the NPPF of 2012.
63. An updated standard for playing pitch provision agreed with Sport England will inform a more detailed Environmental Growth Supplementary Planning Document (SPD) within the Local Development Scheme (LDS) in due course.
64. Subject to detailed consideration in relation to each town, we consider that the Plan provides appropriately for open space and sports pitches.

**Are the provisions of the CSADPD consistent with the requirements of Policy 4 of the adopted LPSP for retail development?**

65. Policy 4 of the adopted LPSP provides for shopping services town by town to maintain and support town centres with reference to retail floorspace capacity to 2030 and allows for monitoring of retail services over time.
66. In most of the towns covered by the CSADPD, no retail allocations are made. This is due either to no capacity requirement or to low capacity requirements late in the Plan period. The Council therefore proposes to review retail requirements in future years as part of regular Plan review. This approach is consistent with that of LPSP Policy 4 to protect existing town centres and is supported by updated evidence of retail permissions.
67. Where retail allocations are made in Penzance, Redruth, Newquay and St Austell, these offer an opportunity to improve town centre vitality, alone or as part of mixed development.
68. Therefore, we are satisfied that the Plan is consistent with Policy 4 of the LPSP in respect of the allocation of retail floorspace. However, we consider that, for the Plan to be fully justified and effective in this respect, **MM2** to the text of the introductory Chapter 2 is necessary to explain, under a new heading of Retail Development, and in the foregoing terms, the relationship of the CSADPD with Policy 4 of the adopted LPSP.

**Does the CSADPD make effective provision for the maintenance of Design Quality?**

69. Paragraphs 2.19.1-6 set requirements and criteria for the quality of design of the development allocated by the Plan. To be fully effective and compliant with national guidance, the text requires the addition by **MM4** of reference to crime and community safety and sustainability.

**Matter 2 - Penzance and Newlyn Strategy and Allocations**

**Are the strategy and site allocations of the Plan for Penzance and Newlyn, including Heamoor, Gulval and Long Rock, consistent with the LPSP and justified, with particular regard to the delivery of the required amount of housing and employment space in appropriate locations, supported by associated infrastructure?**

**LPSP Requirements**

70. The minimum requirements of Policy 2a of the adopted LPSP for the towns of Penzance and Newlyn in the period to 2030, as restated in Chapter 3 of the CSADPD, are the provision of 2,150 dwellings together with requirements for 16,083sqm office, 16,083sqm industrial and 1,400sqm retail floorspace for the West Penwith CNA as a whole.

## **Objectives**

71. The 11 strategic aims for Penzance and Newlyn are drawn from an unpublished town framework, which is being taken into account in the emerging Penzance Neighbourhood Plan (PNP), whilst the Penzance Harbour Working Group is developing alternative proposals. Be that as it may, CSADPD objectives, and Nos 2 and 5 in particular, support maritime, marine and creative sectors, reflecting the approach in LPSP paragraph 1.35.
72. LPSP Policy 2p merely supports the economic regeneration of Penzance, whereas the CSADPD allocates greenfield land for development beyond the existing built form of the town. However, promoting town-centre regeneration is also an objective of the CSADPD, and the two are not mutually exclusive.
73. The LPSP, consistent with the NPPF, seeks to protect the countryside and local character. At the same time, LPSP Policy 3 on the Role and Function of Places provides that the delivery of development will be managed through the CSADPD and neighbourhood plans. In that context, the allocations of this Plan may legitimately not accord with each and every element of the LPSP, provided they are suitable and justified, and supported by assessment of the available urban capacity for additional development.
74. Strategic Aim No 9 is to ensure that the settlements of Penzance, Newlyn, Heamoor, Gulval and Long Rock maintain their individual and distinctive characters. That objective aligns with LPSP Policy 12 on Design, as well as the NPPF, and we consider its implications further below.
75. The SA, with reference to the strategic aims for Penzance, identified potential negative effects arising from forecast growth in environmental terms. However, the green infrastructure strategy and Strategic Transport Measures, in particular to encourage public transport, walking and cycling, have been informed by that work and seek to mitigate adverse effects.
76. Overall, we consider that the strategic aims of the Plan for Penzance and Newlyn are consistent with the adopted Cornwall LPSP.

## **Housing Land**

### ***Current Supply***

77. In April 2017 the Council estimated the existing supply for Penzance and Newlyn to be 1,160 completed or permitted dwellings to 2030 (including SHLAA, windfall and other identified urban sites), which is equivalent to about 54% of the LPSP requirement. These figures are based on reasonable assumptions drawn from past trends in Cornwall and site-specific circumstances. 272 of those dwellings are likely to come forward as windfalls, based on historic figures, discounted over time to avoid double-counting.

78. Within that current supply, site Ref S1289 of the Strategic Housing Land Availability Assessment (SHLAA) was the only urban site considered in the urban capacity assessment with the potential to come forward before 2030 and is not attributed to windfall provision or as part of the Cornwall Land Initiative (CLI). There is evidence that 231 dwellings will be delivered from three CLI sites identified in the Penzance & Newlyn Housing Evidence Base Report with 127 permitted under Ref PA16/12037 on part of allocation PZ-H9, St Clare. **MM18** is necessary to ensure the effectiveness of PZ-H9 by accurate reference to its anticipated housing yield.

### ***Forecast Supply***

79. The sites allocated for Penzance and Newlyn, in the Plan as submitted, provide for approximately 1,160 dwellings. Added to the existing supply of 1,160 dwellings, the total forecast supply amounts to about 2,320 dwellings, some 170 units or 8% greater than the LPSP requirement of 2,150 dwellings. Those figures exclude the provision at St Clare referenced above. For effectiveness, the indicative housing capacity within mixed-use allocations PZ-M1, Harbour Car Park, as well as PZ-M2, of 30 and 10 dwellings respectively need to be set out in the allocation policies by **MMs21-22**, as thus corrected since the MM consultation.
80. In purely numerical terms, aside from consideration of the suitability and deliverability of individual sites, the surplus of 8% offers a reasonable degree of flexibility, given the housing supply for Penzance and Newlyn is derived from a range of sites and is not over-dependent on a single or small number of large allocations.
81. We consider the potential planning impacts and suitability of the individual housing allocations below.

### ***Suitability of Individual Housing Site Allocations***

#### *Historic Heritage and Character*

82. Strategic aims 8 and 9 of the Plan seek to respect the natural and historic environment and to ensure that settlements peripheral to Penzance maintain their individual and distinctive characteristics. Those aims are interlinked as the historic development of the town has informed its present character and setting, particularly the distinctive hillside topography that surrounds it.
83. There is no evidence that any individual heritage assets or issues have been omitted from consideration in the preparation of the Plan. Specific consideration was given to the effect of allocations PZ-H1, Long Rock, and PZ-E4, Long Rock East, on the setting of St Michael's Mount. The need for detailed landscape assessment, especially wider views and views from the coastal zone, is also referenced in respect of developing allocation PZ-H4 with appropriate sensitivity.
84. The heritage assessment evidence also considers the potential effects of the allocations within the existing town of Penzance on relevant heritage

assets and their settings. There are particular sensitivities with PZ-M1, Harbour Car Park, PZ-M2 Coinagehall Street and PZ-H14, Jennings Street, given their position within the historic core of the town. That warrants the specific reference to existing heritage assessments in the development criteria of those allocation policies.

85. There is some overlap between site PZ-M1 and the Harbour Revision Order for Penzance, and the proposed redevelopment of that site would reduce present boat storage capacity, with alternative facilities to be provided elsewhere as a policy requirement. Neither of these considerations would prevent development, subject to consideration of existing maritime uses, as also required by the Policy.
86. Particular importance is accorded to the historic integrity of the Grade II\* Registered Trengwainton Park and Garden due to its tranquil pastoral setting, the tree-lined, semi-rural approach along Boscathnoe Lane, and views from the Garden terrace towards the coast. Those characteristics would be affected to some extent by development at allocation PZ-H8, Heamoor. Management of the Gardens will, over time, reduce the extent of natural screening and Policy PZ-H8, as submitted, does not afford sufficient protection. However, harm to the setting of Trengwainton can be mitigated, subject to amendment of Policy PZ-H8 by **MM17**, introducing further safeguards to ensure its effectiveness in this regard.
87. Various medieval and earlier landscape characteristics and settlements would be affected by CSADPD allocations. The Heritage Assessment identifies that consideration will need to be given to several peripheral historic estates, namely Carne House, Boskenwyn Manor and Trannack House in respect of allocation PZ-H4 and the Grade II Listed Poltair House and its land in respect of allocations PZ-H6 and PZ-H7. Such estates punctuate the hillside landscape of Penzance, reflecting the historic growth of the town. The semi-rural hillside landscape contributes to their setting and reinforces the separate identities of Heamoor and Gulval, in particular towards the north.
88. We consider that the arc of greenfield allocations PZ-H4 to PZ-H8 would together change significantly the character of the surrounding area in conflict with strategic aims 8 and 9 of the Plan by enabling development northwards of Boscathnoe Lane, Joseph's Lane, Polmennor Road and the A30. These features have hitherto checked the expansion of the town.
89. That concern is particularly acute in respect of allocations PZ-H5 and PZ-H6, noted in the Heritage Assessment as potentially breaking down the strong line between Heamoor and the open countryside, despite a scattering of properties in the wider area. This effect could be exacerbated by the implementation of LPSP Policy 3 with respect to rounding off and windfall development within or adjacent to settlement boundaries, potentially resulting in further detriment to character.
90. For these reasons, site allocations PZ-H5, Polmennor Road, PZ-H6, Joseph's Lane and PZ-H7, Poltair would together have an unacceptably adverse impact on the existing local character and heritage of Penzance. Their

relatively poor accessibility adds weight to this view. The allocation of these sites is thus unjustified on balance and the Plan is accordingly unsound in this respect. All these allocations should therefore be deleted from the Plan in their entirety, with equivalent amendments to the Strategy, Transport and Green Infrastructure Maps. In addition, a green buffer is necessary to the east of allocation PZ-H4, Trannack, to ensure its separation from Gulval and protect a prominent hillside of comparatively high landscape value. These changes are brought about by **MMs5-10**.

91. There would also be some impact on the character of Heamoor due to the development of the allocated site of that name, PZ-H8. Unlike PZ-H5, PZ-H6 and PZ-H7 though, the Heamoor site would not extend into the semi-rural surroundings of Penzance northwards of Boscathnoe Lane, which marks the extent of the built form of the settlement in that direction. There are no settlements peripheral to Penzance west of Heamoor, so the built form of Heamoor would remain relatively distinct, whilst the land allocated and highlighted for built development is of lower landscape sensitivity on account of its topography. The sensitive approach to development expressly required by Policy PZ-H8 would further serve to limit its visual effects.

#### *Alternative Site at Jennings Street*

92. The deletion of allocation Policies PZH5-7 would reduce forecast housing delivery by 79 homes. By way of compensation and to make the Plan sound, it is proposed to allocate an alternative site at Jennings Street, for 80 dwellings, by way of allocation Policy PZ-H14, Jennings Street, inserted by **MM19**.
93. This site was not considered for the Plan prior to submission but comprises under-used, brownfield land in a sustainable location which has since emerged in work undertaken by Penzance Town Council. The site has been assessed in a manner consistent with other potential sites, including with reference to the proximity of Listed Buildings and the surrounding Penzance Conservation Area, noted in the SA of MMs. An application for 38 dwellings is under consideration.

#### *Ecology*

94. Following a review of urban capacity, land surrounding Penzance was subdivided into 15 cells based on geographic features such as roads. Each cell was then assessed relative to others, a process which informed the SA, with allocations selected on how cells performed. Many CSADPD allocations would entail the loss of greenfield land, and the SA identifies that there would be certain negative environmental effects resulting from the expansion of Penzance. However, the comparative assessment of sites combined with the HRA justifies the allocations on balance, given the development requirements in the LPSP.
95. Notwithstanding that appropriate consideration must be given to ecology at planning application stage, the Appropriate Assessment within the updated HRA gives detailed consideration to the potential effects on the Marazion

Marshes SPA, concluding that an increase in visitors associated with the allocations within proximity to the SPA could be accommodated within the existing management structures. Other protected areas fall sufficiently distant from Penzance such that the CSADPD would have no substantive effect.

96. Nonetheless for the Plan to be fully effective and sound in this connection, **MM12-15, MM20 and MM27** are necessary to ensure that an assessment of the effects of development on ecology are an integral part of bringing development forward in practice. They ensure consistency with the HRA, SA, and with the overarching aims of LPSP Policy 23, Natural Environment, as well as the NPPF, in seeking to minimise impacts on biodiversity.

#### *Coastal Erosion and Flooding*

97. There is a distinctive hillside topography encircling Penzance, contributing to flooding incidents over the years due to run-off, notably in the Chyandor Brook and Lariggan River catchments either side of Heamoor. All the site allocations, as submitted, lie within the Penzance Critical Drainage Area (CDA) and there is presently no flood risk management strategy in place.
98. However, aside from sites PZ-M1, Harbour Car Park and PZ-M3, Wherry Town, and occasional narrow areas of land alongside watercourses, all the other allocations are within the lowest-risk Flood Zone 1. Sites PZ-M1 and PZ-M3, nevertheless, have exceptional justification, given their central location within the town and the regeneration aims that they seek to achieve. On account of their location within the CDA and the potential for increased run-off affecting other areas, the Strategic Flood Risk Assessment specifies that all development within these allocations will need to be designed in accordance with sustainable urban drainage principles.
99. It is evident that run-off from land proposed for allocation drains to multiple, rather than one single river catchment. Moreover, LPSP Policy 26, on flood risk management and coastal change provides that development should replicate natural ground and surface water flows and decrease surface water runoff, particularly in CDAs. Thus, individual schemes would be required to demonstrate that this provision would be met. There is no hydrological evidence to indicate that is unachievable. Accordingly, the site allocations around Penzance do not in themselves give rise to an unacceptable risk of flooding.

#### *Transport*

100. Notwithstanding that allocations for Penzance remain predominantly around the periphery of the town, despite the deletion of PZ-H5, PZ-H6 and PZ-H7, a comparatively high modal shift from private to public transport modes or walking and cycling is assumed in connection with these allocations.
101. That assumption is based upon evidence of existing trends. For example, a 50% growth in trips by rail from Heamoor would result in an increase from 1.5% to 2.3% of all trips being made by that means. In many instances those trends are predicated on the implementation of initiatives outside of

the scope of this Plan, such as increasing the frequency of rail or bus services. Notwithstanding that certain sites score poorly in the SA in terms of accessibility, in the case of PZ-H4, in particular, that is in the absence of improved pedestrian connectivity.

102. The suitability and safety of access arrangements to certain sites is a matter of concern on account of the constrained nature of the road network towards the north-west of Penzance and given the presence of other intensive uses, such as Mounts Bay Academy off Boscathnoe Lane. For the Plan to be effective in this regard **MMs16-17** are necessary in so far as they ensure appropriate transport and pedestrian access arrangements for allocations PZ-H4 and PZ-H8.
103. The Town Model Report explains that various junctions around Penzance would exceed their design capacity due to proposed development. Further modelling has established necessary improvement measures to four junctions at Branwell, Newtown, Eastern Green and Chy an Mor. These are due to be completed by 2023, whilst paragraph 2.17.9 of the Plan seeks to provide infrastructure necessary to support growth, including via Government funding. There is no indication that necessary improvements would not be forthcoming. Therefore, there is no substantive evidence to contradict the Transport Evidence Base, which sets out that the network here would operate within capacity in 2030.

### ***Conclusion on Housing Land***

104. With the changes identified above, in particular the replacement of the Polmennor Road, Joseph's Lane and Poltair sites with the new allocation at Jennings Street, the Plan provides appropriately for a housing land supply consistent with the LPSP requirement for Penzance and Newlyn.

### **Employment Land**

#### ***Current Supply***

105. Some support is given to retail provision amongst other uses via allocation PZ-M1, Harbour Car Park, although no anticipated floorspace capacity is given there or elsewhere relative to LPSP requirements. However, the LPSP retail floorspace requirement is modest, arises towards the end of the Plan period, and there is in principle support for retail given in the CSADPD aims and via LPSP Policy 4. Accordingly, no quantitative retail floorspace allocations are necessary to the soundness of the Plan with respect to Penzance and Newlyn.
106. In the West Penwith CNA there is evidently a shortfall of office space and a market demand for modern industrial floorspace, despite some historic surplus of industrial land. Much of that existing industrial capacity fell within the Penzance travel to work area according to the Employment Land Review, which encompasses parts of the Hayle and St Ives CNA, and has since been brought into use.

107. In that context completions and extant consents since the start of the Plan period amount to 2,140sqm of office space and 797sqm of industrial space. That leaves 13,943sqm of office space and 15,286sqm of industrial space to be found to meet LPSP requirements (87% and 95% respectively).
108. For reasons explained in general terms under Matter 1 above, for the Plan to be effective and provide a basis to monitor progress towards achieving LPSP requirements it is necessary to bring forward from the submitted evidence base indicative floorspace from site allocations and to establish graphically the boundaries of sites to be safeguarded for employment uses. This is achieved by way of **MMs21-26 and MM28** to allocation Policies PZ-M1, PZ-M2, PZ-M3, PZ-E1, PZ-E2, PZ-E3, PZ-E4.

### ***Forecast Supply***

109. Subject to those MMs, the foregoing sites would collectively make provision for approximately 12,100sqm of office and 15,800sqm of industrial floorspace respectively. On the reasonable assumption that they deliver their potential capacity to 2030, the industrial target would be exceeded but office space would fall short by 1,843sqm (11%). However, that limited degree of under-provision is acceptable, given that several smaller employment sites throughout the West Penwith CNA are likely to provide additional future capacity.
110. Numerically the CSADPD would therefore fulfil LPSP employment requirements for Penzance and Newlyn and the wider CNA in practical terms.

### **Overall Conclusion on the Penzance and Newlyn Strategy and Allocations**

111. Subject to the MMs described above, including the deletion and replacement of certain sites, the strategy of the Plan for Penzance and Newlyn is consistent with the LPSP and sound, with particular regard to the delivery of the required amount of housing and employment space in appropriate locations, supported by associated infrastructure.

### **Matter 3 - Hayle Strategy and Allocations**

**Are the strategy and site allocations of the Plan for Hayle consistent with the LPSP and justified, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure?**

#### **LPSP Requirements**

112. The minimum requirements of Policy 2a of the adopted LPSP for the town of Hayle in the period to 2030, as restated in Chapter 4 of the CSADPD, are the provision of 1,600 dwellings and targets of 19,083sqm office floorspace, 19,083sqm industrial floorspace and 2,474sqm retail space for the Hayle and St Ives CNA as a whole.

## Objectives

113. The vision and objectives of the Plan for Hayle, within the wider Hayle and St Ives CNA are drawn from the Hayle Town Framework and are aligned with those in the LPSP. Objectives 1 and 3 reflect the LPSP focus on supporting harbour-based regeneration and marine renewable technology. Improvements to the A30 feature in the strategic transport measures identified for Hayle.
114. We note that allocation H-E2, St Erth, falls within the West Penwith CNA and the Ludgvan Parish Council administrative area. However, this allocation is closely associated geographically and functionally with Hayle. It is therefore appropriate to attribute the employment floorspace proposed by that allocation solely to the Hayle and St Ives CNA and to refer to the emerging Ludgvan Neighbourhood Plan in the allocation Policy H-E2(e).
115. Notwithstanding some historic over-provision of employment space in Hayle, the Plan expressly encourages regeneration of Hayle and in doing so puts forward new employment allocations outside its existing built form. We do not find these two objectives to be incompatible and note that sites have been selected following a review which indicates that very little urban capacity remains for development within the developed area and takes into account the landscape, heritage and ecological setting of Hayle.
116. This approach has appropriately informed criterion (j) of allocation Policy H-UE1 for the principal allocation at Trevassack. This notes that the site is within setting of both the Cornwall and West Devon World Heritage Site (WHS) and the Hayle Conservation Area and provides for a WHS Management Plan and heritage impact assessment to inform development design. In addition, a green buffer is established between the site and existing development as part of the green infrastructure strategy.
117. Whilst the comparative assessment of sites in support of allocation H-UE1 is robust, it is necessary to comply with the conclusions of the updated HRA and Appropriate Assessment to ensure that due consideration is given to the Marazion Marsh Special Protection Area. This is achieved by **MM31, MM34, MM36, MM38, MM40-41** to the allocation policies.
118. Subject to those changes, we find the objectives of the Plan for the town of Hayle to be appropriately consistent with the LPSP and otherwise sound.

## Housing Land

### *Current Supply*

119. In April 2017 the Council estimated the existing supply for Hayle to be 1,314 mainly completed or permitted dwellings to 2030, equivalent to about 82% of the LPSP requirement. It is anticipated that 43 of those dwellings will come forward from three urban sites assessed via the SHLAA and 88 by way of windfall. These figures are based on reasonable assumptions of lead-in times and delivery rates drawn from past trends in Cornwall and site-specific circumstances. The housing supply may in practice be

increased due to permission Ref PA15/10513 for 70 dwellings at Prospect Place, originally assessed in the SHLAA for only 20 dwellings.

### ***Forecast Supply***

120. The sole residential allocation in Hayle for the Plan period is the urban extension H-UE1, Trevassack, which includes approximately 1,000 dwellings of which 595 are expected to come forward by 2030. Added to the existing supply of 1,340 dwellings, the total forecast supply amounts to about 1,909 dwellings, some 19% greater than the LPSP requirement of 1,600 dwellings. That provides an appropriate degree of flexibility.

### **Deliverability of Individual Housing Allocations**

#### ***Trevassack Urban Extension H-UE1***

121. Delivery of allocation H-UE1 is particularly reliant upon the provision of highways infrastructure. The local highway network has recently been subject to some alteration, whilst the long-term viability of the B3301 Causeway spanning the Hayle Estuary is open to some doubt, given forecast climate change affecting tide levels. However, the Hayle Transport Evidence Base Report identifies several required capacity improvements to support the level of growth proposed within the Plan period and the Plan provides for these.

122. In particular, two proposed upgrades, together costed at some £10.8million, are proposed to roundabout junctions at St Erth and Loggans Moor on the adjacent A30 Hayle Bypass to ensure that they will continue to operate within capacity. These schemes are intended to benefit from Government funding and are anticipated to commence imminently. The Council is taking forward the masterplan for the site.

123. Accordingly, there is no evidence that the Trevassack urban extension H-UE1 will result in adverse transport effects or that necessary infrastructure provision would delay the anticipated delivery of around 560 of its proposed homes by 2030.

#### ***Barview Future Direction of Growth H-D1***

124. Situated between the existing built form of Hayle along St. George's Road and the Trevassack urban extension, allocation H-UE1, the Barview allocation H-D1 represents a logical and appropriate addition to future development in Hayle beyond the Plan period. Whilst the deliverability of the site is questioned, that does not affect the soundness of the Plan as submitted and it would be a matter for future review to consider alternatives. Meanwhile, the Plan also includes allocation H-HS1, Tolroy, safeguarding land near the B3302 and providing an option for a new junction on the A30 to serve both allocations H-D1 and H-UE1. This flexibility in terms of access requirements is reflected in criterion (g) of allocation H-UE1.

## **Overview of Deliverability of Individual Housing Allocations**

125. There is sufficient evidence that the housing site allocations for Hayle are deliverable within the Plan period.

## **Employment Land**

### **Current Supply**

126. Completions and extant consents for employment development since the start of the Plan period amount to 8,645sqm of office and 3,047sqm of industrial floorspace respectively. That leaves 10,438sqm of office and 16,036sqm of industrial space required to meet LPSP requirements (approximately 55% and 85% respectively). For reasons explained in general terms under matter 1, for effectiveness, and in order that progress towards achieving LPSP requirements can be monitored, **MM29, MM33, MM35 and MM39** are required to bring forward floorspace capacities into employment allocations and to define graphically the area safeguarded by Policy H-E1 for employment use at Marsh Lane Industrial Estate.

### **Forecast Supply**

127. Allocations H-UE1, H-E2 and H-EM1 collectively make provision for approximately 18,300sqm of office space and 37,560sqm of industrial space. There is also some existing capacity at Marsh Lane of 808sqm of office space and 1,640sqm of industrial space. Total provision to 2030 is therefore 27,753sqm of office space and 42,247sqm of industrial space. That substantially exceeds the LPSP requirements but supports objective 2 to make best advantage of the location of Hayle as an economic gateway to West Cornwall.

## **Suitability and Deliverability of Employment Allocations**

### **Trevassack Urban Extension H-UE1**

128. The area around the employment element of allocation site H-UE1 is not presently well-served by roads suitable for intensive use by goods vehicles, in particular Burnthouse Lane. However, even though providing appropriate access may take some time and cause employment delivery to fall short of expectations, that would not be critical to achieving the LPSP target, given the level of planned oversupply noted above.

129. However, for Policy H-UE1 to be fully effective, it needs to require the preparation by the Council of a masterplan for the Trevassack Urban Extension as a whole, taking account of its relationship to the Barview Future Direction of Growth allocation H-D1. This change is brought about by **MM32** to Policy H-UE1.

### **St Erth H-E2**

130. The development of this site would result in the loss of approximately 5.9ha of agricultural land but this is justified by the limited availability of previously developed land in Hayle and the comparative assessment of

greenfield sites undertaken through the SA. With regard to traffic generation, the site is close to other commercial uses and to the St Erth junction on the A30 and there is no evidence to indicate that the site would be insufficiently accessible for future business.

### ***Hayle Harbour H-E3***

131. Some of the employment space within this allocation would relate to the Hayle Harbour element of the Cornwall Marine Enterprise Zone (MEZ), which represents a distinct sector of the local economy. However, the allocation would not be limited to maritime uses and any employment development would contribute towards the LPSP requirement. Allocation H-E3 is, moreover, part of a wider scheme which has already secured planning permission, supporting the prospect of its delivery.

### ***East Quay H-EM1***

132. For effectiveness, **MM37** to Policy H-EM1 is necessary to set out that the allocation provides for 800sqm of office and 3,200sqm of industrial floorspace. Given the employment focus of the allocation, it is appropriate for the Policy to exclude residential properties falling between Penpol Terrace and Copperhouse Pool. On account of the existing nature of uses here and its quayside location, it is not unreasonable for criterion (a) of allocation Policy H-EMI to encourage marine related employment in the future, notwithstanding the support for that sector accorded via the MEZ in the wider area. Moreover, that criterion would not necessarily prevent other development from coming forward, for example through master planning or a future application for an appropriate alternative use.

### ***Retail Provision***

133. There is little evident demand for additional retail space in Hayle. The Plan requirement is modest and forecast to arise only late in the Plan period. Moreover, LPSP Policy 4 affords general support for retail provision, in the event that circumstances should change.

### ***Overview of Deliverability of Employment Allocations***

134. For the above reasons, the employment allocations for Hayle are suitable and deliverable within the Plan period.

### ***Overall Conclusion on the Hayle Spatial Strategy and Allocations***

135. Subject to the MMs identified above, the strategy for Hayle is consistent with the LPSP and justified with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure.

## **Matter 4 - Camborne-Pool-Illogan-Redruth Strategy and Allocations**

**Are the strategy and site allocations of the Plan for Camborne-Pool-Illogan-Redruth (CPIR) consistent with the LPSP and justified, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure?**

### **LPSP Requirements**

136. The minimum requirements of Policy 2a of the adopted LPSP for the towns of CPIR in the period to 2030, as restated in Chapter 5 of the CSADPD, are to develop 5,200 dwellings and deliver 80,833sqm office, 41,417sqm industrial and 3,990sqm retail employment floorspace for the CNA as a whole.

### **Objectives**

137. The vision and strategic aims of the Plan for the towns of the CPIR CNA, reflect those of the Town Framework and are broadly aligned with the objectives of the LPSP. In particular, objective 1 and 2 support regeneration and engineering-focussed growth.

138. Given a legacy of de-industrialisation and consequent availability of previously developed sites, it is logical and consistent with national policy for the objectives to focus on bringing brownfield land back into productive use.

139. The SA identifies detriment to air quality among negative environmental impacts due to development growth. The objectives of the Plan to encourage the use of public transport, walking and cycling, together with the Cornwall Clean Air Strategy will benefit air quality, including within the CPIR Air Quality Management Area (AQMA).

140. The vision and objectives for the towns of CPIR are thus generally appropriate and justified, subject only to **MM52** to allocation Policies CPIR-UE1, Tolgus Urban Extension and CPIR-E7, Station Road, to ensure in the interests of soundness that these allocations properly reflect the recommendations of the HRA.

### **Housing Land**

#### ***Current Supply***

141. In April 2017 the Council estimated the existing supply for CPIR to be 5,257 dwellings to 2030, including some 85% already completed or permitted. These figures are based on reasonable assumptions of lead-in times and delivery rates drawn from past trends in Cornwall and site-specific circumstances. That level of provision would just exceed the LPSP requirement of 5,200 units.

142. The assumed delivery of 251 dwellings from SHLAA sites is high relative to other towns but is justified by the legacy of deindustrialisation in CPIR and

availability of redevelopment opportunities identified in the Housing Evidence Base Report. Anticipated windfall provision of 528 homes to 2030 is supported by appropriate evidence based on historic figures, calculated to reduce progressively to avoid double counting.

143. Some permissions are approaching their time limit for implementation but there is no substantive evidence that their forecast delivery is unrealistic. Moreover, the figures set out above do not take account of an additional 94 homes granted permission at appeal on land off Tregenna Lane, Camborne. On balance, the existing housing supply is supported by robust evidence.

### ***Forecast Supply***

144. Allocation CPIR-UE1, Tolgus Urban Extension, is the sole allocation within CPIR where residential development is specifically supported. 245 of the 280 homes allocated are expected to come forward by 2030, increasing the supply to around 5,502 units, 6% in excess of the LPSP requirement.
145. Site CPIR-UE1 overlaps part of the South Crofty Mine Mineral Safeguarding Area (MSA) M18 of the adopted Cornwall Minerals Safeguarding DPD (CMSDPD) and the mineral extraction rights are in separate ownership. However, paragraph 3 of the CMSDPD makes clear that non-mineral development within a MSA is not precluded. The deliverability of the site is thus not compromised by the MSA. However, for Policy CPIR-UE1 to be fully effective a new criterion is required by way of **MM44** to make this clear.
146. Reliance on a single site for housing delivery may in principle cause a delay in the delivery of housing that would not exist were multiple sites allocated. However, downgrading works to the A3047, which had caused concern over delivery have now been completed. Moreover, all the landowners support the allocation and the site is already covered by an approved masterplan. These factors all reduce potential for delay.
147. Given also the high proportion of the housing requirement already delivered or permitted, the supply position of CPIR is evidently robust. Accordingly, the relatively modest 6% excess of supply provides sufficient flexibility in this instance.

## **Employment Land**

### ***Current Supply***

148. Completions and extant consents for employment development since the start of the Plan period amount to 27,843sqm of office and 17,793sqm industrial space. This leaves 52,990sqm of office and 23,624sqm of industrial space required to meet LPSP requirements (approximately 66% and 57% respectively).

### ***Forecast Supply***

149. Allocations CPIR-UE1, CPIR-E1, CPIR-E5 and CPIR-E7 collectively make provision for approximately 34,000sqm of office and 18,000sqm of

industrial floorspace. There is also some existing capacity that could be brought into use at several sites proposed for safeguarding amounting to around 4,196sqm of office and 14,064sqm of industrial space. Total provision to 2030 is thus 66,039sqm of office and 49,857sqm of industrial space, comfortably exceeding the LPSP industrial floorspace requirement but falling 14,794sqm below the office space requirement. However, that is a relatively modest 20% shortfall and there are a number of other employment sites across the CNA to provide additional growth in that sector. There is no substantive evidence to indicate that allocated employment space would be unviable.

150. However, for effectiveness and in order that progress towards achieving LPSP requirements can be monitored **MM42 and MMs45-51** are required to bring forward floorspace capacities into the employment allocation and safeguarding policies and establish the boundaries of the safeguarded sites.
151. Retail allocation CPIR-R1, Fair Meadow, gives no indication of potential floorspace yield. However, retail requirements for CPIR are relatively modest and are predicted to arise only late in the Plan period.
152. **MM53** is, however, necessary to clarify that uses other than B1 and D1 may be appropriate at CPIR-E7, Station Road, to support delivery and viability.
153. Otherwise, the employment land supply provisions for CPIR are sound.

### **Infrastructure**

154. The infrastructure proposed for CPIR, including in respect of education and health facilities via allocations CPIR-ED1, Tuckingmill, and CPIR-E7, Station Road, are evidently appropriate and sufficient to support the levels of development proposed, whilst a significant proportion of the funding necessary to implement transport improvements has already been secured.

### **Overall Conclusion on the CPIR Spatial Strategy and Allocations**

155. The strategy of the Plan for Camborne-Pool-Illogan-Redruth is consistent with the LPSP and sound, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure.

## **Matter 5 - Helston Strategy and Allocations**

### **Are the provisions of the Plan for Helston consistent with the LPSP with respect in particular to the supply of housing and employment land?**

#### **LPSP Requirements**

156. The minimum requirements of Policy 2a of the adopted LPSP for the town of Helston in the period to 2030, as restated in Chapter 6 of the CSADPD, are to develop 1,200 dwellings and deliver 12,417sqm of office and 17,000sqm of industrial floor space within the Helston CNA, as a whole.

## Housing and Employment Land Supply

157. In April 2017 the Council estimated the existing housing supply for Helston to be 1,418 completed or permitted dwellings, including windfall, to 2030, exceeding the LPSP requirement by some 18%. These figures are based on reasonable assumptions of lead-in times and delivery rates drawn from past trends in Cornwall and site-specific circumstances. In particular, an urban extension west of Trewennack has commenced, indicating that it is likely to contribute its 411 of its permitted 450 dwellings to the housing supply within the Plan period.
158. Employment development completed, permitted or under construction in Helston since 2010 amounts to 7,338sqm of office and 10,620sqm industrial space. Sites proposed for safeguarding provide additional capacity of 1,200sqm each of office and industrial space. Taken together, these figures show a net deficit against LPSP requirements of 3,879sqm of office and 5,180sqm of industrial provision.
159. However, the Employment Land Review identifies a number of small sites within the Helston CNA with potential capacity in excess of 10,000sqm. Furthermore, the Goonhilly Earth Station within the Newquay Aerohub Enterprise Zone (NAEZ) is an emerging high-tech business cluster potentially supporting 400 jobs with employees drawn from a wide area. With these additional employment sources, the Plan meets the LPSP employment requirement for the Helston CNA.
160. It is generally established above that the Plan targets are to be regarded as minima and there is no impediment to other appropriate development coming forward where compliant with the development plan as a whole. Accordingly, there is no ground for allocating any additional housing or employment sites in Helston.
161. For reasons explained generally under Matter 1, for the Plan to be fully effective and provide for monitoring the supply of employment land, **MMs54-56** are necessary to bring forward into employment allocation Policies He-E2, Tresprison, He-E3, Helston Business Park and He-E1, the safeguarded Water-Ma-Trout site, their numerical capacities and to define graphically the boundary of the safeguarded area.
162. A further **MM57** is required to ensure that Policy He-E3 is consistent with the recommendations of the HRA in requiring advance provision of sewage and sustainable drainage treatment capacity to prevent harm to the Fal and Helford SAC.

## Conclusion

163. With the MMs identified above, the provisions of the Plan for housing and employment Helston are sound and consistent with the LPSP.

## **Matter 6 - Falmouth and Penryn Strategy and Allocations**

**Are the objectives, strategy and site allocations of the Plan for Falmouth and Penryn consistent with the requirements of the LPSP, in particular with respect to the identification of sites for development, the supply of land for the required amounts of market and affordable housing and purpose-built student accommodation (PBSA) and the designation of the Green Buffer south of Penryn?**

### **LPSP Requirements**

164. The minimum requirements of Policy 2a of the adopted LPSP for the two towns of Falmouth and Penryn in the period to 2030, as restated in Chapter 7 of the CSADPD, are to: develop 2,800 dwellings, excluding student accommodation; provide additional bed spaces within PBSA commensurate with the scale of any agreed expansion of student numbers at the Penryn campus and taking into consideration any changes in student numbers within other university campuses in Falmouth and Penryn; and deliver around 25,750sqm of office and 21,667sqm of industrial employment floor space within the Falmouth and Penryn CNA, as a whole.

### **Objectives and Strategy**

#### ***Balance between previously developed and greenfield site allocations and integration of Urban Extensions with the Existing Built Community***

165. The Strategy for Falmouth and Penryn is supported by the Housing and Transport Evidence Base Reports and appended Urban Design Assessment and Transport Strategy.
166. The evidence indicates that appropriate sites were sought within the urban area to meet minimum growth targets before greenfield sites adjoining the built settlements were considered. It is noted that most available previously developed land is redeveloped or subject to planning permission. The site assessment process considered environmental designations, landscape character, accessibility and agricultural land quality in identifying greenfield sites for allocation.
167. It is also demonstrated that, subject to masterplanning required by policy criteria, the allocated urban extensions would potentially integrate with the existing community, making use of opportunities to expand neighbourhoods with good transport connectivity.

### **Green Buffers**

168. The Plan designates two Green Buffers south of Penryn and east of Falmouth.
169. There is no specific policy support for these designations in the adopted LPSP and there is no evidence that the Green Buffers warrant protection on grounds of landscape quality alone, either in their own right or in comparison with other land which is in areas allocated for development.

170. However, the definition of the Green Buffers evolved as part of the preparation the CSADPD in the context of the adopted LPSP. Their designation is in line with Objective 3 for Falmouth and Penryn and consistent with LPSP Policy 25.3 to provide appropriate buffers to natural spaces of community significance as well as Objective 7 of the Falmouth and Penryn CNA section of the LPSP to preserve the individual identity of the two towns.
171. However, to explain and justify the Green Buffer provisions, additional text is necessary by way of **MM58**.

### ***Location and Amount of PBSA***

172. LPSP Policy 2a makes notably general, unquantified provision for PBSA commensurate with the scale of any agreed expansion of student numbers in Penryn and Falmouth. It is left for the CSADPD to identify appropriate locations.
173. At present, some 2,600 student bed spaces are provided within PBSA both on- and off-campus, whilst much reliance is placed upon houses in multiple occupation (HMOs) mainly within the residential areas, of Falmouth, amounting to some 3,800 bed spaces. The Council proposes to prevent further loss of single family homes by way of a Direction under Article 4 of the General Permitted Development Order (GPDO) limiting further such changes of use. Otherwise, the only recourse via the planning system is to attract returning second and third year students in particular towards appropriate new PBSA.
174. Currently, student numbers are capped by legal agreement to 7,500 with the requirement that any growth above a previous cap of 5,000 is accommodated in PBSA provided at a ratio of 0.8:1, recognising the ambition of the Universities for 20% of Cornish students, representing a quarter of the student body, to live at home and that first year students should be accommodated on or as close to their campus as possible.
175. The Plan recognises the ambitions of the Falmouth and Exeter Universities to expand their student numbers in Falmouth and Penryn by 2,500 within six to eight years. The strategy, as submitted, is therefore to allocate sites sufficient to meet the demand for approximately that level of additional student beds by way of PBSA.
176. Subsequent to the regulation 19 public consultation, the Council has maintained dialogue with the University authorities and reached common ground that the submitted allocations would only meet their expansion requirements to about 2021-22 and would thus not be sufficient to meet the requirement of LPSP Policy 2a to provide PBSA commensurate with the scale of any agreed expansion in student numbers. In this respect, the Plan is unsound as submitted.
177. The practical supply of additional PBSA has been increased by newly permitted sites. These include the Penvose student village, approved by the Council to include PBSA providing 2,000 beds, as well as several smaller sites allowed at appeal. Together these bring the additional supply

to approximately 5,150 beds. The Council now proposes to increase the contributions from allocated sites FP-M2, Parkengue, by 450 beds and FP-H4, Falmouth Road by 400 beds, raising the total additional supply to almost 6,000 student beds, catering for several more years of predicted expansion, without departing from the essential strategy for the location of PBSA.

### ***Conclusion on Objectives and Strategy for Falmouth and Penryn***

178. We conclude overall that, with such increases in provision for the PBSA, the objectives and strategy of the Plan for Falmouth and Penryn are appropriate and justified. It remains to consider the suitability and deliverability of the site allocations for housing, PBSA and employment.

### **Housing Land**

#### ***Current Supply***

179. In April 2017 the Council estimated the existing supply of completed or permitted dwellings for Falmouth and Penryn to be 2,163 to 2030, to which is added 197 units from subsequent permissions, less some 75 for sites now permitted for non-housing uses at Bickland Water Road and Kimberly Park Road, to make a total of about 2,285 dwellings, including windfall of 216 units. These figures are based on reasonable assumptions of lead-in times and delivery rates drawn from past trends in Cornwall and site-specific circumstances.

#### ***Forecast Supply***

180. Five urban extensions are allocated in the Plan, FP-H1, College/Hillhead, FP-H2, Falmouth North, FP-H3, Kegilliack Phase 2, FP-H4, Falmouth Road and FP-M1, Kernick.

181. Allocated housing site FP-H2, Falmouth North, is subject to constraints upon its delivery related to landscape impact to be overcome and the requirement for an access railway bridge. However, a masterplan has been prepared in consultation with the Council, the bridgeworks costed and other highway work off-site at Union Corner completed. The predicted delivery of 35 dwellings by 2022 in the Housing Trajectory is reasonable, with the remainder of the 300 unit allocation to follow within the Plan period. However, for effective deliverability, **MM59** is needed to allow for a combination of on- and off-site open space to accord with the Green Infrastructure Strategy.

182. Housing site FP-H4, Falmouth Road, allocated for approximately 210 dwellings, has potential for the inclusion of other uses and this is evidently necessary for viability. Further student accommodation is desirable in this location and would support the ultimate delivery of the site. Changes necessary for the soundness of Policy FP-H4 are brought about by **MM60**. **MM61** is also necessary for consistency with the updated HRA with respect to the mitigation of recreational impact upon protection of the Fal and Helford SAC.

183. Mixed use site FP-M1, Kernick, allocated for about 100 dwellings is now subject to a planning application for only 75 units but as this relates to less than the entire site area, its ultimate full delivery is unlikely to be compromised.
184. Aside from the foregoing site-specific issues, there is no substantive evidence to question the deliverability of these housing allocations. Together, they are predicted to deliver 856 net dwellings, resulting in a total forecast supply of 3,141 dwellings. This would exceed the LPSP requirement by over 12%, providing an acceptable degree of flexibility, given the variety of sites available.

### **Sites for Purpose Built Student Accommodation**

185. As set out above, the strategy for Falmouth and Penryn now includes the provision of some 6,000 student bed spaces within PBSA required to meet LPSP Policy 2a.4.
186. Permission exists for over 1,047 units of this supply within the Penryn campus but this is not now expected to be forthcoming before the adjacent allocated mixed development site FP-M2, Parkengue.
187. As submitted, the Parkengue site is allocated for 550 units of PBSA but is now proposed to deliver an additional 450 units, including the Allen and Heath building which is due to be released by Falmouth University. Whilst this would intensify the development of the land, there is no evidence that this would be impractical and no evidence that it would give rise to unacceptable environmental impact. The resulting additional financial return from increased development would enhance its viability and the prospect of its timely delivery. Indeed, permission has been granted for 528 student beds and workspace on the eastern third of the site and an application for a further 329 student beds and workspace on the western third is under consideration. The increased level of development within the allocation, necessary for soundness in meeting LPSP Policy 2a, is brought about by **MM63** to allocation Policy FP-M2. An additional **MM64** to allocation Policy FP-M2 is necessary for consistency with the updated HRA, to provide for mitigation of recreational impact on the Fal and Helford SAC.
188. Allocation site FP-H4, Falmouth Road, referenced above in connection with market housing, is now proposed to include 400 student beds, necessary to meet strategic requirements.
189. As submitted, mixed use site allocation FP-M3, Treliever includes 1,100 student bed spaces with an estimated demand and contribution of 450 included with the supply. In the event of the site failing to come forward, a shortfall of this amount would not be proportionately so great as to compromise the Plan strategy for PBSA. To ensure that Policy FP-M3 is sound, MM72 removes reference to the delivery of 1,100 PBSA beds.
190. Subject to the foregoing identified changes, the Plan would bring forward sufficient appropriate sites for PBSA to supply the proposed 6,000 student bed spaces in compliance with the LPSP.

## Employment Land

### *Current and Forecast Supply*

191. Completions and extant consents for employment development since the start of the Plan period amount to 20,784sqm of office and 6,683sqm industrial space. This leaves 4,966sqm of office and 14,984sqm of industrial space required to meet LPSP requirements (approximately 19% and 60% respectively).
192. Mixed use sites FP-M1, Kernick, FP-M2, Parkengue and FP-M3, Treliever are together allocated to deliver 21,000sqm of office and 7,000sqm industrial floor space. Moreover, six existing employment sites in Falmouth, FPE1-6 are safeguarded and of these Falmouth Docks, FP-E6 is expected to deliver some 1,008sqm of office and 23,801sqm industrial space. If all this capacity is delivered within the Plan period, the LPSP office space requirement would be exceeded by around 17,000sqm and that for industrial space by about 15,800sqm (respectively 66% and 73%), indicating that the LPSP targets are likely to be met with a significant margin for underperformance. **MM75** to Policy FP-E6 is necessary for soundness to ensure that development at Falmouth Docks respects nearby heritage assets within the Pendennis Fortifications.
193. As noted above in connection with the supply of PBSA, there is some question that mixed use allocation FP-M3, Treliever might not come forward, at least until late in the Plan period, given ongoing attempts by the Council in conjunction with the Universities to engage with the landowner to bring forward the development but with no evident guarantee of success. However, even if the most pessimistic outcome were to result and the site were not to deliver its potential 18,000sqm of office and 6,000sqm industrial space, the supply shortfalls compared with requirements would not be so great as to damage the overall strategy of the Plan. The site occupies an extensive area just north of the present Penryn campus intended for innovation and post-graduate accommodation. To support its delivery, it is necessary to widen the potential range of allocated uses for the site. Thus, for allocation Policy FP-M3 to be fully effective and sound, **MM72** is necessary to implement this change. For similar reasons of deliverability, **MM74** is also necessary for soundness in providing for relocation of existing business interests within the site. **MM73** is further required for soundness in introducing into allocation Policy FP- M3 reference to biodiversity enhancement in line with national policy.
194. Mixed use allocation FP-M2, Parkengue is likely to come forward, given an evidently willing landowner engaged in pre-application discussions with the Council. Whilst this development would involve the loss and rehousing of existing employment users, it would also potentially deliver compensatory employment floorspace.
195. Overall, the numerical provisions of the Plan for employment in Falmouth and Penryn are evidently adequate and appropriate. However, as explained in general terms under Matter1, for effectiveness and in order that progress towards achieving LPSP requirements can be monitored, **MMs62-63 and**

**MMs65-71** are required to bring forward employment floorspace capacities into the mixed use and employment allocation and employment safeguarding policies and establish the boundaries of the safeguarded sites.

### **Overall Conclusion on the Falmouth and Penryn Strategy and Allocations**

196. With the MMs identified above, the objectives, strategy and site allocations of the Plan for Falmouth and Penryn are consistent with the requirements of the LPSP and sound with respect to the identification of sites for development and the supply of land for market housing, PBSA and employment.

### **Matter 7 - Newquay Spatial Strategy and Allocations**

**Are the strategy and site allocations of the Plan for Newquay with Quintrell Downs consistent with the LPSP and justified, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure?**

#### **LPSP Requirements**

197. The minimum requirements of Policy 2a of the adopted LPSP for the town of Newquay with Quintrell Downs in the period to 2030, as restated in Chapter 8 of the CSADPD, are the provision of 4,400 dwellings and 27,730sqm of office floorspace, 30,250sqm of industrial floorspace but a negative 12,589sqm retail space requirement for the Newquay and St Columb CNA, as a whole.

#### **Objectives**

198. The vision and objectives of the Plan for Newquay refer to the aims of the Newquay Town Framework and are broadly aligned with the approach in the LPSP, in particular regarding the economic importance of tourism and of the NAEZ. Investment in infrastructure is integral to achieving those objectives, in particular delivery of the Newquay Strategic Route (NSR).

199. The Plan is focussed principally upon the existing urban area of Newquay. However, the Plan does not affect the support given to appropriate development elsewhere including via LPSP Policies 3 on the Role and Function of Places and Policy 5 on Business and Tourism. Nor does it limit development that may come forward via neighbourhood plans. Therefore, the objectives of the Plan would not be detrimental to the wider area or the associated communities of St Columb Major, Quintrell Downs and Crantock. Moreover, the proposed transport measures would bring wider benefit. The CSADPD would also provide for town centre regeneration, including via allocation NQ-M1, Station Quarter.

200. The SA and the updated HRA and Appropriate Assessments identify likely negative environmental and highway impacts of proposed development growth but conclude that significant effects are not likely with mitigation. Proposed transport measures which seek to establish greater connectivity

around the periphery of Newquay via the NSR in particular, coupled with the aim to diversify the local economy, will also mitigate such impacts.

## Housing Land

### *Existing and Forecast Supply*

201. In April 2017 the Council estimated the existing supply for Newquay to be 5,289 dwellings to 2030, exceeding the LPSP requirement by approximately 20%. That figure is based on reasonable assumptions in terms of lead-in times and delivery rates drawn from past trends in Cornwall and site-specific circumstances and would support the vitality of the town centre in line with LPSP and CSADPD objectives. It is anticipated that 207 dwellings will come forward from urban SHLAA sites and 480 by way of windfalls. Those projections are supported by appropriate evidence with a reasonable margin for error and may be fractionally low on account of subsequent permissions, including for 140 homes on land off West Road, Quintrell Downs, allowed at appeal.
202. Whilst that would indicate that no further allocations are required, at least 800 dwellings on sites with permission are reliant upon delivery of the NSR. If those units are discounted, the LPSP housing requirement for Newquay would be exceeded only by around 89 homes or 2%. That would give insufficient flexibility in the supply.
203. Allocations around Nansledan, NQ-H1, Riel, NQ-H2 Trevenson and NQ-M2, Hendra, together provide for a total of 1,965 dwellings, of which 840 are forecast to be delivered within the Plan period.
204. However, for the Plan to be sound, **MM77-78, MM82, MM85, and MM87** are necessary to the respective allocation policies to ensure appropriate mitigation is secured in relation to their potential effects on the Penhale Dunes SAC, in line with the updated HRA. These modifications, as amended from the consultation version, set out that open space in accordance with the Green Infrastructure Strategy may be provided on each individual site or within the wider Newquay Growth Masterplan area. They also clarify that, where the provision of Suitable Alternative Natural Greenspace (SANG) is not achievable, an appropriate contribution will be required. The detail of arrangements and contributions for SANGs is for the emerging European Site Mitigation Strategy SPD.
205. Transport modelling shows that the NSR is critical to enabling growth around Newquay, although it would not entirely mitigate the impacts of proposed new development on the highway network. However, that modelling tested a relatively high level of growth. Moreover, the NSR would have wider benefits in terms of strategic connectivity, and any residual effects in relation to congestion would be modest.
206. The NSR is currently costed at approximately £24 million. The Council has resolved to meet an £8.7 million shortfall in funding, relative to that already in place and forecast from planning obligations. There is no robust evidence to indicate that any delay to the NSR will impede delivery of the Nansledan allocations as predicted. Nevertheless, allocation Policies NQ-H1

and NQ-H2 do not correctly define the extent of the allocations and the route of the NSR with reference to the Masterplan. To be effective and sound in this regard, these policies need to be changed by way of **MM76-81**. **MM86-88** are also needed to ensure that allocations align with the routes set out in the infrastructure strategy map, Figure NQ3.

## **Employment Land**

### ***Existing and Forecast Supply***

207. Completions and extant consents since the start of the Plan period amount to 19,234sqm office and 28,957sqm industrial floorspace, including some consented floorspace at the NAEZ within the wider CNA. The Plan is focussed on the town of Newquay and does not seek to allocate land for aerospace purposes. However, as the NAEZ is within the CNA, and although aerospace is a specific industrial sector, there is no substantive evidence to suggest that development at the NAEZ should be discounted from overall CNA provision relative to LPSP employment requirements. Clearly, it would be antithetical to the purpose of an Enterprise Zone to constrain development elsewhere by consequence of it.
208. Based on the above figures, a further 8,516sqm of office and 1,293sqm of industrial are required to meet LPSP targets (approximately 31% and 4% respectively).
209. Allocations NQ-M1, Station Quarter and NQ-M2 Hendra, together make provision for approximately 3,600sqm of office and 6,000sqm of industrial space. There is also 2,600sqm existing industrial space in allocation C-E3, St Columb Major Business Park (South) within the wider CNA. The evidence indicates that those sites are suitable for the intended use and deliverable over the Plan period. The LPSP industrial requirement would thus be exceeded but there will be a shortfall of 4,916sqm of office space. However, there is general support for appropriate economic development by LPSP Policy 5 and significant amounts of office and industrial floorspace are likely to come forward at the NAEZ to off-set undersupply. As explained under Matter 1 above, for effectiveness, and in order that progress towards achieving LPSP requirements can be monitored, **MM83-84 and MM89** are necessary to bring employment floorspace capacity into allocation Policies NQ-M1 and NQ-M2, as well as NQ-E1, Treloggan Industrial Estate, and to define the boundary of the safeguarded employment area.

## **Infrastructure**

210. Supporting transport assessment evidence is limited to assessing the LPSP requirement of 4,400 homes but the NSR modelling reflects the scale of growth forecast for Newquay. This indicates that the majority of the highway junctions studied will operate within capacity at the end of the Plan period, subject to some improvement. Improvements to the Porth Four Turns roundabout and the Henvy-Chester Road junction are identified in the Plan and are expected to be completed by 2025. We are satisfied that no significant residual cumulative effects would arise with regard to

transport. Accordingly, the Plan is sound in respect of transport infrastructure, and there is no evidence to indicate that the other infrastructure in Newquay could not be provided in a timely manner to support growth.

### **Overall Conclusion on the Strategy and Allocations for Newquay with Quintrell Downs**

211. For the foregoing reasons and with the MMs identified, the strategy and site allocations of the Plan for Newquay with Quintrell Downs are consistent with the LPSP and sound, including with regard to the delivery of housing and employment space supported by associated infrastructure.

### **Matter 8 - St Austell and the Carclaze and Par Docks Eco-Communities Strategy and Allocations**

**Are the strategy and site allocations of the Plan for St Austell and the Eco-communities consistent with the requirements of the LPSP, in particular with respect to the delivery of the required amount of market and affordable housing and employment space, the designation of Green Buffers north east of St Austell and the provision of necessary supporting infrastructure?**

#### **Note**

212. The Strategies and Allocations for St Austell and for the Eco-communities of West Carclaze and Par Docks occupy separate chapters of the Plan but they overlap three CNAs and are closely related spatially. For convenience they are considered together.

#### **LPSP Requirements**

213. The minimum requirements of Policy 2a of the adopted LPSP for the town of St Austell in the period to 2030, as restated in Chapter 9 of the CSADPD, are to develop 2,900 dwellings to support the provision of around 9,750sqm of office and 12,500sqm of industrial space within the St Austell CNA, as a whole.

214. The requirements of Policy 2a of the adopted LPSP for the Eco-communities, as restated in Chapter 10 of the CSADPD, are to develop 1,500 dwellings at West Carclaze, including 900 within the Plan period, and 500 dwellings at Par Docks, including 300 in the Plan period to 2030. In practice, the eco-communities will also include some level of employment development as recognised in allocation Policies ECO-M1 and ECO-M2.

## Housing Land

### *Current and Forecast Supply*

215. In April 2017, the Council estimated the existing supply of housing land in St Austell to be 2,923 dwellings including a windfall allowance of 152 units. This slightly exceeds the LPSP requirement.
216. The existing supply includes some 450 units from the Higher Trewhiddle Farm development and about 500 from Carlyon Bay, the bulk being delivered after 2022. Developers are actively bringing forward the former site, whilst the estimated delivery rate for the latter is cautious, even though some initial infrastructure works have been implemented in support of permissions previously granted. There is no substantive evidence to question the delivery of the existing housing supply for St Austell in line with the Housing Trajectory, excluding the Eco-communities.
217. The two allocated mixed development sites STA-M2, Edgcumbe and STA-M1, Pentewan Road are expected to deliver a further 125 dwellings after 2022.
218. The Council-owned site at Edgcumbe is occupied by the Blantyre Centre, which the Council is actively seeking to replace elsewhere. The site is evidently free of any immediate environmental or heritage constraints and is mainly of low flood risk. Access is feasible from the A390 with potential for a link via the Trewhiddle site. Subject only to **MM92** to Policy STA-M2 requiring sustainable drainage to protect biodiversity interests, the delivery of its allocated 25 units in line with the Trajectory is realistic.
219. Of the 5.9ha Pentewan Road site, about 1ha is in Flood Zones 2-3 so that the allocated 100 dwellings and employment development could be accommodated in Flood Zone 1, of low risk. The landowner is promoting the site in conjunction with a developer. This site is also free of immediate environmental or heritage constraints and, subject only to **MM90** to Policy STA-M1 to secure sustainable drainage, delivery of 35 dwellings per annum from 2023 in line with the Housing Trajectory is a realistic prospect.
220. These allocations therefore result in a total supply to 2030 of 3,048 dwellings, 5% in excess of the requirement. Whilst this margin is relatively small, the requirement for the town is already largely met, so that degree of flexibility is acceptable in this case.
221. Moreover, Eco-community allocations are evidently set to deliver substantial additional contributions to housing supply within the Plan period. Allocation ECO-M2 at Par Docks is regarded as independent of the larger Carclaze Eco-community project and is relatively unconstrained by heritage or environmental interests or flood risk, given the site meets the flood risk exception test to the satisfaction of the EA. The developer promotes a delivery trajectory ahead of the Council projection of 300 dwellings after 2023 and it is realistic to anticipate that the site will come forward within the Plan period in line with the Trajectory.

222. To render Policy ECO-M2 fully effective, **MM103** is necessary to correct the site boundary. **MMs101-2** are also necessary to ensure the safeguarding and where possible enhancement of protected European and priority habitats, including mudflats within the site, in line with national policy and the updated HRA.
223. Allocation ECO-M1, West Carclaze is subject to outline permission, dependent upon a range of planning obligations, albeit employment development has commenced under detailed consent. A detailed reserved matters application for the first phase of the development is under consideration by the Council. Substantial infrastructure funding has been secured and the site is evidently not impeded by any planning constraints that cannot be overcome. The projected delivery of 900 of the ultimate 1,500 dwellings by 2030 is ambitious but justified on the evidence available.
224. As submitted Policy ECO-M1 is not fully effective and, **MMs97-99** are required respectively to make a correction to the site plan, ensure that the proposed school infrastructure is provided in phase with the delivery of the proposed new housing and to protect biodiversity interests within the St Austell Clay Pits SAC, reflecting the findings of the updated HRA.
225. We conclude that the existing and allocated housing land supply for St Austell and the Eco-communities is robust and that the Plan is sound in this respect.

## **Employment Land**

### ***Current and Forecast Supply***

226. Net losses of office space deducted from new permissions since the start of the Plan period result in an overall reduction of 151sqm in the supply of new office accommodation for St Austell. Completions and permissions for industrial land in the same period amount to a current supply of 4,259sqm. This leaves 9,901sqm of office and 8,241sqm of industrial space required to meet LPSP requirements for St Austell (approximately 102% and 66% respectively).
227. Employment and mixed use sites STA-E3, Par Moor, STA-M1, Pentewan Road and STA-M2, Edgcumbe are together allocated to deliver 7,000sqm office and 19,100 industrial space to 2030, whilst one existing employment site, STA-E1, Holmbush, is safeguarded for that use.
228. Site STA-E3, Par Moor, is close to St Blazey but equally closely associated with the town of St Austell within the St Austell CNA. Good access is available for heavy goods vehicles to the A391, linking to the A30T, to serve large-scale industrial uses adjacent to existing employment development. The site is occupied by a temporary construction depot but this is permitted only to 2023 and there is evidence that part of the land could become available sooner. The potential development area is in Flood Zone 3a but this would not prevent permanent, less vulnerable industrial use in terms of the sequential test. Accordingly, there is good prospect of the Par Moor site being delivered for employment within the Plan period.

**MM93** to Policy STA-E3 is necessary to require an appropriately designed sustainable drainage system to safeguard European protected sites, consistent with the updated HRA.

229. If the full capacity of these employment allocations is delivered within the Plan period, there will be a comfortable surplus supply of industrial land of some 10,859sqm (about 87% of the target) but a continuing deficit of some 2,902sqm of office accommodation (approximately 30%).
230. However, there is potential for some adjustment in the proportion of the total available employment land developed for offices. Moreover, the West Carclaze eco-community is allocated by Policy ECO-M1 to produce some level of employment development closely adjacent to the existing built area of St Austell, in effect contributing to local need. Given this inherent flexibility in employment provision for St Austell, we do not consider that the forecast shortfall in office accommodation needs to be addressed by way of additional allocations. We therefore regard the numerical provisions of the Plan for employment in St Austell as appropriate and sufficient.
231. As explained in general under Matter 1, for full effectiveness and in order that progress towards achieving LPSP requirements can be monitored **MM91 and MMs95-96 and MM100** are required to bring forward reference to the quantum of employment floorspace capacities into the employment and safeguarding Policies STA-E3, STA-E1, ECO-M1 and ECO-M2 and to establish the boundaries of the safeguarded site, ST-E1.
232. With respect to the sole retail allocation in St Austell, Policy STA-R1, Old Vicarage Place, **MM94** is required to ensure that significant effects on nearby European biodiversity interests are avoided or appropriately mitigated consistent with the updated HRA.

### **Green Buffer Adjacent to Carclaze Road**

233. It is long established that the A391 North East Distributor, Carclaze Road, forms a logical boundary to development north east of the town of St Austell. The areas indicated on the Strategy Map as a linear Green Buffer along both the south west and north east sides of Carclaze Road are not subject to any landscape designation that would justify their protection on landscape quality alone and there is no express support for a Green Buffer designation in national policy. However, these areas are evidently regarded as locally valuable to amenity and as a wildlife corridor.
234. The Green Buffer designation is consistent with the Open Space strategy for St Austell. In the absence of any proposal or evident need to develop land north east of this section of the A391 within the time frame of the CSADPD, the provision of a substantial visual barrier along the road corridor is justified. If the development needs of St Austell and the Carclaze Eco-community alter or increase, the question whether to maintain the Green Buffer north east of Carclaze Road might become a matter for a future review of the Plan.

235. For this Plan as submitted, we consider that the Green Buffer adjacent to Carclaze Road and others designated for St Austell are justified on the available evidence.

### **Road Infrastructure**

236. With respect to highway infrastructure within St Austell, as distinct from the Carclaze Eco-community, there is updated evidence by way of transport modelling to show that the quantum of development envisaged by the Plan, and Higher Trehiddle Farm in particular, is unlikely to generate traffic in excess of junction capacity on the present road network.

### **Overall Conclusions on St Austell and the Eco-communities Strategy and Allocations**

237. With MMs identified above the strategy and site allocations of the Plan for St Austell and the Eco-communities are consistent with the requirements of the LPSP and sound with respect to the delivery of the required amount of market and affordable housing and employment space, the designation of Green Buffers and the provision of infrastructure.

## **Matter 9 - Bodmin Strategy and Allocations**

**Are the strategy and site allocations of the Plan for Bodmin consistent with the LPSP and justified, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure?**

### **LPSP Requirements**

238. The minimum requirements of Policy 2a of the adopted LPSP for the town of Bodmin in the period to 2030, as restated in Chapter 11 of the CSADPD, are the provision of 3,100 dwellings with an additional 100 for the wider CNA. The LPSP floorspace requirements for office, industrial and comparison and convenience retail for the Bodmin CNA are, respectively, 22,833sqm, 24,667sqm and 773sqm.

### **Objectives**

239. Although the number and wording of CSADPD objectives for Bodmin vary from those in the LPSP for the wider CNA, they are aligned in substance. The CSADPD focusses on town centre regeneration to a greater degree than the LPSP, which seeks in particular to support growth in agri-tech and logistic centres. However, the two aims are not mutually exclusive. Moreover, paragraph 11.7 of the CSADPD refers to its objectives as complementing those of the LPSP.

240. The question arises whether sufficient detailed consideration was given to previously developed sites in Bodmin in preference to greenfield land. However, the Bodmin Housing Assessment began by assessing urban capacity for development alongside a review of employment sites,

identifying potential only for 10 dwellings to come forward within the existing urban area.

241. The SA identified negative effects resulting from growth in terms of climate factors and air quality. However, measures put forward in the Bodmin Transport Strategy seek to reduce such effects and the peripheral location of the allocated sites allows for good connectivity with the strategic road network, moderating traffic flows via the town centre and AQMA.
242. However, as submitted, Policies Bd-UE3, BD-UE4, Bd-M1 and BdE1 do not clearly provide for mitigation of effects on protected ecological sites in accordance with the updated HRA, Strategic Flood Risk Report and national policy. In these respects, **MM113, MMs115, MM117 and MMs121-122** to the development criteria of these policies are necessary for soundness.

## **Housing Land**

### ***Current Supply***

243. In April 2017 the Council estimated the existing supply for Bodmin to be 2,252 completed or permitted dwellings, plus SHLAA sites and windfall, to 2030, equivalent to about 73% of the LPSP requirement. That figure is based on reasonably flexible assumptions in terms of the lapse rate of permissions drawn from past trends in Cornwall and with regard to site-specific circumstances. The anticipated delivery of 7 dwellings from SHLAA site Ref U0120 and a further 122 from windfall provision are supported by appropriate evidence with a reasonable margin of error. The anticipated level of housing delivery in Bodmin, excluding Plan allocations, is evidently robust.

### ***Delivery of Housing by the Plan as Submitted***

244. The sites allocated for Bodmin, in the Plan as submitted, provide for approximately 2,350 dwellings, plus . Added to the existing supply of 2,252 homes, the total forecast supply would amount to 4,602 dwellings, 48% greater than the LPSP requirement of 3,100 dwellings. Crucially however, allocations, Bd-UE2, Halgavor Urban Extension and Bd-UE4, Callywith Urban Village, are reliant on significant highways upgrades. This will lengthen the time for their delivery until beyond the Plan period.
245. We accept that the provision for higher levels of housing in the long-term supports the delivery and viability of development during the life of the Plan and provides flexibility. In practice however, only 955 homes are expected to be delivered from allocations within the Plan period, taking account of lead-in times and build-out rates. This results in a realistic forecast supply for the Plan period of 3,207 dwellings, exceeding the requirement by only 107 units or about 3.5%, the smallest margin of flexibility of any of the towns in the Plan apart from Launceston. Given the reliance placed on three large urban extensions to Bodmin, each dependent to some degree on infrastructure upgrades, the housing provision in the CSADPD as submitted contains insufficient headroom to ensure delivery relative to LPSP requirements. In this respect, the Plan is unsound as submitted.

### ***Increase in Amount and Flexibility of Housing Land Supply***

246. In response, the Council proposes to subdivide the original allocation Bd-UE2, Halgavor Urban Extension into two elements either side of Lostwithiel Road (Bd-UE2a and Bd-UE2b) and also to bring forward an additional allocation Bd-H1, Westheath Road for approximately 50 dwellings.
247. The subdivision of Bd-UE2, Halgavor Urban Extension is logical and practical with regard to land ownership and seeks to expedite rather than increase housing delivery in the Plan period by some 230 dwellings. This would be achieved by enabling independent masterplanning or applications in respect of either site Bd-UE2a or Bd-UE2b, by resulting in a greater range of prospective developers.
248. The new allocation Bd-H1, Westheath Road, is a small element of a wider area of development land east of the railway line and is assessed in the Bodmin Housing Evidence Base Report. Whilst that area was discounted in formulating the submitted Plan, that was primarily on the basis of the railway line forming a physical barrier to westwards expansion. The Council explains that the land to which allocation Bd-H1 relates was the only section of the discounted area assessed to be appropriate for development, and that allocation has since been assessed in a comparative manner along with other potential sites. The site is subject to a Council resolution to grant planning permission subject to a legal agreement.
249. The additional 280 dwellings now anticipated to be delivered within the Plan period by allocations Bd-UE2a, Bd-UE2b and Bd-H1 would result in the minimum housing requirement being exceeded by around 12%. This represents a reasonable degree of flexibility with regard to the particular strategy proposed for Bodmin.
250. The foregoing changes, necessary for the effectiveness of the housing provision for Bodmin, are implemented by **MMs104-112 and MM118**. With those modifications in place, the provisions of the Plan for housing in Bodmin are appropriate in numerical terms.
251. We consider the potential planning impacts effects and suitability of the individual site allocations below.

### **Employment Land**

#### ***Current Supply***

252. At March 2018, completions and extant consents since 2010 amounted to 8,651sqm of office space and a reduction of 482sqm of industrial space. In the absence of substantive challenge to those figures, that indicates a need for 14,182sqm of office and 25,149sqm of industrial space to meet LPSP requirements (62% and 102% respectively). As explained under Matter 1, for the Plan to be effective and provide a basis to monitor progress towards achieving LPSP requirements it is necessary to bring forward from the submitted evidence base indicative floorspace capacities from site

allocations and to establish graphically the boundaries of sites to be safeguarded for employment uses. This is achieved by way of **MM114, MM119-120 and MM123-126** to allocation Policies Bd-UE4, Bd-M1, Bd-E1, Bd-E2, Bd-E3, Bd-E4 and Bd-E5.

### **Forecast Supply**

253. Subject to those modifications, allocations Bd-UE4, Callywith Urban Village, Bd-M1, Castle Street and Bd-E1, Beacon Technology Park, collectively make provision for around 15,700sqm of office space and 19,900sqm metres of industrial space. There is no substantive challenge to the prospect that those allocations will deliver their full capacity by 2030. Thereby, the LPSP office space requirement would be exceeded by approximately 1,428sqm (around 6%) although the industrial requirement would not be met by a shortfall of some 5,249sqm (around 21%). However, these figures do not include a subsequent permission for 891sqm of industrial space at Trewithen Dairy within the Bodmin CNA. There is also an emerging proposal for the expansion of Trewithen Dairy via a Local Development Order in the order of an additional 10,400sqm of employment space.
254. The Plan recognises the potential for retail provision to come forward at Dennison Road and Fore Street Car Parks over time but there are no retail allocations for Bodmin. This does not affect the soundness of the Plan for reasons stated above in connection with general Matter 1, as retail needs are limited and are predicted to arise only late in the Plan period.
255. Overall, in numerical terms, the provisions of the Plan for employment space in Bodmin are appropriate.

### **Potential Planning Impacts of Site Allocations**

#### ***Halgavor Urban Extension – Policies Bd-UE2 (Bd-UE2a and Bd-UE2b)***

##### *Ecology*

256. The land to which allocation Policy Bd-UE2 relates has a valuable natural character and forms part of an ecological habitat corridor between Cardinham, Lanhydrock and Bodmin Beacon (notwithstanding the intervening A38 and Bodmin Bypass). There is evidence of wetland flora representing the last element of a formerly more extensive area of moorland.
257. The SA identifies certain landscape and environmental sensitivities on the land, whereas the NPPF states that planning should seek to contribute to and enhance the natural environment. However, the site is not subject to any formal landscape or ecological designation, in contrast with other areas around Bodmin. Moreover, as proposed for modification, Criterion i) of allocation Bd-UE2a and criterion h) of Bd-UE2b require that development of the sites accords with a masterplan which ensures that the most important ecological features of each site are protected.
258. Furthermore **MMs111-112**, previously referenced, include measures for sewerage provision, sustainable urban drainage systems and adherence to

a construction and environmental management programme to minimise adverse effects of the subdivided allocation Bd-UE2, including in relation to the River Camel Special Area of Protection. These provisions ensure consistency with the HRA. Accordingly, in respect of ecology, modified allocations Bd-UE2a and Bd-UE2b would be acceptable.

### *Hydrology*

259. With respect to the hydrological characteristics of the Halgavor site, a former version of the Bodmin Green Infrastructure Strategy, dated 2013, stated that the natural groundwater level of the site is likely to be close to the surface, potentially limiting the feasibility of infiltration drainage measures. Nevertheless, aside from a small area of the land, both subdivisions of the sites are within the lowest risk Flood Zone 1 and outside any Critical Drainage Area. Criterion f) of modified allocation Bd-UE2a requires that a full hydrological assessment of the site be undertaken to inform the layout of the scheme.
260. Moreover, in recognition of those conditions, the estimated capacity of the original allocation Bd-UE2 was based on 60% of the total site area, below the 70% benchmark value used elsewhere. Therefore, whilst there may be constraints in terms of hydrology, there is no robust evidence to indicate that these would be insurmountable. The requirements of LPSP Policy 26 to replicate natural ground and surface water flows and decrease surface water run off could accordingly be met.

### *Noise and Disturbance*

261. There is potential for noise and disturbance to local residents due to construction works on the site. However, both modified allocations require adherence to a masterplan and construction and environmental management plans. In combination with the detailed proposals being refined at planning application stage, these measures would afford opportunities to minimise potential adverse effects.

## ***Callywith Urban Village - Policy Bd-UE4***

### *Bodmin Moor Area of Outstanding Natural Beauty*

262. Regarding the effect of this allocation on Bodmin Moor, the sensitivity of the AONB is considered in the SA and the landscape sensitivity assessment undertaken in the Bodmin Housing Evidence Base Report. Given the significant distance between the Urban Village site Bd-UE4 and the nearest edge of the AONB and the extent of the visual separation between them, allocation Bd-UE4 is evidently acceptable in this regard.

## ***Overview of Planning Impacts of Individual Sites***

263. For the above reasons, we consider that the foregoing and all other sites allocated in Bodmin are acceptable in terms of their planning effects.

## **Provision of Infrastructure**

264. The Halgavor Urban Extension sites lie south of Bodmin, whereas the primary cluster of services and facilities are around Fore Street towards the north of the town. There are various highway constraints along the route between Halgavor and Fore Street, notably the Beacon Road humpback bridge, where there are difficulties due to traffic volumes causing congestion in Bodmin.
265. Nonetheless, as we note above, the overall scale of development proposed by the Plan for Bodmin aligns with the requirements of the LPSP. The transport implications and likely future scenarios in terms of highway capacity have been considered thoroughly within the evidence base. Improvement measures are being implemented, including the now completed Old Callywith Road-Launceston Road junction upgrade. These will complement the efficient operation of the highway network.
266. The Plan proposes various mitigation measures via the Bodmin Transport Strategy, walking and cycling improvements being particularly relevant to the aim for greater use of sustainable modes of transport. Modelling of the Strategic Road Network shows that, with the upgrades proposed, all modelled junctions in Bodmin would remain within operational capacity at the end of the Plan period.
267. Four transport projects for Bodmin are listed as relevant to delivery of CSADPD allocations: Fiveways Halgavor Junction Package, Cooksland Junction, Halgavor Respryn package and the improvements to the pedestrian and cycle network in Bodmin. Collectively those projects are provisionally costed at £15.6million, some of which relates to some £12million that has already been secured for various transport projects around Bodmin, scheduled to commence immediately. There is no reason to doubt that the necessary improvements will be forthcoming within a reasonable timescale, or that any necessary requirements in respect of planning obligations would adversely affect viability or delivery of allocated sites.
268. More broadly, taking into account submissions by the Education and Skills Funding Agency, Clinical Commissioning Group and utilities providers, it is evident that other infrastructure, including medical and education facilities associated with the level of growth proposed for Bodmin, can be provided to support the delivery of allocated sites.

## **Overall Conclusion on the Bodmin Strategy and Allocations**

269. Subject to the changes identified above, the strategy of the Plan for Bodmin is consistent with the LPSP and justified, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure.

## **Matter 10 - Launceston Strategy and Allocations**

**Are the strategy and site allocations of the Plan for Launceston consistent with the LPSP and justified, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure?**

### **LPSP Requirements**

270. The minimum requirements of Policy 2a of the adopted LPSP for the town of Launceston in the period to 2030, as restated in Chapter 12 of the CSADPD, are the provision of 1,800 dwellings and 14,038sqm office, 28,167sqm industrial and 4,241sqm retail floorspace for the Launceston CNA as whole.

### **Objectives**

271. The objectives of the Plan for the town of Launceston are drawn from the supporting Town Framework and are essentially consistent with those in the LPSP. The Plan places particular emphasis on encouraging economic growth to make best advantage of the strategic location of the town on the A30 trunk road, in line with criterion 3(o) of LPSP Policy 3, and to meet latent demand for modern employment space.

272. There is evidence of over-provision of employment space in Cornwall as a whole but there is nothing to prevent other appropriate development coming forward with reference to LPSP policies which express only minimum requirements.

273. The SA has informed the transport strategy for Launceston in particular, as set out in Table Lau3 of the Plan. This is integral to realising LPSP objectives. The comparative assessment of sites around Launceston, supported by additional evidence related to particular issues including accessibility, is proportionate and suitably justifies the distribution of allocations.

274. However, whilst air quality is considered throughout the SA, the Plan as submitted could not have acknowledged that an AQMA was designated in Launceston in January 2018. **MM127** to paragraph 12.51 of the transportation text is therefore necessary for soundness, to ensure that the aim of contributing towards air quality is properly reflected in the Plan.

### **Housing Land**

#### ***Current and Forecast Supply***

275. In April 2017, the Council estimated the existing supply for Launceston to be 1,459 completed or permitted dwellings to 2030, equivalent to approximately 81% of the LPSP housing requirement. That figure is based on reasonably flexible assumptions drawn from past trends in Cornwall and site-specific circumstances.

276. Site allocation LAU-H1, Withnoe Urban Extension, provides for approximately 300 dwellings. One third of the site is subject to a planning application currently under consideration. Allocation LAU-H3, Kensey Valley, provides for approximately 75 dwellings. In respect of LAU-H3 **MM132** is necessary to clarify that the site seeks to provide solely for housing, to ensure consistency with the assessment of that site within supporting evidence.
277. Assuming full delivery of those sites within the Plan period, the supply would only exceed the LPSP requirement by 34 dwellings (2%), insufficient in practice to provide flexibility and the Plan is unsound in this respect as submitted.
278. For soundness, a contingency measure is required to ensure the LPSP requirement is met. This consists of a review provision, added to Policy LAU-H2, Hurdon Road Future Direction of Growth, to provide for early delivery of its allocated 650 dwellings, if the need arises within the Plan period. There is no evident impediment to this, given the Southern Loop Road (SLR) via the site is expected to be delivered by 2027. This change is brought about by **MM146**. The Council is taking forward masterplanning for the site.

### ***Suitability and Deliverability of Housing Allocations***

279. The Launceston Heritage Assessment identifies that development of allocations LAU-H1 and LAU-E2 would have some effect on the setting of nearby heritage assets. However, both those allocation policies include a requirement for a masterplan to minimise adverse effects. The allocation of those sites remains justified in the light of the comparative assessment of alternatives. Nevertheless, **MM130** to Policy LAU-H1 is necessary to ensure that appropriate consideration is given to the setting of Grade II Listed Newton Farm.
280. Policy LAU-H3, Kensey Valley, as submitted, includes a requirement for a link road to be provided at the expense of the developer as part of the development. There is persuasive evidence that this requirement is likely to render the allocation unviable. For soundness therefore, **MM128 and MM133** are necessary, to remove the requirement for the provision of the entire link road in favour of an appropriate contribution.
281. **MM139** is also required to ensure that suitable account is taken of nearby woodland habitat in accordance with national policy and in a manner consistent with the HRA.
282. As submitted, the site boundary of site LAU-H3 would prevent the provision of sufficient open space to accord with Table Lau4 of the Plan, making the Plan unsound in this regard. The boundary is also drawn arbitrarily with reference to land ownership and physical boundaries and is inconsistent with its assessment in the SHLAA. **MM134** is therefore necessary to ensure the site is defined appropriately and to allow for off-site provision of open space in the event that on-site constraints render on-site provision unfeasible.

## Employment Land

### *Current and Forecast Supply*

283. Recorded completions and extant consents since the start of the Plan period amount to only 161sqm of office and 15,196sqm of industrial space. There is existing capacity of 120sqm of office and 4,000sqm of industrial space at sites proposed for safeguarding, the boundaries of which need to be defined by way of **MMs142-144**. Those figures still leave 13,757sqm office and 8,971sqm of industrial floorspace required to meet LPSP targets (approximately 98% and 32% respectively).
284. Allocation LAU-E2, Badash, makes provision for 14,000sqm of office and 10,000sqm of industrial space, fractionally exceeding those requirements. As explained under general Matter 1, for effectiveness and to facilitate monitoring, **MM140 and MM147** are required to introduce a degree of flexibility in the range of employment uses permitted by Policy LAU-E2, Badash, and to establish indicative floorspace levels, including Future Direction of Growth allocation LAU-E1, Landlake Road. The Council is taking forward the development of a masterplan for allocations LAU-E1 and LAU-E2, in conjunction with housing allocations LAU-H1 and LAU-H2, as noted above.

### Infrastructure

285. Aside from the link road through allocation LAU-H3, referenced above, the other elements of the Launceston Transport Strategy in Table Lau3 collectively have a predicted cost of £32.7million and are scheduled to be completed by 2027 at the latest. The most significant project is the Southern Loop Road (SLR) at a cost of £20million.
286. The Launceston Town Framework gives priority to adequate connectivity for site allocations south of the A30. The SLR and upgrades to the Pennygilliam roundabout are also justified with reference to ensuring the efficient future operation of the A30 junction. In that context the strategic rationale for greater connectivity to the south of the A30 is robust, and the principle of establishing an indicative route for the SLR in the Plan is consistent with paragraph 41 of the NPPF to protect transport routes.
287. The Site Allocations Viability Report indicates that developer contributions required towards the SLR would not render any allocation unviable. That is subject to some public subsidy. The Plan also confirms that the Council will support the delivery of the critical elements of transport strategies. There is no dispute that the schemes are feasible.
288. It is evident that the SLR need not be delivered in full before the allocated levels of development within the Plan period can be delivered. Therefore, for Policy LAU-H1 to be fully effective, **MM131** is necessary to make clear that all component sections of the SLR provided by individual developments are financed and constructed to the appropriate standard.

289. It is also necessary for their effectiveness, to ensure that development criteria for the allocated sites includes appropriate pedestrian and cycling connections in compliance with Table Lau3. **MMs135-137, MM141, MM145 and MM148** are required in this respect.

### **Overall Conclusion on the Launceston Strategy and Allocations**

290. Subject to MMs identified above, the strategy and site allocations of the Plan for Launceston are consistent with the LPSP and justified and sound, with particular regard to the delivery of the required amount of housing and employment space, supported by associated infrastructure.

### **Matter 11 - Saltash Strategy and Allocations**

**Are the strategy and site allocations of the Plan for Saltash consistent with the requirements of the LPSP, in particular with respect to the delivery of the required amount of market and affordable housing and to the relationship of the town with the City of Plymouth?**

#### **LPSP Requirements**

291. The minimum requirements of Policy 2a of the adopted LPSP for the town of Saltash in the period to 2030, as restated in Chapter 13 of the CSADPD, are the provision of around 1,200 dwellings, alongside 6,917sqm of B1a office and 10,583sqm of industrial space within the Cornwall Gateway CNA, as a whole.

#### **Delivery of Affordable and Market Housing**

##### ***Affordable Housing***

292. There is an identified total demand for 664 units of affordable housing units in the Plan period, compared with a potential yield of some 325 affordable homes from the housing allocations as now proposed for 1,085 dwellings, assuming these meet the full 30% affordable target of Policy 8 of the LPSP. The question therefore arises whether to reconsider an uplift in the overall Saltash housing requirement of 1,200 units, in order meet actual affordable housing demand. However, as concluded above under Matter 1, there is no ground to vary the housing land requirement for the individual towns of the Plan with respect to affordable housing demand.

##### ***Current Housing Land Supply***

293. In April 2017, the Council indicated existing completions of 156 units and a supply of sites with permission of around 96 units, together with a windfall allowance of 104 units in Saltash. These figures are realistic, save that a site for 25 dwellings at Churchdown Farm is subject to a lapse of permission and a fresh planning application for an altered scheme for 17 dwellings.

294. However, it is reasonable to judge that the current land supply in Saltash, excluding any sites allocated by this Plan, is of the order 240 dwellings,

excluding windfalls, deliverable by 2022 but representing only about 20% of the total LPSP requirement.

### ***Broadmoor Urban Extension – Policy SLT-UE1***

#### *Approved Proposal and Planning Obligation*

295. Outline permission has now been granted, under Ref PA14/02447, for the Broadmoor Urban Extension, subject to a completed planning obligation. **MM158** is necessary to bring the Plan up to date in this respect. The Council contends that this site will now deliver 100 dwellings per annum (dpa) from 2020 until the end of the Plan period, totalling 1,000 new homes in the Plan period, including 300 in the current five year supply for the County.
296. On that basis, the 1,200 overall requirement for Saltash could be exceeded by some 50 dwellings from Broadmoor alone, even discounting windfalls. The Council calculates that this would represent a surplus or headroom of 13% if the windfall allowance is included.
297. However, practical delivery of the Broadmoor site is subject to a number of constraints and requirements of the planning obligation.

#### *Sewage Treatment Capacity*

298. There is local evidence of serious technical difficulty in providing sufficient sewage treatment infrastructure to serve the Broadmoor development, including the need to increase the capacity of the transfer pipeline beneath the Tamar Estuary to the Ernesettle Waste Water Treatment Works (WWTA), upon which no work has yet commenced. In response, the Council provides written assurance from South West Water that adequate sewage treatment capacity will be provided, if necessary by way of a new treatment works at the edge of Saltash, west of the Tamar, with no requirement for developer contributions and to a timescale that will not inhibit the delivery of the Broadmoor development. However, the details and timing of the necessary works are yet to be decided.

#### *Highway Infrastructure*

299. The Broadmoor site is separated from the existing built settlement of Saltash by the A38 trunk road and depends on highway infrastructure improvements for its delivery. The planning obligation itself requires the completion of two highway improvements before more than 175 dwellings can be completed. Although a required junction improvement at Carkeel is complete, another at Stoketon Cross remains subject to a joint funding application by the developer and the Council. The timing of the works is still to be finalised.

#### *Lead-in Times and Build-out Rates*

300. Detailed reserved matter planning applications for the development have yet to be submitted and approved.

301. The Council and the developer make clear that several potential housebuilders have expressed interest in the development with several sites operating simultaneously. They point to the proximity to the market area of Plymouth in support of the build-out rate claimed.
302. On balance, the projected delivery rate of 100dpa is achievable but optimistic but it is questionable whether the first completions will be achieved in 2020, less than two years from the date of the Examination, in the absence of any reserved matters applications to date.

#### *Open Space and Flood Capacity*

303. Concerns regarding floodwater capacity are evidently addressed by the provision of open space within the site, in excess of the minimum requirement for sports pitches together with mitigation works to the Latchbrook dam, secured by the planning obligation. There is accordingly no likely impediment to the development of the site in these respects.

#### *Policy Criteria*

304. **MM170** is necessary to the effectiveness of Policy SLT-UE1 in making clear that highway improvements to the A38 are to be in conjunction development of the Stoketon Cross allocation SLT-E1.
305. **MMs171-172** are necessary to ensure the compliance of Policy SLT-UE1 with the requirements of NPPF and the updated HRA to enhance and prevent harm to protected sites at Broadmoor and Ball Wood and the Tamar Estuaries Complex SPA.

#### ***Delivery of Affordable and Market Housing by the Plan as Submitted***

306. The delivery of sufficient affordable and market dwellings to meet the LPSP requirement for Saltash by the Plan as submitted is highly dependent upon the delivery of a single urban extension at Broadmoor to a trajectory of 100dpa, starting in 2020, less two years from the date of this Report.
307. The Council and the developer have evidently used their best endeavours to ensure the delivery of the development in that timescale and are clearly confident that it can be achieved.
308. We acknowledge that it is possible that all the identified constraints will be overcome. However, details of the provision of sewage treatment capacity and funding for the completion of the Stoketon Cross junction improvement are yet to be confirmed and reserved matters planning applications have not yet been submitted. The projected build-out rates are achievable but optimistic.
309. In the circumstances, we conclude that there is a significant risk that the first house completions within the Broadmoor housing allocation will be delayed beyond the start date currently predicted and that the whole 1,000 unit allocation may not be achieved within the Plan period. This implies that the LPSP requirement will not be met, the predicted 13% surplus will

be eroded and that the overall County five year housing land supply could be compromised.

310. As submitted, therefore, we judge that the Plan is not effective in this respect and is unsound without an increase in the amount and flexibility of the allocated housing land supply.

### ***Increase in Amount and Flexibility of Housing Land Supply***

311. It is noted that the draft Saltash Neighbourhood Plan makes general provision for flexibility in the allocation of development land in the event that allocated sites fail to come forward. However, the NP is at a relatively early stage of preparation and carries limited weight. In any event, such a general provision is no substitute for the identification of sites for development where it is required, in line with national policy to boost the supply of housing.
312. Given the extreme reliance upon a single site to deliver the Saltash housing requirement, we judge that the surplus should be enlarged to at least 20 percent. To achieve this, the allocated supply needs to be increased by around 7 percent, equivalent to about an additional 85 units, to provide adequate flexibility and ensure that the housing provisions for Saltash are effective.

### ***North Pill – Proposed Additional Policy SLT-H1***

313. The Council therefore proposes to allocate greenfield land at North Pill, previously considered for approximately 85 dwellings, following a review of the existing housing evidence base for Saltash, which indicated no suitable brownfield opportunities. North Pill was chosen in preference to other land previously considered at Latchbrook on grounds of scale, connection to the urban edge of Saltash and location within walking distance of the town centre.

### ***Conclusion on Delivery of Affordable and Market Housing***

314. With the addition of the North Pill allocation, we conclude that the Plan will be effective in providing for the delivery of the requisite quantum of housing development for Saltash. This addition and other necessary amendments to the supporting text are put into effect by **MMs151-152, MM157, MM159, MMs167-169 and MM173.**

### ***Relationship to the City of Plymouth***

315. Saltash and the City of Plymouth enjoy a close interrelationship, identified in the engagement between the two authorities, as noted above in connection with the DtC. Their proximity affords employment opportunities and other benefits for Saltash whilst the major urban extension to Saltash is potentially attractive to people from Plymouth, as a location to live and work.

316. However, there is insufficient express recognition of this relationship within the text of the Plan for it to be sound in this regard. For full effectiveness, this recognition needs to be strengthened by **MMs 149-156; 160-166**.

### **Other Matters**

317. There is no evidence to suggest that the requisite office and industrial space for Saltash and the Cornwall Gateway CNA, as a whole, cannot be provided within the employment sites allocated and safeguarded in the Plan, as submitted, by Policies SLT-E1 to E5 and C-E8. However, **MMs 174-178** are necessary to define clearly the employment areas safeguarded.

### **Overall Conclusion on Saltash Strategy and Allocations**

318. Subject to the changes we have identified we conclude that the strategy of the Plan for Saltash is consistent with the requirements of the LPSP and sound with respect to the delivery of market and affordable housing and the relationship of Saltash with the City of Plymouth.

### **Assessment of Legal Compliance**

319. Our examination of the legal compliance of the Plan is summarised below.

320. The CSADPD has been prepared in accordance with the Council's **Local Development Scheme** (LDS), as amended in December 2018. The amended version appropriately includes reference to the other DPDs and Supplementary Planning Documents (SPDs) proposed or in preparation as part of, or in support of, the development plan for Cornwall.

321. As discussed and concluded within the Preamble above, the public consultation on the Plan, on the further work by the Council and on the MMs was carried out in compliance with the submitted **Statement of Community Involvement**.

322. The Plan has been subject to adequate **Sustainability Appraisal** which has been updated to include consideration of the effects of the Main Modifications recommended in this Report. The SA process considered plan objectives and alternatives to sites proposed for allocation. It also informed measures to mitigate adverse effects resulting from development in particular locations, such as transport infrastructure upgrades. Accordingly the SA was proportionate in scope and has influenced the iterative development of the plan.

323. As set out within Background Matters above, the **Habitats Regulations Assessment**, including Appropriate Assessments where necessary, has been updated in the light of current case law and the modifications to the Plan now recommended. The updated HRA and its incorporated appropriate assessments sets out that the Plan may have some negative impact for which mitigation has been secured through the Plan as now recommended to be modified.

324. This non-strategic Plan will form part of the statutory development plan and will be read and implemented in conjunction with adopted Local Plan Strategic Policies, several of which will help ensure that the development and use of land will contribute to the mitigation of, and adaptation to, **climate change**. These include the policies setting out the approach in relation to flood risk and coastal change, renewable and low carbon energy. In addition, the overall spatial focus on the larger settlements is intended to reduce the need to travel. Accordingly, the development plan, taken as a whole, achieves this statutory objective.
325. As discussed and concluded within the Preamble and Background Matters above, the Plan complies with all relevant **legal requirements**, including in the 2004 Act (as amended) and the 2012 Regulations, wherein Regulations 8(4) & (5) require the policies of this non-strategic Plan to be consistent with the development plan, in effect the adopted LPSP.
326. It is not our role to consider directly whether or not the Council has complied with the **Public Sector Equality Duty** (PSED) with reference to its own Equality Impact Assessment, contained within its Comprehensive Impact Assessment. Nevertheless, throughout the Examination, we had due regard to the aims expressed in S149(1) of the Equality Act 2010 to eliminate discrimination, to advance equality of opportunity and to foster good relations with respect to a range of relevant protected characteristics including race. This included our consideration of the interests of the Cornish Minority, in particular with reference to the number, extent and location of new housing allocations in Penzance and Newlyn. These matters are discussed under Matters 1 and 2 above.

### **Overall Conclusion and Recommendation**

327. For the reasons set out above, the Plan has a number of deficiencies in respect of soundness, explored in connection with the identified Main Matters and Issues. In accordance with Section 20(7A) of the 2004 Act, we therefore recommend non-adoption of the Plan as submitted.
328. However, the Council has requested, under Section 20(7C) of the 2004 Act, that we recommend Main Modifications to make the Plan sound and capable of adoption. We accordingly recommend the Main Modifications, set out in the **Appendix** to this Report, whereby the Cornwall Site Allocations Development Plan Document would satisfy the requirements of Section 20(5) of the 2004 Act and meet the criteria for soundness in the applicable National Planning Policy Framework of 2012.

*B J Sims*

Lead Inspector

*T Bristow*

Inspector

This report is accompanied by an **Appendix** containing the recommended **Main Modifications**.