

# **Consultation: Schedule of Post-Hearing Changes to the Cornwall Local Plan Strategic Policies**

**Proposed Submission Document 2010-2030 (March 2014)  
incorporating the Schedule of Focused Changes (September  
2014)**

## ***Representation Form***

**Consultation – 1 July to 5pm 12<sup>th</sup> August 2016**

Representations can be submitted

by email to:

[localplan@cornwall.gov.uk](mailto:localplan@cornwall.gov.uk)

by post to:

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

**We are consulting only on the proposed changes arising from the recent hearings of the Examination. The schedule also includes changes proposed prior to the Examination.**

**The changes we are consulting on are highlighted in a schedule as either double strikethrough or bold, double underlined.**

**We are not consulting on the complete Cornwall Local Plan – Strategic Policies, this was done earlier in March 2014, September 2014 and changes, as part of the Examination in January 2016.**

**All representations should be submitted using this form. Please be as succinct as possible and use a separate box under 'Question 4' for each change on which you are commenting.**

This form has two parts. Part A asks for your contact details and Part B asks questions for you to consider and gives you the opportunity to make comments.

## Part A: Your personal details

You **must** complete Part A for your representations to be accepted. The Council can not 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.

### 1. Personal details.

<b>Name</b>	Ashley Wood
<b>Organisation</b>	Lanner Parish Council
<b>Address line 1</b>	Lanner Village Hall
<b>Address line 2</b>	9 Lanner Hill
<b>Address line 3</b>	Lanner
<b>Address line 4</b>	Redruth
<b>Postcode</b>	TR16 6DB
<b>Telephone number</b>	01209 860239
<b>Email address</b>	ashley@foodfromcornwall.co.uk
<b>Preferred contact method</b>	email

### 2. Agent details (if applicable).

<b>Name</b>	
<b>Organisation</b>	
<b>Address line 1</b>	
<b>Address line 2</b>	
<b>Address line 3</b>	
<b>Address line 4</b>	
<b>Postcode</b>	
<b>Telephone number</b>	
<b>Email address</b>	
<b>Preferred contact method</b>	Email <input type="checkbox"/> Post <input type="checkbox"/>

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

Yes X   
No

## Part B: Your Representations

**Representations should only relate to the Post Hearing Schedule of Changes to the Local Plan (bold figures shown in the second column from the left in the schedule) and clearly state the respective reference number.**

### 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.

**Q2 A local planning authority should submit a plan for examination which it considers to be 'sound'. Do you consider the Post Hearing Schedule of Changes to the Local Plan has met these tests?**

Yes

No

Please specify the reasons below

**Lack of clear definitions coupled with contradictions as detailed below suggest that the Plan will not be effective in that it will be open to misinterpretation and challenge in its existing form.**

**Q3 Do you consider that the Post Hearing Schedule of Changes to the Local Plan meets the legal and procedural requirements?**

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Yes   
No

Please specify the reasons below

**Q4 Please provide any comments on the Post Hearing Changes to the Local Plan – Strategic Policies**

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Please use a separate box for each change and state which number on the schedule your comment refers to. Any additional comments will need to adhere to the same format as set out below.

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	2
The amendments seem to delete the concept of, and reference to, Travel to Work Areas yet TTWA is specifically referred to in 1.23 elsewhere (see p10 agri-tech growth). Is this intentional? CNAs are a much blunter instrument than TTWAs and, politically, Cornwall Council has given serious consideration to scrapping them on occasion. As an instrument for delivering planning policy and measuring development targets versus TTWAs their usefulness over the Plan lifetime is questionable.	

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	5
Change 4 says “It would not be appropriate to limit a particular type of employment to one particular CNA.” However, Change 5 appears to be completely at odds with this statement. Clarity and consistency would be a good thing.  As mentioned above, should the reference to eastern TTWAs stand?	

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Document	Post Hearing Schedule Change Number
Cornwall Local Plan – Strategic Policies	6
<p>There does not appear to be a Change 6. Has it been missed out?</p>	

Document	Post Hearing Schedule Change Number
Cornwall Local Plan – Strategic Policies	7
<p>Rather than “causing no significant adverse effect” upon biodiversity, character of settlements, agricultural value” etc. proposals for development now need only <b>“consider the impact of development”</b> on those environmental assets. This seems a notable dilution of the importance of the environment in decision making and we do not support the proposed change.</p> <p>“in a proportional manner” is in bold but struck through with double lines. Is it in or out?</p> <p>In 1.c, “biodiversity and geodiversity” are double underlined but are not in bold: similarly, in 2c (which reads incredibly badly, using the same words several times in the same sentence). Should not the double underlined words also be in bold type?</p>	

Document	Post Hearing Schedule Change Number
Cornwall Local Plan – Strategic Policies	7a
<p><b>“In addition to new homes, the Plan makes allowance for permanent and transit pitches for gypsies, travellers etc. and an increase in communal establishments such as student accommodation to mitigate future student growth pressures on the existing housing stock and facilities for older people.”</b></p> <p>New, interesting policy but poorly drafted: is it really saying that there should be an increase in student accommodation to mitigate effect on older people’s facilities? Of course, “no”. Better clarity is needed.</p>	

Document	Post Hearing Schedule Change Number
Cornwall Local Plan – Strategic Policies	8
<p>The Plan falls short in providing clear definitions of many terms. The definition of “infill” – the term being mentioned here and defined in Change 9 – is open to fairly wide interpretation. We suggest that for clarity it should follow the definition/description on <a href="http://www/self-build.co.uk">www/self-build.co.uk</a> which has an acceptable stab at it: an infill plot, is ‘the infilling of a small gap within an otherwise built-up frontage or group of houses. A ‘small gap’ would usually be big enough for only one, or at most two, houses set in plots of a broadly similar width to those next door.</p> <p>We have seen permissions being granted for 4+ dwellings as “infill” which does not seem appropriate.</p> <p>The term “rural exception site” appears devoid of reference to local need within the context of the Plan. For clarity, we suggest the NPPF definition is stated and reinforced in the Plan:</p> <p>“Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.”</p> <p>Again, we have experienced “rural exception site” policy being used to justify developments of 50+ units on many occasions which examples require a tight definition to avoid future misuse.</p> <p><b>“the provision of critical strategic infrastructure essential to the implementation of the local plan strategy may also require additional housing sites to be permitted”.</b></p> <p>This could be interpreted as saying where critical mass is needed to make certain infrastructure viable and sustainable then additional housing may be permitted to concentrate population. It could also be interpreted as saying planning permissions are “for sale” above and beyond what is anticipated in this Plan if the developer provides or contributes towards key infrastructure which Cornwall Council cannot otherwise afford. We do not believe the second interpretation would constitute good or valid “planning”. For clarity the whole of this amendment should be struck out.</p>	

Document	Post Hearing Schedule Change Number
Cornwall Local Plan – Strategic Policies	9
<p>See comment under 8 above in respect of infill definition.</p>	

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<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	10a
See comment under 8 above in respect of rural exception site definition.	

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	17
We find it difficult to understand why or how primary shopping frontages can be defined but, in the same breath, that they can also include secondary shopping frontages though secondary have not been defined. Given the limited size and number of Cornwall’s shopping/retail centres surely it should be relatively simple to provide suitable definitions and maps? Without such definitions how can the sequential testing of proposals for retail outside of the primary areas as called for by NPPF be undertaken with confidence?	

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	18
There appears to be no definition of a centre’s “community”. How does this differ from its catchment area? Many in rural areas have an attachment to more than one town centre to the extent that they may reasonably and economically be considered members of many “town centre communities”. It would be desirable for words to be precise in their meaning – indeed, to have meaning.	

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	25a
<p><b>Where off-site (affordable home) contributions are required (they) will be collected on completion of the development.</b></p> <p>What is the definition of completion in this context? It will not be beyond the imagination to construct scenarios where a part of a development is left uncompleted thereby rendering the whole uncompleted and avoiding making the financial contribution. Who will check whether or not completion has been attained? Would it</p>	

not be more appropriate to apportion off-site contributions per unit in the development and collect on the sale, transfer or occupation of the individual unit? The contribution would be registerable as a Land Charge against each unit to ensure notification/collection for the lifting of the Charge.

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	25b

**Table X gives a total affordable housing need of 30,910.** It is still not clear how this is evidenced. Does it include Band E on Homechoice (Only Bands A-D by definition are households in actual need)? The number of Homechoice applicants in each band used to be in the public domain – but no longer it seems.

The criteria for being in Band E is:

Welfare	Applicants awarded a 'nil priority by the Welfare Assessment Panel.
Disrepair	Applicants living in private sector accommodation awarded a 'nil disrepair assessment by the Councils Environmental Health department.
Owner Occupiers/Savings	Applicants who have savings or equity over £75,000.
Tenancy Issues	Applicants with a history of anti-social behaviour or rent arrears (unless appropriate action is being taken).
Adequately Housed	Applicants in accommodation that is suitable for their needs.

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	General

Will the Plan make provision to be revisited in the light of any change in status of site designation consequential to UK leaving the EU?

<b>Document</b>	<b>Post Hearing Schedule Change Number</b>
Cornwall Local Plan – Strategic Policies	



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Document	Post Hearing Schedule Change Number
Cornwall Local Plan – Strategic Policies	

**Q5** If your representation is seeking a change; do you wish to participate at the examination in public if there are further hearings? Please select one option, if you do not select a preference we will assume you do not wish to attend.

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

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

If you select No, your written comments will still be considered by the independent Planning Inspector. Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. There is no right to be heard at a hearing session and it is the Inspector who decides who should be heard.

Signature |  
Date

Ashley Wood
13 July 2016

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**

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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.

### **Submitting your comments**

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We must receive all responses by 5pm on Friday 12<sup>th</sup> August 2016. Comments received after this time will not be recorded and will not be considered by the Council. We have set this deadline to ensure that all who wish to take part in this consultation have the same timescale within which to respond.