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Yes □ x
No □

Part B: Previous representations

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Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?
Yes □ x
No □

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes □
No □

Do you want to make amendments to your previous comments?

Yes □
No □

If Yes;

What changes do you want to make;

Part C: Your representation
**Soundness**
Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

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**Q3** A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?

Yes ☐
No ☒

Please specify the reasons below

For the reasons detailed below it is not considered effective.

**Q4. Do you consider that the Local Plan meets the legal and procedural requirements?**

Yes ☐
No ☒

Please specify the reasons below
Q5. Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

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Cornwall Geoconservation Group commends this part of Policy 18 but there is no supporting background information or policy detail on how this will be implemented in either the Minerals or Environment sections of the plan.

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Para 2.9.4
Cornwall Geoconservation Group is concerned about the omission of the other type of Local Site here – there are over 100 County Geology Sites, which also contribute to environmental quality and sense of place. This is of relevance to, and provides background for Policy 23, No. 3. To omit them is a retrograde step from the excellent Policy 2 of the Cornwall Structure Plan (2004). County Geology Sites merit equal consideration to County Wildlife Sites, their biological ‘Local Site’ equivalent. No justification is given for including one part of the Local Site system and not the other. I refer you to the Defra document ‘Local Sites – Guidance on their identification, selection and management’ Defra 2006, which will help to put the above comments in context.

For the reasons given above we recommend the following rewording:
‘There are also over 400 County Wildlife Sites and over 100 County Geology Sites, collectively termed ‘Local Sites’. Local sites cover over 10% of the land area of Cornwall. They contribute to landscape character, link together and buffer many national and international sites, as well as supporting important habitats and species in their own right.’

We would like Local Sites to be shown on the Environmental Designations map.

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Para 2.9.6
Local Sites (both County Wildlife Site and County Geology Site) citations are held at the Environmental Records Centre for Cornwall & the Isles of Scilly (ERCCIS). It would be appropriate to include ERCCIS in the list of sources of guidance and
evidence, as it was in the 2004 Structure Plan. Would also like to see the Biodiversity and Geological Conservation Planning Best Practice Guide for Cornwall (2007) mentioned here.

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Para 2.9.8
Geodiversity has been omitted, although it was included in detail in the 2011 Local Validation Checklist (‘Validation requirements for Applications’, Jan 2011). Inclusion of geodiversity here is of relevance to, and would support Policy 23, No. 3.

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Cornwall Geoconservation Group welcomes protection of the World Heritage Site and its setting and would like to see a similar undertaking to protect the geological interest of the WHS as that protecting its historic environment. Without the underlying geology and mineralogy none of the surface structures would have been built and although this was considered an essential part of the original submission leading to designation, we feel that there is, to date, insufficient emphasis on the need to both protect and enhance this underlying geology and mineralogy.

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Again, geodiversity has been omitted.

Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box □x
If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box □
If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box □

Signature

Date 28th April 2014

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**Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?**

Yes ☐
No ☐
Part B: Previous representations

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Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes ☐ ✓  No ☐

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes ☐ ✓  No ☐

Do you want to make amendments to your previous comments?

Yes ☐ ✓  No ☐

If Yes;

What changes do you want to make;

This representation form relates to Policy 2
Please see response under part C, Q5

Part C: Your representation

Soundness
Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:

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Q3 **A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?**

Yes ☐
No ☑

Please specify the reasons below

Not in accordance with the NPPF

Q4 **Do you consider that the Local Plan meets the legal and procedural requirements?**

Yes ☐
No ☐

Please specify the reasons below
**Q5. Please provide any comments on the Local Plan – Strategic Policies.** Please use a separate box for each policy.

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The policy wording under Policy now includes the following:

“Positively manage new development in Cornwall through:

a. high quality design demonstrating a cultural, physical and aesthetic understanding of its location;

b. the protection and enhancement of environmental assets, including mitigation of unavoidable adverse effects, appropriate and proportional to their value; and c. wherever possible, adaptation of the development and environmental assets to climate change.

6. Maintain the special character of Cornwall, recognising all landscapes are important, in order to;

a. Promote and enhance the special qualities that make up the diverse and locally distinctive landscapes of Cornwall;

b. Identify the value and sensitivity of all landscapes, understanding what is important to the character to allow them to be protected, enhanced and conserved;

c. Create resilient landscapes and sensitively accommodate investment and growth within Cornwall’s unique landscape qualities, ensuring people continue to be drawn to Cornwall to visit and for a thriving healthy population to live and work;

d. Protect the natural beauty of the AONB and undeveloped coast.”

Both the CAONB and the TVAONB are concerned that the AONB designation is rolled in with “undeveloped coast” under point (d). The undeveloped coast is not a statutory designation, whereas the AONB is. The inference by placing them under the same point is that they have equal weighting or that the AONB lacks weight.

It is requested that the importance the TVAONB and CAONB designations be recognised within this section of this high level policy.

In addition the policy simply states that the positive management of new development will be achieved by the protection of natural beauty of the AONB. The AONBs in Cornwall (both TVAONB and CAONB) are not simply the result of their landscape and scenic beauty, but also the cultural and heritage value that they encapsulate and that has led to their designation. The policy wording under point (d)
in addition to separating out AONBs from undeveloped coast should altered as follows;

d. Conserve or enhance the AONB landscape, special qualities and setting as well as being fully in accordance with the detailed criteria set out within Policy 23.

It is noted that the definition of “major development” is to within Policy 9. This implies that major development is limited to housing and does not include other forms of development. It is suggested that the appropriate place for defining major development is within Policy 2.

The definition should also be as per the reference made with the NPPF (Para.116), as this is a broader definition of what constitutes major development and sets out some broad criteria for assessing impacts that would denote that a development is “major”.

Reli ance upon the definition contained in the Town and Country Planning (Development Management Procedure) (England) Order 2010 has been proven through a number of planning appeal decisions to be an insufficient method for defining major development, especially in nationally designated landscapes.

It is suggested that a definition of major development would be best places in this high level policy and that it relates to all development types as opposed to relying upon the reference in Policy 9 that implies only housing schemes can be considered as major development.

In addition to the above it is suggested that Policy 23 includes wording as to the interpretation of “major development” in the specific context of designated landscapes. Please refer to representation form on Policy 23 with the CAONB and TVAONB suggested wording.

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Yes I wish to participate at the examination in public

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Signature  Ben Dancer  Date  26/04/14

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Cornwall Local Plan – Strategic Policies
Proposed Submission document March 2014
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Yes ☑ No ☐

If Yes;

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Q3 A local planning authority should submit a plan for examination which it considers to be 'sound'. Do you consider the Plan has met these tests?
Yes ☐
No ☐✓

Please specify the reasons below

This representation form relates to Policy 18
Please see previous comments submitted by June Crosslsland with regard to Policy 18.

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?
Yes ☐
No ☐

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**Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?**
Yes ☐ No ☐
Part B: Previous representations

Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

We are sensitive to the time and effort people made at the last consultation and we are happy to accept comments made previously. If you would like your comments to be held over for this consultation you must tell us that is what you want.

Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes ☐ ✓ No ☐

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes ☐ ✓ No ☐

Do you want to make amendments to your previous comments?

Yes ☐ ✓ No ☐

If Yes;

What changes do you want to make;

This representation form relates to Policy 23.

Previous comments have been submitted by June Crossland with regard to Policy 23.

In addition to those comments I would like to also add that the policy does not make reference to the status or ability of adopted AONB management plans in planning system.

The guidance states as follows;

“Does planning need to take account of management plans for National Parks and Areas of Outstanding Natural Beauty?

Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area. As part of this, local planning authorities and neighbourhood planning bodies should have regard to management plans for National Parks and Areas of Outstanding Natural Beauty, as these documents underpin partnership working and delivery of designation objectives. The management plans highlight the value and special qualities of these designations to society and show communities and partners
how their activity contributes to protected landscape purposes.

National Parks and Areas of Outstanding Natural Beauty management plans do not form part of the statutory development plan, but may contribute to setting the strategic context for development by providing evidence and principles, which should be taken into account in the local planning authorities’ Local Plans and any neighbourhood plans in these areas.

National Parks and Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.”

It is not clear as to whether the adopted TVAONB or CAONB Management Plans have been used as evidence in formulating the Local Plan submission and the policy wording needs to reflect the ability for such plans to be considered as material considerations in making decisions on individual planning applications.

Finally, as set out in the representation form relating to Policy 2, both the CAONB and TVAONB are of the opinion that a definition of major development should be set out under Policy 2. In addition Policy 23 should define “major developments” in the context of the NPPF guidance under para.116 and specifically the AONB designation. This should be clearly addressed. Please see Q5 for suggested wording alteration to Policy 23 and please cross-reference these to the comments submitted on the representation form relating to Policy 2.

**Part C: Your representation**

**Soundness**

Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

**Legal compliance**

For a Local Plan to be considered legally compliant, the following needs to be determined:

- Whether the Local Plan is detailed in the current Local Development Scheme and that the key stages have been followed,
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- That the Local Plan has regard to national planning policy
• That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

**Q3** A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?

Yes ☐

No ☐ ✓

Please specify the reasons below

Not compliant with NPPF and does not reflect most up-to-date guidance as contained within the online “Planning Practice Guidance”.

**Q4.** Do you consider that the Local Plan meets the legal and procedural requirements?

Yes ☐

No ☐

Please specify the reasons below

**Q5.** Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

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Please see comments under Q2 above and proposed revised wording as below;

Development proposals will need to sustain local distinctiveness and character and protect and enhance Cornwall’s natural environment and assets according to their
international, national and local significance through the following measures;

1. Cornish Landscapes Development should be of an appropriate scale, mass and design, which recognises and respects the distinctive and diverse, landscape character. Development must take into account and respect and coastline as being vital to Cornwall’s economy.

Development should have regard for the sensitivity and capacity of the landscape asset, considering the potential for cumulative impact and the wish to maintain dark skies and tranquility in areas that are relatively undisturbed, using guidance from as set out in the Cornwall Landscape Character Assessment and supported by the descriptions of Areas of Great Landscape Value.

In areas of undeveloped coast, outside main towns, only development requiring a coastal location, and that cannot be achieved elsewhere, will be acceptable.

2. Ensuring that any development in or within the setting of landscapes of national importance in Cornwall is high quality, sustainable development that seeks to facilitate delivery of the adopted Cornwall and Tamar Valley AONB Management Plans. To achieve this development proposals should be:

• appropriately located, of an appropriate scale and address landscape sensitivity, capacity and visual impact;

• compatible with the distinctive character of the location described by the Landscape Character Assessment, with particular regard to the setting of settlements and the rural landscape; and

• designed to respect local character and quality in the use of locally distinctive building styles and materials and by ensuring developments maintain dark skies and levels of tranquility.

• taking account of the needs of agriculture, forestry, other rural industries and the economic and social needs of local communities

Development should only be permitted within the AONB or its setting where it can be demonstrated that it would conserve or enhance its natural beauty, character and special qualities and will not prejudice the achievement of the AONB purposes.

Planning permission shall be refused for major developments in designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. The definition of what constitutes major development within the AONBs is considered to be development that has the potential to have a major impact upon the designated landscape where;

a. the scale of the development is likely to have a detrimental visual impact that harms the scenic quality of the AONB, either within the AONB or its setting

b. the location of the development would erode the special qualities and features of the area of the AONB where the development is proposed (landscape, cultural, biodiversity, tranquility, etc.)

c. the type of development is not directly compatible with its surroundings; and/or

d. the development would conflict with the economic and social needs of local communities and the AONB’s guiding principles of sustainable development

3. Terrestrial and Marine Biodiversity and Geodiversity Specifically ensuring that with direct and cumulative impact;
a. international, national and locally designated sites for nature conservation are safeguarded from inappropriate development including appropriate buffer areas and provision made for their management based on up-to-date evidence and management plans.

b. features of biological or geological interest (including Biodiversity Action Plan habitats and species, and soils), are conserved, protected and enhanced and there is provision for their appropriate management.

c. there is no net loss of existing biodiversity and enable a net gain in biodiversity by designing in biodiversity, and ensuring any unavoidable impacts are appropriately mitigated and/or compensated for.

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Q6. **If your representation is seeking a change, do you wish to participate at the examination in public?**

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

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box ✅

If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box ✅

If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box ✅

Signature [Ben Dancer] Date 26/04/14
If you require any assistance in completing this form or require any further explanation as to what is required please contact a member of the local planning team using the email address below or telephoning 01872 224283.

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Carrick House
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Truro
TR1 1EB

This form has three parts:
Part A: Your personal details
Part B: Previous representations
Part C: Your representation

Part A: Your personal details
You must complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

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Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?
Yes ☑
No ☐
Part B: Previous representations

Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

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Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes ☐✓ No ☐

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes ☐✓ No ☐

Do you want to make amendments to your previous comments?

Yes ☐✓ No ☐

If Yes;

What changes do you want to make;

This representation form relates to Policy 9.

Previous comments were submitted by June Crossland on behalf of the CAONB and TVAONB.

The majority of those previous comments remain unaltered.

The previous comments wished to define “major development” in line with GDPO definition (i.e. 10 or more dwellings, site area exceeds 0.5Ha, etc.)

I wish to amend the previous comment to confirm that the wider definition of what constitutes “major development” as per para. 116 of the NPPF, which is not constrained to the GDPO definition should be included within the wording of Policy 9.
Part C: Your representation

Soundness
Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:
- Positively prepared
- Justified
- Effective
- Consistent with national policy

Legal compliance
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Q3 A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?
Yes ☐
No ☑

Please specify the reasons below

Not in accordance with NPPF.

The Policy still fails to provide a full context in respect of how the application of Policy 9 will be carried out when considering developments within the AONB designation as per para. 116 of the NPPF, in that planning permission should be refused for major development in these areas except in exceptional circumstances.

In addition there is nothing to define what is considered “major” beyond the standard Town and Country DMPO 2010 definition. In the context of the AONB designation it has been determined through a number of appeals that the meaning of “major development” contained within the NPPF under para. 116 is not the same as the Town and Country Planning DMPO
2010 definition and therefore this needs to be addressed in the wording of the Local Plan. Suggested that both Policies 2 and 23 are altered to define major development more fully. Please refer to representation forms commenting on Policy 2 and Policy 23 for more details.

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?
Yes ☐
No ☐

Please specify the reasons below

Q5. Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

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Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

Yes I wish to participate at the examination in public

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box ☒

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If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box ☒

Signature  Ben Dancer  Date  26/04/14

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Yes ☑ No ☐
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Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes ☑ No ☐

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes ☑ No ☐

Do you want to make amendments to your previous comments?

Yes ☐ No ☑

If Yes;

What changes do you want to make;


Part C: Your representation

Soundness

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Q3 A local planning authority should submit a plan for examination which it considers to be 'sound'. Do you consider the Plan has met these tests?

| Yes | ☐ |
| No  | ✓ |

Please specify the reasons below

See Previous comments provided by June Crossland on behalf of CAONB and TVAONB with regard to Policy 15.

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?

| Yes | ☐ |
| No  | ☐ |

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Signature | Ben Dancer  | Date | 26/04/14 |
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Yes □✓ No □

If Yes;

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Yes □✓ No □

Do you want to make amendments to your previous comments?

Yes □✓ No □

If Yes;

What changes do you want to make;

Additional comments to those previously provided by June Crossland, set out under Q5 (below)

Part C: Your representation

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Q3 A local planning authority should submit a plan for examination which it considers to be 'sound'. Do you consider the Plan has met these tests?
Yes ☐
No ☑

Please specify the reasons below

Not in compliance with the NPPF

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?
Yes ☐
No ☐

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The explanatory text for Policy 7 states as follows:

“2.17 Housing in the Countryside:

The plan seeks to address the needs of rural areas, looking in particular at shared solutions to the provision of services and facilities locally as well as options for improving access to larger centres. It is important that these rural areas can continue to thrive both economically and socially.

The Plan will not be defining settlement boundaries around towns and villages but development should however be limited to infill within the built area, not physically extending these settlements or through affordable housing led schemes (i.e. exceptions where an element of market housing is allowed to support their delivery). The focus is upon local needs and reflecting and respecting the character of Cornwall’s settlements. Neighbourhood Plans may if they feel it appropriate look to identify specific settlement boundaries consistent with this approach.”

There are concerns that the wording implies that all affordable schemes will contain an “element of market housing” thus precluding schemes for 100% affordable housing. Whilst this is following the trend for cross subsidy developments to deliver affordable housing it does not confirm what percentage of affordable units Vs. open market units is envisaged.

It also omits the key wording from para. 54 of the NPPF which states that “Local Planning Authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.” (Emphasis added).

In not defining settlement boundaries the Policy is in line with the move away from such an approach to spatial planning as advocated in the most –up-to-date guidance. However, the policy does not specify how development will be carried out in a sustainable manner. Instead it seeks to limit such development to infill development, which may not be compliant with the NPPF, which does not mention such an approach under section 6 “Delivering a wide choice of high quality homes”.
Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

**Yes** I wish to participate at the examination in public ✓

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box □✓

If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box □✓

If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box □✓

Signature  Ben Dancer  Date  26/04/14

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

**Data Protection**

In complying with the Data Protection Act 1998 Cornwall Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation.

Personal information will be added to the Council’s Local Plan consultation database and will be used to keep you informed of progress with the Local Plan and in order to consult with you further at each stage of the process to enable you to make future comments.

Personal information will also be shared with the Government appointed planning inspector (from the Planning Inspectorate), who may wish to
contact you to discuss your comments and concerns, prior to formal examination of the Local Plan and supporting documents.
Cornwall Local Plan – Strategic Policies
Proposed Submission document March 2014
representation form

Representations can be submitted by email to localplan@cornwall.gov.uk or by post to:
Cornwall Council – Local Plans Team
Carrick House
St Clement Street
Truro
TR1 1EB

This form has three parts:
Part A: Your personal details
Part B: Previous representations
Part C: Your representation

Part A: Your personal details
You must complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires all representations received to be submitted to the Secretary of State. By completing this form and submitting it to the Council you are giving your consent to the processing of personal data by Cornwall Council and that any information received by the Council, including personal data, may be put into the public domain, including on the Council’s website.

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<th>2. Agent details (if applicable).</th>
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<tr>
<td>Ben Dancer</td>
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<tr>
<td>CAONB &amp; TVAONB</td>
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<td>Tamar Valley Centre</td>
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<td>Cemetery Road</td>
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<td>Drakewalls Nr. Gunnislake</td>
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<td>PL18 9FE</td>
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Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?
Yes  □
No   □
Part B: Previous representations

Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

We are sensitive to the time and effort people made at the last consultation and we are happy to accept comments made previously. If you would like your comments to be held over for this consultation you must tell us that is what you want.

Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes ☐✓ No ☐

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes ☐✓ No ☐

Do you want to make amendments to your previous comments?

Yes ☐✓ No ☐

If Yes;

What changes do you want to make;

Please see Q5

Part C: Your representation

Soundness

Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:  
- Positively prepared
- Justified
- Effective
• Consistent with national policy

**Legal compliance**
For a Local Plan to be considered legally compliant, the following needs to be determined:
• Whether the Local Plan is detailed in the current Local Development Scheme and that the key stages have been followed,
• That community involvement has been carried out in accordance with the current Statement of Community Involvement
• Whether the Local Plan makes satisfactory regard to the Sustainable Community Strategy
• That the Local Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended)
• That the Local Plan complies with the Town and Country Planning (Local Planning) (England) Regulations 2012
• That a Sustainability Appraisal report is published to accompany the Local Plan and is adequate
• That the Habitats Regulations Assessment is carried out in accordance with the Conservation of Habitats and Species Regulations (The Habitats Regulations) 2010
• That the Local Plan has regard to national planning policy
• That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

**Q3** A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?
Yes  □
No   □✓

Please specify the reasons below

Not in compliance with NPPF and as detailed under Q5 below.

**Q4. Do you consider that the Local Plan meets the legal and procedural requirements?**
Yes  □
No   □

Please specify the reasons below
**Q5. Please provide any comments on the Local Plan – Strategic Policies.** Please use a separate box for each policy.

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<thead>
<tr>
<th>Document</th>
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<tbody>
<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td></td>
<td>Policy 3 – Role and Function of Places</td>
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<tr>
<td>Sustainability Appraisal Report</td>
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**Policy 3 sets out how growth will be achieved in line with the Council’s strategic priorities.**

The first part of the policy states as follows:

“The scale and mix of uses of development and investment in services and facilities should be proportionate to the role and function of places. New development 2010-2030 will be accommodated in accordance with the following hierarchy:

1. Delivery of the overall housing provision as set out in Policy 2 alongside larger scale community, cultural, leisure, retail, utility, employment will be managed through a site allocations DPD or Neighbourhood Plans for the following towns and residential development will be accommodated in:

   Camborne with Pool, Illogan and Redruth;
   Falmouth with Penryn;
   Penzance with Newlyn;
   St Austell;
   Truro with Threemilestone;
   Newquay;
   Bodmin;
   Launceston;
   Bude with Stratton and Poughill; Helston;
   St Ives with Carbis Bay;
   Saltash;
   Hayle;
   Liskeard and Wadebridge.”

The previous comments of the CAONB and TVAONB raised concerns over such an approach when considering development within the context of the Neighbourhood Areas.

Both the CAONB and TVAONB remain concerned as to how a co-ordinated, sustainable approach to growth in the these areas and with specific reference to the designated landscape can be effectively achieved.
The questions raised by the approach of Policy 3 are;

1. How will the effective co-ordination over housing distribution be achieved at the Parish level given that the “Policy Messages for Places” does not provide any guidance to the selection of sites, landscape sensitivity or capacity, or the allocation of development beyond that set out for the main towns within the CNAs?
2. How will co-ordinated growth be achieved where neighbourhood plans are absent in the NA’s or where the allocations for growth are very low?
3. Can reliance be made upon Policy 9, which by its very nature lead to a sporadic and uncoordinated growth pattern in rural areas and where the landscape impacts are not clearly identified or indeed known?
4. Given the above can Policy 3 be said to comply with the NPPF guidance as set out in paragraphs 7 and 8.
5. As there is no practical mechanism identified for how communities will coordinate allocations through their Neighbourhood Plans is the policy compliant with the guidance set out under para. 17 of the NPPF in relation both to providing “a practical framework for decision making” and also in taking “account of the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”?

Given the above questions over the effectiveness of Policy 3 in combination with the lack of definition and guidance as set out in representations of Policies 2 and 23 both the CAONB and TVAONB do not consider that there is sufficient guidance on the distribution of growth.

This uncertainty is not currently addressed in the “Policy Messages for Places” meaning that the policy framework as set out above does not demonstrate compliance with the guidance set out under para. 109 of the NPPF.

Previous submissions have been made by CAONB and TVAONB in respect of the CNA’s and their associated policies. This updated representation in relation to Policy 3 also updates the comments made in respect of the CNAs to take into account the alterations to the figures relating to the broad distributions of new dwellings (minimum). This update should therefore be read in conjunction with the previous submission that includes summaries of the "statement of significance" for each of the AONB sections which remain relevant and unchanged. In addition the lack of an overall spatial strategy for this CNAs is still of concern as highlighted.

PP2 Hayle and St Ives(-Carbis Bay) CNA

The previous comments of the CAONB in respect of this CNA still apply in that the policy fails to recognise that the high quality undeveloped coastal landscape does not have the capacity to accommodate major development without causing significant harm. In addition the policy does has not been altered to provide any indication of constraints on the expansion of St Ives and there is no specific reference to the proximity of the town to the designated landscape.
The significant alteration from 750 to 1000 dwellings only serves to increase the impact of development upon the adjacent AONB section and further exacerbate the likely encroachment and visual impacts within the AONB's setting.

PP3 Helston and the Lizard

The previous comments of the CAONB in respect of this CNA still apply. In addition the increases to the figures for development in both the CNA residual and CPR CNA are significant. The impacts upon the numerous smaller villages where such distribution will need to occur outside of Hayle will likely lead to adverse impacts upon their existing character. In addition large scale developments in this settlements would likely lead to adverse visual impacts, especially as they may well need to be accommodated on peripheries and so alter the nature of the settlement patterns and their relationship with the landscape as they expand.

PP10 Wadebirdge and Padstow (CNA residual)

The previous comments of the CAONB in respect of this CNA still apply. In addition the increase in development, noting the remaining requirement stands at 505 dwellings and low amount of completions only serves to highlight the difficulties in accommodating development within this sensitive landscape. This significant amount of housing will likely have a harmful impact upon the tranquility of the Camel estuary if provided in large scale developments. In addition accommodating of this level of housing will harm the character of the dispersed settlement pattern which consists mainly of clustered farmsteads and hamlets. The impact upon the open nature of the landscape should not be underestimated given the unique estuarine landscape on the North Coast of Cornwall.

PP12 Camelford

The previous comments of the CAONB in respect of this CNA still apply. In addition it is again noted that there is a significant increase in the overall target housing provision. Again the remaining requirement is significant standing at 814 dwellings. The CAONB would reiterate that it has concerns over the lack of a spatial strategy for the distribution of housing beyond Camelford and that the distribution of housing across the historic settlements located within and adjacent to the Pentire Point to Widemouth AONB (section 2) is likely to harm the historic settlement patterns. It is also likely that further development in key areas close to the coast such as Tintagel will exacerbate the potential for negative visual impacts and encroachment upon this unspoilt rocky coast and the iconic views and landmarks that dominate this AONB landscape.

PP13 Bude

The previous comments of the CAONB in respect of this CNA still apply despite the alterations to paragraphs 16.7 and 16.8 of the explanatory text. Concerns that the significant change to housing only serves to exacerbate the likely visual harm and disruption to the character of the settlements within the
nearby AONB sections (Hartland and part of the Pentire Point to Widemouth AONB sections). Hartland, in particular, is a landscape gives the impression of being largely empty (especially inland) and therefore even small developments have the potential to harm this largely undeveloped landscape in the same way as larger developments can.

PP15 Liskeard and Looe (CNA residual)
The previous comments of the CAONB in respect of this CNA still apply. In addition it is again apparent that more than 50% of the overall target housing provision (1400) remains as a requirement (some 732 dwellings). Again the distribution of these will impact both the moorland landscapes near such as that surrounding Liskeard at villages such as St. Neot as well as the coastal villages surrounding Looe. The impacts upon these areas and their inherent qualities are not adequately recognised within PP15. The visual impacts of developments along the coast will potentially be perceptible across long stretches of the Cornish coastline. The impacts of development on the villages surrounding Liskeard have the potential to alter their character as they breach previously defined peripheries that shaped older settlement patterns in this granite dominated landscape.

PP17 Cornwall Gateway (Saltash and Torpoint)
The previous comments of the CAONB and TVAONB in respect of this CNA still apply. In addition it is noted that significant increases to the target for housing are proposed. It is likely that such development will be perceptible for a large distance given that both can be readily discerned from as far away as Kit Hill with easily identified landmarks being easily seen at that distance from along the "spine" of land that runs east to west from Gunnislake - Liskeard. Developments at Saltash have the effect of encroaching beyond the extended boundary of the town which is now beginning to reach out towards smaller settlements at Trematon, Botus Fleming, Carkeel and Hatt. The natural buffer to development formed by the River Tamar means that such development is forced to the West and south west of Saltash where the Tamar Valley AONB surrounds the town (inclusive of the very tranquil creek influenced Lynher Valley. Developments along this area have the potential to harm the rural character that is only just being maintained in these sections of the Tamar Valley and where the best examples of its special qualities are in evidence.

At Torpoint development proposals in this location will exacerbate current issues in relation to the rural road network as well as further encroaching along the estuarine and coastal landscape.

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Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box ☑
If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box ☑
If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box ☑

Signature  Ben Dancer  Date  27/04/14

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Local Plan – Strategic Policies

Pre-submission document representation form

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

1. Personal details.  2. Agent details (if applicable).

<table>
<thead>
<tr>
<th>Name</th>
<th>June Crossland</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation</td>
<td>Cornwall AONB Partnership</td>
</tr>
<tr>
<td>Address line 1</td>
<td>Cornwall AONB Unit</td>
</tr>
<tr>
<td>Address line 2</td>
<td>13 Treyew Road</td>
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<tr>
<td>Address line 3</td>
<td>TRURO</td>
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<td>Address line 4</td>
<td>Cornwall</td>
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<tr>
<td>Postcode</td>
<td>TR1 2BY</td>
</tr>
<tr>
<td>Telephone number</td>
<td>01872 322350</td>
</tr>
<tr>
<td>Email address</td>
<td><a href="mailto:jcrossland@cornwall.gov.uk">jcrossland@cornwall.gov.uk</a></td>
</tr>
</tbody>
</table>

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

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

[ ] Yes [ ] No

Please specify the reasons below

Not consistent with national policy

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

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

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<thead>
<tr>
<th>Document</th>
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<td>Strategic Policies</td>
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<td>the Countryside</td>
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<td>Sustainability Appraisal</td>
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<td>Report</td>
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<tr>
<td>NPPF Para 55 – Development in rural areas</td>
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<tr>
<td>NPPF Para 115 – Great Weight should be given to conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs</td>
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<tr>
<td>Conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs in the context of a guidance for housing in the countryside</td>
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The policies in the Cornwall Local Plan need to provide appropriate guidance for the management of development in Cornwall’s protected landscape that accords with the National Planning Policy Framework (NPPF), with special regard to paragraph 115 which requires that great weight should be given to conserving landscape and scenic beauty in AONBs, which has the highest status of protection.

NPPF Paragraph 55 requires that:

“Local Planning Authorities should avoid isolated homes in the countryside unless there are special circumstances” and these are listed. Clause 1, 2 4, and the first part of clause 3 complies with this guidance, but the second part of this clause would enable accommodation to be provided in the countryside to support viable rural businesses. This is a significant concern in the AONB’s where many rural businesses are accommodated in the countryside that currently does not have the benefit of residential accommodation. Under previous policy guidance which has conformed to national policy where there has been no justification for a dwelling on agricultural grounds this development has been discouraged, resulting in the designated landscape getting appropriate protection from development, other than agriculture associated with rural business uses. Introducing a more permissive approach to development associated with rural enterprises will result in the introduction of new development in sensitive landscapes.
Q4. Did you raise this issue earlier in the plan preparation process?

Yes

If yes, please specify at what stage:

Submission on

- Cornwall AONB and Tamar AONB Partnerships previous submissions – Planning Future Cornwall Consultation February 2011 and Jan- March 2012
Response to working draft for Submission to the Secretary of State July 2012

Dialogue since this date – requirement for an evidence base on landscape sensitivity analysis of local plan growth strategy for major development in the AONB (over 10 dwellings) (email re local plan and AONB dated 09.10.12)

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

Yes  I do wish to participate at the examination in public

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

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

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

Next steps
The representations received during this formal round of consultation will be reported to and considered by the Council. Any significant changes will be consulted on prior to consideration by the planning inspectorate, who will appoint an inspector to conduct an examination in public.
ITEM 7 - APPENDIX 3

ANNEX 1.

ADOPTED CORE STRATEGY AONB POLICIES.

1.1 A review was taken of Adopted Core Strategies that contain relevant AONB policies. A total of 23 Core Strategies were reviewed with various policy examples being included in this note. The AONB policies all contained a common theme of the need to protect the natural beauty, character and special qualities of the various AONBs. The need to ensure that the development that does occur is appropriately situated and sensitive in order to protect, conserve and enhance the landscape was also highlighted.

They various policies address many different issues including:

- The value of AONBs
- The impacts of cumulative development
- The impact of development outside the AONB.
- Design.
- Specific qualities in the AONB
- Management Plans- and how they should guide development in the AONB.
- The weight given to AONB protection.
- Working in partnership.

1.2 THE VALUE OF AONBs.

Many address the underlying reason for including AONB policies – the recognition that protected and high quality landscapes are important assets to an area for many varied reasons.

- Hambleton – Recognises the contribution Nidderdale AONB and its natural assets make in the form of “value for tourism, contribution to quality of life and providing a local identity to the district.”
- Lancaster – talks of an environmental capital of which the community can be ‘justifiably proud’
- North Norfolk – identifies the AONB as contributing to the “unique quality of the area” and how it helps “support a thriving tourism industry and provides a valuable leisure and recreation resource for residents”.
- Shropshire – “Shropshire Landscape is a key economic asset creating not only an attractive place to live and work but also in important tourist destination.”
- Tonbridge and Malling – “Area is an important amenity and recreation area for both local people and visitors, particularly for walking and cycling.”

1.3 CUMULATIVE IMPACT.

Several Core Strategies address the need for the cumulative impact of development to be assessed.
- Havant – Policy CS12 - “Development will be permitted where it carefully assesses the impact of individual proposals, and their cumulative effect, on the Chichester Harbour AONB, and its setting”.
- North Norfolk – Policy EN2 – “The impact of individual proposals, and their cumulative effect, on the Norfolk Coast AONB, The Broads and their settings, will be carefully assessed”.
- Shropshire – Paragraph 4.70 - identifies unacceptable development which may either “individually or cumulatively erode the character of the countryside, will not be acceptable”.

1.4 DEVELOPMENT OUTSIDE THE AONB.

- South Hams – Policy CS9 – “On sites outside AONBs or Dartmoor National Park development will not be permitted which will damage their natural beauty, character and special qualities or prejudice achievement of their designated purpose”
- Tandridge – Policy CSP 20 - “Conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the AONB”
- Ashford – Paragraph 6.33 - “Development located outside an AONB but which would also have an impact on the setting of an AONB should be resisted”
- Mid-Devon – Policy COR2 (C) “Within the Blackdown Hills AONB or adjoining the AONBs or Exmoor and Dartmoor National Parks – the primary objective will be to protect the special environmental qualities of that landscape and its setting.

1.5 DESIGN.

- Havant – Paragraph 7.15 - “Proposed development affecting the AONB should be of the highest design quality”
- Shropshire – Paragraph 4.70 - “There will be a significant emphasis on achieving quality and sustainability of design, particularly locally appropriate design and use of materials………………………..Whilst these considerations will apply generally, there will be areas where development will need to pay particular regard to landscape character, biodiversity or other environmental considerations including in the Shropshire Hills Area of Outstanding Natural Beauty.”

1.6 SPECIFIC QUALITIES IN AONB TO BE PROTECTED.

- Mole Valley – Policy CS13 – “The AONB will be protected in accordance with the objectives of PPS7 and the Surrey Hills Management Plan, with particular focus on the impact of development on ridge lines, significant views, peace, tranquillity and levels of artificial light”
- New Forest – Objective 8 - “to promote public education and understanding of the care and quiet enjoyment of the natural environment”
- Mid Devon – Policy COR2- “Local Distinctiveness- Development will sustain the distinctive quality character and diversity of Mid Devon’s environmental assets through
(C) the preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within landscape character areas. Within the Blackdown Hills AONB or adjoining the AONB or Exmoor and Dartmoor National Parks, the primary objective will be to protect the special environmental qualities of that landscape and its setting.

1.7 MANAGEMENT PLANS.

Several Core Strategies have direct reference to AONB Management Plans.

- Eden – Paragraph 8.3 - “The North Pennines AONB Management Plan will be used to help guide development decisions.”
- Havant- Policy CS12 - “Development will be permitted where it meets the policy aims of the Chichester Harbour AONB Management Plan.
Paragraph 7.15 - “The AONB Management Plan and its supporting documents identify the distinctive features and characteristics of the landscape and provide the framework for the management and ongoing spatial planning of Chichester Harbour AONB………………Development will be permitted where it conserves and enhances the special qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan).”
- Tunbridge Wells – Paragraph 5.90- The High Weald AONB Management Plan is structured around five key components of landscape character, geology, landform, watersystems and climate, settlements, routeways, woodland, and field and heath and the Borough council will have particular regard to these in determining development proposals affecting the High Weald.
- Mole Valley –“In order to monitor the policy the council will work with the Surrey Hills AONB Office to implement the AONB management plan and will review the results of their annual monitoring of that plan”
- New Forest District Council – Paragraph 3.2.6- “A Management plan has been adopted by the local authorities within the AONB. Major new development would not be in line with protecting the AONB’s special landscape qualities.
- Shropshire – Paragraph 7.7- “For development affecting the Shropshire Hills AONB, particular regard should be paid to the Shropshire Hills AONB Management Plan.”
- South Bucks – Core Policy 9 - “The Conservation and enhancement of the Chilterns AONB and its setting will be achieved by ensuring that all development complies with the purpose of the AONB and it’s management plan.
- North Norfolk – Policy EN1- Development will be permitted where it seeks to facilitate delivery of the Norfolk Coast AONB management plans objectives.
- Tandridge – Paragraph 17.2 - The Management plan should be used as “the principle means of guiding the future management and enhancement of these areas”

1.8 WEIGHT.
• South Hams – Policy CS9 – In designated AONBs their conservation and enhancement will be given great weight.”
• South Bucks – Core Policy 9, Natural Environment – “The highest priority will be given to the conservation and enhancement of the Natural Beauty of the Chilterns Area of Outstanding Natural Beauty”.

1.9 PARTNERSHIP.

• Tonbridge and Malling – Paragraph 6.2.16 – “The Council will seek in practical ways, in partnership with others, to conserve and enhance the AONBs in the Borough.”
• Central Bedfordshire – Paragraph 8.4.2- “The Council works in Partnership with the Board to conserve and enhance the natural beauty of the landscape and will continue to protect it from inappropriate development”.
• Eden – Paragraph 8.3- “Eden District Council is responsible for planning decisions in the AONB and will seek to ensure that all proposals are of a standard appropriate to the high landscape of the area”

2.0 EXAMPLES OF SPECIFIC AONB POLICIES:

2.1 Havant Policy- Policy CS12.
Chichester Harbour Area of Outstanding Natural Beauty (AONB)
Development will be permitted where it;
(1) Carefully assesses the impact of individual proposals, and their cumulative effect, on the Chichester Harbour AONB and it’s setting.
(2) Is appropriate to the economic, social and environmental well being of the area or is desirable for the understanding and enjoyment of the area.
(3) Conserves and enhances the special qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan).
(4) Meets the policy aims of the Chichester Harbour AONB Management Plan
(5) Provides mitigation of any detrimental effects including where appropriate the improvement of existing damaged landscapes relating to the proposal.

2.2 North Norfolk – Policy EN1.
Norfolk Coast Area of Outstanding Natural Beauty and the Broads - The impact of individual proposals and their cumulative effect, on the Norfolk Coast AONB, The Broads and their settings will be carefully assessed. Development will be permitted where it; is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area; does not detract from the special qualities of the Norfolk Coast AONB or The Broads; and seeks to facilitate delivery of the Norfolk Coast AONB management plan objectives. Opportunities for remediation and improvement of damaged landscapes will be taken as they arise. Proposals that have an adverse effect will not be permitted unless it can be demonstrated that the benefits of the development clearly outweigh any adverse impacts. Development proposals that would be significantly detrimental to the special qualities of the Norfolk Coast AONB or the Broads and their settings will not be permitted.

2.3 Tandridge. – Policy CSP20
Areas of Outstanding Natural Beauty
The conservation and enhancement of the natural beauty of the landscape is of primary importance within the two Areas of Outstanding Natural Beauty, reflecting their national status. The principles to be followed in the area are to;

a) Conserve and enhance the special landscape character, heritage distinctiveness and sense of place of the locality
b) Conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the AONB.
c) Protect prominent locations of skylines and slopes and for development to take advantage of existing landscape features and tree screening;
d) Support suitable located sustainable development necessary to facilitate the environmental, economic and social well being of the AONB’s and their communities;
e) Promote access to, particularly by means other than the car, recreation within and enjoyment of the area.
f) Apply the highest environmental design standards to development. The same principles will be applied in the associated Area of Great Landscape Value which will be retained in its own sake; as a buffer to the Surrey Hills AONB and to protect views from and into the AONB.

3.0 POLICY PRINCIPLES.

- The use of positive rather than negative planning – Rather than aiming to restrict development in Cornwall aiming to ensure that all development is situated in the most suitable location and that the protected landscape is managed in the most beneficial and effective way. To ensure development makes a positive contribution to the AONB and respects local distinctiveness.
- Recognising the intrinsic value of the AONB landscape in its own right and that it is a key economic resource of the county creating an important tourism destination as well as a highly valued resource for agriculture, recreation and wildlife.
- The need to look at the cumulative impact of individual developments within the AONB.
- The Cornwall AONB Management plan should be used as the principle means of guiding the future management and enhancement.

3.1 SUGGESTED POLICY.

**Cornwall AONB Policy.**

Ensure that any development in or within the setting of landscapes of national importance in Cornwall is high quality sustainable development that seeks to facilitate delivery of the Cornwall and Tamar Valley AONB Management Plan objectives. Development should be permitted where

i) It is appropriate to the economic, social and environmental well-being of the AONB’s and their communities and does not detract from the special qualities of the AONB.
ii) It is desirable for the understanding and enjoyment of the area.
iii) It is appropriately located and of appropriate scale and of the highest environmental design standards.
iv) It is compatible with the distinctive character of the location described by the Landscape Character Assessment, with particular regard to the setting of settlements and the rural landscape; and
v) It is designed to respect quality of place in the use of distinctive local building styles and materials, dark skies and tranquillity.

Particular care will be taken to ensure that no development, either individual or cumulative, is permitted in or outside the AONB which would damage its natural beauty, character and special qualities or otherwise prejudice the achievement of the AONB purposes.
Planning Protocol
between the Cornwall Area of Outstanding Natural Beauty (AONB), Tamar Valley Area of Outstanding Natural Beauty and Cornwall Council.

Purpose: To be taken forward for discussion with the Tamar Valley AONB Partnership and the Planning and Regeneration Service of Cornwall Council.

1. Purpose of the protocol

1.1 This protocol sets out the process for effective consultation between Cornwall Council and the Cornwall AONB and Tamar Valley AONB Partnerships’ to consider planning matters affecting the AONB in Cornwall.

1.2 It aims to:
- Clarify roles and responsibilities in relation to statutory spatial planning;
- Clarify the mechanisms for consultation and communication between the AONB Partnerships’ and the local planning authority;
- Promote a consistent approach to the application of policies for the Cornwall AONB and Tamar Valley AONB with Cornwall Council;
- Identify areas where the AONB Partnerships’ can provide additional support and guidance to assist planners in carrying out their functions in relation to the AONB;
- Identify the roles of the AONB Unit/Team and Partnerships’ in relation to the protocol.

2. Background

2.1 The Cornwall AONB and Tamar Valley AONB Partnerships’ primary task is to champion and promote the conservation and enhancement of the natural beauty of the AONB. The Government has confirmed that AONBs are equivalent to National Parks in terms of their landscape quality, scenic beauty and their planning status. All public bodies and statutory undertakers must have regard to the primary purpose of the AONB designation in performing their statutory functions, as required by the Countryside & Rights of Way Act 2000 (CRoW Act Section 85). The Local Authority has a statutory duty to produce and review management plans for the areas (CRoW Act Section 89).

2.2 In 2004, the Cornwall AONB and the Tamar Valley AONB Partnerships’ produced statutory Management Plans which sets out the overall vision, policy aims and objectives for the AONB from 2004-9 and the actions required to deliver this vision. The Tamar Valley AONB Partnership has undertaken a Review of the Management Plan and the plan has been adopted by Cornwall Council (December 2010). The Cornwall AONB Partnership has also completed a Review, the Management Plan was adopted in February 2011 and published in March 2011. This planning protocol should be implemented with regard to the agreed and adopted policy aims and objectives of the Management Plans.

2.3 The Cornwall AONB Management Plan (February 2011) policy PD13 sets down the need to ‘Promote the adoption, use and when appropriate, revision to the Planning Protocol for the Cornwall AONB and the Tamar Valley AONB with Cornwall Council to ensure that effective consultation is achieved on policy preparation and major or significant development within and in the setting of the AONB in Cornwall.’
Tamar AONB Management Plan Policy Sg1 ‘Seeks to ensure that the planning system pro-actively protects the landscape integrity and local distinctiveness of the area.’

2.4 Planning Guidance
National planning guidance for AONB’s is set down in the National Planning Policy Framework which provides a positive approach to protecting valued landscape stating that “great weight should be given to conserving landscape and scenic beauty” in the AONB. Paragraph 115 states that:

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.”

2.5 The Cornwall Structure Plan and the former District Local Plans provide ‘saved’ policies that support the conservation and enhancement of the Cornwall AONB. Now that Cornwall is one Unitary Authority, a new Cornwall Local Development Framework (LDF) is being prepared and policies outlined in the LDF Core Strategy will replace these policies in March 2012.

3. Local Authority Planning Responsibilities

3.1 The main responsibilities of the Cornwall Council as Local Planning Authority are:

- Establishing spatial planning policies and strategies through the preparation of Local Development Frameworks and their supporting documents.
- Production of the Local Transport Plan.
- Determination of the planning and related applications for:
  - Minerals extraction and waste management
  - House extensions and alterations
  - Residential development
  - Employment, leisure and shopping development
  - Engineering operations
  - Telecommunication and energy schemes
  - Agricultural buildings
  - Change of use of land or a building
  - Conservation and Listed Building consent
  - Advertisement consent
  - Work on protected trees and removal of hedgerows
  - Determining whether prior notification of design and siting is required for:
    - Telecommunication schemes under part 24 of the GPDO
    - Agricultural buildings under part 6 of the GPDO.

4. The Planning Authority’s Role in the Protocol

The planning authority will:

4.1 Take account of AONB management policies and guidance and where appropriate liaise with the AONB Unit/Team on significant planning matters regarding the AONB. Section 89 and 90 of the Countryside an Rights of Way Act 2000 (the CroW Act) created a statutory responsibility for local authorities to produce AONB Management Plans, and Section 85 of the Act sets down a requirement that the statutory purposes of the AONB to conserve and enhance the natural beauty of the landscape be taken into account when coming to decisions or carrying out their activities relating to or affecting land within the AONB. The Local Planning Authority therefore will, in the
context of these statutory responsibilities, ensure emerging planning policies and
development management decisions conserve and enhance the Cornwall and Tamar
Valley AONB.

4.2 Recognise the policies set down in the adopted Management Plans that supplement
and support the policies set out in the Development Plan are a material consideration
in the determination of planning applications.

4.3 Engage with the AONB Unit/Team/Partnerships’ on the preparation of emerging
Local Development Framework in order to ensure the appropriate level of protection
for the natural beauty of the AONB in Cornwall. The AONB Unit/Service will be
invited where appropriate to advise the Policy Panel on AONB policy. The Cornwall
Core Strategy is currently under preparation, which is during the period the Cornwall
AONB and Tamar Management Plans has been reviewed. The AONB Management
Plan can be viewed as being a spatial planning tool. Accordingly, AONB
Management Plan preparation and the Local Development Framework are
complementary processes which accordingly should serve to strengthen the
complementary policy objectives.

4.4 Representatives from the AONB Unit/Service shall be invited to the Planning Liaison
Group meeting when major and significant (as outlined below) applications in the
AONB are discussed. Consult the Cornwall AONB and Tamar Valley AONB Teams
for advice on planning applications where in the opinion of the local planning
authority, they may have a significant impact on the AONB and where the provision of
advice would assist the decision-making process.

Such applications should include:

**Major planning applications** that are located outside, or close to the edge of, built
up areas as defined within local plans or development frameworks, and in the rural
areas of the AONB. Major planning applications will be defined as:

- Residential developments involving 10 or more dwellings or (where the
  number of dwellings is not indicated) where the site is more 0.5Ha.
- Other development where the floor space proposed is more than 1000
  square metres or where the site is more than 1Ha.
- Minerals and waste management – applications over 1Ha involving new
  or extended mineral extraction areas, or restoration of old or existing
  sites, or any site used for the management of waste.
- Renewable energy applications (where the height is 50m or above to the
  tip of the wind turbine blade, or a cluster of 3 turbines or more (to include
  applications that impact on the setting of the AONB)

**Other significant applications as defined below:**

- Development that would **conflict with or prejudice** the implementation of the
  AONB Management Plan;
- Development of land which, by reason of its scale, height or nature of the location
  of the land, would have a **significant adverse impact** on the protected
  landscape;
- Cumulative development, of whatever scale, where it can be demonstrated to
  cause **substantial erosion** of the natural beauty of the AONB; and
- Telecommunication masts, renewable energy/infrastructure developments, and
  other prominent structures which would have a **significant adverse impact** on
  the protected landscape

These applications would include those that are not sited within the AONB, but
because of their proximity to the boundary of the AONB, would have an impact on the
conservation and enhancement of the natural beauty of the AONB.

4.5 Plymouth City Council’s administrative area is outside of the AONB but the Council
will consult the AONB Team on the developments outlined above that its officers
consider likely to have an impact on the visual quality and tranquillity of the AONB. These will primarily include major and significant applications (see above) and a mapped zone of the area subject to consultation will be agreed between the Tamar Valley AONB Team and the City Council.

4.6 The Planning Delivery teams will consult the AONB Team/Unit during pre-application discussions and in the preparation of development briefs on the applications listed above.

4.7 Cornwall landscape character – best practice guide provides development guidance using the Cornwall and Isles of Scilly Landscape Character Study 2005-2007. A Planning Toolkit has been prepared by the Cornwall AONB Partnership that assists in assessing the impact of development on the protected landscape utilising the Landscape Character Study resource. The Landscape Character Study is available on http://mapping.cornwall.gov.uk/website/ccmap/default.asp?layerName=Landscape%20Character%20Areas . The toolkit will be promoted by the Cornwall AONB Unit as best practise.

5. The AONB Partnership’s Role in the Planning Protocol

5.1 The AONB Partnerships’ will in most cases make responses and provide input through the AONB Staff Unit/Team, the manager of which has delegated responsibility under the terms set out in this protocol to act on behalf of the Partnership. The planning advice provided by the Cornwall AONB Unit will be reported to the Partnership quarterly meetings. In exceptional cases, for example where an application may result in wide impacts across the AONB, the Team should seek the advice and views of the Partnership Board or relevant steering/working group thereof as appropriate.

The AONB Partnerships’ will:

5.2 Work with Local Planning Authorities, Community Networks and Parish Councils to raise the profile of the AONB designation and statutory Management Plan, for example by assisting with training and through attendance of liaison meetings with the planning authority. The Tamar Valley and the Cornwall AONB Team/Unit will organise these meetings and they will take place, as a minimum, once a year. The purpose of these meetings will be liaison but the priority will be the exploration of training opportunities. The AONB Unit/Service will engage in training opportunities including the Local Seminar and Workshop Programme and provide training on the delivery of the reviewed AONB Management Plans.

5.3 Review and consider consultation documents prepared as part of Local Development Framework preparation and other relevant documents. Where appropriate the Partnerships’ will undertake further discussion with relevant local authority officers and prepare and submit clear technical advice to the Local Planning Authority within the required time scales.

5.4 As referred to in section 4.3 the preparation of the Cornwall AONB Management Plan Review and the Development Plan Documents is seen as complementary processes and the management plan is viewed as a spatial planning tool. The Review of the Management Plan has been undertaken, in terms of community consultation/stakeholders engagement and the preparation of a Sustainability Appraisal so that it would meet the requirements of a Supplementary Planning Document (SPD). It is recognised that the Cornwall AONB Management Plan 2010-2015 can not currently be taken forward in the Local Development Scheme as an SPD. However, on the adoption of the Cornwall Core Strategy the AONB Partnership will promote the adoption of the Cornwall AONB Management Plan 2011-2016 as a SPD.
5.5 In consultation with appropriate local planning authority case officers submit advice on planning applications within the required time scales. Comments will normally be submitted electronically. The applications considered would be those selected from those described under section 4.4/4.5 above and applications, which fall into these categories, referred to the AONB Unit by Parish Councils.

5.6 Where appropriate provide support towards planning appeals and LDF examinations, where there are significant planning issues for the AONB. Where a local planning authority has not consulted the AONB Team on an application or consultation draft, the Unit/Team may decline to support appeals and examinations on these cases.

5.7 Work with local authorities to provide tools to aid policy formation and decision making, such as the Cornwall and Isles of Scilly Landscape Character Study, management guidelines and guidance on topics such as agricultural diversification, rural-urban fringe issues and renewable energy development.

5.8 A Planning Toolkit which has been prepared by the Cornwall AONB Partnership, which assists in assessing the impact of development on the protected landscape utilising the Cornwall and Isles of Scilly Landscape Character Study 2005-2007 resource is used in the advice on planning application provided by the Cornwall AONB Team and is promoted as best practice.

6. Criteria for responses

6.1 In considering planning matters, the AONB Partnerships' will base their responses around the primary purpose of the designation – the conservation and enhancement of natural beauty. As such, it will be led by the Countryside & Rights of Way Act 2000, relevant national planning policy statements, the Cornwall Structure Plan 2004, the saved Local Plan policies, the Cornwall AONB and Tamar Valley AONB Management Plans, The World Heritage Site Management Plan, the Cornwall and Isles of Scilly Landscape Character Study and other relevant Development Plans/Strategies.

6.2 Responses will set out the nature of the impacts on the character and qualities of the AONB and whether/how they could be mitigated. From this, the Partnerships’ will provide clear technical advice for consideration by the local planning authority.

6.3 The AONB Partnership will submit all input on planning applications directly to the local planning authority and will endeavour to facilitate e-consultation.

6.4 The Cornwall AONB and Tamar Valley AONB Partnerships’ comprise of a wide range of organisations from private sector to local government and statutory agencies. In submitting comments it will be made clear that, while comments made on behalf of the Partnerships’ are representative of the Partnerships’ view as a whole, the comments made will not necessarily be consistent with the views of individual organisations represented on the Partnerships’. Any individual organisation on the Partnerships’ may reserve the right to disassociate themselves from any particular comments put forward, subject to their declared interests.

6.5 Comments submitted by the Unit/Team will be reported to the Partnerships’ at its regular meetings and details with be available from the Cornwall AONB Unit and Tamar Valley AONB Team.

JC/planning protocol/sept 12 – amended to incorporate changes agreed with DM
Local Plan – Strategic Policies
Pre-submission document representation form
Please return to Cornwall Council by 5.00pm on 22 April 2013
Please complete a separate sheet for each representation you wish to make (All representations will become public)

1. Personal details.
Name: June Crossland
Organisation: Cornwall AONB Partnership
Address line 1: Cornwall AONB Unit
Address line 2: 13 Treyew Road
Address line 3: TRURO
Address line 4: Cornwall
Postcode: TR1 2BY
Telephone number: [Redacted]

2. Agent details (if applicable).

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

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

No

Please specify the reasons below

Not consistent with national policy

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

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

<table>
<thead>
<tr>
<th>Document</th>
<th>Paragraph number</th>
<th>Policy number</th>
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<tbody>
<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td></td>
<td>Policy 2 and 3</td>
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<td>Sustainability Appraisal Report</td>
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**NPPF Para 113 - Criteria based policies**

**NPPF Para 115 – Great Weight should be given to conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs**

**Conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs in the context of a dispersed development pattern**

The policies in the Cornwall Local Plan need to provide appropriate guidance for the management of development in Cornwall’s protected landscape that accords with the National Planning Policy Framework (NPPF), with special regard to paragraph 115 which requires that great weight should be given to conserving landscape and scenic beauty in AONBs, which has the highest status of protection.

The Local Plan Spatial Strategy is provided in **policy 2** which outlines under clause 7 the requirement to:

“Re-enforce the spatial strategy of a continued dispersed development pattern providing homes and jobs, in a proportional manner, where they can best sustain the role and function of local communities in towns and villages and that of their catchment as set out in this Plan’s Community Network Area based policies and subsequent Neighbourhood Plans.”

**Policy 3** which addresses ‘Role and Function of Places’ sets down how this development pattern is to be delivered in Cornwall establishing the hierarchy for new development. The accommodation of development of the larger scale communities as outlined in clause 1 is supported; it is recognised that this forms part of the “approach to growth that encourages jobs and homes where they best deliver strategic priorities”. However, the policy also “allows for more organic development where it supports and enables the provision of appropriate services and facilities locally”. This is not to be delivered through a hierarchy of settlements but through the chosen approach of a dispersed development pattern. In this context there is significant concern that there is not sufficient evidence or policy guidance in the Cornwall Local Plan that would ensure that the requirement to conserve the protected landscape is met.
Clause 2 and 3 of **policy 3** states:

“2. To promote vibrant local communities and support local services, an appropriate level of growth and investment will be encouraged in other settlements to reinforce their role as providers of employment; community; leisure; and retail facilities.

3. Outside of the main towns identified in this policy housing growth will be delivered through identification of sites where required through Neighbourhood Plans, affordable housing led schemes under Policy 9 and infill development defined below.”

The need to promote vibrant communities is supported and it is recognised that the purposes of the AONB designation requires that particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment and this is embedded in the Cornwall AONB Management Plan 2011-2016 policies. Specifically in policy PD4 and PD5 which supports the provision of housing and employment development in the AONB that has appropriate regard to landscape and settlement character. This is also reinforced in the Tamar Valley Management Plan 2009-14 policy SM1 that supports the development of sustainable communities compatible with the AONB landscape and environment. However, in a dispersed development strategy, and in particular where future housing development is to be delivered, it is essential that the evidence base and policies are in place in the Local Plan to ensure that the principles set down in the NPPF, and the status the protected landscape is awarded, is respected. Clause 3 of policy 3 does not provide this; growth is to be delivered through the identification of sites through Neighbourhood Plans, affordable led schemes under policy 9 and infilling. The approach to infill development is supported and does not conflict with the purposes of the AONB. However the role of Neighbourhood Plans and the implications of policy 9 for the AONB need to be specifically addressed.

- **Neighbourhood Plans:** The “policy message for places” does not provide sufficient policy guidance about the strategy for growth outside towns in the Community Network Areas to enable the allocation of development in settlements to form a coherent strategy for growth in rural areas. The Neighbourhood Plan needs appropriate guidance in the Cornwall Local Plan in order to ensure a consistent approach to the delivery of growth in rural areas. A more detailed response to Neighbourhood Plans is provided.

- **Policy 9:** sets down guidance on Affordable Housing Led Schemes. The need in Cornwall to address the requirement in rural areas for affordable housing in the protected landscapes is recognised as set down in policy PD 4 of the Cornwall AONB Management Plan and policy SM1 in the Tamar Valley AONB Management Plan. However the guidance in policy 9 is considered to be in conflict with NPPF para 116 for major development in the AONB. There is already evidence of a market housing scheme in the Cornwall AONB where affordable housing is being delivered, on the basis of the high values that can be achieved for market housing in locations that would normally not expect to gain support under policy. The policy position will lead to substantial pressure for development that would be situated in
unsuitable high scenic coastal/rural locations where high market values can be achieved. This would lead to significant erosion of its natural beauty and would be in conflict with the purposes of the AONB. Policy 9 is also addressed in the context of NPPF guidance on major development in the AONB (para 116)

Adequate guidance is not set down for the delivery of the housing in the protected landscape in the Local Plan. Specifically the requirements of NPPF para 113 that

“Local planning authorities should set down criteria base policies against which proposals for any development affecting protected wildlife or geodiversity sites or landscape areas will be judged…” are not met.

It is recognised that the criteria based approach does not accord with the emerging format of the Local Plan and the policy approach in the emerging document, and there is a need for the Local Planning Authority to be consistent in its approach to policies throughout the document. However, as referred to above NPPF para 113 is clear in its support of criteria base policies for the designated landscape. A criteria approach policy would be a mechanism to outline how the requirement to conserve and enhance the natural beauty of the protected landscape is achieved at a local level within the Cornwall AONB and the section of the Tamar Valley AONB that lies within Cornwall.

This is also not provided elsewhere in the Local Plan under the specific guidance for the designated landscape. Policy 23 on the Natural Environment provides general guidance for AONB’s, which is supported and reflects the national position, but no specific guidance for the management of development. Assessment of landscape impact of all development, and especially housing, is an essential consideration in the protected landscape. It is recognised that the approach to this policy document is that all matters should be dealt with under separate policy headings; therefore impact of development on the landscape is not addressed under the specific categories of development. However, although the design issues relating to development are appropriately addressed under policy 13 and development standards in policy 14, the local plan does not deal with site selection in the context of landscape impact. The reference in the policy to proposals in the AONB being “appropriately located to address AONB sensitivity and capacity and delivers the objectives of the “management plans is supported, but an evidence base is required to provide for the AONBs a landscape sensitivity analysis of the local plan growth. In the context of the Cornwall AONB this guidance is critical if there is to be no conflict with the purposes of its designation. The Local Planning Authority has previously informed the Cornwall AONB that this would be provided but it does not appear to form part of the evidence currently with us.

Accordingly the strategy for growth in rural areas which are embedded in Policy 2, 3 and 9 of the Cornwall Local Plan are not considered to comply with NPPF para 113 and para 115. The guidance on Cornwall’s future dispersed
development pattern would not enable the landscape and scenic beauty in the Cornwall and Tamar Valley AONBs to be conserved and further guidance including criteria based policies are needed against which proposals for any development affecting protected landscape areas can be judged.

Suggested revised wording

With regard to the AONB polices found in other Core Strategies, an assessment was made in March 2012 of adopted Core Strategy AONB policies (Annex 1) in Cornwall we would like to promote best practice. The policy principles that we would like to see embedded in policy and promoted in the protected landscape are:

- The use of positive rather than negative planning – rather than aiming to restrict development in Cornwall, aiming to ensure that all development is situated in the most suitable location and that the protected landscape is managed in the most beneficial and effective way. To ensure development makes a positive contribution to the AONB and respects local distinctiveness.
- Recognising the intrinsic value of the AONB landscapes in their own right and that it is a key economic resource of the county creating an important tourism destinations as well as a highly valued resource for agriculture, recreation and wildlife.
- The need to look at the cumulative impact of individual developments within the AONB.
- The Cornwall AONB Management plan and Tamar Valley Management Plan should be used as the principle means of guiding the future management and enhancement.

 Specific policy guidance is needed to protect/conserve our locally distinctive features/assets. The AONBs in Cornwall are unusual in that there are two separately designated protected landscapes - Cornwall AONB and the Tamar Valley AONB. With Tamar Valley extending into both Devon and Cornwall, and Cornwall AONB having 12 diverse parts, with both covering 30% of the County. These designated landscapes extend across a significant area of land cover and are of strategic importance. There is therefore a need to protect the distinctive landscapes of the AONB in Cornwall, whilst continuing to deliver housing growth, by ensuring that development does not compromise the protected landscape. As outlined above undertaking further work on the sensitivity of the protected landscape is required. However, there is a need for a local policy to cover development pressures in the AONBs, so that appropriate development can be accommodated that respects and nurtures local distinctiveness and character. Design policies alone cannot achieve this; a key issue in the AONB will always be site selection. This could be achieved in more than one way, a specific policy for the protected landscape (an approach the Local Planning Authority does not favour) or further guidance in the Local Plan section on “Policy Message for Place”.

Suggested Policy for Protected Landscapes in Cornwall

Conserving the landscape and scenic beauty of the Cornwall and Tamar Valley AONBs should be given great weight in the consideration of development proposals; and that any development in or within the setting of landscapes of national importance in Cornwall is high quality sustainable development that seeks to facilitate delivery of the Cornwall and Tamar Valley AONBs Management Plans. Development proposals should be:
- appropriately located, of an appropriate scale and address landscape sensitivity and capacity;

- compatible with the distinctive character of the location described by the Landscape Character Assessment, with particular regard to the setting of settlements and the rural landscape; and

- designed to respect the locally distinctive quality of place, dark skies and tranquillity.

Particular care will be taken to ensure that no development is permitted in or outside the AONBs which would damage its natural beauty, character and special qualities or otherwise prejudice the achievement of the AONB purposes.
Q4. Did you raise this issue earlier in the plan preparation process?

Yes [ ]

If yes, please specify at what stage:

Submission on:
- Cornwall AONB and Tamar AONB Partnerships previous submissions – Planning Future Cornwall Consultation February 2011 and Jan-March 2012
- Response to working draft for Submission to the Secretary of State July 2012

Dialogue since this date – requirement for an evidence base on landscape sensitivity analysis of local plan growth strategy for major development in the AONB (over 10 dwellings) (e-mail re local plan and AONB dated 09.10.12)

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

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

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

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

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

Next steps

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

Pre-submission document representation form

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

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

<table>
<thead>
<tr>
<th>1. Personal details.</th>
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<tr>
<td>Name</td>
<td>June Crossland</td>
</tr>
<tr>
<td>Organisation</td>
<td>Cornwall AONB Partnership</td>
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Q1. Do you consider that the Local Plan meets the legal and procedural requirements?

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

[ ]  No

Please specify the reasons below

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

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

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

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<td>NPPF Para 116 – Planning permission should be refused for major development in these (AONB) designated areas except in exceptional circumstances where it can be demonstrated they are in the public interest.</td>
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Conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs in the context of a dispersed development pattern

It is recognised that the provision of affordable housing in sustainable locations is a key issue throughout the whole of Cornwall, as outlined under policy PD4 of the Cornwall AONB Management Plan:

Support the provision of affordable housing to meet identified needs of local people in locations with access to employment and local services. Ensure that the selection and development of affordable housing sites within or in the setting of the Cornwall AONB has appropriate regard to landscape and settlement character.

The delivery of affordable housing through market housing provision in all settlements, including hamlets needs to be considered in the context of the purposes of the AONB’s. It needs to be clearly demonstrated how this would lead to sustainable development. There is major concern because in many sensitive coastal, estuarine and moorland locations in the AONBs, where there are a substantial number of smaller settlements and hamlets, development in inappropriate locations would lead to significant harm to the protected landscape. There is a need for recognition, in the context of the policy approach, of the desire to locate market housing in the AONBs due to the high market value in areas of high scenic value. It needs to be demonstrated that this market housing would not only contribute to local need but that the AONBs are given the appropriate level of protection. In many
communities where exceptionally high proportion of second homes exists it
needs to be shown that, in order to meet local need, they would be permanent
dwellings.

**The Presumption against major development in the protected
landscape of Cornwall needs to be embedded in the policy
guidance**

**Policy 9** needs to be considered in the context of the requirement set down
under NPPF para 116 that planning permission should be refused for major
development in these areas except in **exceptional** circumstances. Major
development does not appear to be defined in the Local Plan. Cornwall
AONB Partnership, Tamar Valley AONB Service and Cornwall Council have
an agreed Planning Protocol (Annex 2). This defines major development for
housing as “Residential developments involving 10 or more dwellings or
(where the number of dwellings is not indicated) where the site is more than
0.5Ha.” A substantial number of affordable housing led schemes that are
supported by market housing are likely to exceed ten dwellings. Therefore in
the context of the AONBs regard needs to be given to the guidance of para
116 of the NPPF that planning permission should be refused except in
exceptional circumstances and the other requirements under this guidance
need to be met. In addressing these considerations it needs to be shown that
the requirement to award the highest status of protection to the AONBs can
be met under this policy approach.

**Suggested revised wording**
Insert an additional clause to policy 9:
The inclusion of market housing in such proposals will be supported where:
v) in designated landscapes the proposal is not a major development and that
the development would not damage natural beauty, character and special
qualities or otherwise prejudice the achievement of the AONB purposes.

Major development should be defined in the Local Plan as 10 or more houses
or (where the number of dwellings is not indicated) where the site is more
than 0.5Ha.

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

Yes  

If yes, please specify at what stage:

Submission on:

- Cornwall AONB and Tamar AONB Partnerships previous submissions – Planning Future Cornwall Consultation February 2011 and Jan- March 2012

- Response to working draft for Submission to the Secretary of State July 2012

Dialogue since this date – requirement for an evidence base on landscape sensitivity analysis of local plan growth strategy for major development in the AONB (over 10 dwellings) (e mail re local plan and AONB dated 09.10.12)

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

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

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

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

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

Pre-submission document representation form

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

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

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<th>1. Personal details.</th>
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<tr>
<td>Name</td>
<td>June Crossland</td>
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**NPPF Para 115 – Great Weight should be given to conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONB**

**The approach to dispersed settlement pattern needs to be better defined in the AONBs.**

The Community Network Areas (CNA) are administrative areas with diverse characteristics. The Cornwall and Tamar Valley AONBs cover 30% of the County therefore many CNAs cover a substantial part of the protected landscape. The ‘Policy Message for Places’ policies provide a growth figure for the rural areas; that is the remainder of the CNAs outside the towns, but there is no specific guidance for distribution of growth or an indication of the settlements in the CNAs that should receive growth. This guidance has to be considered in the context of dispersed development pattern set down under policy 2 and 3. The PP policies have standard guidance that is repeated, with some minor changes, throughout the guidance for Cornwall. This is:

b. Development should help rebalance the communities by providing facilities, economic development or housing for local needs of a scale that is appropriate to the settlement and reduces the need to travel;
c. Development supports either by the direct provision of, or contributions towards: the retention and/or delivery of community facilities; the appropriate improvement or provision of facilities, service and infrastructure to maintain the sustainability of the local community.

In the supporting text objectives are provided which are supported. In addition specific guidance is provided for many of the towns, but there is only general guidance for the remainder of the CNA.

For example PP1 West Penwith in para 4.2.3 states that:

“Within rural areas a number of towns and villages act as local centres supporting a network of smaller villages and hamlets. As a consequence co-ordination will be needed amongst the parishes within the rural area of the CNA to ensure that local employment and housing needs are met elsewhere. The Council will support the preparation of Neighbourhood Plans as a way of planning for the needs of those areas.”
A spatial framework for rural areas needs to be provided to inform this process and provide a context for Neighbourhood Plans. This is not provided in the “Policy Messages for Places” and this is of particular concern in the protected landscape. The NPPF requires that great weight should be given to conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs. An assessment can not be made as to whether this is achieved, because there is no indication in the policy guidance where the development is likely to be accommodated in the protected landscape. There is a lack of a policy message for the specific distribution of growth for these rural areas, no clear direction for growth in the smaller settlements and hamlets, with only a general indication of what is required in clauses outlined above in the PP policies.

In addition there is concern that since the ‘Planning Future Cornwall’ consultation in January – March 2012, although there has been a reduction in housing figures, there is an increase in the allocation in rural areas.

The specific areas of concern regarding the parts of the AONBs for the individual CNAs are:

**PP1 – West Penwith CNA** – 1100 dwellings are to be accommodated outside Penzance and 50% of this area is protected landscape. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the West Penwith section of the Cornwall AONB which provides the following description for the settlement pattern:

*Settlement pattern reflects the areas’ culture and long history being generally dispersed as is typical of the Celtic west with scattered farmstead groups related strongly to the ancient field pattern as for example at Zennor and Rosemery. In the west however the strong influence of mining overlays this earlier settlement pattern as shown for example by the numerous terraced granite mining cottages at Pendeen and Boscaswell. St Just is the largest settlement, set around its twin squares, early square towered, granite church and the ancient Plen-an-Gwarry which is said to be the oldest continuously used theatre in the country. Journeying south, Sennen and Mousehole have developed around historic small stone built harbours and between these, smaller coastal communities centre on local fishing coves as at Lamorna, Penberth and Cape Cornwall. Apart from a few isolated prominent tourist destinations such as at Lands End and Sennen Cove, visitor infrastructure is almost invisible in the landscape and even Lands End aerodrome with its grass runways, its grouping of a few small scale buildings and infrequent use by light aircraft scarcely intrudes on the tranquil rural character.*

*Upland areas are almost devoid of settlement with dwellings mostly in the relative shelter south east of the downs. Buildings and structures are almost exclusively of local granite with slate roofing which together weather to appear almost as if they are grown from the landscape in which they are set. Near Porthcurno the open air terraced seats and stage of the Minack Theatre are set into the granite cliffs host to regular plays and performances against the*
expansive backdrop of Mounts Bay.

West Penwith dispersed settlement pattern is an integral part of this landscape and which is of an indisputable special quality.

The villages that are highlighted in the West Penwith CNA map in the AONB or adjacent (although the meaning behind this annotation is not clear from the text) are Pendeen, St Just, Sennen, Porthcurno/St Levan, Mousehole, and Marazion are located in this sensitive landscape. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP1 will impact on the protected landscape.

**PP2– Hayle and St Ives CNA – 750 dwellings are to be accommodated in St Ives.** St Ives is located adjacent to the West Penwith section of the Cornwall AONB; the western boundary to this town provides the eastern boundary of the undeveloped coastal section of the AONB. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the West Penwith section of the Cornwall AONB which provides the following description for this part of the coast:

Unremitting exposure to the full force of the sea at this western extremity of mainland Britain has sculpted the hard granite coastline into a sequence of headlands punctuated by occasional small coves and cut by substantial chasms locally known as ‘Zawns’. The cliffs along the north coast are rugged and sloping but at the south become impressively precipitous and vertical jointed.

This high quality undeveloped coastal landscape does not have the capacity to accommodate major development without causing significant harm.

This policy does not provide any indication of constraints on the expansion of St Ives and there is no specific reference to the proximity of the town to the designated landscape. The guidance provided in ‘objective 4 – Environment’ should be incorporated in Policy PP2; in order that the sensitivity of the protected moorland and coastal landscape can be reflected in the policy.

**PP3– Helston and Lizard CNA – 900 dwellings are to be accommodated outside Helston and a significant part of this area is in the protected landscape.** The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the South Coast Western section of the Cornwall AONB which provides the following description for the Lizard Peninsular:
This Lizard Peninsula includes the most southerly point of mainland Britain and is framed all round by majestic high cliffs indented with slender coves. The cliffs are especially vertical and rocky at the exposed west coast but remain consistently rugged and steep elsewhere punctuated throughout by attractive sandy beaches tightly enclosed by rocky headlands. The Lizard Peninsula’s unique geology includes Serpentine, Gabbro, Schists, Gneiss and Slates all exposed in the cliffs lending variety of texture, form and colour to this spectacular coastline. The serpentine formations rising out of the sands of Kynance Cove are an often depicted view representing the best of Cornwall’s coastal scenery.

From the cliffs there is a marked sometimes sharp transition to the gently undulating plateau that stretches inland to the interior of the peninsula giving an overriding impression of general flatness. However there is abundant variety in the scenery of the Lizard resulting in part from local variations in geology. The undulating north originates from the soft underlying Devonian Rocks whilst Serpentine gives rise to the almost unrelieved flatness of the central plateau at the heart of the peninsula with Gabbro and Hornblende Schists in the east generating a gently rolling landscape.

The whole of the Lizard Peninsular is located in this CNA; once again a distinctive landscape with unique characteristics and of undisputable quality.

The villages that are highlighted in the Helston and Lizard CNA map in the AONB (although the meaning behind this annotation is not clear from the text) are Manaccan, St Keverne, Porthleven, Ruan Minor, The Lizard, Cury and Mullion are located in this distinctive landscape. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission and ‘objective 5 – environment’ is not reflected in the policy. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP3 will impact on the protected landscape.

PP4– Camborne, Pool and Redruth CNA - 500 dwellings are to be accommodated outside Camborne/Pool/Redruth. The majority of the Godrevy section of the AONB is located within this CNA. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the Godrevy section of the Cornwall AONB which confirms that:

“Settlement is sparse and limited to scattered dwellings and a few farmhouses. The only exception being the edge of Portreath which lies just inside the AONB boundary.”

Portreath is a village in the AONB that is highlighted in this CNA map (although the meaning behind this annotation is not clear from the text) The spatial strategy does not provide any direction for growth in the smaller settlements, policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is...
referred to. This policy does not provide any further indication of which
communities would be appropriate for growth, less guidance is now provided
than in the earlier submission. In addition there is no evidence base to
address the capacity of the settlements in the AONB to accommodate growth.
Therefore no meaningful assessment can be made of how the requirements
for growth set down in policy PP4 will be met in Portreath or the remainder of
the protected landscape.

PP5– Falmouth and Penryn CNA – Around 3,200 dwellings are to be
provided in Falmouth and Penryn. There are two sections of the Cornwall
AONB in this CNA; on the boundary of Falmouth to the west is the South
Coast Western section and on the boundary to the east of Falmouth and
Penryn the South Coast Central section, The Cornwall AONB Management
Plan 2011-2016 guiding principle GP08.01 and GP09.1 addresses this
relationship:

GP08.1 Ensure that the conservation and enhancement of the special
qualities of the AONB is fully taken into account in strategies, plans and
guidance produced to address development, transport and service provision
in and around the AONB, for example including regard to the potential urban
expansion of Falmouth. Particular care should be taken to ensure that no
development is permitted outside the AONB which would damage its natural
beauty, character and special qualities.

GP09.1 Ensure that the conservation and enhancement of the special
qualities of the AONB is fully taken into account in development proposals for
expansion of Truro, Falmouth and Penryn and at waterside small settlements
in order to retain the character of the Fal Ria landscape. Particular care
should be taken to ensure that no development is permitted inside or outside
the AONB which would damage its natural beauty, character and special
qualities.

It is stated in paragraph 8.3 that remaining growth will need to be provided on
greenfield sites with “the identification of the appropriate greenfield options
being established in the Cornwall Towns and Strategic Allocation document.
Reference should be made in PP5 to the relationship between the protected
landscape in the context of the growth of Falmouth and in order that
appropriate regard can be given to NPPF para 115 and 116. An
environmental objective is not provided in the supporting text of PP5, even
though a large portion of the coastal and estuarine landscape is designated
as an AONB and there is also a SAC.

800 dwellings are to be accommodated outside Falmouth and Penryn, an
increase in allocation of 300 dwellings from the Planning Future Cornwall
consultation document.
The villages that are highlighted in the Falmouth and Penryn CNA map in the
AONB (although the meaning behind this annotation is not clear from the text)
are Flushing and Mylor are located in this protected estuarine landscape. The
spatial strategy does not provide any direction for growth in these smaller
settlements, under policy 2 promotes “a continued dispersed development
pattern" and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP5 will impact on the protected landscape.

**PP6 – Truro and Roseland CNA** – Around 2,200 dwelling are to be provided in Truro. To the south east boundary of Truro is the estuarine landscape of the South Coast Central section of the Cornwall AONB. The Cornwall AONB Management Plan 2011-2016 provides the following guidance:

**GP09.1** - “Ensure that the conservation and enhancement of the special qualities of the AONB is fully taken into account in development proposals for expansion of Truro, Falmouth and Penryn and at waterside small settlements in order to retain the character of the Fal Ria landscape. Particular care should be taken to ensure that no development is permitted inside or outside the AONB which would damage its natural beauty, character and special qualities.”

Objective 8 on Landscape sets down a requirement to respect the distinctive landscape setting of Truro and this is repeated in para 9.3 on “Development Strategy”. This guidance needs to be embedded in policy PP6.

800 dwellings are to be accommodated outside Truro and a substantial part of this area lies within the Roseland peninsular which is part of the protected landscape.

The villages that are highlighted in the Truro and Roseland CNA map in the AONB (although the meaning behind this annotation is not clear from the text) are Veryan, St Just in Roseland, Gerrans/Porthscatho and St Mawes are located in this sensitive coastal and estuarine landscape. Paragraph 9.1 3 states that “co-ordination will be needed amongst the remaining parishes within the CNA to ensure the housing needs are met”; no guidance is provided on how this is to be achieved. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP6 will impact on the protected landscape.

**PP7 – St Agnes and Perranporth CNA** – The St Agnes section of the Cornwall AONB and the Devon and Cornwall Mining WHS lies within this CNA, and although there is a coastal objective that addresses management, there is no environmental objective in the supporting text of PP7. 1100 dwellings are to be accommodated in this area. The Cornwall AONB Management Plan 2011-2016 provides guidance that:
Support the provision of affordable housing to meet identified local need in locations with access to local services provided this respects historic settlement patterns and the local vernacular including characteristic use of local materials in buildings and external works and this conserves and enhances the natural beauty of the AONB.

The village that are highlighted in the CNA map adjacent to the AONB is St Agnes which is located in a sensitive coastal landscape and adjoins St Agnes Beacon. Welcome the reference to focus for growth in the supporting text (para 10.3) although policy PP7 does not provide any specific guidance. Paragraph 10.8 refers to co-ordination of parishes to ensure that housing needs are met, but policy PP7 does not set a framework for this. Policy PP7 clause c and d provides no indication of where development should be focused. Clause c refers to “help rebalance the communities”, but need to know where this is needed in order to assess the impact on the protected coastal landscape. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP7 will impact on the protected landscape.

The CNA’s are grouped to enable a better management and delivery of strategic development (para 12.2). This approach enables a development strategy to be applied to a more appropriate geographical area that goes beyond the administrative areas of the CNAs. The objective AU5 for St Austell and Mevagissey, and BFL4 for St Balzey, Fowey and Lostwithiel CNAs and the specific reference to the AONB CNA are welcomed.

300 dwellings are to be accommodated outside St Austell and a part of this area covers the South Coast Central section of the protected landscape. The villages that are highlighted in the CNA map in the AONB are Mevagissey and Gorran Haven. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for this area which provides the following description for these settlements:

“Some attractive coastal villages shelter in the coves at stream mouths or have developed around picturesque small harbours as at Mevagissey and Gorran Haven. Inland apart from the churchtowns of Veryan and Gorran settlement is a sparse but even distribution of hamlets and farmsteads linked by narrow winding lanes with high hedges and blind corners.”

PP9 clause 1 does not provide any specific guidance for development outside St Austell, other than the general guidance common to all the PP policies in clause 4.

Clause 2.b shows where growth is to be focused which is welcomed. However, the spatial strategy
does not provide any direction for growth in the smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP9 will impact on the protected landscape.

**PP10– Wadebridge and Padstow CNA** – The Camel estuary and most of coastal landscape of this CNA is protected as part of the Cornwall AONB; covering three sections – Trevose Head, Camel Estuary and Pentire Point to Widemouth. Therefore the development strategy for this CNA will impact on a significant part of the AONB. In the case of this area this is both the strategy for the towns and smaller settlements. Figure 6 shows how the main settlements are either in the AONB or close to. A particular concern is Padstow and Wadebridge which are located in very sensitive estuarine landscapes. Accordingly, objective 4 is supported and welcome the reference in the Development Strategy to enhancing “its unique quality, character and the historic built and natural environment” para graph 13.9 provides the housing requirement for Wadebridge, but only a general statement for the remaining area. In the guidance under PP10 for Wadebridge there is no reference to the need to have regard to its sensitive landscape. Whilst in the guidance for the remainder of the area there is the standard paragraph with no reference to how development in Padstow is to be addressed which is in a very sensitive estuarine landscape with the AONB on its northern and southern boundary. 900 dwellings are to be accommodated in Padstow and remaining area of the CNA outside the towns, an increase of 200 on the previous Local Plan policy guidance.

The villages that are highlighted in the CNA map in the AONB or adjacent, Rock/Tredrizzick, Port Isaac/Port Gaverne and St Merryn, are all located in this sensitive coastal or estuarine landscape. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP10 will impact on the protected landscape.

**PP11– Bodmin CNA** – Bodmin Moor section of the Cornwall AONB is located within the northern section of this CNA. The Cornwall AONB Management Plan 2011-2016 provides a “Statement of Significance” for the Bodmin section of the Cornwall AONB which provides the following description for the settlement pattern:
“With the tough exposed conditions it is not surprising that this is the most sparsely settled landscape in the Cornwall AONB – especially so high on the moor where only lonely farmsteads occur often huddled below hill tops to take advantage of any available shelter. By contrast around the fringes of the moor clusters of farms and houses hug the slopes or exploit sheltered hollows. Some of the occasional nucleated villages are named after Saints – for example St Breward, St Neot and St Cleer indicating their medieval churchnow origins. Buildings, often including substantial stone chimneys, are typically constructed of local granite and in exposed locations are weathered to appear as if grown from the bedrock itself. Slate is used on roofs and hung on walls for weather protection.”

This moorland landscape is sensitive to change and it capacity to accommodate development without causing harm to the landscape is effected by the characteristics of this largely undeveloped landscape.

200 dwellings are to be accommodated outside Bodmin. The village that is highlighted in the CNA map in the AONB (although the meaning behind this annotation is not clear from the text) is Blisland. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. Policy PP11 does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition, there is no evidence base to address the capacity of the settlement in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP11 will impact on the protected landscape.

PP12 – Camelford CNA – Part of the Pentire Point to Widemouth and Bodmin Moor sections of the Cornwall AONB are located within this CNA. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the Pentire Point to Widemouth section of the Cornwall AONB which provides the following description for the settlement pattern:

The settlement pattern is typified by hamlets and scattered farmsteads closely associated with the pattern of medieval field enclosures lending a timeless air to much of the countryside. Small picturesque fishing villages along the coastline are now popular focal points for visitors for example at Port Quin, Port Isaac, Boscastle and Crackington Haven, some still harbouring small local fishing fleets adding colour and activity.

Around small harbours such as those at Port Quin, Port Isaac, Boscastle and Crackington Haven, larger settlements have developed and Tintagel has expanded onto the coastal plateau. Slate is the characteristic local building and hedging material varying from the mid hues of Delabole slate to the darker shades sourced at Trebarwith....

Objective 7 on the Environment is welcomed, however under the previous
Policy PP12 reference was made to “Protect the unspoilt character of the undeveloped coast and the areas special historic significance” which is no longer included in this policy. 900 dwellings (an increase of 100 from the previous emerging policy guidance) are to be accommodated in the CNA and guidance is provided in the supporting text that Camelford should accommodate the majority of these dwellings. The villages that are highlighted in the CNA map, and referred in the text para 15.30, that are in the AONB or adjacent are Boscastle, Tintagel and St Breward; all of which are located in sensitive moorland or coastal landscapes as referred to in the management plan. Landscape types are referred to in a descriptive way in the supporting text but no guidance is provided how landscape capacity should be taken into consideration. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP12 will impact on the protected landscape.

PP13 – Bude CNA – Part of the Pentire Point to Widemouth and Hartland sections of the Cornwall AONB are located within this CNA. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the Hartland section of the Cornwall AONB which provides the following description for the settlement pattern:

*With its small hamlets and isolated farmsteads this section of the Cornwall AONB is sparsely populated and sometimes the landscape seems almost empty, especially inland. Building materials include local slates, sandstones, cob and thatch. Nestled on the side of a coastal valley, Morwenstow Church is a distinctive feature which retains significant original Norman stone work….*

The objective for the Heritage and Environment is welcomed, although this was previously included in the emerging local plan policy guidance and it is regrettable that the revised PP13 gives no such guidance in an area with a very sensitive protected coastal landscape. 450 dwellings (previously 350) are to be accommodated outside Bude- Stratton. The villages that are highlighted in the CNA map in the AONB is Shop (although the meaning behind this annotation is not clear from the text) and is located in this sensitive largely undeveloped landscape of the Hartland section of the AONB. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements
for growth set down in policy PP13 will impact on the protected landscape.

**PP14—Launceston CNA** – Part of the Bodmin Moor section of the Cornwall AONB and Tamar Valley are located within this CNA. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the Bodmin Moor section of the Cornwall AONB which provides the following description for the settlement pattern:

“With the tough exposed conditions it is not surprising that this is the most sparsely settled landscape in the Cornwall AONB – especially so high on the moor where only lonely farmsteads occur often huddled below hill tops to take advantage of any available shelter. By contrast around the fringes of the moor clusters of farms and houses hug the slopes or exploit sheltered hollows. Some of the occasional nucleated villages are named after Saints – for example St Breward, St Neot and St Cleer indicating their medieval churctown origins. Buildings, often including substantial stone chimneys, are typically constructed of local granite and in exposed locations are weathered to appear as if grown from the bedrock itself. Slate is used on roofs and hung on walls for weather protection.”

This moorland landscape is sensitive to change and it has limited capacity to accommodate development without causing harm to the landscape.

The Tamar Valley Management Plan Appendices provide the following Landscape Character descriptions:-

**Upper Tamar and Ottery Valleys**

This area takes in the gently rolling hills and open valley landscape defined by the upper reaches of the River Tamar and its tributary rivers. The flat floodplains of the Tamar and tributaries are distinctive with their strong tree cover, including free standing oaks. It is a settled inland landscape, with medium sized fields of improved pasture. Boundaries are strong Cornish hedges and hedgerows with trees. Woodland is prominent to the east of the area, including on the valley sides as blocks of broadleaved, mixed or coniferous plantations. Biodiversity interest is focused on the valleys with wetland habitats. Settlement is clustered, focusing on the main town of Launceston and church towns with other settlement either as small farms or estate farms to the south. Estates provide additional landscape character to the east of the area.

This demonstrates that new development should not be dispersed or encouraged outside of the existing centres of settlement.

Also East Cornwall and Tamar Moorland fringe is described as: -

*Domesticated and enclosed landscape of the western slopes of the middle*
Tamar Valley. Within the AONB the margins of the plateau are dissected by short river valleys, some steep-sided, which are tributaries to the Tamar. The plateau can be exposed but mostly retains its shrubby hedge landscape. The sheltered valley sides allow more luxurious hedge growth and the landscape appears to be more wooded though true woodland is restricted to the steepest valley sides and the wetter valley bottoms.

This Landscape Character Area is largely free of settlement and open in nature and in common with Bodmin Moor any development is likely to change this undeveloped character.

400 dwellings are to be accommodated outside Launceston. The villages that are highlighted in the CNA map in the AONB or adjacent (although the meaning behind this annotation is not clear from the text) are Altarnum/Five Lanes/Trewint and Stoke Climsland; the former located in a sensitive moorland landscape and the later on the edge of the Tamar Valley estuarine landscape. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP14 will impact on the protected landscape.

PP15– Liskeard and Looe CNA – Part of the Bodmin Moor and South Coast East section of the Cornwall AONB are located within this CNA. The Cornwall AONB Management Plan 2011-2016 provides a ‘Statement of Significance” for the South Coast East section of the Cornwall AONB which provides the following description for the settlement pattern:

Bodinnick and Polruan face Fowey across the water their tightly tiered randomly orientated settlement pattern equally driven by the steepness of the slopes. Further inland hamlets such as Lerryn and Penpol have established at the heads of formerly navigable creeks and Golant and St Winnow with their typical medieval churches and Mixtow lie alongside the riverbanks. The rural settlement pattern away from the waters edge is typified by scattered mostly isolated dwellings and farms with occasional small hamlets such as St Veep and Lanteglos Highway high on the ridges. The small coastal hamlet of Polkerris faces westward across St Austell Bay. The main building material is killas reflecting the local geology but a wide range of finishes and materials are used. Slate is the main roofing material.

1000 dwellings (previously 700) are to be accommodated outside Liskeard. The villages that are highlighted in the CNA map in the AONB or adjacent (although the meaning behind this annotation is not clear from the text) are Looe, Polruan and St Neot are located in this sensitive landscape. The spatial strategy does not provide any direction for growth in these smaller
settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP15 will impact on the protected landscape.

PP16– Caradon CNA – Part of the Bodmin Moor section of the Cornwall AONB and the Tamar Valley AONB are located within this CNA. The Tamar Valley AONB Management Plan provides following description of the Middle Tamar Valley:

River valley with picturesque views over water, gently undulating farmland, and extensive woodland. Gorge-like effect of river system, especially where it has cut through the granite ridge. The south-flowing river follows a highly sinuous and changing course, often with very steep wooded sides. Its generally short tributary valleys have a complex folded landscape character and are barely visible from adjoining high land, especially in the south. Further north the topography becomes more gentle and open, with a more typical river valley aspect.

Typical of this Landscape Character area includes 19th Century mining settlements and narrow winding lanes, medieval field structures and located in what is regarded in areas regarded as high landscape quality and some of the most picturesque in the Tamar Valley AONB. Development needs to be of an appropriate design, scale and location in order not to impact adversely on this intimate and often visually prominent landscape, both in terms of development location and the carrying capacity for the small lanes typical of this area.

1000 dwellings are to be accommodated within the CNA (previously 800) with a focus on Callington outside. Currently there is no reference to the need to conserve and enhance the designated landscape in the policy and the supporting text to PP17 does not provide an environmental objective. Para 19.4, 19.5 19.6 and 19.7 makes reference to the characteristic mining landscape, the Tamar Valley AONB, estuarine landscape and its management. These environmental considerations are not addressed in the policy, with the exception of clause g) which only makes reference to mining heritage and natural beauty in the context of tourism facilities.

The villages that are highlighted in the CNA map in the AONB or adjacent (although the meaning behind this annotation is not clear from the text) are Pensilva, Gunnislake, Calstock and Harrowbarrow/Metherell which are located in this sensitive landscape. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for
growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP16 will impact on the protected landscape.

**PP17– Cornwall Gateway CNA** – Part of the Rame section of the Cornwall AONB and the Tamar Valley AONB are located within this CNA. The Tamar Valley AONB Management Plan provides the following description for the River Lynher.

*This is an extensive but narrow river system that includes the western banks of the lower Tamar estuary. Here small areas of flat land are surrounded by water and intertidal land of two wide inlets or basins, St John’s Lake and the St Germans River. The flat open land between the two inlets is a combination of large scale farmland and managed parkland of the Antony estate as well as the urban sprawl of Torpoint. To the south is the wooded ridge of the Mount Edgcumbe estate and this, together with the estates of Antony and Port Eliot at St Germans, creates a lush wooded parkland area backing the creekside landscape. Torpoint provides a complete contrast with its urban sprawl, ferry landing facilities and military connections. With its 12th century church, the parkland at Port Eliot and its spreading housing, St Germans is the main settlement inland. The tributary valley sides are well wooded and in the lower reaches the valley floor cultivated.*

Plymouth, Torpoint and Saltash are visually prominent; the urban sprawl is visible from the Tamar Valley AONB and has an impact on the ‘naturalness’ of this part of the AONB. Further development will increase this impact.

750 dwellings are to be accommodated in Saltash. This scale of development will have a significant impact on the protected landscape surrounding Saltash and this needs to be fully addressed in policy PP17. The villages that are highlighted in the CNA map in the AONB or adjacent (although the meaning behind this annotation is not clear from the text) are Torpoint and Millbrook are located in this sensitive landscape. The spatial strategy does not provide any direction for growth in these smaller settlements, under policy 2 promotes “a continued dispersed development pattern” and under policy 3 an appropriate level of growth in other settlements is referred to. This policy does not provide any further indication of which communities would be appropriate for growth, less guidance is now provided than in the earlier submission. In addition there is no evidence base to address the capacity of the settlements in the AONB to accommodate growth. Therefore no meaningful assessment can be made of how the requirements for growth set down in policy PP17 will impact on the protected landscape.
Q4. Did you raise this issue earlier in the plan preparation process?

Yes  No
If yes, please specify at what stage:

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Local Plan – Strategic Policies

Pre-submission document representation form

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

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

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

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

- [ ] Yes
- [ ] No

Please specify the reasons below

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

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

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**NPPF Para 97 and 115 – Great weight should be given to conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs**

**Conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs in the context of the renewable energy policies**

The strategic decisions on the delivery of energy in Cornwall need to have appropriate regard to the need to conserve and enhance the natural and historic environment within the protected landscape. The Cornwall Area of Outstanding Natural Beauty Management Plan 2011-2016 sets down the following energy policies:

**CCE1:** Promote and encourage appropriate renewable energy technologies of a scale and design which are able to be accommodated within the sensitive landscapes of the AONB, whilst guarding against cumulative impacts across the AONB.

**CCE2:** Promote energy efficiency measures in ‘hard to treat’ homes, businesses and community facilities within the AONB and develop effective means of retrofitting which do not detract from landscape character whilst increasing resilience against fuel poverty.

The National Planning Policy Framework (NPPF) in promoting the use and supply of renewable and low carbon energy requires the local planning authority to “have a positive strategy to promote energy from renewable and low carbon sources, including deep geothermal” and “design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts (para 97).

The capacity of the landscape in Cornwall to accommodate wind and solar pv needs to be fully taken into consideration in policy 15. The protected landscape covers 30% of Cornwall and largely comprises of coastal areas.
These areas of high scenic value also have the benefit of a high wind resource. This results in significant conflict between the requirement to accommodate renewable energy and the need to conserve and protect the designated landscape. Policy guidance that fails to have regard to the ability of the landscape to accommodate renewable development in a manner that has appropriate regard to the requirement to protect the designated landscape will result in erosion of the scenic value and cause further conflict in the planning system. The work undertaken by Cornwall Council on landscape sensitivity provides the mechanism to address this issue.

Accordingly, reference to ‘The Landscape Sensitivity Assessment To Onshore Wind And Solar PV In Cornwall’ is welcomed. This work provides a robust assessment, based on a sound evidence base, that assists in providing a positive strategy that has appropriate regard to landscape sensitivity. However, the opportunity should be taken to embed this guidance in the policy and its adoption should form part of the Cornwall Local Plan process. A strategy needs to be embedded in the policy that outlines how renewable energy development outlined in clause 1 and 2 of policy 15 is to be taken forward. The requirement under NPPF para 97 to have a positive strategy needs to be met. This is particularly important in the AONB that is sensitive to some forms of renewable energy development.

The guidance in the last two paragraphs of policy 15 on proposals for development in and on the “outskirts” of the AONB is welcomed, although the word “outskirts” need defining and in the context of wind energy development setting of the AONB is the appropriate area for impact to be assessed. Also further guidance is needed on cumulative impact which is a key consideration in the determination of future applications for renewable development in Cornwall.

In addition greater clarity is required in para 2.61 in the supporting text. In the AONBs the landscape strategy is generally for a landscape without wind farms with the exception of very occasional very small single turbines associated with existing buildings. In the sensitive landscapes in the AONB very small scale turbines on some sites may not be appropriate because the landscape does not have the capacity to accommodate a turbine without causing harm.
Q4. Did you raise this issue earlier in the plan preparation process?

Yes

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**NPPF Para 97 and 115 – Great Weight should be given to conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs**

**Conserving landscape and scenic beauty in the Cornwall and Tamar Valley AONBs in the context of the minerals policies**

The strategic decisions on the extraction of minerals in Cornwall need to have appropriate regard to the need to conserve and enhance the natural and historic environment within the protected landscape. The Cornwall Area of Outstanding Natural Beauty Management Plan sets down the following policies relating to minerals:

**PD9:** Support the introduction of additional measures at existing mines and quarries within the AONB, and those affecting its setting, to protect and enhance the AONB. These measures can be achieved by imposing appropriate new planning conditions through the Review of Mineral Planning Permissions

**PD10:** Promote the re-use and recycling of building materials to reduce demand for minerals and extraction and its potential adverse impact on natural beauty

**PD11:** Support the use of local stone in built development, if necessary by the small scale and sensitive reworking of local quarries, ensuring appropriate policy and guidance within the Local Development Framework

The National Planning Policy Framework (NPPF) sets down the need to:

- “set out environmental criteria ….against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment ….“ (para 143); and
- **When determining planning applications, local planning authorities should:** requirements are listed including
  - “as far as practical, provide for the maintenance of landbanks of non energy minerals from outside AONB…”
- “ensure in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environments, human health or aviation safety, and take account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;”
- “consider how to meet any demand for small scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking into account the need to protect designated sites (para 144)

Appropriate regard has not been given to this guidance in the formulation of mineral development policies for the AONB.

China Clay
China Clay is found on Bodmin Moor and Lands End peninsular. The spatial guidance on China Clay is in accordance with the NPPF and should provide a presumption against further permissions for China Clay within the nationally designated landscape. However, further clarity is needed on the wording “of a scale sensitive to any landscape designation”. The landscape in Bodmin Moor and West Penwith are recognised to be sensitive and extraction of china clay should be discouraged

Building, Roofing and Ornamental Stone
The Cornwall AONB Management Plan policy is to:

Support the use of local stone in built development, if necessary by the small scale and sensitive reworking of local quarries, ensuring appropriate policy and guidance within the Local Development Framework

Policy 18 only provides a general statement supporting throughout Cornwall their extraction, again the wording “of a scale sensitive to any landscape designation” is used. Only small scale sensitive reworking of local quarries is appropriate in the AONB and this should be explicit in the policy.

Metals
New permissions for mineral extraction should not be granted in the AONB in compliance with the guidance in the NPPF as outlined above. This policy is not considered to be inflexible in that market demand can be met outside the designated landscape and would ensure that the wider landscape interests are protected in the AONB.

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Part A: Your personal details
Part B: Previous representations
Part C: Your representation

**Part A: Your personal details**
You must complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires all representations received to be submitted to the Secretary of State. By completing this form and submitting it to the Council you are giving your consent to the processing of personal data by Cornwall Council and that any information received by the Council, including personal data, may be put into the public domain, including on the Council’s website.

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**Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?**
Yes ☑
No ☐

**Part B: Previous representations**
Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and
we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

We are sensitive to the time and effort people made at the last consultation and we are happy to accept comments made previously. If you would like your comments to be held over for this consultation you must tell us that is what you want.

Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes   X     No   □

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes   X     No   □

Do you want to make amendments to your previous comments?

Yes   X     No   □

If Yes;

What changes do you want to make;

Whatever is submitted in this round of consultation will be supplementary to the previous submissions.

Part C: Your representation

Soundness
Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

Legal compliance
For a Local Plan to be considered legally compliant, the following needs to be determined:

- Whether the Local Plan is detailed in the current Local Development Scheme and that the key stages have been followed,
- That community involvement has been carried out in accordance with the current Statement of Community Involvement
- Whether the Local Plan makes satisfactory regard to the Sustainable Community Strategy
- That the Local Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended)
• That the Local Plan complies with the Town and Country Planning (Local Planning) (England) Regulations 2012
• That a Sustainability Appraisal report is published to accompany the Local Plan and is adequate
• That the Habitats Regulations Assessment is carried out in accordance with the Conservation of Habitats and Species Regulations (The Habitats Regulations) 2010
• That the Local Plan has regard to national planning policy
• That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

Q3 A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?
Yes ☐
No  X

Please specify the reasons below

The plan assumes that building houses, employment space and roads and other infrastructure constitute economic development. This is incorrect. It is particularly incorrect where Cornwall is concerned. A large proportion of the economy of Cornwall depends on agriculture, horticulture and like enterprises. A similarly large proportion of the economy of Cornwall depends upon tourism in its various manifestations from beaches and harbours to upland heath and public rights of way as well as the historic elements.

The plan provides for the erosion of the availability of land, landscape and environment in significant quantities for housing, employment space and infrastructure thereby undermining the natural resource based enterprises.

Significant reliance is placed in the plan upon Neighbourhood Plans as a mechanism for facilitating and enabling achievement of the various objectives. Neighbourhood Plans have yet to be shown as an effective and accessible mechanism for local plan formulation. To date none have been finalised in Cornwall and only very few in the whole of England and Wales. Cost is known to be a significant factor. Such plans are also subject to the vagaries of an Inspectors’ review and a referendum. To place such reliance on this mechanism as Cornwall Council do in this set of proposals is unsound.

The map which is presumably a part of the plan is not fit for purpose.

The plan seeks to actively diversify away from the only sectors of the economy of Cornwall which have consistently grown, tourism and agriculture and associated enterprises. This is unsound.

The plan implies that retail provision is equivalent to economic development. Unless there is growth of the economy additional retail provision only increases competition for the available effective demand and increases the failure rate among businesses and settlements. This is unsound if retail provision exceeds growth of the economy.

The plan identifies health and exercise as advantageous and states that facilities will be provided to facilitate wider practise. However no provision is made in the plan for the development or even enhanced maintenance of the network of Public Rights of Way which are falling into systematic disrepair as a direct result of current CC management policy. This is unsound as the objective cannot be attained without provision of the
facilities. The plan sets out to deliver 442 400m² of employment space, when 60 000m² already stand empty and have stood so for a number of years adding to the amount of unused employment space cannot be seen as a sound policy. Insufficient data is provided to enable us to know how this figure was arrived at so, using the figures given in the Workplace (Health, Safety & Welfare) Regulations 1992 as a rough guide, the inference is that this amount of work space could service as many as 88 400 jobs. The provision of additional housing is for 47 500 of which a proportion will go to meeting existing unmet demand. The mismatch between housing and jobs cannot be sound. The trunk road network is prioritised for development ahead of the rail network. The opportunity to get traffic off roads by investing in upgrading the rail network is greater than can be achieved by developing more roads. Improving the railways also consumes less greenfield land. The current prioritisation is not sound. Policy 15 refers to the wind turbines being acceptable as long as they do not generate shadow flicker, interfere with air traffic radar or navigational operations. NO reference is made to noise nuisance or the impact of technology on the landscape or environment. This is not sound. The policy does not refer to the Environment Agency flood risk assessments as a benchmark in flood risk assessment and takes no account of the cumulative impact of development on flood risk particularly in the flood plains. This deficiency makes the policy unsound. The policy as it relates to the Camborne Pool Redruth Community Network dismisses the parishes surrounding the conurbation in three sketchy paragraphs. That these parishes constitute a greater physical area than the conurbation means that the plan as far as those parishes are concerned is unsound. This trend of focusing excessively on the urban areas makes the plan unsound.

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?
Yes X
No □

Please specify the reasons below

It is difficult for a Parish Council to reach an informed opinion on this matter. It is presumed that Cornwall Council as the principal authority duly equipped with professional lawyers and planners have met the statutory requirements.

Q5. Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

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Policy 1: presumption in favour of sustainable development. It would be helpful to know what would be classed as ‘material considerations’ which would override the policy and the components which comprise it. Similarly what constitutes ‘material considerations’ which could preclude CC from granting planning permission in the absence of specific relevant policy?

Policy 2: “New development should provide the most sustainable approach to accommodating growth…” This statement is unclear. Does it mean that new development is the most preferred mechanism for accommodating growth? Or does it mean that where new development is unavoidable that it must be done in the most sustainable manner? If the latter it is acceptable. If the former it is not acceptable. ‘Improve the conditions for business…. to drive GDP above 75% of EU average.” This is not the most important criterion. What should be sought is to drive average incomes in Cornwall to at least equal the UK average sustainably year on year. It is individual income levels which are the worst aspect of the lack of economic growth in Cornwall. The GDP could equal or be higher than the EU average and the average income levels still hover at around 70% of the UK average as they currently do.

As previously stated, there is insufficient data supplied to show how the requirement for 442 400m² of employment space was arrived at. Does the floor space include or exclude that already provided and standing idle which was a substantial area. It is doubtful if this is deliverable? It seems doubtful that there will be demand for so much space. Depending on how this floor space was arrived at, there is the potential for a large discrepancy in the number of jobs that can be created. Using the average figures given in the Homes and Communities Agency, Employment Densities Guide 2010, the suggested 211,250 square metres of planned office space will provide 7,824 jobs and the planned industrial space of 211,150 square metres will provide 3,640 jobs, giving a total of 11,464 jobs.

However, using the lowest figures from this Guide, the target floor space will create 17,604 office jobs and 5,865 industrial jobs: a total of 23,469 jobs. This implies that between 26,500 and 38,500 (depending upon the basis of calculation) of the planned increase will have to come from other forms of employment generation. Paragraph 2.5 of the Plan (referring to Policy 4) suggests that only 7,000 new jobs are anticipated from other sources, implying that only just over 30,000 new jobs are anticipated over the Plan period. Using the figure of 5 square metres per job given in the Workplace (Health, Safety & Welfare) Regulations 1992 as a rough guide, the implication is that this could generate as many as 88 400 jobs. Either way, what proportion of these 26 500 plus people will be already resident in Cornwall and how many will be in migrants? Filling, adapting or redeveloping the existing unused 60,000 square metres of empty employment space should be the main priority; as creating more is no guarantee that more jobs will be created.
How much renewable energy? Is it open ended, first come first served? The policy makes no mention of quantity. If it is open ended how do we know if it is deliverable or able to be maintained? Where is the wood processing plant and what scale is it? Where does it source its feedstock? 47 500 houses. The map shows 33 400 in the various towns, or more likely expanding the boundaries of towns. How much greenfield site will be consumed by this? Is this deliverable? It seems unlikely that they will be saleable unless incomes in Cornwall rise. CC reported itself recently that 35% of households earn less than £15 000 per annum.

**Sub paragraph 5** is weaker than that which it replaced and is unlikely to be deliverable as the lack of attention is paid to raising incomes meaning that any housing will have to be the cheapest and most tightly spaced that it can.

**Paragraph 6 is weak.** ‘Where ever possible’ for instance. ‘Promote and enhance for example.’ What is needed here is, “greenfield development shall be the last resort when all other options have been exhausted and must provide a compelling economic case to justify its taking out of agricultural production.”

**Paragraph 7:** is the Community Network Area a reliable basis upon which to distribute development? These are new and artificial constructs put in place by CC in the recent past with scant regard to existing community or economic boundaries. How many Neighbourhood Plans exist or are likely to come into existence in the near future?

**Para 8:** There is little evidence of economic regeneration of Camborne and Redruth what is seen is industrial areas being converted into dormitory suburbs with the highest number of the cheapest sorts of dwelling.

The so called Pool retail development is a lot of out of town ‘shed’ stores which are already destroying the business bases of Camborne and Redruth.

Eco community at West Carclaze Baal and Par Docks is a new town springing into life of 2 300 dwellings tacked onto St Austell. The plan makes no provision for services, infrastructure or jobs that can be ascertained?

Newquay aerohub. What proportion of businesses there are new and what proportion merely relocated from other parts of the UK?

The sort of economic development foreseen along the A30 and A38 is not stated? Is this more and more wind farms?

Regeneration of Penzance. It is not clear if this includes a new heliport so that it can serve the Isles of Scilly? What has happened to the significant horticultural industry in St Just in Penwith? That needs developing to take advantage of the good soils and early season. Assuming of course that the railway connection to England will continue.
needs to greatly support their development or needs to have an alternative mechanism in place.
A site allocations DPD for the towns seems contrary to devolving decision to the lowest possible level and somewhat centralised?

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**Policy 4:** Development will support the vitality and viability of town centres. It is not clear which policies will support the viability and vitality of town centres. The Pool retail development for instance is more likely to undermine both Camborne and Redruth and probably not do much for Hayle either?

2. Community facilities and local shops should, wherever possible, be retained and new ones supported. Loss of provision will only be acceptable where the proposal shows:
   a. no need for the facility or service;
   b. it is not viable; or
   c. adequate facilities or services exist or are being re-provided that are similarly accessible by walking, cycling or public transport.

The conditions under which, loss of provision will be acceptable are wide cast and flexible. This is a very weak commitment.

Para 2.1 Why is the trunk road network emphasised for development over the rail network? No rationale is given while it is known that shifting traffic to rail reduces demand for additional road infrastructure which consumes greenfield land.

Superfast broadband is extolled as a mechanism for creating jobs and yet where is this available and at what cost? Has the effect of provision of superfast broadband creating jobs been satisfactorily demonstrated yet?

Indigenous businesses should include tourism.

Low carbon energy should include biomass and thereby anaerobic digestion of wastes which is not mentioned.

“The quality of Cornwall’s environment as an economic driver.....” This is at odds with much of the other policies which nibble away at the environmental quality of the County from many different angles.

Support to tourism is slight compared to its contribution to the current and potential future economy. There is great scope for the tourism industry to be developed. However it relies on the availability of the landscape and environment. Those factors are not guaranteed and can be seen as being undermined by much of the policy framework being proposed. This is a serious failing of the local plan in that the appearance is that tourism is being discounted as a growth industry in order to facilitate the ‘development’ of Cornwall where development means the building of large numbers of unaffordable housing units and the provision of large areas of employment space which, if previous history is any guide, will stand empty.

What is covered by the marine strategy? Is this Falmouth Docks or does it include shipping in and out of goods? Is pleasure marine included or excluded?

Is fishing included? Inshore and offshore? Oysters and crabs?
### Policy 5 Jobs and skills:

Employment proposals should be located either:

‘….d. in the countryside and smaller rural settlements where it is of a scale appropriate to its location or where the use can show an overriding business need for its location.

The above is too loose to be operable as a policy parameter. It is a catchall let out which needs to be avoided. The countryside is the least renewable resource available and needs the greatest level of protection. This policy does not provide any protection from ‘development’ or building on it.

3. Support the Enterprise Zone Aerohub at Newquay Airport through improved linkages as an economic catalyst for the wider Newquay area.

It is difficult to see how this can be achieved. Newquay is tourism. The aerohub, as sold, is intended to be industrial although one of the early arrivals was an aero museum which could be an additional wet weather attraction for Newquay. However, it is not understood that the aerohub is intended to be a theme park of tourist attractions.

In all other cases existing employment land and buildings will be safeguarded Does this also include the 60,000 m² employment space already available but unused across Cornwall?

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### Policy 6 Housing:

The basis upon which the target for new housing has been increased from 42,250 to 47,500 is not explained at all. It is noted that migration rates are a major factor in housing (Para 2.14) and that the rate varies according to the rate of growth in the economy. Thus, if CC is successful in increasing the growth of the economy the pace of migration will rise and the demand for houses will rise. What seems not to be addressed is the fact that a large proportion of households in Cornwall (35% according to CC in a recent separate document have incomes so low (less than £15k per annum combined) that renting is a struggle never mind buying. The current economic downturn would predict that demand would be falling which makes the increase proposed in this iteration of the plan less easy to understand. Was ‘plan monitor and manage applied to this process?

The policy is right in saying that the quality of housing impacts upon the wellbeing of people. It is for this reason that a policy of producing ever smaller, lower spec houses to make them affordable is a bad policy both for the people and the housing stock. The emphasis needs to be on enhancing the income levels so that people have the means to access good quality housing. If that is not possible then the focus must be on social rented housing provided by Government in one way or another.

This, plus a right to buy scheme where the proceeds of sales are used towards replacing that which has been sold is one of the few mechanisms whereby people whose incomes are constrained, through no fault of their own can, slowly and by their own efforts, own housing property of a good standard.

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**Policy 7 Housing in the countryside:**
The lack of settlement boundaries is deplored. Housing associated with rural employment creation is welcomed. However, the parameters by which employment creation is judged and the caveats which are applied to such housing need to be significantly stronger than is currently the case. The type and design of housing needs to be matched to the jobs created. Instances abound of agricultural labourer houses of five bedrooms, three garage spaces, and swimming pools even which end up breaking the planning tie and being cashed in to the benefit of the then owners thereby de facto enabling sporadic development in the open countryside over an extended time horizon which some developers are willing to accept.

The definition of rural occupation needs to be elaborated. Because someone decides to restore furniture in a rural place does this qualify as a rural occupation? Is a panel beating enterprise for vehicles undertaken in a rural setting a rural occupation?

**Policy 8 Affordable Housing:** The definition of affordability is insufficiently clear. The percentages of affordable are laid out but the economic aspects are unclear. Does it, for instance, still require a household income of at least £37k per annum? Such levels of income required to access the housing referred to are such as to be far in excess of the income levels of the majority of households in Cornwall. There is a danger that provision of local needs housing as a component of a mixed development will be used to encroach the settlements into agricultural land which is highly undesirable.

Bearing in mind the concerns expressed above about whether local people will be able to access even what are defined as affordable homes it may well be that only social housing with a right to buy can meet the needs of local people.

**Policy 9 affordable housing led schemes:** The same concerns attach to this policy as to Policy 8 above. While incomes remain so far below the national average the number of households in Cornwall unable to access even affordable houses will remain unacceptably high.

It is also noted that schemes designed to determine the occupation of housing fall into disuse by the second round at the most and are so more of a fig leaf than a functional mechanism to protect local occupation. The current Homechoice register and its use have been shown as a poor reflection of actual demand for housing over and over again.

The requirement for demonstrated local support for such proposals is
helpful but not guaranteed to be available.

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**Policy 10 Publicly owned sites:** This policy would seem to put all publicly owned potential sites on the market which may or may not be an unmitigated good thing. That such sites would be sought to have 50% affordable homes on them is no guarantee that it will happen. It would be better if this policy were revised to say that the first refusal on all such sites will go to those proposing to build social housing for rent and that only in the event that they are not taken up for this purpose will they be offered for other uses starting with 100% affordable homes and working down through an hierarchy to 50% affordable and 50% market.

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**Policy 11 Managing Viability:** This policy is where there is scope for much of the good work of other policies to be eroded. Developers who are sufficiently persuasive will be allowed to change the ratios of affordable and market housing to ensure viability. The Council can offer rephasing and deferral of provision of affordable housing. Regrettably there is scope here for manoeuvring and reduction of the public good in favour of the private good of developers. Presumably some such provision is unavoidable but nonetheless regrettable.

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**Policy 12 Gypsies Travellers and Travelling showpeople:** The number of pitches is reduced to 180 in total from the previous proposal of a total of 298. No rationale is provided for this change beyond saying that it is estimated that the vacation of sites will exceed additional demand arising from the formation of new households up to 2027. The basis of this analysis is not stated. This is not best practice.

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**Policy 13 Design:** The policy of seeking high and rising standards of design of all aspects of development seems likely to be more aspirational than achievable given the pressures of numbers and the limited and limiting income range available to the majority of residents of Cornwall in
need of better housing. The final clause about seeking larger green spaces in developments as opposed to multiple smaller ones is almost risible.

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**Policy 14 Development standards**: Much of this policy can be covered by building regulations hand in hand with planning consent conditions. The last item regarding energy consumption and decentralised low carbon heat networks is desirable but likely to be low on the priority list when cheapness is so high on the priority list.

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**Policy 15 Renewable and low carbon energy**: Provision a) of this policy states: *maximise the use of the available resource by deploying installations with the greatest energy output practicable taking into account the provisions of this Plan.* This implies that choice will be made between technologies on their energy production ability. If this is the case then wind turbines and solar panels will fall far behind hydroelectric and anaerobic digestion for instance. If the choice is made on the basis of the financial returns of course the result could be different. In the case of wind turbines the policy states *c. in the case of wind turbines they avoid, or adequately mitigate unacceptable shadow flicker and adverse impact on air traffic operations, radar and air navigational installations.* No reference is made to noise arising from such machines or any effect on the landscape or environment within which they are placed. Experience shows these to be much more common constraints than shadow flicker or impact on air operations.

Sub paragraph 4 admits that such developments will be allowed in AONB and adjacent to AONB ‘in exceptional circumstances’ without spelling out what such circumstances might be. The policy should say that no such developments will be allowed in or immediately adjacent to AONB areas. A policy with exceptions is not a policy.

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**Policy 16 Safeguarding renewable energy**: The policy safeguards existing renewable energy installations. A pity it does not also require that all opportunities for generation of renewable energy arising from new developments are required to be taken. For instance solar panels on the roof and over parking spaces, anaerobic digestion of putrescible waste arisings and recycling of heat within premises, for instance from use of hot water. It would be better if extended as proposed above.

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<td>Policy 17 Health and wellbeing:</td>
<td>Most of the provisions of this policy are aspirational particularly in the light of recent and current practice of CC towards PRoWs, cycle ways, open spaces and the like. It is largely undeliverable.</td>
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| Policy 18 Minerals general principles: | The policy would benefit from stating that the Council will support prospecting for new minerals, the development of new uses for existing minerals and the reprocessing of wastes from old extraction operations to obtain better value from them while also rehabilitating the dump areas for reuse. |
| Document | Page number | Policy number |
| Cornwall Local Plan – Strategic Policies | | Policy 19 |
| Sustainability Appraisal Report | | |

| Policy 19 Minerals safeguarding: | would benefit from the inclusion of rare earths and specific provision for safeguarding of minerals on the seabed and under the seabed under the jurisdiction of the Council as planning authority. |
| Document | Page number | Policy number |
| Cornwall Local Plan – Strategic Policies | | Policy 20 |
| Sustainability Appraisal Report | | |

| Policy 20 Waste: | Provision 1 of this policy states: Proposals must show best solution having regard to the ‘waste hierarchy’. The Council will support energy recovery facilities where options higher up the waste hierarchy cannot reasonably be realised. It is unfortunate that this policy seemed not to be in place when the decision to build an incinerator as the primary means of waste disposal in the county was taken. Provision 2 seems to infer that United Downs landfill could be granted extended life under exceptional circumstances. Provision 3 appears to mean that were a food waste scheme such as previously operated in Stithians brought forward again it would be supported? |
| Document | Page number | Policy number |
| Cornwall Local Plan – Strategic Policies | | Policy 21 |
| Sustainability Appraisal Report | | |

| Policy 21 Managing provision of waste management facilities: | Provision 1 of this policy is limited to heat. It would be better if it referred to energy. |
| Document | Page number | Policy number |
| Cornwall Local Plan – Strategic Policies | | Policy 21 |
| Sustainability Appraisal Report | | |
**Policy 22** best use of land and existing buildings: Provision d of this policy is deplored: d. the safeguarding of Grade 1, 2 and 3a agricultural land for food production and where reasonable alternatives for development can be identified, the safeguarding of grade 3b agricultural land.

The classification of land according to soil type and slope does not take into account the economic value. Thus land in Cornwall graded 3b or even 4 can have higher economic potential producing early season vegetables or flowers than a similar area of class 1 land producing only one crop of wheat, for instance, a year. These classifications need to be replaced by an economic valuation of land in its current and alternative uses before planning consent is granted.

**Policy 23** Natural environment: First mention of landscape and environment in the policy so far. Ultimately nothing is entirely protected there are exceptional circumstances and let outs everywhere. An apparently new provision is the last which states: **Mitigation**

Where development will result in adverse impact, the council will require appropriate and proportionate mitigation and/or compensation such as replacement habitats.

How this provision will operate remains to be seen.

**Policy 24** Historic environment: Provision b states: b. Protect, enhance and promote the outstanding universal value of the World Heritage Site and its setting; supporting the adopted management plan.

The experience in Stithians in regard to the World Heritage site has been variable, particularly with regard to wind turbines on the boundaries or within sight of the WHS. The wording is good, it is to be hoped that the implementation of this new policy will match the wording.

The final provision related to mitigation says: **Assessment and mitigation**

Development and management proposals should be informed by proportionate historic environment assessments and evaluations. Where the balance of a decision in favour of development results in the loss or significant damage of a heritage asset, the council will require appropriate and proportionate mitigation by using planning conditions, management agreements and obligations.

It is to be hoped that this provision will be strongly applied in all relevant circumstances.
**Policy 25 Green infrastructure:** Relates to provision of green open spaces and water spaces. Howsoever the penultimate provision states: 6. In exceptional circumstances where the need for the retention of the most important environmental infrastructure assets and connections is outweighed by the benefits arising from the development proposals, mitigation against the loss of such green infrastructure should be equal to or above its current value and quality resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

This is a let out clause with, as usual exceptional circumstances invoked while what these circumstances might be is not explained which is poor policy.

**Policy 26 Flood risk management:** This policy would be greatly improved if it used the Environment Agency flood plain risk assessments as a reference. It would also be improved if it referred to the cumulative impact of encroachments into flood plains which currently is not taken into account thereby accumulating future risks unnoticed.

**Policy 27 Transport and accessibility:** The policy only refers to transport and accessibility of new developments. Meanwhile rural area public transport and PRoW maintenance and development are not mentioned.

**Policy 28 Infrastructure:** Again the policy only refers to infrastructure as it relates to new developments. Infrastructure without new developments is ignored. Reference to allowable solution and biodiversity offsetting payments implies that anything is acceptable as long as sufficient money changes hands. CC will seek to ensure that all such monies are invested within Cornwall with priority given to projects which achieve multiple benefits. Note will ‘seek to ensure’, where they cannot ensure the destination of such revenue is unclear.
Localism: significant emphasis is placed in this section on Neighbourhood Plans. These have yet to be seen as effective and accessible tools to enable communities to shape the future of their areas, particularly in Cornwall but also throughout the UK. Information is needed in the plan on alternatives to Neighbourhood Plans.

Policy PP4 Camborne Pool and Redruth Community Network: For the purposes of this report only CPR Community Network is considered.

45.1 Housing need in Bands A to D is stated as 1,307.
45.2 Housing need in Band E is stated as 1,397.
45.3 Existing housing commitments are shown as 3,089 which exceed the combined need components of 2,704 by 1,105.
45.4 The population is shown as 59,100 in 2007 the full time employed as 12,071 (62% of those employed) and the part time employed as 7,231 (37% of those employed), a combined total of 19,302 (32% of the population). Thus 39,798 are not employed (67% of the population).
45.5 If the part time employed were able to become full time employed this would make a significant impact on the economic development of the area although the impact on unemployment would be negligible. Conversely, if more people become employed part-time the impact on unemployment is significant but the impact on economic development small. Taking the matter of the ability to afford housing as a sample. Full time employed people are more likely to be able to afford either to rent or buy houses than part timers.
45.6 Infrastructure: It is unclear what the function of the East West link road is intended to be. What is linked to what? Camborne linked to Redruth? Is this not achieved by the Camborne Redruth bypass?
45.7 It seems aspirational to assert that people will use Camborne Redruth as the hub to experience the World Heritage Site from as the site is distributed across many sites located all over Cornwall and West Devon. That this is the sole item under environment seems insufficient.
45.8 It is aspirational to seek to break down the historic competitiveness between Camborne and Redruth. Apart from anything else much of the culture and heritage which is promoted as an attraction is based on just that competition.
45.9 Furthermore seeking to promote Pool as a centre for employment, services and retail will further erode the demand for those functions in both Camborne and Redruth which will become dormitory satellites of the centre, if it develops successfully.
45.10 The emphasis placed on housing only serves to confirm that analysis. Despite housing existing building commitments exceeding identified needs by more than 1,000 brownfield and greenfield sites are identified to build a total of 5,300 houses. That implies an additional 3,500 people arriving in the area. Most will need employment to enable them to buy their houses and live. The plan only provides for an additional 2,850 jobs.
There is also a discrepancy between the narrative plan and the map which shows a total housing addition for Camborne and Redruth of 4,500 as well as a discrepancy within the narrative document. Para 7.12 refers to 5,300 dwellings while the Policy PP4 box refers to 4,500.

45.11 What logic drives turning Camborne Bus Station into retail premises and using one of Redruth’s car parks for the same purpose? Is travel to Camborne by bus so easy that the bus station is no longer needed? No reference is seen to a public transport system analogous to the former Camborne Redruth Tramway in the plan. Is car parking so over abundantly provided in Redruth that eliminating some of it will not occasion parking difficulties, especially if more people come there shopping and to work as a result of the plan?

45.12 The proportion of the existing sales space which the proposed additional 15,550m² of sales space will constitute is not stated. At a guess perhaps an additional 30%. If most of this is in the form of large footprint units in Pool what will be the impact on Camborne and Redruth?

45.13 Flooding presumably refers to the Red River valley and the area served by the Redruth Brewery Leat where flooding is known to be an issue in need of remediation.

45.14 Reference is made under PP4 to an area-wide Surface Water Management Plan. This, however, only applies to Camborne, Pool and Redruth.

45.15 The remainder of the Community Network, that is everything except Camborne Pool and Redruth, is covered in three paragraphs.

* 800 houses to be built by 2030.
* Communities to be rebalanced by providing facilities, economic development or housing for local needs so as to reduce the need to travel. This assumes that the aforesaid communities are unbalanced and do not have facilities, economic development or housing in proportion to one another.
* Development should deliver community benefits in the form of affordable housing and contributions to facilities and infrastructure identified locally.

Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

Yes A representative of the Parish Council wishes to participate at the examination in public

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box X Yes
If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box X Yes
If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box X Yes
If you require any assistance in completing this form or require any further explanation as to what is required please contact a member of the local planning team using the email address below or telephoning 01872 224283.

**Data Protection**
In complying with the Data Protection Act 1998 Cornwall Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation.

Personal information will be added to the Council’s Local Plan consultation database and will be used to keep you informed of progress with the Local Plan and in order to consult with you further at each stage of the process to enable you to make future comments.

Personal information will also be shared with the Government appointed planning inspector (from the Planning Inspectorate), who may wish to contact you to discuss your comments and concerns, prior to formal examination of the Local Plan and supporting documents.
Local Plan - Strategic Policies

The following response was agreed by Stithians Parish Council at its meeting held on 16th April 2013 under Minute 19/04/13:

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

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

Stithians Parish Council is not qualified to express an opinion on this question. Several rounds of consultation have been completed. The resulting proposals are still far from ideal.

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

[ ] No [ ]

Please specify the reasons below

This plan is far from sound primarily because it only addresses planning from the point of view of the Planning Act, i.e. the building of houses, factories and the like and leaves the other, say, 80% of the county, out of the equation. It cannot therefore be considered an effective basis for planning the
management of the economy of Cornwall as it claims to do, for instance on page 10. SPC would be willing to send a representative to the examination in public to support this analysis.

Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.

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

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

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Neither HMG nor CC have even attempted to define what is meant by sustainable development. It would be difficult to do so within the framework used here as it considers that development is equated with building houses, factories and infrastructure. This by its very nature is unsustainable. There is a finite amount of land and once it is consumed it is consumed. Long before that there will be a strong negative impact of ‘development’ on the remainder of the economy, agriculture, tourism and fisheries for instance. As a suggestion sustainable development could be defined as; “The highest rate of return on the resources deployed consistent with minimising irreversible consumption of the resources.”

Current proposals take no cognisance of the current or future returns on natural resources and fixate solely on building.

Cornwall has a distributed pattern of development and settlement driven by its natural resource endowment, working against that can only give undesirable results.

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Policy 2 states the intention to build 420,000 m² of employment space. What is the justification for this when 60,000m² already exist and stand idle and have stood idle in some cases throughout the whole of the last plan period? The usual allocation is 5m² per job. Thus 420,000m² would only provide for 84,000 jobs and the existing 60,000m² 12,000 jobs. Previous efforts have demonstrated the ineffectiveness of providing employment space? It is queried if this strategy actually creates any jobs at all. Previous efforts in this line have merely attracted employers to relocate to Cornwall while the low rates and wages and other incentives obtain and then leave again. This is just a beggar my neighbour approach.
Low carbon energy is a good idea. However it needs to be implemented in ways which benefit the economy today and in the future and not just to maximise achievement of random seemingly politically motivated targets set by HMG. No consideration is given to the impact of wind and solar energy enterprises on the natural resource base or to whether they are the best options to pursue. The argument about conserving the class 1, 2 and 3a land is not true in Cornwall where there is hardly any class 1 or 2 land and when the classification is based on the soil type and slope. NO account is taken of the economic value of land even if it is in lower land classes than 3a. This means that much of Cornwall is open to blight from wind turbines and solar panels.

Geothermal energy was developed in Cornwall and should be benefitting the County. Lack of £20m capital seems a thin excuse when CC itself has facilitated a loan of £20m to the for profit company embarking on building an incinerator. Better that money were directed at geothermal energy.

The potential for anaerobic digestion as a source of renewable energy, recycling putrescible wastes, producing fertiliser, recycling water, aggregates and heavy metals have been rehearsed endlessly and yet CC stubbornly cling to the misguided incinerator. In other parts of the UK incinerator plans are now being turned down by HMG due to excess capacity by refusing to grant the necessary PFI credits. Planners cling stubbornly to the notion that hydroelectric power requires large volumes of water dropping through significant vertical intervals. The reuse of the many hundreds of waterwheel sites (for instance in the Kennall Vale area) to drive what are currently wind turbines with waterwheels are not even considered.

The planning failure arises because the plan merely applies HMG targets without considering the economic costs and benefits of doing so on the current and future capacity of the economy of Cornwall.

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Policy 3 sets the stage for the various CNA sub plans and is extremely urban centric on the one hand and seeking to convert non urban settlements to satellites of urban areas. Again the policy only addresses building.

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"Retail and commercial development outside existing centres must show that there is a need and no significant harm on the viability and vitality of the existing centre.…… Community facilities should be retained unless the proposals shows no need for the facility or service, it is not viable or adequate facilities or services exist or are being re-provided that are similarly accessible by walking cycling or public transport”

This very clearly favours urbanisation of commercial and service facilities to the detriment of the distributed pattern of settlement and development in Cornwall. The reverse is what is required so that non urban communicates are economically and
socially viable and sustainable. The clause, exist or are being re-provided is particularly risible.

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Enhancement of tourism.... First do not destroy the basic tourism resource the landscape and settlement pattern which makes Cornwall attractive to tourists by peppering the whole place with wind farms and solar panels. The Enterprise aero hub has yet to show any evidence of creating new jobs merely, as before, attracting enterprises form other places with cheap facilities and better living conditions soon to be destroyed by building houses all over the place according to this plan.

“Employment proposals should be well integrated with our city towns and villages.” Wrong, employment proposals must be well integrated with the natural resources upon which they are predicated and demonstrate that they have minimal negative impact while maximising returns on the investment.

“Within areas that are well served by public transport..... “This might just as well say urban areas as public transport in rural areas is poor. The lower densities of population will always make public transport expensive in rural areas. This must be faced and either addressed by cross subsidisation from urban areas or abandoned and provision for private transport enhanced.

“In the countryside....”should read; employment proposals must be well integrated with the natural resources upon which they are predicated and demonstrate that they have minimal negative impact while maximising returns on the investment

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Two issues are confounded here, access to housing and demand for it. The Homechoice register as it is currently used to evidence demand grossly over states the position. To have any value the system needs to relate particular people to specific places. Currently Homechoice, as it is used, sees many applicants listing several locations which are all accorded equal priority.

Equally important is access to housing. A large number of people are unable to afford to buy open market housing. The reason for this is that wages in Cornwall lag 30% behind the rest of the UK. Providing low spec cheap houses does nothing to address the real issue which is the low wages. Low spec cheap housing just ties people into low wage low cost housing for ever and limits the scope for progress.
Equally building more and more houses does nothing to reduce their price while people in other parts of the UK can sell their house and buy a cheaper open market one in Cornwall and harvest a cash sum in the process.

The statement on page 23 that “Delivery of the new housing development in the quantity and form necessary is fundamental to achieving sustainable growth” typifies the misguided basis of this plan. Housing is a necessary adjunct to economic development not the other way round. Leaving aside that building lots more houses alongside the wind and solar farms is a poor use of scarce land, without jobs local residents will not be able to buy the houses. We know that already because 33% of the working age population are economically inactive and a large number of people cannot afford houses. Building more houses that local people cannot afford (even the so called affordable houses are out of the reach of many) consumes non renewable land and does not solve any of the issues facing the economy of Cornwall.

When affordable housing was last considered in Kerrier days it requires two incomes producing £39k per annum between them to support the necessary mortgage. The situation on job availability has got worse not better since then.

What is needed here is a mechanism whereby the provision of housing and jobs are linked. The jobs need to be full time earning at least the national average and sustainable in the sense that the market for what is produced is long term and robust preferably using local natural; resources as the basis for production, or adding value to locally produced commodities. For such enterprises all doors should be open and all support be available. The rest has the appearance of lip service to economic development while consuming non renewable land resources and not producing any sustainable economic development to try and meet HMG political targets.

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Publicly owned sites.
The operation of this policy demonstrates government policy at its worst with public open spaces, playing fields and the like being cashed in and boosted by planning consent. This policy is a bad thing.

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Policy 11 is trimming at its worst. If the proposal does not fit the policy then lets bend the policy so it fits anything. Off site contributions are very difficult not to construe as bribes in one form or another. If this policy comes into operation then there is little point in the rest of the set.
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The whole matter of gipsy and traveller sites is difficult. Will parcelling its consideration off to a separate document make resolution of this important aspect any easier?

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The Council is struggling to process planning applications through the necessary process, never mind enforcement of the conditions which are sometimes applied. What is CC’s idea of high quality building is sometimes of doubtful taste never mind appropriate and within keeping of the existing built environment and natural landscape.

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This policy is worthy as far as it goes but does not go far enough. Recycling of putrescible waste is best achieved by grinding the materials up in a sink side waste disposal and sending them down the sewer to sewage works for processing. No reference is made here to public transport.

Minimising energy consumption is referred to but not minimising the costs to consumers. This can be somewhat ameliorated by requiring that every development of more than, say, ten dwellings must be connected to the mains gas network. Mains gas is the cheapest form of energy and should stay that way when shale gas comes online in the UK as it will. Mains gas can also use gas produced from anaerobic digestion of putrescible waste.

No reference is made here to other infrastructure such as schools, shops, libraries, surgeries, pharmacies, post offices or banks.

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Renewable and low carbon energy. This policy has good points. However what is missing is the means for selecting which low carbon and renewable energy sources
to promote. The current policy of safeguarding class 1, 2 and 3a land is inadequate as it only refers to the soil type and slope of the land taking no account of the economic value. There is very little land of class higher than 3a in Cornwall so under that policy everything is open to wind farms and solar panels. Are these the best technologies to use? No. There are structural inefficiencies. Wind farms work at best 33% of the time and solar half the time. Thus either two or three times the capacity has to be installed to generate each megawatt of power. No comparison is made with using waterwheels to drive turbines which work 24x7 which would increase the return per Pound invested 3 fold compared to wind. Anaerobic digestion of putrescible waste produces 24x7 as well as providing supplementary benefits in terms of fertiliser, recycled aggregates and heavy metals and recycling water. In addition no waste is dumped at sea and landfill demand is reduced. Geothermal energy hardly gets mentioned and yet CC has 20million pounds to loan SITA to install a grossly inefficient (in economic terms) incinerator while Geothermal energy is stalled for a similar sum. As for wasting money putting a socket under the sea having nothing to plug into it can hardly be seen as efficient planning?

**Document** | **Paragraph number** | **Policy number**
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Cornwall Local Plan - Strategic Policies | Sustainability Appraisal Report | Policy 20

The meaning of this policy is shrouded by the terminology. Is this new development of renewable energy facilities or new development of housing? If the latter it is saying that new housing must not interfere with renewable energy installations while the opposite, very common, circumstance is ignored by the planners almost everywhere.

**Document** | **Paragraph number** | **Policy number**
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Cornwall Local Plan - Strategic Policies | Sustainability Appraisal Report | Policy 17

Has this policy been taken cognisance of in proposing an incinerator at St Dennis?

The current and proposed policies militate against physical activity. On the one hand open spaces are being sold off for housing and on the other the PRoW network is under attack from poor maintenance and reduced budgets for maintaining them under a policy which will; surely see half the network abandoned for lack of maintenance in a few years.

**Document** | **Paragraph number** | **Policy number**
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Cornwall Local Plan - Strategic Policies | Sustainability Appraisal Report | Policy 18

This policy refers only to aggregates stating that minerals, apart from kaolin, are too
confidential to consult upon.

The policy should promote the reworking of mine dumps to recover minerals and rehabilitate the land such that it can be used for other purposes such as housing. Similarly the hectares of dumps of quarrying overburden can be worked for aggregate which is easier and cheaper than quarrying fresh stone.

The use of anaerobic digestion also recycles heavy metals and aggregates; this is missing from this policy. Minerals can also be recovered from water flooding from mine workings as at Carnon Downs. The County Adit was mined for copper a hundred and fifty years ago when recover technology was far poorer than it is now.

The Green Deal is of suspect value. It seeks to load those least able to repay with debt to improve the housing stock, a recipe for personal and policy failure at every level.

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<td>that it is recoated and relaid on site. This reduces consumption of aggregate as well as transport of old and new coated stone.</td>
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<td>Why granite and slate are cheaper to import from as far away as Brazil than to produce locally needs to be closely examined and, if possible rectified. Just the costs of shipping should militate against this.</td>
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Charging deposits on bottles, cans and the like would see a whole industry in collecting these items spring up converting waste to desirable input. They would disappear from the roadsides and beaches with alacrity.

The present litter management system does not work in rural areas as the code of practice upon which the contract is predicated sets no standards for rural areas. On demand litter picking is not working and is too much to expect volunteers to do.

Fly tipping is increasingly widespread demonstrating that the system is failing. Either revise the operating hours and charges at recycling centres or put skips at places where fly tipping is common. Expecting landowners to clear up waste tipped onto their land by fly tippers is highly discriminatory. Expect signs to appear on such land soon saying please deposit fly tipping onto the highway so that the contractors are obliged to clear it up.

The change to the new waste contractor was very badly managed and still does not work well.

Consider sub contracting litter picking and emptying of litter bins to town and parish councils in return for economic payments which make it worth their while to manage (additional clerks time for instance). It will be cheaper and more effective than the current system which is failing.

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The policy of only safeguarding land classed as 1, 2 and 3a is inappropriate for Cornwall where there is little of such land classified on the basis of the soil type and slope. The economic value or land must also be considered. A hectare of class 4 land producing early flowers and vegetables long season is worth a lot more than a hectare of class 2 land producing one crop of grain or some grazing.

Subdivision of properties is a recipe for lowering the economic and design value of properties. There are examples in this parish of decent houses being downgraded by building cramped dwellings in their gardens.

The promotion of use of brownfield sites is promoting the removal of facilities in rural areas such as pubs, shops, garages, post offices and the like which the owners cash in as building sites converting the villages to dormitories reliant on Tesco deliveries. So much for self reliant communities.

Much of this is unnecessary because of the misuse of the Homechoice register boosting identified demand for housing far higher than is effective demand i.e. that which people have the means to buy, added to the low wage regime in Cornwall.

Greenfields are best suited to agriculture, Hence the policy should be no green field development and minimisation of consumption of other land.
The natural environment is a major contributor to the character of Cornwall which relies to a large extent on tourism for its economy, and should rely more on this as time goes on. Sticking hundreds of wind turbines and solar farms not only destroys that character it also raises the costs of energy due to the structural inefficiencies (referred to above). Alternatives are available (see above) which not only do not destroy the character of Cornwall but give better returns per Pound invested. This is a straight policy issue which CC needs to address. First evaluate the alternative options for land use and select those which give the best returns from the least land. The AONB are being eroded by the poor application of planning especially in regard to wind turbines and solar farms.

When will solar panels appear over car parks generating energy and revenue while keeping the sun and or rain off the parked vehicles?

Some of the planning decisions regarding or related to woodlands and water (reservoirs for instance) are incompatible the one with the other.

The historic environment is hardly protected at all under the current planning system. Little or no notice is taken of listing or scheduling in the drive to build low grade (affordable) houses in the pursuit of short term profit under the guise of kick starting the economy.

Why is coastal open space more important than any other? The focus on the coast path at the expense of inland rights of way is short sighted to be polite. A primary means of long term maintenance of green infrastructure is bringing the Definitive map of public rights of way up to date. It has not been reviewed in more than 50 years in this parish despite much pressure and broken promises.

Waterscapes are being commercialised if Stithians lake is anything to go by, largely by SWW seeking to offload the cost of maintaining the areas around reservoirs despite their already high returns and profits from their core business. This looks just like greed.

The LMP system for PRoW’s is good value and needs to be developed and improved.
not undermined by reducing budgets as is currently the case. Urban and rural areas must benefit from equal standards not urban having high standards and rural no maintenance.

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Flood risk management needs to take proper cognisance of the flood plains when allowing planning permission. Not only individual consents but the cumulative effects of such consents on a flood plain. The current rule that only development over one hectare is even referred to EA for consideration means that a lot of flood plain pressure is added each year.

The management of water needs to be addressed. Delivering run off as well as fluvial water to the sea by the quickest and easiest route is the best solution. This can be achieved by ensuring that riparian owners do the work which they are duty bound to do and that the enmaining of rivers is reviewed and rationalised to ensure that the costs deliver efficient and effective results. This is not always the case.

The management of waste water also needs to improve, see above comments on runoff from highways.

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The distributed pattern of settlement means that public transport is expensive and inefficient. Recognise this and assist the use of cars, vans and mini busses. Even minor roads support businesses and need maintaining. If urban users want their roads maintained to higher standards then the rates which they pay for this must be higher than basic maintenance in rural areas. Asking rural areas to subsidise urban road maintenance is unfair and unrealistic. The rail system needs developing. Branch lines and tramways need to be developed to feed between rural and urban and between urban areas. The main line need to be developed such that it can carry HGV freight and thereby reduce demand for additional road capacity which consumes land while rail capacity lies idle. The numerous ports around the coast need to be put to best use for tourist traffic as well as freight in and out.

Walking and cycling are spoken of but then budgets for PRoW maintenance cut and policy arranged such that the networks will shrink due to neglect. This must be changed.

Car parking charges policy needs to be reviewed such that short term parking is promoted in town centres and longer term on the outskirts. The current system whereby no change is given nor time paid for pro rata cheats the customers at every possible turn.
Revise the rates paid for vehicle use such that the vehicles with the biggest engines get paid least and bicycle users get paid most as a positive incentive to use smaller cars or cycles.

Integrate bus and rail systems. GWR worked out an hundred years ago to run busses to railway stations and link the timings. Even where the bus and train services are run by the same company this seems not to be possible today.

When are the post office, gas companies, electric companies, water companies even supermarkets going to convert their short haul vehicles to electric? The milk industry did this many years ago when technology was far less efficient than today.

When are CC diesel vehicles going to change to using LPG or even compressed methane produced from landfill or AD?

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Agreed, new development should ensure that mains gas is brought everywhere as the cheaper and more environmentally friendly fuel thereby reducing fuel poverty. All new developments must have fibre optic broadband. All need developments must have sink side waste disposers for putrescible waste. Make these part of the planning conditions for developments.

Be careful that the CIL does not just turn into an added cost which developers factor into their prices.

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This set of proposals is a disgrace. It is so urban centred as to be unbelievable. The rural areas which make up most of the area get no mention in relation to the numbers of houses to be built here.

The objectives proposed are vague and mostly irrelevant to the needs of the area.

Revised proposals are included hereunder:

1 **Objective 1 - Employment**

Enable higher quality employment opportunities by sustaining and enhancing the area’s role as one of Cornwall’s primary employment hubs. **Objective should say:** Reduce percentage of working age population economically inactive by 1% per annum while increasing the average income of people in Cornwall by 1% per annum year on year.

2 **Objective 2 - Housing**

Deliver housing growth that will help facilitate the area’s economic aspirations, whilst also delivering much needed affordable housing for local. **Should say enable 5% of those seeking housing to access appropriate housing within their means per annum**
while building the minimum number of new units on Greenfield sites, preferably none that are not directly linked to proximate employment. The answer to affordable housing is not cheaper houses it is better incomes and more of them. Social housing operated with right to buy and using the proceeds from sales to build more is one mechanism not yet fully used. Require that all new build housing of more than ten units must be connected to mains gas and that each unit is equipped with waste disposal connected to sewer to dispose of putrescible waste.

3 Objective 3 - Retail
Enhance the community network area’s retail offer, providing different but complementary roles for Camborne, Pool and Redruth, strengthening comparison shopping in particular. Should say, promote the development of retail markets for locally made products to supply the needs of local communities while also enabling export to the most profitable markets in the UK and abroad. Supermarkets are necessary what is needed is to assist local producers and retailers to compete with them on equal terms.

4 Objective 4 - Education
Consolidate and enhance the community network area’s education opportunities, including Cornwall College. Should say, ensure that every person, child and adult has access to educational opportunities within easy reach of their home which provide them with the skills to enable them to play a full part in the community and economy as and when they need them.

5 Objective 5 – Regeneration
Reduce deprivation and support regeneration and growth through allocation of land for services, provision of infrastructure (including open space and enhanced sports and leisure facilities) and through high quality design. Should say; Facilitate the improvement of infrastructure and utilities to reduce the production costs of all enterprises while bringing land and previously used sites (remediation) back into production. Promote the development of new enterprises which capitalise on the comparative advantages which Cornwall has, mild climate, scenic landscape, sea, minerals, proximity to Europe.

6 Objective 6 - Transport Infrastructure
Deliver the highway and sustainable transport infrastructure needed to support the delivery of the area’s regeneration – including the east-west link road and improved access into Redruth town centre. Should say; Improve transport infrastructure starting with the existing roads, railways, PRoW’s to ensure that they operate at maximum capacity and minimum cost. Reinstate the Camborne Redruth tram system and extend to Portreath. Develop railway to take Channel Tunnel trains to get HGV’s, caravan and busses off roads. Improve car parking and bus operating systems.

7 Objective 7 - Contaminated Land
Continue remediation of the area’s contaminated land, in doing so regenerating underused or derelict sites for housing, leisure and employment uses. Include under regeneration.

8 Objective 8 – Environment
For CPIR to be renowned as a destination for cultural and heritage related tourism; in doing so acting as the hub for experiencing the World Heritage Site. Maintain the separate identities of Camborne, Pool, Illogan and Redruth, whilst utilising their collective strength. Should say; minimise the impact of
development on natural landscape and environment. Always prefer to maintain Greenfield areas as Greenfield areas and work towards improving their productivity. Take every opportunity to ameliorate the impact of current and past industrial activity on the environment by recycling, reprocessing and rehabilitating. Capitalise on the natural advantages of Cornwall.

9 Jobs and skills 2.2 To do this we need a flexible approach that ensures sufficient sites and premises of the right type are available in the right places at the right time. Also.... More industrial workspace and homes to support the workforce; And then..... 2.5 To support the delivery of over 50,000 jobs over the plan period the target of 422,400 sq m of employment floor space has been set to help support a mix of industrial and office provision capable of providing over 16,000 jobs. There is 60,000 m² of employment space standing idle in Cornwall already. At 5 m² per job that is sufficient for 12,000 jobs. And these proposals want to increase that availability? Providing employment space is insufficient. At best this approach bribes existing companies to move for a while to Cornwall until the bribes run out. Should look at ways and means of developing genuinely new enterprises based on the comparative advantages conferred by the natural resource endowment. By following the natural resource pattern all parts of the area will benefit. The CNA is a concocted construct which has yet to demonstrate any utility either in terms of representation of the people or economic development. It needs to be reviewed and revised.

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

Yes [ ]
If yes, please specify at what stage:
At each consultation which has been done.

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

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

J V Calvert
Clerk
19th April 2013
Representations can be submitted by email to localplan@cornwall.gov.uk or by post to:
Cornwall Council – Local Plans Team
Carrick House
St Clement Street
Truro
TR1 1EB

This form has three parts:
Part A: Your personal details
Part B: Previous representations
Part C: Your representation

**Part A: Your personal details**
You **must** complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires all representations received to be submitted to the Secretary of State. By completing this form and submitting it to the Council you are giving your consent to the processing of personal data by Cornwall Council and that any information received by the Council, including personal data, may be put into the public domain, including on the Council’s website.

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<tr>
<th>Name</th>
<th>John Hodkin</th>
<th>Paul Rogers</th>
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<tbody>
<tr>
<td>Organisation</td>
<td>Eco-Bos</td>
<td>Terence O’Rourke Ltd</td>
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<tr>
<td>Address line 1</td>
<td>Everdene House</td>
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**Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?**
Yes ☑  
No ☐
**Part B: Previous representations**

Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

We are sensitive to the time and effort people made at the last consultation and we are happy to accept comments made previously. If you would like your comments to be held over for this consultation you must tell us that is what you want.

Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes ☐✓ No ☐

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes ☐✓ No ☐

Do you want to make amendments to your previous comments?

Yes ☐✓ No ☐

If Yes;

What changes do you want to make;

Additional comments in relation to the proposed revisions to overall housing provision as set out below.

**Part C: Your representation**

**Soundness**

Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:

- Positively prepared
- Justified
- Effective
- Consistent with national policy
Legal compliance

For a Local Plan to be considered legally compliant, the following needs to be determined:

- Whether the Local Plan is detailed in the current Local Development Scheme and that the key stages have been followed,
- That community involvement has been carried out in accordance with the current Statement of Community Involvement
- Whether the Local Plan makes satisfactory regard to the Sustainable Community Strategy
- That the Local Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended)
- That the Local Plan complies with the Town and Country Planning (Local Planning) (England) Regulations 2012
- That a Sustainability Appraisal report is published to accompany the Local Plan and is adequate
- That the Habitats Regulations Assessment is carried out in accordance with the Conservation of Habitats and Species Regulations (The Habitats Regulations) 2010
- That the Local Plan has regard to national planning policy
- That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

Q3 A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?

Yes ☐
No ☑

Please specify the reasons below

In order to be found sound, the National Planning Policy Framework (NPPF) states that Local Plans should be positively prepared, justified, effective and consistent with national policy (paragraph 182). Whilst it is recognised that the level of housing growth included within the Submission Cornwall Local Plan has been increased from that proposed in the 2013 Pre-Submission Draft Plan, this represents a bare minimum figure and is unlikely to be sufficient to meet the County’s needs for housing and support the Plan’s objectives and specifically to deliver economic growth and transformational change in the St Austell China Clay area. This undermines the effectiveness of the Plan and its ability to respond flexibly and positively to a different economic context over the life of the plan Period. There is now considerable evidence available to support the view that there is a sustained recovery in the UK economy and the Local Plan should be seeking to maximise the potential benefit of economic growth to Cornwall.

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?

Yes ☑
No ☐

Please specify the reasons below

Yes. The Local Plan appears to be legally and procedurally compliant in its preparation.
Q5. Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

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<td>Cornwall Local Plan – Strategic Policies</td>
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<td>Policy 2: Key targets and spatial strategy</td>
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<td>Sustainability Appraisal Report</td>
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The comments made by Eco-Bos in relation to the 2013 Pre-Submission Draft Local Plan remain valid in relation to the overall housing target to 2030. Eco-Bos did not support the previous 42,250 home target set out in the 2013 Draft Local Plan.

Although Eco-Bos recognise that the proposed increase to 47,500 dwellings is a step in the right direction it maintains its view that this is still an overly cautious approach to future housing provision in Cornwall. Particularly given the ambitious growth strategy that is outlined in the Local Plan to deliver growth, transformational change and ensure that Cornwall achieves its vision of achieving a leading position in sustainable living.

It is clear that the proposed figure of 47,500 homes represents the absolute bare minimum that planning officers believe can be supported through examination. This represents a rather negative approach given the potential that exists across Cornwall, and especially the St Austell China Clay Area, to deliver more substantial growth and achieve wider community benefit.

Furthermore, it does not reflect the Government’s stated ambition to deliver substantial economic growth and rebalance the UK economy, particularly in locations where there is significant pressure for new homes, including affordable homes, to meet needs and to encourage the creation of new jobs. This is particularly important in those areas where there are opportunities to deliver much needed economic growth and regeneration.

Eco-Bos continues to advocate that consideration should be given to further increasing the target housing provision over the plan period beyond the 47,500 figure proposed by the Council. This figure should only be regarded as an absolute minimum figure.

Sufficient flexibility should be built into the Local Plan to enable this figure to be exceeded where sustainable development proposals can contribute towards meeting the Plan’s objectives and contribute towards meeting transformational change.

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Eco-Bos maintains its previous position of supporting the identification of 2,300 dwellings for the new Eco-communities and also broadly supports the proposed increase of housing provision within the China Clay CNA from 1,400 to 1,500.

However, Eco-Bos maintains its view that the overall level of growth proposed within the CNA is still insufficient for the St Austell and Clay area as a whole as it will not be able to deliver the vision for transformational change that is identified in within the Regeneration Plan. The modest increase in housing provision by 100 dwellings now proposed in the 2014 Submission Draft Local Plan is insufficient to facilitate the delivery of various residential development opportunity sites that exist within the Regeneration Plan area that can also support the sustainability of local services and facilities.

Consideration should be given to increasing the overall level of housing growth in the China Clay CNA beyond the 1,500 homes now proposed. This would ensure that opportunities to bring forward potentially suitable development sites within this area are not precluded, particularly those sites that comprise previously developed, despoiled, derelict, degraded and contained land.

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<td>Eco-Bos confirm that its comments made in relation to the 2013 Pre-Submission Draft Local Plan (Policy 5) remain valid and re-affirms its view that the Local Plan should specifically recognise the importance of St Austell as a key regional town and a key location in terms of future opportunities to deliver jobs and skills as part of its vision for it to become the Green Capital of Cornwall. The Local Plan should fully recognise the role that St Austell and the China Clay area can play in delivering new jobs, skills and economic growth.</td>
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<td>Eco-Bos confirm that its comments made in relation to the 2013 Pre-Submission Draft Local Plan (Policy 8) remain valid. It again raises concern about the ability of development within the China Clay area to meet the 40% affordable housing target and the need for flexibility taking into account viability considerations. This is particularly important given the high levels of upfront investment that is likely to be required to deliver high quality sustainable development in the clay area where site conditions are challenging because of the previously developed nature of the land, including despoiled, degraded, derelict, contamination and unstable land.</td>
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Eco-Bos confirm that its comments made in relation to the 2013 Pre-Submission Draft Local Plan (Policy 11) remain valid. In addition, support is given to the proposed changes to the Local Plan text in paragraph 2.40 that recognises that Cornwall is a large and diverse area and accepts that Local Plan targets cannot anticipate all situations and the diversity of markets. It is critical that matters of viability are properly considered and taken into account when determining planning applications, particularly with regard to sites located within the St Austell China Clay Area where viability is likely to be affected by the higher costs associated with the development of previously developed, despoiled, degraded, derelict, contaminated land.

Eco-Bos confirm that its comments made in relation to the 2013 Pre-Submission Draft Local Plan (Policy 22) remain valid. It would emphasis that the St Austell Clay Area provides a unique opportunity to deliver transformational change that is of a nature and scale that can bring about change for the better. Eco-Bos supports the policy wording that states that to ensure the best use of land priority should be given to previously developed land and despoiled, degraded, derelict and contaminated land. The allocated eco-community sites at West Carclaze and Par provide examples of such land and Eco-Bos believes that other opportunities exist within the clay area that could potentially be brought forward for development in accordance with this policy.

Eco-Bos confirm that its comments made in relation to the 2013 Pre-Submission Draft Local Plan (Policy 27) remain valid.
Eco-Bos confirm that its comments made in relation to the 2013 Pre-Submission Draft Local Plan (Policy PP9) remain valid. Eco-Bos continues to support the strategic allocation of the West Carclaze/Baal and Par Docks eco-community sites within PP9.

However, it is noted that since the 2013 Pre-Submission Draft Local Plan the number of dwellings allocated at West Carclaze/Baal has been reduced from 1,750 to 1,700 homes and similarly the number of dwellings proposed at Par Docks has been reduced from 550 to 500. There is no obvious justification for applying these reductions and given that these are large scale-regeneration projects on complex sites with significant infrastructure requirements Eco-Bos is concerned that the reduction of dwellings at these sites will have an adverse impact upon their viability. Eco-Bos believes that the allocations should be returned to their former levels at 1,750 dwellings at West Carclaze/Baal and 550 dwellings at Par Docks. As previously stated these strategic allocations will help to deliver new mixed-use development that is capable of providing and maintaining new jobs, skills and economic growth and take advantage of unique opportunities to make productive and positive re-use of previously developed land and despoiled, degraded, derelict, contaminated and unstable land in rural areas.

Eco-Bos re-affirms its view that other sites within the St Austell China Clay Area could also come forward during the plan period that could make a useful contribution towards meeting Cornwall’s growth needs and delivering the transformational change that is required. It is critical that the Local Plan contains sufficient flexibility in terms of housing provision and non-residential floorspace to allow other sites to be brought forward as the local housing and economic market conditions continue to improve.

Local Plan Policy PP9 should identify an increased level of housing growth, beyond the extra 100 dwellings now proposed in the China Clay CNA, in order to incorporate sufficient flexibility to react to the potential of significantly improved economic conditions over the life of the Plan. Increased housing growth is required at a range of China Clay Area settlements, in line with the Local Plan strategy of distributed growth, to help support the long term viability and sustainability of the local services and facilities.

This approach would ensure that the potential economic, social and environmental benefit for the China Clay Area communities could be maximised. Eco-Bos believes that only by identifying the potential for modest development within settlements in the Clay Area CNA and making adequate provision will the Local Plan will it be possible to fulfil the China Clay CNA objective CC1 to support the regeneration of villages and the local economy.
Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

**Yes** I wish to participate at the examination in public

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box □ ✓
If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box □ ✓
If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box □ ✓

Signature  Paul Rogers  Date  28/04/14

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

**Data Protection**

In complying with the Data Protection Act 1998 Cornwall Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation.

Personal information will be added to the Council’s Local Plan consultation database and will be used to keep you informed of progress with the Local Plan and in order to consult with you further at each stage of the process to enable you to make future comments.

Personal information will also be shared with the Government appointed planning inspector (from the Planning Inspectorate), who may wish to contact you to discuss your comments and concerns, prior to formal examination of the Local Plan and supporting documents.
Local Plan – Strategic Policies

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

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

2. Agent details (if applicable).
   Paul Rogers
   Terence O’Rourke Ltd
   Everdene House
   Deansleigh Road
   Bournemouth
   BH7 7DU

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

Yes. The Local Plan appears to be legally and procedurally compliant in its preparation.

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

☐ No

Please specify the reasons below

In order to be found sound, the National Planning Policy Framework (NPPF) states that Local Plans should be positively prepared; justified; effective and consistent with national policy (paragraph 182). The level of housing growth included within the Cornwall Local Plan is insufficient in order to meet the County’s required needs for housing and this undermines the effectiveness of the Plan and its ability to respond flexibly to a different economic context over the life of the Plan period.

The NPPF stresses the need for Local Planning Authorities to have an up to date Local Plan in place, and this is particularly important within Cornwall where many of the Local Plans for the former Districts and Borough are out of date or have not been adopted. It is therefore of critical importance that Cornwall has a sound Local Plan adopted as soon as possible in order to guide future development within the County and which seeks to deliver the transformational change that is required and identified within the approved St Austell, China Clay and St Blazey Regeneration Plan.
Eco-Bos has great concern over any aspect of the Plan which may result in it being found unsound by an Inspector and further delay the adoption of an up to date local development plan.

**Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.**

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

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

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<thead>
<tr>
<th>Document</th>
<th>Paragraph number</th>
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<tbody>
<tr>
<td>Cornwall Local Plan</td>
<td></td>
<td>Policy 2 - Key targets and spatial strategy</td>
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<tr>
<td>Strategic Policies</td>
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<tr>
<td>Sustainability Appraisal Report</td>
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**Housing target**

Policy 2 proposes to provide for 42,250 homes over the plan period at an average rate of about 2,100 per year to 2030. This reduces the level of housing growth from 48,000 dwellings which was included within the Local Plan preferred approach.

Eco-Bos object to the overall level of proposed housing for Cornwall. This is considered insufficient and threatens the soundness of the Local Plan and its ability to deliver the level of necessary transformational change and economic growth.

The NPPF requires local authorities to boost significantly the supply of housing and use an evidence base that ensures the Local Plan meets the full, objectively assessed needs for market and affordable housing (paragraph 47). There is no evidence to demonstrate that this will be achieved through the draft Local Plan. Indeed, the recommendation to reduce Cornwall’s housing number was given by the Planning Policy Advisory Panel (PPAP), against the advice of Cornwall’s officers, and it is not a decision taken in line with the evidence base and therefore cannot be regarded as a sound plan.

In a report to Cabinet dated 7 November 2012, Terry Grove-White the Assistant Head of Planning and Regeneration included a recommended housing target of 49,000 homes, based on the results of a selection of indicators for demographic change, delivery rates and economic growth. In addition he expressed concern with the Council’s ability to defend a housing figure lower than 49,000 at examination:

"we would not be able to substantiate a plan proposing a lower housing target than proposed in appendix 1 [49,000] at an examination and the plan would fail or more likely not even reach an examination"

The decision to reduce the housing target to the current level of 42,250 has clearly been taken without the full support of the Council officers and not based on clear
evidence or methodology. This undermines the soundness of the Plan by failing to demonstrate the policy has been positively prepared, or is justified, effective or consistent with national policy (NPPF paragraph 182).

There is clearly a need for the overall housing requirements to be increased in line with the technical recommendations of officers and the objectively prepared and assessed evidence base in order for the Plan to be found sound by an Inspector.

In order to address these fundamental concerns of soundness, we recommend that Policy 2 is amended to increase the housing requirement to a level that more adequately reflects demonstrable housing need and is in line with the recommendations made by Council officers.

The housing numbers should also be increased to incorporate the necessary flexibility over the Plan period for residential development within the wider clay communities to be easily brought forward as and when the market opportunity arises and not just the West Caradon and Par strategic allocations.

St Austell, St Blazey and China Clay Area Regeneration Area and clay communities

Policy 2 should make greater reference to the approved St Austell, St Blazey and China Clay Area Regeneration Plan (the Regeneration Plan) and its objectives for delivering transformational change.

Cornwall Council’s Cabinet adopted the Regeneration Plan on 7 November 2012 as a Cornwall Council policy. Whilst accepting that this is not a statutory development plan document, the Regeneration Plan clearly sets out the Council’s aspirations for delivering transformational change through the development process and represents a material consideration to the determination of relevant, mainly large-scale, planning applications within the Regeneration Plan area.

The approved Regeneration Plan places emphasis on achieving sustained economic development to bring about significant improvements to the environment, transport, public and community spaces, building design and efficiency.

The unique opportunities for the transformational regeneration of the Mid Cornwall China Clay Area should be fully recognised in the Plan. The Regeneration Plan vision is to establish this area as the ‘Green Capital of Cornwall’, attracting investment in sustainable employment and communities, encouraging quality and innovation, and raising aspirations and community well-being. A key aspect in achieving this is the requirement to:

Productively and positively remediate and reuse previously developed land and despoiled, degraded, derelict, contaminated and unstable land including land in rural areas, particularly where the likelihood of early restoration of the land is remote, and where it is not of high environmental value.

The Regeneration Plan defines transformational development as:

Transformational development must be of a nature and scale that can bring about significant change for the better and has broad community support.

As currently worded, the spatial strategy is not ambitious enough, and does not propose development of a nature or scale to deliver the transformational change envisaged by the Regeneration Plan.
The role and importance of St Austell as one of the primary towns within Cornwall should have greater significance within Policy 2 in order to fulfil this stated intent for it becoming the 'Green Capital of Cornwall'.

Table 1 identifies 2,300 dwellings for the Eco-community and 1,400 dwellings for the China Clay Community Network Area (CNA). Whilst we fully support the housing provision made for the Eco-communities in Table 1 we also consider that the overall proposed level of housing growth is insufficient for the St Austell & China Clay area as a whole as it will not be able to deliver the vision for transformational change that is identified within the Regeneration Plan.

In addition, insufficient housing numbers are identified to accommodate the remaining Eco-community sites situated within the Regeneration Plan area. There is an opportunity for additional housing to be provided in other locations that will support the sustainability of local services and facilities.

Eco-Bos believes that Table 1 should be amended to increase the overall level of housing growth, with additional dwellings identified within the Eco-community, and China Clay CNA.

In addition to identifying the potential of Newquay Airport Enterprise Hub, Policy 5 should emphasise the significance and role of St Austell as a key regional town and its potential and ability to deliver jobs and skills as part of the vision for it as the 'Green Capital of Cornwall'.

The potential of the St Austell area to contribute to wider economic regeneration is recognised in the A391 road improvement and Carluddon Technology Park proposals. This proposes to build a new section of the A391 road at Carluddon, and create a new 2.8ha Technology Park next to it. It is anticipated that the first phase of the Technology Park will create around 70 jobs within environmental technology and renewable energy manufacturing for the area.

The Regeneration Plan also emphasises the ability for St Austell and the China Clay area to deliver new jobs, skills and economic growth to existing or new businesses, and strengthen local supply chains (regeneration plan policy 1 C). This potential for jobs and skills is not fully reflected in policy 5.
In particular, a key aspect of the vision for the Eco-communities is to support green industries and their potential to provide jobs within the smaller towns and villages of the Clay Country. The majority of these clay country communities have suffered from job losses arising from the decline of the China Clay industry. In order to provide the appropriate support to those communities there is clearly a need for the Local Plan to focus on the educational and training (and re-training) aspects of sustainable community development.

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<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
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<td>Policy 8 – Affordable Housing</td>
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<td>Sustainability Appraisal Report</td>
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Whilst we support the principle of varying the level of affordable housing provision within the County to reflect the diversity within value zones, Eco-Bos questions whether the lowest value zones which include the Clay Country would be able to viably fund 40% affordable housing within the current housing market. Indeed this does not seem to accord with the conclusions of the Council’s proposed Community Infrastructure Levy (CIL), which identifies the Clay Country CNA as being within the lowest value zone 5. The Council’s Housing Strategic Viability Assessment (HSV A) which informs the CIL preliminary draft charging schedule concludes that zone 5 is the least viable and recommends that the rate for CIL is set at £0 with an affordable target of 20%. The CIL evidence base therefore represents a conflict with this Plan policy as currently drafted this would seek a 40% affordable housing target.

In accordance with the NPPF paragraph 173, affordable housing policy should be flexible enough to respond to market viability and to ensure the Local Plan is deliverable by not applying a scale of policy burdens that threatens the ability of sites to be developed viably.

In particular, Policy 8 should acknowledge the higher level of up-front investment and preparation that is required to deliver land which falls into the category of previously developed land and despoiled, degraded, derelict, contaminated and unstable land, with a recognition that there should a different approach to affordable housing expectations on these sites. This is particularly so given that the evidence underpinning the Council’s CIL charging schedule recognises that even at a £0 CIL rate only a 20% affordable target is viable.

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<td>Cornwall Local Plan – Strategic Policies</td>
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<td>Policy 11 – Managing Viability</td>
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<td>Sustainability Appraisal Report</td>
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Eco-Bos supports the acknowledgment of viability concerns, and the flexibility shown within Policy 11. This is in accordance with the NPPF requirements set out in paragraph 173 which seeks to ensure plans are deliverable and that careful attention is paid to viability and costs in plan-making to ensure that development is deliverable and able to provide competitive returns to a willing developer when taking into
A fundamental aim of the Regeneration Plan has been to support the successful re-development of previously developed land and large areas of despoiled, degraded, derelict, contaminated and unstable land which includes land that was formerly used for China Clay extraction and refining.

Redundant China Clay sites present a unique opportunity within the St Austell & Clay Country area to deliver transformational development that is of a nature and scale that can bring about change for the better.

This primary aspiration of the Regeneration Plan should be expressed within policy 22, and it should make clear reference to supporting the aims of transformational development of the former China Clay sites.

Eco-Bos supports the aims of policy 27 for ensuring a resilient and reliable transport system within Cornwall. Eco-Bos recognises the importance of improved transport links around the Clay Country and St Austell and the importance of strategic road improvements such as the A391 in order to facilitate the level of development necessary.

Strategic transport improvements will be an on-going requirement within the China Clay area if the aims of the Regeneration Plan are to be realised, and there should be a continuing commitment to investment in transport infrastructure in the area.

Eco-Bos supports the aims of the policy for ensuring that development should be supported by appropriate infrastructure, however this should be balanced with a consideration of what sites are able to viably support.
The NPPF states that sites and the scale of development should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened (paragraph 173).

CIL and S106 infrastructure and contribution requirements should acknowledge the abnormal and extraordinary site costs involved with the development of previously developed land and despoiled, degraded, derelict, contaminated and unstable land over and above true greenfield sites. Paragraph 175 of the NPPF states that the CIL should support and incentivise new development and policy 28 should therefore acknowledge that such contribution requirements should not be of a scale which inhibits or prohibits the development of despoiled or brownfield sites.

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<td>Cornwall Local Plan – Strategic Policies</td>
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<td>Policy PP9 -- China Clay; St Austell and Mevagissey; St Blazey, Fowey and Lostwithiel CNA</td>
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Eco-Bos supports the identification of the China Clay area as a Community Network Area, and in particular objective CC1, which seeks to support the regeneration of villages and the local economy.

A key objective of the Regeneration Plan is to deliver transformational development, which is of a scale and nature necessary to provide change for the better. This objective for transformational development should be included within the China Clay CNA, and greater links to the Regeneration Plan should be identified within the Local Plan policy.

Eco-Bos supports the strategic allocation of the West Carclaze and Baal (1,750 dwellings) and Par Docks (550 dwellings) Eco-community sites within PP9. This will help to deliver new mixed-use development capable of providing and maintaining new jobs, skills and economic growth and take advantage of unique opportunities to make productive and positive reuse of previously developed land and despoiled, degraded, derelict, contaminated and unstable land in rural areas.

Whilst recognising the impact of the difficult economic conditions and challenging housing market conditions that currently exist both nationally and in Cornwall, Eco-Bos will continue to work with all other interested parties towards unlocking the potential of the Eco-communities sites.

However, Eco-Bos questions whether the identification of only two of the Eco-communities sites (West Carclaze/Baal, and Par Docks) within the China Clay CNA will be sufficient to deliver the degree of transformational change identified within the Regeneration Plan and believes that recognition should be made of the additional opportunities which exist for development to take place at the other Eco-communities sites. It is important that a plan which is to set the direction for the period up to 2030 contains enough flexibility for other sites to be brought on stream as the housing market and economic situation allows.
Policy PP9 should identify an increased level of housing growth in order to incorporate flexibility to react to the possibility of a significantly improved economic context over the life of the plan.

Provision should therefore be made for additional housing and complementary development within the wider Clay Country communities. Increased housing growth is required at these settlements in order to support the long-term viability and sustainability of the local services and facilities. Only by identifying the potential for additional modest development within these settlements and making adequate provision, will the Local Plan be able to fulfil the China Clay CNA objective CC1 – to support the regeneration of villages and the local economy.

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

Yes [ ]

If yes, please specify at what stage:

Yes, Eco-Bos has made representations to Cornwall Council at both the Core Strategy Options Paper (February 2011) and the Core Strategy Preferred Options (January 2012) stages on a range of issues and specifically in relation to the level of growth to be accommodated within Cornwall and the distribution of this growth in relation to proposed Eco-communities.

At the Core Strategy Options Paper stage Eco-Bos strongly objected to the low growth option (38,000 dwellings over the plan period) and has maintained its view that the medium growth scenario (48,000 dwellings over the plan period) represents the absolute bare minimum level of growth desirable for Cornwall with some reservations at to whether this could deliver the Council's Regeneration Plan objectives. Eco-Bos favoured the higher growth scenario of 57,000 dwellings over the plan period to tackle the challenges faced by local communities and make adequate provision for growth in Cornwall as a whole and the St Austell China Clay Area specifically to achieve the objectives of both the Core Strategy and Regeneration Plan. Eco-Bos also favoured an economy-based distribution focusing growth on regeneration and key employment areas best capable of delivering the required transformational change and regeneration of the St Austell & Clay Country Area.

Eco-Bos maintained its view on overall housing growth and distribution at the Core Strategy Preferred Option stage, noting that with a minimum of 48,000 homes an opportunity may exist to increase this figure. Eco-Bos supported the delivery of 5,000 new homes required to deliver transformational change, with the proposed Eco-communities making a significant contribution. Whilst the West Carclaze/Baal and Par Docks eco-community sites are retained as strategic allocations (which is fully supported) the housing provision allocated under PP9 is insufficient to deliver the growth necessary to support regeneration.
Q5. If your representation is seeking a change, do you wish to participate at the examination in public?

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<tr>
<th>No</th>
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<td>Yes</td>
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Yes. It will be important for Eco-Bos to engage within the examination debate in relation to the Eco-community sites and the amount and distribution of housing and employment growth required in the St Austell and China Clay area to deliver regeneration.

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

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

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

Next steps
The representations received during this formal round of consultation will be reported to and considered by the Council. Any significant changes will be consulted on prior to consideration by the planning inspectorate, who will appoint an inspector to conduct an examination in public.
Representations can be submitted by email to localplan@cornwall.gov.uk or by post to:
Cornwall Council – Local Plans Team
Carrick House
St Clement Street
Truro
TR1 1EB

This form has three parts:
Part A: Your personal details
Part B: Previous representations
Part C: Your representation

**Part A: Your personal details**
You **must** complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires all representations received to be submitted to the Secretary of State. By completing this form and submitting it to the Council you are giving your consent to the processing of personal data by Cornwall Council and that any information received by the Council, including personal data, may be put into the public domain, including on the Council’s website.

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<tr>
<th>1. Personal details.</th>
<th>2. Agent details (if applicable).</th>
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<tbody>
<tr>
<td><strong>Name</strong></td>
<td>Martin Mumford</td>
</tr>
<tr>
<td><strong>Organisation</strong></td>
<td>Devon and Cornwall Police</td>
</tr>
<tr>
<td><strong>Address line 1</strong></td>
<td>St Austell Police Station</td>
</tr>
<tr>
<td><strong>Address line 2</strong></td>
<td>Palace Road</td>
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<td><strong>Address line 3</strong></td>
<td>St Austell</td>
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Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?
Yes ☐
No ☐

Part B: Previous representations

Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

We are sensitive to the time and effort people made at the last consultation and we are happy to accept comments made previously. If you would like your comments to be held over for this consultation you must tell us that is what you want.

Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?
Yes ☒
No ☐

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).
Yes ☒
No ☐

Do you want to make amendments to your previous comments?
Yes ☐
No ☒

If Yes;

What changes do you want to make;

In addition to my previous comments I wish to add the following for consideration:
Designing out crime in the built environment is an effective method of improving the safety, security, and well being of those who live, work and visit Cornwall. Liaison with the police Architectural Liaison Officer (ALO) regarding crime prevention through environmental design (CPTED) at the earliest stage of the planning process will ensure new communities are safe, secure and sustainable.

The ALO is the single point of contact for council officers and public appointed officials to enable them to comply with Section 17 of the Crime and Disorder Act (1998) as referred to in National Planning Practice Guidance (NPPG). The ALO will provide advice on designing out opportunities for crime, disorder, anti social...
behaviour and community conflict in the built environment.

The aim of Devon and Cornwall Police is to work in partnership with local authorities to
‘bring about safer communities; reduce disorder, crime and the fear of crime; and
contribute to the delivery of justice in a way which secures and maintains public
certainty’.

The police actively support the National Planning Policy Framework requirement to
‘create safe and accessible environments where crime and the fear of crime, do not
undermine quality of life or community cohesion’

The ALO for the area should be consulted at the pre application stage of planning
discussions. Appropriate and relevant advice is given following crime analysis and
demographic overviews in relation to specific sites meeting the requirements of the
ALO protocol established between the police and planning authority. Analysis will
underline the need for change which can be made to ensure communities are safe,
secure and where opportunities for anti social, unacceptable behaviour and
community conflict are minimised. Poor design can result in run down town centres
and inferior quality housing where crime and disorder can impact on local
communities.

The ALO will look at the following elements incorporated into the design of
developments:

**Access and movement** - places with quality connections and well-defined routes,
that provide convenient movement without compromising security
**Structure** – encouraging ‘active frontages’ and limiting access to private space
**Surveillance** – encouraging overlooking of public spaces by those who will take
action should a crime be committed
**Ownership** – clearly defining where public space ends and private space begins and
encouraging people to take ownership of their environment
**Physical protection** – ensuring buildings include appropriate physical measures to
prevent crime
**Activity** – ensuring the level of human activity is appropriate to the location to reduce
the risk of crime and increase perceptions of public safety
**Management and maintenance** – discouraging disorder by creating places that are
well looked after with minimum cost implications.

Designing out crime also impacts on the sustainability of developments. Sustainability is not just about energy use but also includes creating developments which are less likely to suffer high levels of crime. Considering design principles at an
eyard stage can help improve feelings of safety and security, not only for new
residents but those who already have homes in the area.
Part C: Your representation

Soundness
Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:
- Positively prepared
- Justified
- Effective
- Consistent with national policy

Legal compliance
For a Local Plan to be considered legally compliant, the following needs to be determined:
- Whether the Local Plan is detailed in the current Local Development Scheme and that the key stages have been followed,
- That community involvement has been carried out in accordance with the current Statement of Community Involvement
- Whether the Local Plan makes satisfactory regard to the Sustainable Community Strategy
- That the Local Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended)
- That the Local Plan complies with the Town and Country Planning (Local Planning) (England) Regulations 2012
- That a Sustainability Appraisal report is published to accompany the Local Plan and is adequate
- That the Habitats Regulations Assessment is carried out in accordance with the Conservation of Habitats and Species Regulations (The Habitats Regulations) 2010
- That the Local Plan has regard to national planning policy
- That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

Q3 A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?
Yes ☐
No ☐
Please specify the reasons below

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?
Yes ☐
No ☐
Please specify the reasons below

Q5. Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

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<tr>
<th>Document</th>
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<td></td>
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<tr>
<td>Sustainability Appraisal Report</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

No  I do not wish to participate at the examination in public
Yes I wish to participate at the examination in public
If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box □
If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box □
If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box □

Signature  [Martin Mumford]  Date  [28/4/14]

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

**Data Protection**
In complying with the Data Protection Act 1998 Cornwall Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation.

Personal information will be added to the Council’s Local Plan consultation database and will be used to keep you informed of progress with the Local Plan and in order to consult with you further at each stage of the process to enable you to make future comments.

Personal information will also be shared with the Government appointed planning inspector (from the Planning Inspectorate), who may wish to contact you to discuss your comments and concerns, prior to formal examination of the Local Plan and supporting documents.
Local Plan – Strategic Policies

Pre-submission document representation form

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Devon and Cornwall Police</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation</td>
<td>Architectural Liaison Officer</td>
</tr>
<tr>
<td>Address line 1</td>
<td>St Austell Police Station</td>
</tr>
<tr>
<td>Address line 2</td>
<td>1 Palace Road</td>
</tr>
<tr>
<td>Address line 3</td>
<td>St Austell Cornwall</td>
</tr>
<tr>
<td>Address line 4</td>
<td>PL25 4AL</td>
</tr>
</tbody>
</table>

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

YES

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

No

Please specify the reasons below

The Plan as presented, does not in my opinion, give a clear message that there is a need for all new development to design out crime and disorder (anti social behaviour). The actual word crime is only used once within the whole document and not within a specific policy. There is no mention at all of anti social behaviour/disorder and the problems these can bring to communities. If
new development and communities are to be truly sustainable then crime, disorder and the fear of crime must be properly considered during design.

Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.

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

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

<table>
<thead>
<tr>
<th>Document</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td>b</td>
<td>13 Design</td>
</tr>
<tr>
<td>Sustainability Appraisal Report</td>
<td></td>
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</tbody>
</table>

A key objective within the Local Plan should be to promote high quality developments which are free from crime and the fear of crime through active promotion of the need to design out crime based upon the principles of the police Secured by Design scheme (SBD covers all aspects of development not just housing).

Paragraph b should read layout – provide continuity with the existing built form; good quality “SAFE” private and public spaces; and improve perceptions of safety by overlooking of public space.

Include the word “safe” in the above

Overlooking is very important but is too prescriptive for every situation and having overlooking alone is often not enough to prevent/deter crime and disorder.

Section 17 of the Crime and Disorder Act introduced a wide range of measures for preventing crime and disorder and imposes an obligation on every police authority, local authority and other specified bodies to consider crime and disorder reduction in the exercise of all their functions.

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Cornwall Local Plan – Strategic Policies</td>
<td></td>
<td>14 Development standards</td>
</tr>
<tr>
<td>Sustainability Appraisal Report</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
There should be an additional new paragraph under the existing heading All new development will be expected to achieve provision of the following

**Measures to create a safe environment for the community and reduce the potential for crime and disorder/anti social behaviour.**

The words disorder/anti social behaviour are equally important as crime as they cover behaviour which can affect any environment and impact hugely on a communities or individuals quality of life.

Within the NPPF under the title Delivering Sustainable Development the section “Requiring Good Design” states that “Planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion”.

There should be a more robust reflection of this within the Cornwall Local Plan

<table>
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</tr>
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</table>

Within Policy 14 Development standards mention is made of car parking. An additional sentence covering car parking such as

"**Car parking layouts must be appropriate and safe, providing reassurance to residents, reducing the likelihood of inappropriate parking which causes disruption to other residents resulting in an untidy street scene.**"

Building for Life 12 states "Making sure people can see their car from their home or can park it somewhere they know it will be safe. Where possible avoid rear parking courts”.

There is evidence of parking courts which residents have abandoned choosing to park their vehicles on the road outside their homes. Where space is limited, vehicles can often be seen straddling the pavement, creating problems for pedestrians.

The CABE research document Creating Safe Places to live published 2009-10 drew a number of conclusions including parking and problems associated with parking are a major source of neighbour disputes, anti-social behaviour and in some cases criminal damage and assault based on case studies of 6 schemes [www.designcouncil.org.uk/our-work/cabe](http://www.designcouncil.org.uk/our-work/cabe)
Q4. Did you raise this issue earlier in the plan preparation process?

Yes  No

If yes, please specify at what stage:

Previous consultation March 2012

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

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

Yes I wish to participate at the examination in public

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

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

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

Next steps
The representations received during this formal round of consultation will be reported to and considered by the Council. Any significant changes will be consulted on prior to consideration by the planning inspectorate, who will appoint an inspector to conduct an examination in public.
Representations can be submitted by email to localplan@cornwall.gov.uk or by post to:
Cornwall Council – Local Plans Team
Carrick House
St Clement Street
Truro
TR1 1EB

This form has three parts:
Part A: Your personal details
Part B: Previous representations
Part C: Your representation

Part A: Your personal details
You must complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires all representations received to be submitted to the Secretary of State. By completing this form and submitting it to the Council you are giving your consent to the processing of personal data by Cornwall Council and that any information received by the Council, including personal data, may be put into the public domain, including on the Council’s website.

<table>
<thead>
<tr>
<th>1. Personal details.</th>
<th>2. Agent details (if applicable).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Gavin Gallagher</td>
</tr>
<tr>
<td>Organisation:</td>
<td>Barton Willmore LLP</td>
</tr>
<tr>
<td>Address line 1:</td>
<td>Regent House</td>
</tr>
<tr>
<td>c/o Agent</td>
<td>Princes Gate</td>
</tr>
<tr>
<td>Address line 2:</td>
<td>4 Homer Road</td>
</tr>
<tr>
<td>Address line 3:</td>
<td>Solihull</td>
</tr>
<tr>
<td>Address line 4:</td>
<td>B91 3QQ</td>
</tr>
<tr>
<td>Postcode:</td>
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<tr>
<td>Telephone number:</td>
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<td>Email address:</td>
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<tr>
<td>Preferred contact method:</td>
<td>Email X</td>
</tr>
<tr>
<td></td>
<td>Post □</td>
</tr>
</tbody>
</table>

Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?
Yes X
No □
Part B: Previous representations

Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

We are sensitive to the time and effort people made at the last consultation and we are happy to accept comments made previously. If you would like your comments to be held over for this consultation you must tell us that is what you want.

Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?

Yes X No □

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).

Yes X No □

Do you want to make amendments to your previous comments?

Yes X No □

If Yes;

What changes do you want to make;

See Below

Part C: Your representation

Soundness

Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:

- Positively prepared
- Justified
- Effective
- Consistent with national policy
Legal compliance
For a Local Plan to be considered legally compliant, the following needs to be determined:

- Whether the Local Plan is detailed in the current Local Development Scheme and that the key stages have been followed,
- That community involvement has been carried out in accordance with the current Statement of Community Involvement
- Whether the Local Plan makes satisfactory regard to the Sustainable Community Strategy
- That the Local Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended)
- That the Local Plan complies with the Town and Country Planning (Local Planning) (England) Regulations 2012
- That a Sustainability Appraisal report is published to accompany the Local Plan and is adequate
- That the Habitats Regulations Assessment is carried out in accordance with the Conservation of Habitats and Species Regulations (The Habitats Regulations) 2010
- That the Local Plan has regard to national planning policy
- That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

Q3 A local planning authority should submit a plan for examination which it considers to be “sound”. Do you consider the Plan has met these tests?
Yes ☐
No X

Please specify the reasons below

It is considered that the plan fails to meet the tests to be “sound” in terms of being positively prepared (the strategy does not meet objectively assessed development requirements) and justified (the plan is not based on proportionate evidence) as required at paragraph 182 of the NPPF. The evidence base for retail is dated and the proposed level of growth is not fully considered in terms of the potential ability of Bude to accommodate additional retail floorspace.

Q4 Do you consider that the Local Plan meets the legal and procedural requirements?
Yes ☐
No ☐

Please specify the reasons below
Q5. Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

<table>
<thead>
<tr>
<th>Document</th>
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The Retail paragraph (not numbered) on page 101 of the Local Plan, Policy PP13: Bude Community Network Area identifies the estimated retail capacity in Bude up to 2030, and states

"It is estimated that there is capacity for the provision of an additional 850sqm of convenience and 3,300sqm of comparison A1 net sales floorspace in the centre, edge-of-centre and out-of-centre locations of the town up to 2030."

This information is based on the GVA Cornwall Retail Study dated 2010, which is now out-of-date.

The GVA Cornwall Retail Study dated 2010 is now 4 years old and the household telephone survey, referred to in the Retail Study is 6 years old. Given the changes in the baseline position, growth assumptions and the changes to retail provision that have occurred across the County in the intervening period, it is considered that the GVA Cornwall Retail Study is out-of-date. In line with advice contained in the recently issued Planning Practice Guidance (Section 12, Paragraph 014, Reference ID: 12-014-2012036) the evidence base should be kept up-to-date. It states that if key studies are already reliant on data that is a ‘few years old’, they should be updated to reflect the most recent information. The GVA Cornwall Retail Study should therefore be updated and the revised conclusions incorporated into the plan.

Any update should take into consideration the proposed level of growth in the Bude CNA which has increased from the previous version of Local Plan by 250 dwellings, from 1,250 dwellings to 1,500 dwellings. As a result, we believe this will create additional convenience and comparison retail floor space capacity in Bude over the plan period.

The evidence base documents for the Bude Community Network Area including ‘Growth Factors: Bude Community Network Area, Version 2, dated February 2013‘ (pages 8 and 9) and ‘Place-Based Topic Paper: Bude Community Network Area, March 2013’ (Table 5, page 13) both make comments regarding retail which are based on the out-of-date GVA Cornwall Retail Study. In addition none of the evidence base documents and subsequently Policy PP13: Bude CNA take account of the housing growth being directed toward Bude – Stratton, and as such the ability for Bude to accommodate additional retail floorspace.

The 6th Bullet point under the heading Retail on page 10 of the Growth Factors: Bude CNA evidence base document also identifies that "The Bude area could accommodate between 850 and 1,000 sqm of convenience floorspace and 3,300 and 3,600 sqm of comparison retail floorspace". These figures are taken directly from the GVA Cornwall Retail Study 2010 and do not take account of the proposed growth being directed toward Bude. It is our view that if the growth being directed toward Bude – Stratton was being considered in the evidence base documents; the amount of retail floorspace (and in particular convenience retail floorspace) that Bude could accommodate would increase.

Proposed Change
Accordingly it is suggested that the Cornwall Retail Study be updated and that Policy PP13: Bude Community Network Area, be updated to identify that Bude – Stratton can accommodate additional convenience retail floorspace, having consideration to the growth being proposed in the other policies of the Plan.
Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

Yes I wish to participate at the examination in public

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box X
If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box X
If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box X

Signature ___________________________ Date  24th April 2014

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

Data Protection
In complying with the Data Protection Act 1998 Cornwall Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation.

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Local Plan – Strategic Policies

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

1. Personal details.

<table>
<thead>
<tr>
<th>Name</th>
<th>Catesby Property Group Plc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation</td>
<td>Barton Willmore LLP</td>
</tr>
<tr>
<td>Address line 1</td>
<td>Regent House</td>
</tr>
<tr>
<td>Address line 2</td>
<td>Princes Gate</td>
</tr>
<tr>
<td>Address line 3</td>
<td>4 Homer Road</td>
</tr>
<tr>
<td>Address line 4</td>
<td>Solihull</td>
</tr>
<tr>
<td>Postcode</td>
<td>B91 3QQ</td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

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

No comment

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

No

Please specify the reasons below

It is considered that the plan fails to meet the tests to be “sound” in terms of being positively prepared (the strategy does not meet objectively assessed development requirements) and justified (the plan is not based on proportionate evidence) as required at paragraph 182 of the NPPF. The evidence base for retail is out of date and the proposed level of growth is not fully considered in the evidence base in terms of the potential ability to accommodate more retail floorspace.
Q3. Please set out below any concerns you have with the Local Plan including any change(s) you consider necessary to address these concerns.

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

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

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<td></td>
</tr>
</tbody>
</table>

It is noted that Policy PP13: Bude Community Network Area is silent in terms of the potential for Bude – Stratton to accommodate additional convenience retail floor space. It is our view that there is the potential for additional convenience retail floor space in Bude.

The evidence base documents for the Bude Community Network Area including ‘Growth Factors: Bude Community Network Area, Version 2, dated February 2013’ (pages 8 and 9) and ‘Place-Based Topic Paper: Bude Community Network Area, March 2013’ (Table 5, page 13) both make comments regarding retail which is based on the GVA Grimley Cornwall Retail Study dated 2010 (which uses a 2008 Household Retail Telephone Survey). The household telephone survey is now 5 years old and is therefore somewhat dated. In addition none of these evidence base documents and subsequently Policy PP13: Bude CNA take account of the housing growth being directed toward Bude – Stratton, and as such the ability for Bude to accommodate additional convenience and comparison retail floorspace.

It is noted that the 6th Bullet point under the heading Retail on page 10 of the Growth Factors: Bude CNA evidence base document identifies that “The Bude area could accommodate between 850 and 1,000 sqm of convenience floorspace and 3,300 and 3,600 sqm of comparison retail floorspace”. These figures are taken directly from the GVA Grimley Cornwall Retail Study 2010 and do not take account of the proposed growth being directed toward Bude. It is our view that if the growth being directed toward Bude – Stratton was being considered in the evidence base documents, the amount of retail floorspace (and in particular convenience retail floorspace) that Bude could accommodate would increase.

**Proposed Change**
Accordingly it is suggested that Policy PP13: Bude Community Network Area, should identify that Bude – Stratton can accommodate additional convenience retail floorspace, having consideration to the growth being proposed in the Bude - Stratton Area.

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

[ ] Yes

[ ] No

If yes, please specify at what stage:
Q5. If your representation is seeking a change, do you wish to participate at the examination in public?

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

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

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

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Carrick House
St Clement Street
Truro
TR1 1EB

This form has three parts:
Part A: Your personal details
Part B: Previous representations
Part C: Your representation

**Part A: Your personal details**
You **must** complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

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### 1. Personal details.

<table>
<thead>
<tr>
<th>Name</th>
<th>David Pooley</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation</td>
<td>St Austell Town Council</td>
</tr>
<tr>
<td>Address line 1</td>
<td>Room 231</td>
</tr>
<tr>
<td>Address line 2</td>
<td>39 Penwinnick Road</td>
</tr>
<tr>
<td>Address line 3</td>
<td>St Austell</td>
</tr>
<tr>
<td>Address line 4</td>
<td></td>
</tr>
<tr>
<td>Postcode</td>
<td>PL25 5DR</td>
</tr>
<tr>
<td>Telephone number</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Email address</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Preferred contact method</td>
<td>Email ✔, Post ☐</td>
</tr>
</tbody>
</table>

### 2. Agent details (if applicable).

<table>
<thead>
<tr>
<th>Email</th>
<th>[Redacted]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post</td>
<td>[Redacted]</td>
</tr>
</tbody>
</table>
Q1. Do you wish to be notified of future stages in the Local Plan including submission, examination and adoption?
Yes √
No □

Part B: Previous representations

Last year we consulted on a draft Local Plan under the same regulations. In January 2014 the Council agreed a number of changes to that draft and we are now consulting on this amended version, in its entirety as the draft we propose to submit to the Secretary of State for Examination. If you would like your previous views to be considered at the Examination it is important they are made as part of this consultation.

We are sensitive to the time and effort people made at the last consultation and we are happy to accept comments made previously. If you would like your comments to be held over for this consultation you must tell us that is what you want.

Q2 Did you make comments on the Cornwall Local Plan Pre-Submission Draft undertaken March – April 2013?
Yes √ No □

If Yes;

Do you want your previous comments to be included as part of this consultation? (If you propose no changes to your comments no further information is required).
Yes √ No □

Do you want to make amendments to your previous comments?
Yes □ No □

If Yes;

What changes do you want to make;

Part C: Your representation
Soundness
Paragraph 182 of the National Planning Policy Framework sets out the consideration in relation to a plan being considered ‘sound’:
- Positively prepared
- Justified
- Effective
- Consistent with national policy

Legal compliance
For a Local Plan to be considered legally compliant, the following needs to be determined:
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- That the Local Plan complies with the Town and Country Planning (Local Planning) (England) Regulations 2012
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- That the Local Plan has regard to national planning policy
- That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

Q3 A local planning authority should submit a plan for examination which it considers to be ‘sound’. Do you consider the Plan has met these tests?
Yes ☐
No ☐

Please specify the reasons below

Not qualified to make this judgement.

Q4. Do you consider that the Local Plan meets the legal and procedural requirements?
Yes ☐
No ☐

Please specify the reasons below
Q5. Please provide any comments on the Local Plan – Strategic Policies. Please use a separate box for each policy.

<table>
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<tr>
<th>Document</th>
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<tbody>
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<td>See attached.</td>
<td>See attached.</td>
</tr>
<tr>
<td>Sustainability Appraisal Report</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q6. If your representation is seeking a change, do you wish to participate at the examination in public?

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

**Yes** I wish to participate at the examination in public

If you wish to be notified of the Submission of the Local Plan – Strategic Policies please tick the box ✓
If you wish to be notified of the publication of the recommendations of the independent examination (Inspector’s Report) please tick the box √
If you wish to be notified of the adoption of the Local Plan – Strategic Policies please tick the box √

Signature [redacted] Date 25/4/14

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

Data Protection
In complying with the Data Protection Act 1998 Cornwall Council confirms that it will process personal data gathered from this form only for the purposes relating to the consultation.

Personal information will be added to the Council’s Local Plan consultation database and will be used to keep you informed of progress with the Local Plan and in order to consult with you further at each stage of the process to enable you to make future comments.

Personal information will also be shared with the Government appointed planning inspector (from the Planning Inspectorate), who may wish to contact you to discuss your comments and concerns, prior to formal examination of the Local Plan and supporting documents.
Cornwall Local Plan Strategic Policies – proposed submission document 2010 to 2030

Members of St Austell Town Council formed a Working Group to consider the Cornwall Local Plan Strategic Policies consultation paper. Members agreed the following comments.

Vision and Objectives

Page 7. Objective 1. The definition of industries was too narrow and does not mention a number of very important industries including for example food and drink. It was felt that more emphasis should be given to research/internet/cottage industries which all have a key part to play in the regeneration of Cornwall.

Policies

Policy 1

Page 8. It was agreed that the second paragraph almost implied a developer’s charter and that it should be changed to make it clear that developers will be helped to make their proposals acceptable in terms of the planning policies. It was suggested that “a positive approach” should read “an approach”.

Policy 2

Page 10. It was felt that the targets set in paragraph 1 were not ambitious enough.

Page 10. Paragraph 2. The target suggested should be a minimum target.

Page 10. Paragraph 4. The number should be preceded by the words “in the region of”

Page 10. Paragraph 6(d). Add AGLV after AONB. This paragraph is weak and should be strengthened.

Policy 3.

The Town Framework should be acknowledged in paragraph 1.
**Policy 4.**

Change the second sentence to “Retail and other town centre uses outside defined town centres (with the exception of small scale rural development) must show that they can complement the existing centre, meet a need in a way that the town centre cannot, show there is no significant adverse impact on the existing centre and demonstrate the application of a sequential approach to site selection or an overriding strategic role for the economic and social sustainability of Cornwall”.

**Policy 5.**

Paragraph 2 should be clarified to allow some diversification in to complementary activities such as cafes/restaurants etc.

**Policies 6 to 15**

No comments.

**Policy 16**

It was felt that there might be occasions when the benefits provided by new development out weigh the loss of the renewable energy source.

**Policy 17**

There should be a clearer reference to formal open spaces and parks. It was felt that these were important to health and wellbeing.

**Policy 18.**

An additional criterion should be added along the lines that heavy vehicle traffic associated with new mineral development should not have an unreasonable impact on existing settlements in the vicinity.

**Policies 19 to 26**

No comments.

**Policy 27**

At the end of paragraph 2 add the words “where practical” after car travel.
Policy 28

Paragraph 2 should read “Section 106 and/or community infrastructure level”.

Policy PP9

It was noted that there were no figures for retail development needs in PP9. The correct targets for retail development should be incorporated into Policy PP9. After St Austell (a), add another clause “Retail and other town centre uses outside St Austell town centre must demonstrate that they can complement the existing centre, meet a need in a way that the town centre cannot, show there is no significant adverse impact on the existing centre and demonstrate the application of a sequential approach to site selection or an overriding strategic role for the economic and social sustainability of the St Austell area”.
Dear Sir/Madam

Thank you for the opportunity to comment on the latest draft Local Plan. The Town Council at its meeting recently discussed the local plan and, while there are a number of differing views with regard to issues raised within the local plan, the following is an attempt to summarise the broad feeling of the Town Council Members.

Policy 2 - Key Targets and Spatial Strategy

Paragraph 4 identified the overall housing target of 42,250 homes. Members are pleased that this target is lower than that identified in the Regional Spatial Strategy and have noted with interest the extensive debates undertaken by Cornwall Council with regard to this matter. There is a belief amongst a number of Members that this figure is still too high, but it is acknowledged that the numbers proposed for St Austell are very achievable. Whatever number of homes is finally opted for, it is essential that it can be demonstrated to be a robust, sustainable and sensible target.

Paragraph 8 should reflect the Cornwall Council’s objective to regenerate the St Austell area and the identification of the St Austell area as the green capital of Cornwall. Within this section the development of industries linked to green technologies could be highlighted.

Policy 4 - Shopping, Services and Community facilities

The word “significant” has been repeated.

The Town Council would support the objectives outlined in paragraph 1 to protect the viability and vitality of existing retail centres.

Policy 5 - Jobs and Skills

Cornwall Council has previously identified the Redruth, Camborne, Pool and St Austell areas as the main areas for regeneration in the County. This ought to be reflected within Policy 5.

Policy 7 - Housing in the countryside

The role of Community Land Trusts could be promoted in this section.

Policy 8 - Affordable Housing

The role of Community Land Trusts could be promoted within this policy.

Policy 14 - Development Standards

Minimum parking space standards could be identified for urban and rural areas.

Within the St Austell area, the Town Council would like to see higher building standards defined to reflect the area’s ambitions to be the green capital of Cornwall.

Policy 15 - Renewable and Low Carbon Energy

The Town Council believe that this policy should include clauses to protect designated landscapes from wind turbines. There are also good arguments for protecting designated landscape areas and higher quality farm land from use for large scale solar photovoltaic development. There is a clear belief that higher quality farm land should be preserved for food production.

Policy 22 - Best use of land and existing buildings
The Town Council would support paragraph d and encourage the retention of prime agricultural land for food production.

**Policy 24 - Historic environment**

Paragraph b should be clarified to reflect the various areas included within the World Heritage Site and each area’s own particular needs.

**Policy 26 - Flood Risk Management and Coastal Change**

The Council would support this policy.

**PP9 - St Austell and Mevagissey; China Clay; St Blazey, Fowey and Lostwithiel Community Network Areas**

The introduction (paragraphs 12.1 to 12.4) quite rightly identifies the wider St Austell area as a priority area for Strategic Regeneration and Investment. The objectives in 12.5 suggest that new development is a first priority. It would be more appropriate to show the economy as the first priority with possibly infrastructure as a second priority to emphasise the need for investment.

Within the objectives for St Austell and Mevagissey Community Network Area it would be sensible to recognise the potential importance of tourism. With the Network’s location on the edge of St Austell Bay and close to Eden there are opportunities to promote the local economy through the development of an improved tourism offer.

Large parts of St Austell are likely to be the subject of an Air Quality Management Area shortly. It may be appropriate to refer to the need to mitigate or address air quality issues.

Paragraph 12.31 identifies the need for the three Community Network areas around St Austell to provide 6,500 dwellings (approximately 325 dwellings per year) over the 20 year plan period. This includes 2,300 dwellings within the Eco communities sites. A number of reassurances have been given by Cornwall Council Planning Officers that if the eco community sites do not progress as anticipated that the 2,300 dwellings will not be simply added to the target for the remainder of the three Community Network Areas. The document however appears to be silent on this and does not make this clear. The Town Council would like to see greater reassurance that the 2,300 eco dwellings are in addition to the basic need and if they are not provided would not have to be delivered elsewhere in the county or Community Network Area.

In terms of the overall plan, if development is to be controlled and influenced effectively, it is essential that Cornwall Council can demonstrate it has a five year housing land supply. Some reassurance on this issue would be appreciated.

I hope the above comments are of assistance. If you should have any questions with regard to the points raised, please do not hesitate to contact me.

Yours faithfully

**Town Clerk**
I refer to the above document and would advise that South West Water has no comment.

Regards

Martyn Dunn
Development Coordinator
South West Water, Peninsula House, Rydon Lane, Exeter, EX2 7HR

Dear Consultee


Notice is hereby given that Cornwall Council is publishing the Proposed Submission Local Plan - Strategic Policies for a six week consultation period in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2012.

The Cornwall Local Plan – Strategic Policies Proposed Submission Document (March 2014) contains the Council’s draft planning policies and proposals to direct, manage and influence development over the period to 2030.

The consultation period will run for six weeks – from 17th March 2014 to 5pm on 28th April 2014.

This is to provide an opportunity to comment on the draft plan as proposed to be amended. These changes are highlighted in the document.

Subject to any new issues raised in this consultation, it is the Council’s intention to submit the proposed submission plan (March 2014) to the Secretary of State for examination.

In order for comments to be considered at the Examination of the Plan they have to be