

## **Padstow Neighbourhood Plan**

### **Evidence Report - the Strategic Context**

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Much of this report comprises extracts from Plans and Strategies that form the ‘strategic context’ for the Neighbourhood Plan. It is an attempt to make the relevant policy and strategy statements more accessible to those who want an understanding of the context within which the Neighbourhood Plan must be prepared. To comprehend fully the meaning and reasoning behind the strategic policies you are advised to refer to the source document. A list of source documents can be found in Appendix A. In many cases, access to the full source document is facilitated by footnote links in this report.

## Introduction

Planning policy and proposals need to be based on a proper understanding of the place to which they relate, if they are to be relevant, realistic and address local issues effectively. It is important that the neighbourhood plan is based on robust information and analysis of the local area; this is called the 'evidence base'. Unless policy is based on firm evidence and proper community engagement, then it is more likely to reflect the assumptions and prejudices of those writing it than to reflect the needs and aspirations of the wider area and community.

*We are advised that "the evidence base needs to be proportionate to the size of the neighbourhood area and scope and detail of the Neighbourhood Plan. Other factors such as the status of the current and emerging Local Plan policies will influence the depth and breadth of evidence needed. It is important to remember that the evidence base needs to reflect the fact that the plan being produced here will have statutory status and be used to decide planning applications in the neighbourhood area. It is necessary to develop a clear understanding of the neighbourhood area and policy issues covered; but not to review every piece of research and data in existence – careful selection is needed."*<sup>1</sup>

This report sets out that part of the evidence base that can be described as the 'strategic context' i.e. those strategies and policies that currently prevail and will need to be acknowledged throughout the neighbourhood planning process. To meet the basic conditions laid down by the neighbourhood planning legislation, the Neighbourhood Plan will need to conform to several of these strategies.

We have extracted the relevant national and area-wide policies from the key documents that provide the context for the Neighbourhood Plan. These include:

- the Government's National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- the 'strategic' planning policies being produced by Cornwall Council through its Local Plan (covering the whole District)
- the strategies of statutory bodies, other agencies and service delivery organisations

These all provide valuable background and context that needs to be understood before the Neighbourhood Plan can be prepared. Other key documents are 'signposted' and should be considered if necessary to help to fill gaps in understanding the context within which we plan, following completion of local research.

This report provides a synopsis of the 'strategic' evidence base for our Neighbourhood Plan. It is important to recognise that this report provides a snapshot in time of available documented evidence. There may well be other written reports and strategy documents that become available in due course, which do not currently feature in this report but may need to be taken into account as the Neighbourhood Plan develops.

**The more local information relating to Padstow parish area and that gathered through consultation with the community through events, discussion and the community surveys is documented in other reports. All of this 'evidence' will be considered together in due course to help identify the key themes, the vision, aims and objectives and subsequently the policies for the draft Padstow Neighbourhood Plan.**

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<sup>1</sup> Neighbourhood Planning Roadmap, Locality, 2013 - <http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

## Padstow parish map

All islands in this area are included in CORNWALL



## Key Planning Documents

There are several key planning documents which are relevant to most of the topic areas analysed in this report. It is important to understand, in general terms, what these documents are and the implication of their content to the neighbourhood plan. They provide the strategic context with which the Neighbourhood Plan needs to conform. To aid comprehension of these documents we have extracted the relevant policy statements and descriptions.

## National Planning Policies

The **National Planning Policy Framework** (NPPF) sets out the Government's planning policies for England, setting the parameters within which the planning system, local planning authorities and Neighbourhood Plans should work and be set. In effect, together with relevant statutory legislation, the NPPF along with its companion National Planning Practice Guidance (NPPG) set out the 'rules' within which the planning system has to operate. The NPPF is set within the context of a 'presumption in favour of sustainable development'<sup>2</sup>. Translating this to what it means for Neighbourhood Plans, it states that *"neighbourhoods should:*

- *develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and,*
- *identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed."*<sup>3</sup>

The NPPF also sets out the planning context within which Neighbourhood Plans should work. *"Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:*

- *set planning policies through neighbourhood plans to determine decisions on planning applications; and,*
- *grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order."*<sup>4</sup>

It goes on to state that *"Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.... Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation."*<sup>5</sup>

The **National Planning Practice Guidance** (NPPG) amplifies the policies in the NPPF and provides further detailed and technical guidance. It contains explanations of the main processes that a neighbourhood plan must go through and also sets out the 'basic conditions' with which a neighbourhood plan must comply before proceeding to a local referendum and being 'made' (approved), which are as follows:

- a. *having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*

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<sup>2</sup> See paragraph 14 of the NPPF for the definition of the 'presumption in favour of sustainable development'.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>3</sup> Paragraph 16, NPPF, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf) states

<sup>4</sup> Paragraph 183, NPPF, Department for Communities and Local Government, 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>5</sup> Paragraph 184, NPPF, Department for Communities and Local Government, 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)



- b. *having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*
- c. *having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*
- d. *the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
- e. *the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
- f. *the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
- g. *prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).<sup>6</sup>*

### **The Cornwall Local Plan 2010-2030**

A new Local Plan for Cornwall was formally adopted by Cornwall Council on the 22 November 2016. The new Plan sets the strategic context and strategic planning policies with which the neighbourhood plan needs to be in 'general conformity'. This Evidence Report highlights relevant strategy statements and development management policies of the new Local Plan in text boxes as below.

#### **Policy 2 - Spatial Strategy (extract)**

New development should provide a sustainable approach to accommodating growth, providing a well-balanced mix of economic, social and environmental benefits. This should maintain the dispersed development pattern of Cornwall and provide homes and jobs based on the role and function of each place. Strategic scale growth will be accommodated in our main towns and city where they can best support regeneration and sustainable development. Overall, development should seek to meet the following objectives of the Plan for Cornwall:

1. Respecting and enhancing quality of place:
2. Providing solutions to current and future issues: [including]
- d. **Supporting the delivery of made Neighbourhood Plans and other community based initiatives that help to make communities more resilient.**
3. Generating and sustaining economic activity:

The Neighbourhood Plan is not able to contest the overall scale of housing proposed, broad location or site-specific housing allocations deemed as 'strategic' in the Local Plan, once adopted. Other policies deemed as 'strategic' will also need to be used as the policy framework within which the Neighbourhood Plan is set. These strategic policies can only be amplified or given 'granularity' (further detail) in the local context where they provide added value in policy terms.

A range of **county and regional strategies** informed the key spatial planning issues that are addressed in the Cornwall Local Plan. Many of these strategies have a relevance to neighbourhood planning. Extracts from the most relevant of the prevailing strategies and policy documents are included in this report under the most appropriate topic heading.

<sup>6</sup> Paragraph 065, National Planning Practice Guidance, DCLG, 2014. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

## Natural Environment

### National Planning Policy Framework

Section 11 focuses on *conserving and enhancing the natural environment* while the preceding section 10 is concerned with *meeting the challenge of climate change, flooding and coastal change*.

The following paragraphs<sup>7</sup> are of most relevance to the natural environment in broad terms:

*109. The planning system should contribute to and enhance the natural and local environment by:*

- protecting and enhancing valued landscapes, geological conservation interests and soils;*
- recognising the wider benefits of ecosystem services;*
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*

*110. In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework*

*113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geo-diversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks*

### Natural England National Character Areas<sup>8</sup>

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geo-diversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment.

NCA profiles provide a broad range of information that can be used by individuals and communities to help achieve a more sustainable future. The profiles include a description of the ecosystem services provided in each character area and how these benefit people, wildlife and the economy. They identify opportunities for positive environmental change (statements of environmental opportunity) and provide the best available information and evidence as a context for local decision making and action.

### Cornwall Local Plan 2010-2030

#### **Policy 23: Natural Environment**

1. Development proposals will need to sustain local distinctiveness and character and protect and where possible enhance Cornwall's natural environment and assets according to their international, national and local significance.

2. Cornish Landscapes Development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and un-designated landscapes.

Development must take into account and respect the sensitivity and capacity of the landscape asset, considering cumulative impact and the wish to maintain dark skies and tranquillity in areas that are relatively undisturbed, using guidance from the Cornwall Landscape Character Assessment and supported by the descriptions of Areas of Great Landscape Value. In areas of undeveloped coast, outside main settlements, only development requiring a coastal location and that cannot be achieved elsewhere, will be acceptable.

2(a). The Cornwall and Tamar Valley Area of Outstanding Natural Beauty

Great weight will be given to conserving the landscape and scenic beauty within or affecting

<sup>7</sup> NPPF, Department for Communities and Local Government, 2012

<sup>8</sup> [www.naturalengland.org.uk/publications/nca/default.aspx](http://www.naturalengland.org.uk/publications/nca/default.aspx)

the setting of the AONB. Proposals must conserve and enhance the landscape character and natural beauty of the AONB and provide only for an identified local need and be appropriately located to address the AONB's sensitivity and capacity. Proposals should be informed by and assist the delivery of the objectives of the Cornwall and Tamar Valley AONB Management Plans including the interests of those who live and / or work in them. Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.

#### 2(b) The Heritage Coast and Areas of Great Landscape Value

Development within the Heritage Coast and / or Areas of Great Landscape Value should maintain the character and distinctive landscape qualities of such areas.

#### 3. Biodiversity and Geodiversity

Development should conserve, protect and where possible enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance. All development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and county-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance, helping to deliver the actions set out in the Cornwall Biodiversity Action Plan.

##### 3 (a). European Sites

The highest level of protection will be given to potential and existing Special Protection Areas, candidate and existing Special Areas of Conservation and listed or proposed Ramsar sites.

Proposals having an adverse impact on the integrity of such areas that cannot be avoided or adequately mitigated to remove any adverse effect will not be permitted other than in exceptional circumstances. These circumstances will only apply where there are:

- a) no suitable alternatives;
- b) imperative reasons of overriding public interest; and
- c) necessary compensatory provision can be secured to ensure that the overall coherence of the Natura 2000 network of European sites is protected.

Development will only be permitted where the council is satisfied that any necessary mitigation is included such that, in combination with other development, there will be no adverse effects on the integrity of European Nature Conservation Sites.

##### 3(b). National sites

Development proposals within or outside an SSSI or Marine Conservation Zone which would be likely to adversely affect the site (either individually or in combination with other developments) will not be permitted unless the benefits of the development, at this site, clearly outweigh both the adverse impacts on the site and any adverse impacts on the wider network of SSSIs and Marine Conservation Zones.

##### 3 (c). Local Sites

Development likely to adversely affect locally designated sites, their features or their function as part of the ecological network, including County Wildlife Sites, Local Geological Sites and sites supporting Biodiversity Action Plan habitats and species, will only be permitted where the need and benefits of the development clearly outweigh the loss and the coherence of the local ecological network is maintained.

##### 3(d). Priority species and habitats

Adverse impacts on European and UK protected species and Biodiversity Action Plan habitats and species must be avoided wherever possible

- (i) subject to the legal tests afforded to them, where applicable
- (ii) otherwise, unless the need for and benefits clearly outweigh the loss.

##### 3(e). Ancient woodland and veteran trees

Development must avoid the loss or deterioration of ancient woodland and veteran trees, unless the need for, or benefits of, development on that site clearly outweigh the loss.

#### 4. Avoidance, mitigation and compensation for landscape, biodiversity and geodiversity impacts

Development should avoid adverse impact on existing features as a first principle and enable net gains by designing in landscape and biodiversity features and enhancements, and opportunities for geological conservation alongside new development. Where adverse impacts are unavoidable they must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort.

## **Landscape**

### **National Policy Planning Framework**

*109. The planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*
- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
- *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

*117. To minimise impacts on biodiversity and geodiversity, planning policies should:*

- *plan for biodiversity at a landscape-scale across local authority boundaries;*
- *identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;*
- *promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;*
- *aim to prevent harm to geological conservation interests; and*
- *where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.*

*123. Planning policies and decisions should aim to:*

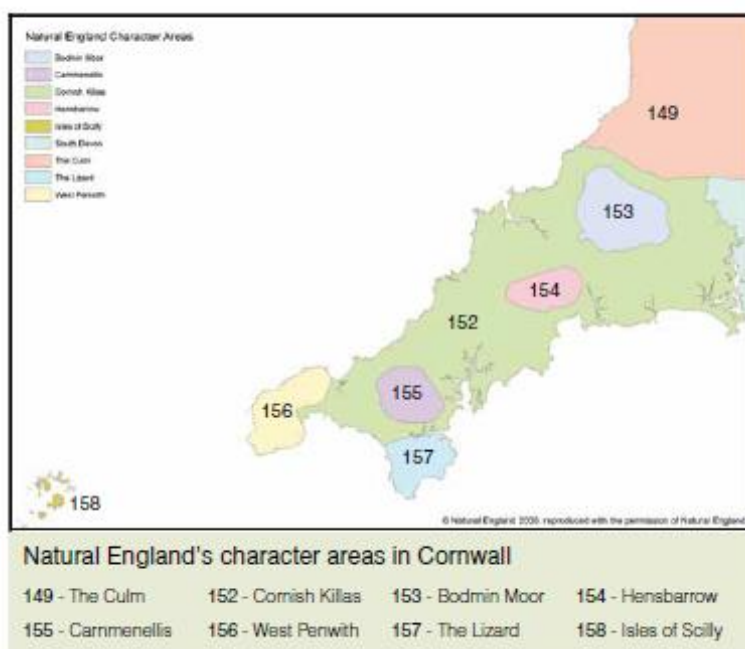
- *...*
- *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

*125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*



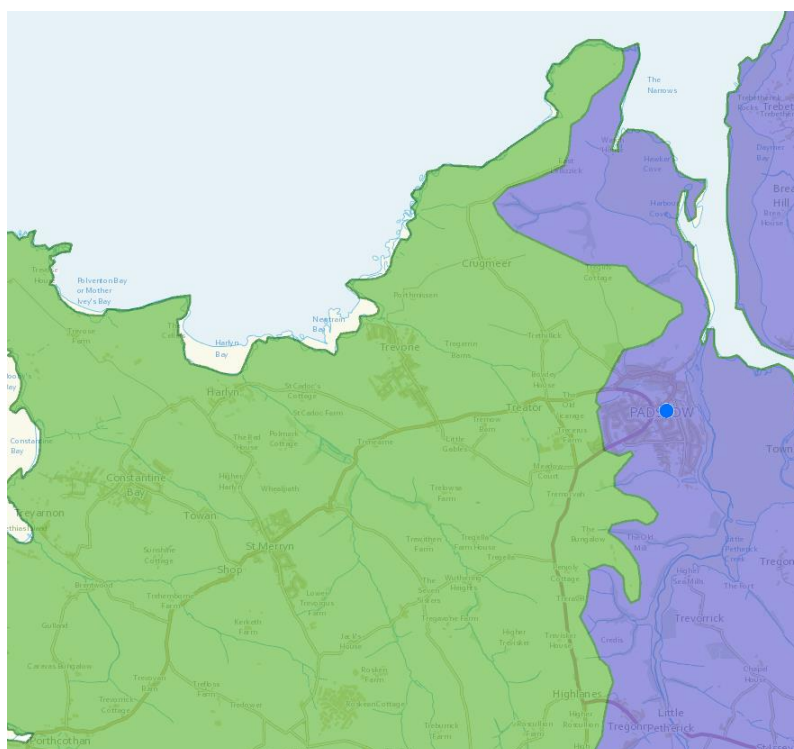
## National Character Areas

Developed by the then Countryside Agency and English Nature, now Natural England, the National Character map provides an assessment of the landscape of England and divides it into 159 Joint Character Areas (JCAs). There are seven JCAs in Cornwall and one covering the Isles of Scilly (Figure 5). These Areas work as a framework for establishing and delivering national and regional priorities for landscape character and informing delivery grants including the DEFRA Environmental Stewardship Scheme. Padstow is a part of JCA152.



## Local Landscape Character Areas

The Landscape Character Areas developed by the 2005-2007 Cornwall and Isles of Scilly Landscape Character Study, fit within a hierarchy of National Joint Character Areas developed at the national level. They take forward the National Character Areas, expanding this information at a local level, making it a valuable additional resource for planners, developers, Government Agencies, and members of the public. The Parish comprises: CA19 LCA - Trevose Head and Coastal Plateau and CA34 – Camel Estuary



## Cornwall Best Practice Guide 2011

The Landscape Character Best Practice Guide was adopted by Cornwall Council in 2011. It states that *“Landscape character assessment provides a framework to help us to understand landscapes, mapping and describing them in a systematic way without placing a value on them. From this process, a reasoned and informed judgement can be made to help guide future changes in Cornwall. It brings together information relating to the physical, natural and historic environment enabling a more integrated approach to be taken towards decisions. On this basis, judgements can then be made on how local distinctiveness and local character can be safeguarded, improved and enhanced, through the development process.*

*Landscape character assessment can help in processes which:*

*i identify what environmental and cultural features are present in a locality*

*ii monitor change in the environment*

*iii seek to understand a location’s sensitivity to development and change allowing designs to grow from the landscape’s own sense of place*

*iv inform the conditions for any development change”.*

The Best Practice Guide sets general principles to help achieve the effective design and siting of new development. Wherever opportunity allows, development should enhance and conserve and retain the special quality of the Cornish landscape for future generations.

Community involvement - Parish Councils are encouraged to prepare community led Plans which can be embedded in planning policy

Distinctiveness - design of development should respect and grow out of established patterns of use, vegetation, biodiversity and settlement

Sensitivity - Some landscapes are more sensitive than others to development because of the presence of natural and historic features which have existed over a long period

The landscape asset - The extent of Area of Outstanding Natural Beauty and the World Heritage Site (WHS) is an indication of the value placed on landscape character in Cornwall. The landscapes and seascapes outside the AONB and WHS are of value and have distinctive character which should be respected

Quality - Respect for the local vernacular will ensure local distinctiveness is not diluted or lost completely

Development pressure - Meeting the need for new development provides an opportunity to achieve good quality sustainable development

Communities - Development should improve the relationship between settlement and the surrounding landscape.

Management of development - There are many opportunities for the enhancement or restoration of elements or features in landscapes

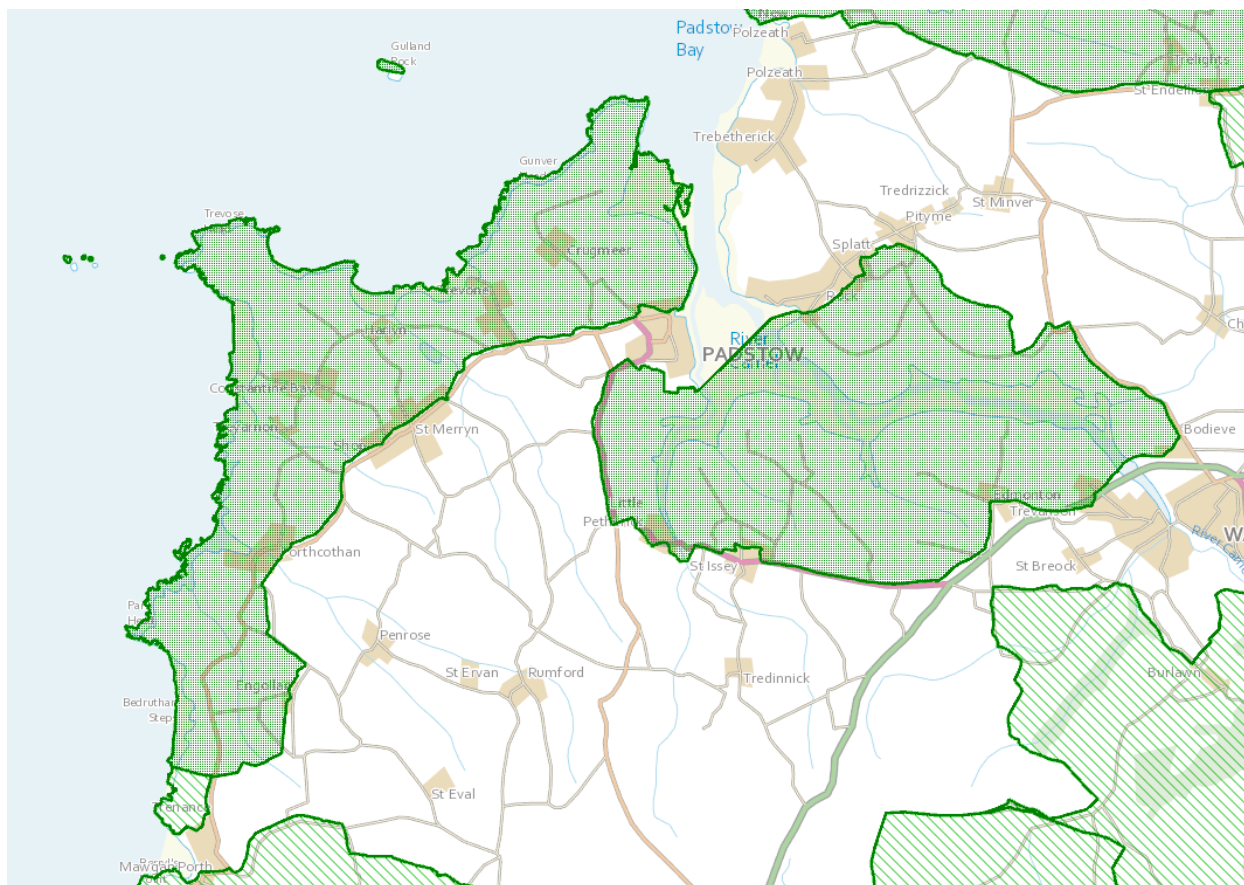
Small scale development effect – take account of cumulative effects of several small developments

Inter-visibility - Consider landscapes affected by open and exposed topography have greater sensitivity to development

Much of the Parish is within the Cornwall AONB area. Nearly a third of Cornwall is designated as an Area of Outstanding Natural Beauty, which includes coast, the rugged uplands and the tranquil wooded river valleys. The Cornwall Area of Outstanding Natural Beauty is unique in that it consists of 12 separate geographical areas but is one single AONB. The purpose of the AONB designation, enshrined in national law, is the conservation and enhancement of the natural beauty of the area. It has the same status and level of protection as a National Park.

The Camel Estuary AONB is a broad tidal river valley, over half a mile wide at Padstow. It stretches inland for five miles up to Wadebridge. A tranquil and intimate landscape, it gains a sense of shelter and richness from the many small woods and creeks that flank the estuary. On the hilltops, the full impact of the coastal winds is felt, with long distance views down the estuary to the sea. Numerous small quays line the estuary and its creeks. Small lanes are bound by high hedges and overhung with trees, with the popular Camel Cycle Trail linking Bodmin and Padstow.

Carewas to Stepper Point AONB Section has an extremely varied coastal scenery, from the high headlands of Trevoze Head and Stepper Point to the large cliffs and rocky stacks of the Bedruthan Steps. Small coves and gentle sandy bays give way to sand dunes at Constantine Bay, whilst a gently rolling inland plateau gradually rises toward distant higher ground at Bear Downs. High, windswept headlands with panoramic views are to be found at Stepper Point, including the yawning Camel Estuary.



### **Cornwall Local Plan 2010-2030**

The Local Plan states that *“when considering proposals for development within the AONB, the Council will ensure that development is in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall and Tamar AONB Management Plans and their associated Supplementary Planning Guidance on sensitivity and capacity for housing development in the AONB. These in particular, provide guidance on what constitutes ‘major’ development within an AONB stating that this will depend on the local context, the scale, location and type of development proposed.*

*Proposals within the AONB, or those that would affect its setting will be supported where they are small scale and meet an identified local need, where landscape capacity can be demonstrated and the natural beauty of the AONB can be conserved and enhanced in accordance with Policy 23. Proposals for major development in the AONB will be refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest as set out in national policy”.*

### **Cornwall AONB Management Plan 2016-2021**

The Cornwall Area of Outstanding Natural Beauty was designated in 1959 with the Camel Estuary being added in 1981. The Management Plan is intended to be a shared strategy that will be of interest to the communities, parishes, residents, businesses, landowners and farmers, agencies, authorities, utilities, organisations and amenity groups operating within, or with an interest in, the Area of Outstanding Natural Beauty. The purpose of the Management Plan is to set out policies through which the landscape quality of the AONB can be conserved and also enhanced and how sustainable development can take place.

The Aims of the current Management Plan are as follows:

## *Place*

### *1. Cultivating character*

*The character and local distinctiveness of the Cornwall AONB is conserved and enhanced through appropriate plans, strategies and policies and through project activity.*

*2. Managing development Well-implemented planning policies and guidance that protect and enhance the landscape character and natural beauty of the AONB, while meeting the needs of local communities.*

### *3. Investing in nature*

*The principle of 'environmental growth' is embedded within decision making in Cornwall and a step change is taken to invest in natural capital, taking an ecosystems approach to conserve and enhance natural resources and reverse current declines in habitats and species within the AONB.*

### *4. Responding to climate change*

*AONB communities are able to plan for climate change through an improved understanding of likely impacts and the landscape is better managed to enable adaptation to the effects of climate change.*

### *5. Nurturing heritage*

*There is improved understanding and interpretation of the historic character and heritage assets within the Cornwall AONB and those features identified as 'at risk' or declining condition will be brought back into better management.*

### *6. Revitalising access*

*A well-maintained and better connected public rights of way and transport system, supported by adequate investment that is able to respond to management pressures and which meets the needs of local people and visitors to the AONB, particularly around the coast.*

## *People*

### *7. Vibrant communities*

*Effective demonstration that people's needs can be met fully, in sustainable ways that can enhance natural beauty, particularly how affordable housing can be accommodated through a good understanding of landscape capacity and high-quality design.*

### *8. Health and happiness*

*Increased use of the AONB landscape to improve levels of physical and mental health and prevent ill health via outdoor physical activity and volunteering, increasing skills and confidence and decreasing health inequalities and isolation.*

### *9. Inspiring culture*

*Greater awareness, promotion and celebration of the culture of the AONB as an integral part of the protected landscape and a better understanding of its economic and social value.*

### *10. Promoting prosperity*

*To ensure the Cornwall AONB is a natural place for growth through:*

- Increased emphasis on and development of sustainable local economies.*
- Improved support for AONB businesses e.g. planning support, funding and marketing advice.*
- Better promotion of the Cornwall AONB and use of the protected landscape as a marketing tool, to achieve a higher value product and improve competitiveness.*
- Increased social and capital investment in the protected landscape.*



## Biodiversity and Geodiversity

### National Planning Policy Framework

114. Local planning authorities should:

- set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure;

117. To minimise impacts on biodiversity and geodiversity, planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries;
- identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;
- aim to prevent harm to geological conservation interests; and
- where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.

### National Planning Practice Guidance

Guidance > Natural Environment > Biodiversity, ecosystems and green infrastructure

008. Local and neighbourhood plans and planning decisions have the potential to affect biodiversity or geodiversity outside as well as inside designated areas of importance for biodiversity or geodiversity. Local planning authorities and neighbourhood planning bodies should therefore seek opportunities to work collaboratively with other partners, including Local Nature Partnerships, to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider the opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area.

In considering how development can affect biodiversity, and how biodiversity benefits could be delivered through the planning system, it is useful to consider:

- the policies and commitments in Biodiversity 2020;
- the contents of any existing biodiversity strategies covering the relevant local or neighbourhood plan area and any local biodiversity action plans;
- the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (in Biodiversity 2020)
- whether an ecological survey is appropriate;
- the factors listed in guidance on local ecological networks that supports National Planning Policy Framework paragraph 117.

The statutory obligations in regard to international and national designated sites of importance for biodiversity must also be considered.

017. Biodiversity maintenance and enhancements through the planning system have the potential to make a significant contribution to the achievement of Biodiversity 2020 targets.

Biodiversity enhancement in and around development should be led by a local understanding of ecological networks, and should seek to include:

- habitat restoration, re-creation and expansion;
- improved links between existing sites;
- buffering of existing important sites;
- new biodiversity features within development; and
- securing management for long term enhancement.



The NPPG explains the value of ecological networks and what evidence should be taken into account in identifying and mapping them.

*Paragraph 009 - The components of an ecological network are explained at section 2.12 of the Natural Environment White Paper<sup>9</sup>.*

- *Relevant evidence in identifying and mapping local ecological networks includes:*
- *the broad geological, geomorphological and bio-geographical character of the area, creating its main landscapes types;*
- *key natural systems and processes within the area, including fluvial and coastal;*
- *the location and extent of internationally, nationally and locally designated sites;*
- *the distribution of protected and priority habitats and species;*
- *areas of irreplaceable natural habitat, such as ancient woodland or limestone pavement, the significance of which may be derived from habitat age, uniqueness, species diversity and/or the impossibilities of re-creation;*
- *habitats where specific land management practices are required for their conservation;*
- *main landscape features which, due to their linear or continuous nature, are important for the migration, dispersal and genetic exchanges of plants and animals, including any potential for new habitat corridors to link any isolated sites that hold nature conservation value, and therefore improve species dispersal;*
- *areas with potential for habitat enhancement or restoration, including those necessary to help biodiversity adapt to climate change or which could assist with the habitats shifts and species migrations arising from climate change;*
- *an audit of green space within built areas and where new development is proposed;*
- *information on the biodiversity and geodiversity value of previously developed sites and the opportunities for incorporating this in developments; and*
- *areas of geological value which would benefit from enhancement and management.*
- *Local Nature Partnerships can be a useful source of information for existing ecological networks.*

*Paragraph 13 - Information about ecosystems services is in Biodiversity 2020, A strategy for England's biodiversity and ecosystems services. An introductory guide to valuing ecosystems services has also been published by Defra along with a practice guide, which could, where appropriate, inform plan-making and decision-taking on planning applications. The National Pollinator Strategy: for bees and other pollinators in England is a ten-year plan to protect pollinating insects which support our food production and the diversity of our environment.*

## **Green Infrastructure**

Paragraphs 027-30 relating to Green Infrastructure have been modified or newly added (in February 2016) to the NPPG.

*Paragraph 027 - Green infrastructure is a network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Green infrastructure is not simply an alternative description for conventional open space. As a network it includes parks, open spaces, playing fields, woodlands, but also street trees, allotments and private gardens. It can also include streams, canals and other water bodies and features such as green roofs and walls. Green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. To ensure that these benefits are delivered, green infrastructure must be well planned, designed and maintained. Green infrastructure should, therefore, be a key consideration in both local plans and planning decisions where relevant.*

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<sup>9</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228842/8082.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228842/8082.pdf)

*Paragraph 029..... Local Plans should identify the strategic location of existing and proposed green infrastructure networks. Where appropriate, supplementary planning documents can set out how the planning, design and management components of the green infrastructure strategy for the area will be delivered. This strategic approach to green infrastructure may cross administrative boundaries. Therefore, neighbouring authorities, working collaboratively with other stakeholders including Local Nature Partnerships (LNPs) and Local Enterprise Partnerships (LEPs), may wish to consider how wider strategies for their areas can help address cross-boundary issues and help meet the Duty to Cooperate.*

*Paragraph 030 - Green infrastructure can help to deliver a variety of planning policies including:*

- *Building a strong, competitive economy*
- *Delivering a wide choice of high quality homes*
- *Requiring good design*
- *Promoting healthy communities*
- *Meeting the challenge of climate change, flooding and coastal change*
- *Conserving and enhancing the natural environment<sup>10</sup>*

### **Cornwall Biodiversity Action Plan**

In 1996 the Cornwall Biodiversity Initiative (CBI) produced Cornwall's Biodiversity Volume 1: Audits and Priorities. Following on from the recommendations in this document, Action Plans were produced for the Cornish priority habitats and species and published in Cornwall's Biodiversity Volume 2: Action Plans.

A further volume, Cornwall's Biodiversity Volume 3: Action Plans 2004, has been produced in line with the UK Biodiversity Action Plan (UK BAP) process. This highlights the UK BAP priority habitats and species that occur in Cornwall and comprises of 25 habitats and 127 Species Action Plans, each written by local experts. Cornwall's Biodiversity Volume 3: Action Plans 2004 guides local conservation work to contribute to UK BAP targets and to ensure that Cornwall's wildlife continues to be an inspiration for future generations.

Following on from a progress review, according to the Cornwall Council website, Cornwall's BAP is currently being revised and a new volume is being produced. This Volume 4: Priority Projects, will also take into account the publication of the new UK list of priority habitats and species, and the new England Biodiversity Strategy (EBS) delivery framework. New lists have been produced which contain the UK BAP habitats and species which occur in Cornwall.

### **Cornwall Local Plan 2010-2030**

#### **Policy 22: European Protected Sites – Mitigation of Recreational Impacts from Development**

For residential development and student and tourist accommodation, mitigation measures for recreational impacts on European Sites will be required where development is proposed within the identified zones of influence around those European Sites that are vulnerable to adverse recreational impacts.

Residential development, student and tourist accommodation within these zones of influence will be required to provide for appropriate management, mitigation and monitoring on site, and/ or financial contributions towards off site mitigation and management. This will need to be agreed and secured prior to approval of the development.

Mitigation measures will include:

- On site access and management
- Off-site provision of suitable alternative recreational facilities

The required level of contributions will be set out in more detail in the European Sites Mitigation Strategy Supplementary Planning Document.

<sup>10</sup> <http://planningguidance.communities.gov.uk/revisions/8/>

### **Policy 25: Green Infrastructure**

The existing green infrastructure network in Cornwall, which is important to recreation, leisure, community use, townscape and landscape quality and visual amenity will be protected and enhanced. Development proposals should contribute to an enhanced connected and functional network of habitat, open spaces and waterscapes by:

1. Retaining and enhancing the most important environmental infrastructure assets and connections that contribute to the functionality of networks of ecosystems and our Strategic Environmental Infrastructure Network in their existing location; and
2. Demonstrating that all the functional environmental infrastructure and connections have been taken into account in the design of the scheme or site layout, including impacts on ecosystem services; biodiversity; coastal processes and recreation within and near to the application site and show how this understanding has positively contributed to place making and influenced the proposal; and
3. Providing appropriate buffers to natural spaces that have community, biodiversity and heritage significance; and
4. Restoring or enhancing connectivity for nature and people through the site and linking to adjacent sites or green routes, helping to provide better links between urban and rural landscapes and coastal areas, creating accessible and attractive places for communities to make regular contact with the natural environment; and
5. Providing accessible and good quality open space and where applicable improved access to coastal space; and
6. Providing clear arrangements for the long-term maintenance and management and/or enhancement of the green infrastructure assets.
7. In exceptional circumstances where retention of the most important green infrastructure assets and connections is outweighed by the benefits arising from the development proposals and they cannot be retained on site, the loss resulting from the proposed development should be replaced by equivalent or better provision in terms of quantity and quality of ecological or open space value in a suitable location.

### **Biodiversity Supplementary Planning Document (SPD)**

The Local Plan is made up of Policies which will be the basis for planning decisions. This supplementary planning document sits alongside The Local Plan to provide additional information on biodiversity, and how this is an integral part of the development management process. The SPD provides additional information around several of the strategic policies within the Local Plan, but with a focus on Policies 22 and 23. The SPD is designed to assist people who are submitting and determining planning applications in Cornwall to understand how to ensure that biodiversity is protected, conserved and enhanced as a consequence of development.

The SPD also sets out what Cornwall Council as the Local Planning Authority (LPA) are responsible for in assessing and understanding the opportunities for biodiversity through both the forward planning and development management aspects of the planning system.

The SPD sets out the guiding principles for developers as follows:

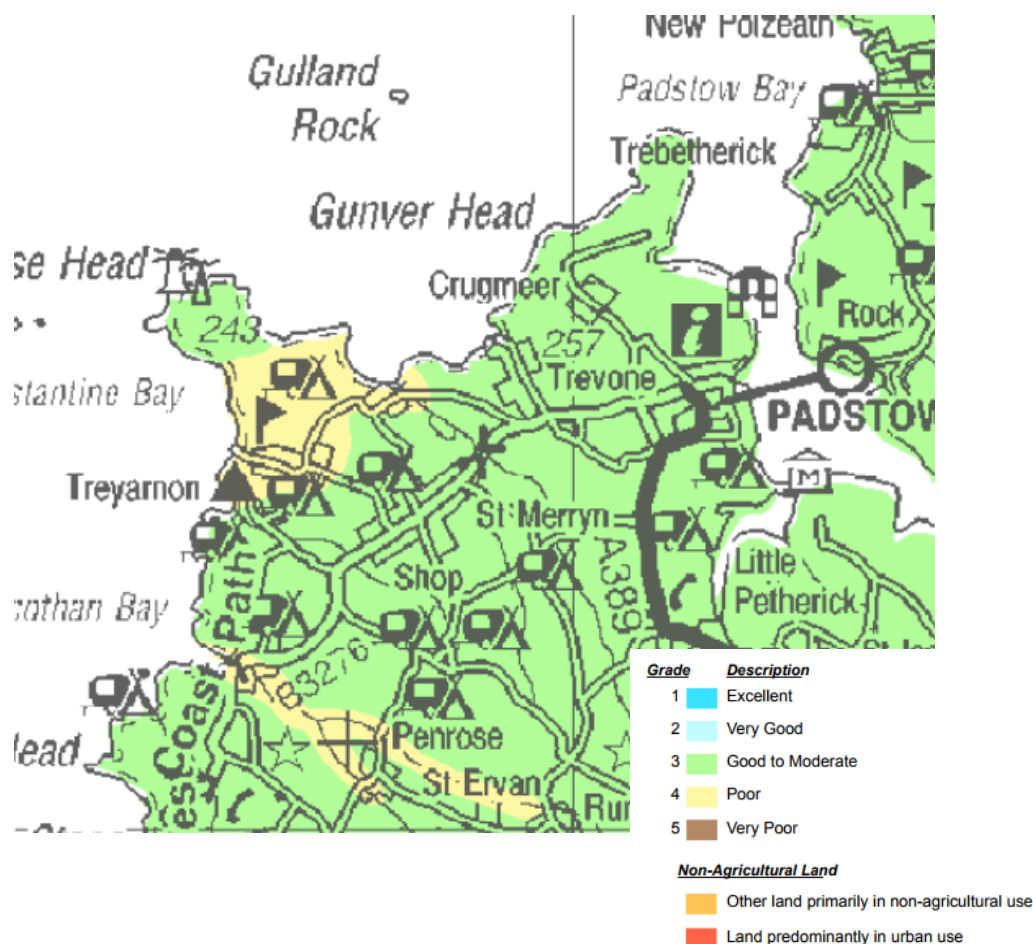
- View biodiversity and geodiversity as an opportunity not a constraint
- Access ecological expertise
- Surveys and Information-Gathering
- Avoidance, Mitigation and Compensation
- Enhancement

Very significantly, the new SPD states: *In order to deliver ecological enhancement across Cornwall, all new residential units will now be required to provide either a bat or bird box/brick within the structure of the building, or within the site boundaries on non-built features if this is not possible. For developments of two or more houses every other building needs to have a bee brick built in as well as the bat and bird boxes. At least 75% of bat and bird boxes must be provided built into the dwellings themselves as tree mounted boxes have a limited life span. Your ecological consultant will be able to advise you on the best type of box or brick for the site, and where on each building they should be sited.*

## Agriculture

80% of Cornwall's land is in agricultural use. Agriculture, forestry & fishing support over 12,000 jobs in Cornwall. Surprisingly therefore there are few farming-related strategies. Devised in the 1960's, the Agricultural Land Classification provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long-term limitations on agricultural use. The limitations can operate in one or more of four principal ways: they may affect the range of crops which can be grown, the level of yield, the consistency of yield and the cost of obtaining it. The classification system gives considerable weight to flexibility of cropping, whether actual or potential, but the ability of some land to produce consistently high yields of a somewhat narrower range of crops is also taken into account.

The classification is well established and understood in the planning system and provides an appropriate framework for determining the physical quality of the land at national, regional and local levels.



## Cornwall Local Plan 2010-2030

### Policy 21: Best Use of Land and Existing Buildings

To ensure the best use of land, encouragement will be given to sustainably located proposals that:

- use previously developed land and buildings provided that they are not of high environmental or historic value;
- use despoiled, degraded, derelict and contaminated land provided that it is not of high environmental or historic value;
- increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land;
- take into account the economic and other benefits (including food production) of Grade 1, 2 and 3a agricultural land. Where significant development of agricultural land is demonstrated to be necessary, poor quality land should be used in preference to that of higher quality.

## **Cornwall's Environmental Growth Strategy 2015-2065**

*Environmental growth is the net gain of our natural systems - important because protection is not enough.*

*Environmental growth will be achieved by:*

*Securing our natural heritage and enhancing it through better management.*

*Increasing our natural capital by increasing the size, number and connectedness of areas where nature thrives.*

*Designing existing activities and new developments to enhance and support our natural systems.*

Target outcome 1: People are connected with Cornwall's nature and culture

Target outcome 2: Cornwall is a happy, healthy place to be

Target outcome 3: The specific characteristics of Cornwall's environment are well understood within a local and global context

Target outcome 4: Cornwall has an environmental management system that supports environmental growth

Target outcome 5: Cornwall's environment is highly valued and appreciated by one and all

Target outcome 6: Cornwall's working structures and practises support continued environmental growth

Target outcome 7: Cornwall has an excellent environmental skills base and is exporting its knowledge worldwide

Target outcome 8: Cornwall's environment provides stability for economic and social prosperity

Target outcome 9: Nature in Cornwall is abundant, diverse and well connected

Target outcome 10: Cornwall is well-managed, resilient and supported by a healthy, naturally functioning environment

## **Flood Risk**

### **National Planning Policy Framework**

*100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:*

- *applying the Sequential Test;*
- *if necessary, applying the Exception Test;*
- *safeguarding land from development that is required for current and future flood management;*
- *using opportunities offered by new development to reduce the causes and impacts of flooding; and*
- *where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.*

### **National Planning Practice Guidance**

Guidance > Natural Environment > Flood Risk and Coastal Change

*061. The overall approach in paragraph 100 of the National Planning Policy Framework applies to neighbourhood planning.*

*In summary, the qualifying bodies involved in neighbourhood planning should:*

- *seek to ensure neighbourhood plans and neighbourhood development/community right to build orders are informed by an appropriate assessment of flood risk;*
- *ensure policies steer development to areas of lower flood risk as far as possible;*
- *ensure that any development in an area at risk of flooding would be safe, for its lifetime taking account of climate change impacts;*
- *be able to demonstrate how flood risk to and from the plan area/ development site(s) will be managed, so that flood risk will not be increased overall, and that opportunities to reduce flood risk, for example, through the use of sustainable drainage systems, are included in the plan/order.*



*Local planning authorities should have in mind these aims in providing advice or assistance to qualifying bodies involved in neighbourhood planning. Further information on what information and advice should be made available is here [para 062].*

*062. Local planning authorities' Strategic Flood Risk Assessments should be the primary source of flood risk information in considering whether particular neighbourhood planning areas may be appropriate for development. Other important sources include the interactive maps of flood risk available on the Environment Agency's web site. Local planning authorities should make available to qualifying bodies any reports or information relating to the Strategic Flood Risk Assessment, and share any other information relevant to flood risk (such as the application of the Sequential and Exception Tests to the Local Plan).*

*Along with other statutory agencies, the Environment Agency has published advice on neighbourhood planning. Anyone preparing a neighbourhood plan or order may also find it helpful to consult the lead local flood authority for the area.*

## **Environment Agency**

The Environment Agency is responsible for taking a strategic overview of the management of all sources of flooding and coastal erosion. This includes, for example, setting the direction for managing the risks through strategic plans; providing evidence and advice to inform Government policy and support others; working collaboratively to support the development of risk management skills and capacity; and providing a framework to support local delivery. The Agency also has operational responsibility for managing the risk of flooding from main rivers, reservoirs, estuaries and the sea, as well as being a coastal erosion risk management authority. As part of its strategic overview role, the Environment Agency has published a National Flood and Coastal Risk Management Strategy for England<sup>11</sup>. The strategy provides a lot more information designed to ensure that the roles of all those involved in managing risk are clearly defined and understood. The overall aim of the strategy is to ensure the risk of flooding and coastal erosion is properly managed by using the full range of options in a co-ordinated way.

*Communities, individuals, voluntary groups and private and public sector organisations will work together to:*

- *manage the risk to people and their property;*
- *facilitate decision-making and action at the appropriate level - individual, community, or local authority, river catchment, coastal cell or national;*
- *achieve environmental, social and economic benefits, consistent with the principles of sustainable development.*

## **Flood Zones**

Flood zones have been created by the Environment Agency (EA) to be used within the planning process as a starting point in determining how likely somewhere is to flood. They only refer to flood risk from rivers or the sea, and not all rivers are included. The most important thing to note is a flood zone is predominantly a planning tool and doesn't necessarily mean somewhere will or won't flood.

Different types of development have been classified as being either acceptable or unacceptable for each of the flood zones based on the vulnerability classification it's assigned. This is based on the National Planning Policy Framework (NPPF) and are listed in a technical guidance document<sup>12</sup>.

There are 3 flood zones defined by the EA; Flood Zone 1, 2 and 3. These areas have been defined following a national scale modelling project for the EA and are regularly updated using recorded flood extents and local detailed modelling. The flood zones are based on the likelihood of an area flooding, with flood zone 1 areas least likely to flood and flood zone 3 areas more likely to flood.

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<sup>11</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228898/9780108510366.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228898/9780108510366.pdf)

<sup>12</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6000/2115548.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6000/2115548.pdf)

Lead Local Flood Authorities (unitary authorities or county councils) are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas and for maintaining a register of flood risk assets. They also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses.

### **Cornwall Local Flood Risk Strategy 2014**

The Local Flood Risk Management Strategy for Cornwall<sup>13</sup> sets out how Cornwall Council and its partner authorities intend to work together to manage flood risk from all sources.

#### **Aims**

Objective A: Take a collaborative approach to flood risk and coastal change management in Cornwall.

A1 Encourage communities to work together to understand flood risk, the various roles and responsibilities of themselves and others and play their role in Flood Risk Management.

A2 Optimise communication between Flood Risk Management partners and communities and ensure that flood risk and coastal change messages to communities are clear and consistent.

A3 Encourage a collaborative interpretation of evidence to provide a clear understanding of flood risk from all sources and how they interact.

A4 Actively encourage skills and capacity building amongst flood risk partners and communities at risk of flooding.

Objective B: Evidence is collated and interpreted to inform the delivery of appropriate Flood Risk Management

#### **Aims**

B1 Ensure that sound evidence, including on socio-economic, health and environmental impacts is used to underpin decisions about managing and reducing flood risk, taking into account the impacts of climate change.

B2 Flood defence and drainage systems are understood so that they can be managed and developed in a sustainable and cost-effective way.

B3 Identify the impacts of climate change on flood risk and coastal change and identify actions to mitigate and manage its impact.

Objective C. Communities are supported to be resilient and participate in reducing flood risk

#### **Aims**

C1 Ensure that communities and individuals are aware of flood risk and have easy access to clear information on flood risk, how it affects them and how they can protect themselves, their properties and businesses.

C2 Raise awareness with communities and local landowners of their responsibilities and the effects of their actions on flood risk.

C3 Ensure that there are clear and effective lines of communication between Cornwall Council and the communities of Cornwall.

Objective D. Local planning and regeneration enables sustainable development that integrates and delivers Flood Risk Management and coastal change solutions

#### **Aims**

D1 Achieve greater engagement between planners, developers, communities and other stakeholders about planning for flood risk and coastal change.

D2 Coordinate and support sustainable solutions to the regeneration of development, infrastructure and town centres that are vulnerable to flood risk and coastal change, including innovative design or relocation.

D3 Recognise that surface water drainage systems will occasionally become overwhelmed and that such exceedance flow should be managed to minimise danger and damage.

Objective E. Ensure that flood risk within catchments is managed in a coordinated manner

#### **Aims**

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<sup>13</sup> <https://www.cornwall.gov.uk/media/6960886/Local-Flood-Risk-Management-Strategy.pdf>

- E1 Coordinate actions that affect flood risk within catchments and ensure that they work together to reduce flooding in the catchment.
- E2 Ensure that different actions within a catchment and their pollution and flood risk impact on the catchment are understood by communities in the catchment.
- E3 Encourage and facilitate the use of sustainable drainage systems for managing surface water runoff from new and existing developments and land use practices.
- E4 Create new and maximise existing opportunities to reduce flood risk and surface water runoff and integrate drainage systems to decrease the burden on sewers by enhancing the natural environment.
- E5 Take into account and promote awareness of the potential impacts of mining and the aging infrastructure associated with mine drainage.

Objective F. Effectively prioritise the resources for Flood Risk Management projects, maximise funding and join resources in the most efficient and effective way to deliver Flood Risk Management interventions

#### Aims

- F1 Undertake an innovative, cost efficient approach to flood risk and coastal change management.
- F2 Make every effort to attract new funding and other support, through a variety of means, and where possible seek multiple benefits from these resources.
- F3 Identify areas where alternative means of improving resilience are needed without the injection of external financial contributions.
- F4 Coordinate and join resources between partners and communities where possible.
- F5 Encourage and assist communities to be proactive in seeking funding or in-kind resources from external and local community sources.
- F6 Maximise opportunities for developers to contribute to the creation and maintenance of any flood defences that they benefit from.
- F7 Prioritise between different sources of flood risk and investment options in a transparent manner.

Objective G. Seek added value for Flood Risk Management actions and interventions

#### Aims

- G1 Flood management and coastal change actions should aim to work with natural processes where possible, seeking to achieve multiple benefits such as environmental, ecological and amenity enhancements.
- G2 Flood Risk Management helps to deliver economic prosperity and growth
- G3 Optimise funding potential by underpinning funding bids for Flood Risk Management actions with information on benefits and beneficiaries.

### Shoreline Management Plan

The Shoreline Management Plan<sup>14</sup> (SMP) provides a large-scale assessment of the risks associated with coastal evolution and presents a policy framework to address these risks to people and the developed, historic and natural environment in a sustainable manner. The two most important aims are:

- To reduce the threat of flooding and coastal erosion to people and their property.
- To deliver the greatest environmental, social and economic benefit, consistent with the Government's sustainable development principles.

The key objectives are:

- To manage the risks to communities from flooding and support their adaptation and development of resilience
- To manage the risks to communities from erosion and support their adaptation
- To establish a long-term action plan which helps to minimise and reduce the reliance on defences in the future.
- To support the essential diverse character of the landscape & seascape of Cornwall and the Isles of Scilly
- To allow natural evolution of the shoreline wherever possible

<sup>14</sup> <http://www.scilly.gov.uk/sites/default/files/document/planning/smp2.pdf>

- To minimise impacts upon the historic environment, without unduly preventing natural coastal processes
- To support existing nature conservation values and minimise impacts upon habitats, while allowing adaptive response to natural change
- To support the viability and core values of coastal settlements, in a manner consistent with the Government's sustainable development principles
- To support diversification of tourism and recreational opportunities
- To support the adaptation and resilience of regional and county-wide transport links

The generic shoreline management policy options are defined by Defra. They are outlined in the following statements:

- No active intervention (NAI): A decision not to invest in providing or maintaining defences or natural coastline.
- Hold the line (HTL): Maintain or upgrade the level of protection provided by defences or natural coastline.
- Managed realignment (MR): Manage the coastal processes to realign the 'natural' coastline configuration, either seaward or landward, in order to create a future sustainable shoreline position.
- Advance the line (ATL): Build new defences seaward of the existing defence line where significant land reclamation is considered.

For the port of Padstow, and Harlyn and Trevone the preferred strategic option is the 'hold the line'.

### **The Cornwall Maritime Strategy 2012 – 2030**

Aims of the Strategy, By 2030:

- Cornwall has a sustainably managed maritime environment, which is well understood and known internationally as an excellent location for work, wildlife and for recreation;
- Cornwall's economy is supported by a diverse range of opportunities for ports, marine-related industries, transport and businesses including environmental technologies;
- Cornwall has a rich and enviable maritime heritage, a healthy maritime natural environment and landscape;
- Cornwall has distinctive, well-connected communities, resilient in the face of change.

Objective A: To work towards a sustainable, low carbon future for maritime Cornwall that encourages appropriate economic growth, supports resilient communities and protects environmental assets.

Objective B: To achieve more integrated approaches to managing the maritime area, encouraging partnership working across organisational, community, sectoral and geographic boundaries

Objective C: To promote low carbon maritime enterprise throughout Cornwall as a key component of economic revitalisation and international excellence

Objective D: To ensure Cornwall has healthy, safe and vibrant coastal communities that have a strong relationship with the sea and coastal environment

Objective E: To recognise, protect and further develop the 'working harbour' role of Cornwall's estuaries, ports and harbours

Objective F: To better connect Cornwall's coastal communities and destinations and support sustainable, low carbon transport

Objective G: Ensure Cornwall's natural and historic maritime environment and culture is renowned worldwide, and is a source of pride and inspiration to residents and visitors

### **Cornwall Local Plan 2010-2030**

#### **Policy 26: Flood Risk Management and Coastal Change**

1. Development should take account of and be consistent with any adopted strategic and local flood and coastal management strategies including the Shoreline Management Plan and Catchment Flood Management Plans for Cornwall and the South West River Basin Plan.
2. Development should be sited, designed, of a type and where necessary relocated in a manner that:

- a. increases flood resilience of the area, taking account of the area's vulnerability to the impacts of climate change and coastal change and the need to avoid areas of flood risk, in the first instance, taking into account the vulnerability of the use proposed; and
  - b. minimises, or reduces and where possible, eliminates flood risk on site and in the area; and
  - c. enables or replicates natural ground and surface water flows and decreases surface water runoff, particularly in Critical Drainage Areas, through sustainable urban drainage systems (SUDS), utilising green infrastructure where possible and as guided by local standards, including Cornwall drainage guidance; and
  - d. the safeguarding of land, where it is identified to be functional flood storage, to make space for water at times of flood; and
  - e. where applicable, supports community-led local solutions to managing flood risk and coastal change; and
  - f. does not create avoidable future liability for maintenance for public bodies and communities.
3. Development proposals of 10 dwellings or more or over 0.5 ha should provide a long-term water management plan, which includes maintenance of surface water drainage systems, measures to improve the network of surface water drainage systems on and around the site (e.g. culverts etc.) and identifies opportunities and funding for future enhancement



## Built Environment

### National Planning Policy Framework

Regarding **Design Matters**, Section 7 focuses on policy which seeks to ensure good design. Paragraph 56 of the NPPF states the Government's intention for the built environment to be required to have good design. *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."*<sup>15</sup>

The paragraph which applies most directly to neighbourhood plans is the following.

*"Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:*

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development*
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit*
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks*
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation*
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion*
- are visually attractive as a result of good architecture and appropriate landscaping"*<sup>16</sup>

The NPPF is also clear that design requirements should not stifle innovation, originality or initiative, nor impose particular architectural styles or tastes. However, it is appropriate to seek to promote or reinforce local distinctiveness.

The NPPF also states the following:

*"Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."*<sup>17</sup>

The NPPF also has policy relating to advertisements the need for their control to be efficient, effective and simple in concept and operation.

Regarding the **historic environment**, Section 12 focuses on conserving and enhancing the historic environment. Most of the policy in the NPPF requires specific actions of local planning authorities, although by implication and through reference to planning decisions, much of its content also applies to neighbourhood plans. A number of important sections are reproduced below.

*"Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment... including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them*

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<sup>15</sup> Paragraph 56, NPPF, Department for Communities and Local Government, 2012

<sup>16</sup> Paragraph 58, NPPF, Department for Communities and Local Government, 2012

<sup>17</sup> Paragraph 66, NPPF, Department for Communities and Local Government, 2012

in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring
- the desirability of new development making a positive contribution to local character and distinctiveness
- opportunities to draw on the contribution made by the historic environment to the character of a place”<sup>18</sup>

*“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.”<sup>19</sup>*

*“In determining planning applications, local planning authorities should take account of:*

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality
- the desirability of new development making a positive contribution to local character and distinctiveness”<sup>20</sup>

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”<sup>21</sup>*

### **National Planning Practice Guidance**

The National Planning Practice Guidance<sup>22</sup>, which amplifies the policies in the NPPF, has a section on design. It sets out why good design is important and focuses on answering the following questions:

- What planning objectives can good design help achieve?
- What is a well-designed place?
- How should buildings and the spaces between them be considered?
- Which planning processes and tools can we use to help achieve good design?
- Are there design issues that relate to particular types of development?

The NPPG also has a section on conserving and enhancing the historic environment. Two of the sections focus on plan making and decision taking. The former includes a section on ‘How should heritage issues be addressed in neighbourhood plans?’ It states:

*“Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.*

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<sup>18</sup> Paragraph 126, NPPF, Department for Communities and Local Government, 2012

<sup>19</sup> Paragraph 127, NPPF, Department for Communities and Local Government, 2012

<sup>20</sup> Paragraph 131, NPPF, Department for Communities and Local Government, 2012

<sup>21</sup> Paragraph 132, NPPF, Department for Communities and Local Government, 2012

<sup>22</sup> See <http://planningguidance.planningportal.gov.uk/blog/guidance/rural-housing/how-should-local-authorities-support-sustainable-rural-communities/>

*Where it is relevant, designated heritage assets within the plan area should be clearly identified at the start of the plan-making process so they can be appropriately taken into account. In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions.*

*The local planning authority heritage advisers should be able to advise on local heritage issues that should be considered when preparing a neighbourhood plan. The local Historic environment record and any local list will be important sources of information on non-designated heritage assets.”<sup>23</sup>*

### **English Heritage - Good Practice Advice on Neighbourhood Planning and the Historic Environment**

Historic England’s website states that *“Including heritage matters in a neighbourhood plan will help make sure that potential new development is properly integrated with what is already there and does not result in the loss of local distinctiveness. Addressing how best to integrate new development into an existing place can encourage people to be innovative.*

*Taking into account what is special about a place often demonstrates that off-the-shelf design and construction might not be appropriate. It encourages sensitive development of historic buildings and places that can invigorate an area, stimulating investment, entrepreneurship, tourism and employment.”<sup>24</sup>* It provides guidance on heritage and neighbourhood planning which is worth referencing here. The guidance note sets out the benefits of including the historic environment in neighbourhood planning and what information about local heritage should go into a neighbourhood plan.

*“Any policies you include in the Neighbourhood Plan should be based on appropriate evidence, and information on how a place has developed and evolved is often a key element. This could include a description of the historic character of the area, as well as identifying any listed buildings, scheduled monuments, conservation areas, registered parks and battlefields or local heritage assets. An assessment of the condition and vulnerability of the local historic environment will also help in identifying the need for any future management action.*

*When deciding on how much information to provide, as a guiding principle, we recommend including as much as is necessary to guide future decisions that may affect the character and heritage of a place.*

*Our guidance on “Knowing Your Place”<sup>25</sup> may help you in deciding what information to include in your Plan.”<sup>26</sup>*

The guidance also sets out where information on the historic environment can be found. It also provides guidance on how a community can undertake a local ‘place check’ to help identify the design and heritage issues of importance.<sup>27</sup>

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<sup>23</sup> Paragraph 007, National Planning Practice Guidance, Department for Communities and Local Government, 2013 <http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/plan-making-historic-environment/>

<sup>24</sup> See <http://www.english-heritage.org.uk/professional/advice/government-planning-policy/national-planning-policy-framework/>

<sup>25</sup> See <http://www.english-heritage.org.uk/publications/knowning-your-place/>

<sup>26</sup> pp.3-4, English Heritage Good Practice Advice on Neighbourhood Planning and the Historic Environment, English Heritage, 2014, <https://content.historicengland.org.uk/content/docs/planning/neighbourhood-planning-information-aug14.pdf>

<sup>27</sup> See <http://www.placecheck.info/>

The guidance sets out the sorts of evidence and policies which could be included in a neighbourhood plan.

*“It is for the local community to decide on the scope and content of a Neighbourhood Plan. However, there could be benefits in setting out a specific historic environment section within the Plan, drawing on the evidence from Place check, other sources of information on the historic environment, and/or more detailed assessments where they have been carried out. These could include:*

- An analysis of the historic character of the area highlighting its contribution to the development and appearance of the place*
- The identification of any listed buildings, scheduled monuments, registered parks and gardens, and battlefields or local heritage assets, and a discussion of the contribution they make to local character*
- The environmental issues which the Plan seeks to address*
- Opportunities to repair, conserve or bring heritage assets back into use, especially those that are at risk*
- Policies to manage the settings of heritage assets or important views*
- Policies to promote locally distinctive development in terms of scale and materials*
- Particular historic environment considerations to be taken into account when seeking to develop specific sites*
- Opportunities for investment into the historic environment alongside delivery of new development, for example through Neighbourhood Level Community Infrastructure Levy spending, Planning Contributions and other sources of funding*

*The Neighbourhood Plan could also identify any buildings and spaces that are worthy of protection through national designation or local designation, the possibility of new or revised conservation areas together with conservation area appraisals, the need for a local heritage list or local buildings at risk survey.”<sup>28</sup>*

### **Heritage at Risk Register**

There are some elements which warrant extra protection through the planning system. Since 1882, when the first Act protecting ancient monuments and archaeological remains was passed, Government has been developing the designation system. Listing is now applied to about half a million buildings ranging from palaces to street lamps.

Historic England, as the Government’s expert adviser, is responsible for making recommendations – but it is still the Secretary of State at the Department for Culture Media and Sport who makes the decisions on whether a site is designated. Understanding and appreciation develop constantly, which makes keeping the designation base up-to-date a never-ending challenge. While responding to threat-driven cases, we also seek to work strategically. Recent developments have seen a greater striving for openness and transparency in the process of designating a site, and better communication of what makes something special.

Conservation areas are designated locally by local planning authorities. They are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

### **Listed Buildings**

A listed building is a building (or structure) that has been designated as being of ‘special architectural or historic interest’. The older and rarer a building is, the more likely it is to be listed. Buildings less than 30 years old are listed only if they are of outstanding quality and under threat. Listed buildings are graded I, II\* and II. Grade I and II\* are particularly important buildings of outstanding interest; together they amount to 8% of all listed buildings. The remaining 92% are of special interest and are listed grade II.

Entries on the statutory list of buildings of special architectural or historic interest may comprise a number of separate buildings. Formal residential terraces are the most obvious example. Entries on this Register reflect

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<sup>28</sup> pp.7-8, English Heritage Good Practice Advice on Neighbourhood Planning and the Historic Environment, English Heritage, 2014

how buildings are grouped and recorded on the statutory list. Structures can occasionally be both listed as buildings and scheduled as monuments.

Criteria for inclusion on the 'at Risk Register'

Buildings (not in use as a public place of worship) considered for inclusion on the Register must be listed grade I or II\*, (or grade II in London) or be a structural scheduled monument. Buildings are assessed for inclusion on the basis of condition and, where applicable, occupancy (or use). The condition of buildings on the Register ranges from 'very bad' to 'poor', 'fair' and (occasionally) 'good'. The Register also includes buildings that are vulnerable to becoming at risk because they are empty, under-used or face redundancy without a new use to secure their future. Assessing vulnerability in the case of a building in fair condition necessarily involves judgement and discretion. A few buildings on the Register are in good condition, having been repaired or mothballed, but a new use or owner is still to be secured.

Buildings are removed from the Register when they are fully repaired/consolidated, their future secured, and where appropriate, occupied or in use.

### Conservation Areas

Cornwall Council has powers to declare an area of special architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance to be a Conservation Area. Such declaration introduces a general control over the demolition of unlisted buildings and provides the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an area's special interest. Apart from a few minor exceptions, no building can be demolished without prior approval (conservation area consent) and six weeks' notice must be given if any tree is to be cut down or lopped. There are 33 designated Conservation Areas within Cornwall, covering the historic areas of many towns and villages. There is a requirement under Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990 for all local authorities to review their conservation areas and publish proposals for their preservation and enhancement. Reviews must be carried out every five years as the character and appearance of a conservation area can change over even small periods of time.

### Cornwall Local Plan 2010-2030

#### **Policy 24: Historic Environment**

Development proposals will be permitted where they would sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings.

Development proposals will be expected to:

- sustain designated heritage assets;
- take opportunities to better reveal their significance;
- maintain the special character and appearance of Conservation Areas, especially those positive elements in any Conservation Area Appraisal;
- conserve and, where appropriate, enhance the design, character, appearance and historic significance of historic parks and gardens;
- conserve and, where appropriate, enhance other historic landscapes and townscapes, including registered battlefields, including the industrial mining heritage;
- protect the historic maritime environment, including the significant ports, harbours and quays.

Development within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) and its setting should accord with the WHS Management Plan. Proposals that would result in harm to the authenticity and integrity of the Outstanding Universal Value, should be wholly exceptional.

If the impact of the proposal is neutral, either on the significance or setting, then opportunities to enhance or better reveal their significance should be taken.

All development proposals should be informed by proportionate historic environment assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) identifying the significance of all heritage assets that would be affected by the proposals and the nature and degree of any effects and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated.



Great weight will be given to the conservation of the Cornwall's heritage assets. Where development is proposed that would lead to substantial harm to assets of the highest significance, including undesignated archaeology of national importance, this will only be justified in wholly exceptional circumstances, and substantial harm to all other nationally designated assets will only be justified in exceptional circumstances.

Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long-term use of the asset.

In those exceptional circumstances where harm to any heritage assets can be fully justified, and development would result in the partial or total loss of the asset and/or its setting, the applicant will be required to secure a programme of recording and analysis of that asset, and archaeological excavation where relevant, and ensure the publication of that record to an appropriate standard in a public archive. Proposals that will help to secure a sustainable future for the Cornwall's heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported.

### **Cornwall Sustainable Building Guide - Retro Fitting Existing Buildings**

Much of the housing stock in Cornwall was built before regulations demanded good energy efficiency and some buildings are listed to preserve the character of a historically important area. When a building is listed the options for improving the performance of the building are restricted; innovative approaches are required to increase performance whilst maintaining character. If a building is not listed or within a conservation area, the main consideration is the most appropriate design to achieve sustainability. Designing for sustainability is necessary to reduce reliance on fossil fuels and develop lifestyles that do not deplete natural resources.

Cornwall Council has published an electronic guide<sup>29</sup>, the aim of which is to give advice on how to retro-fit existing buildings in a green or sustainable way. The guide is designed to be used by all building occupants and developers from the individual householder to the larger-scale developer who might be altering, extending or refurbishing an existing development. The information in the guide can also help towards the submission of a planning application.

### **Cornwall Design Guide 2013**

The Cornwall Design Guide has been produced to help inform the design of new development and ensure all factors of good design are recognised and incorporated. The guide has been produced following consultation with internal and external local stakeholders through interviews, workshops and review sessions. The Guide was adopted in March 2013 by Cornwall Council. It is a significant consideration in the planning process. It aims help create sustainable and safe neighbourhoods where people can work and socialise, and to improve people's wellbeing, health and security.

Its objectives are:

- set out a design process to inform and improve the quality of design and development
- set out principles of design which act as a set of criteria to design and assess development proposals
- ensure sustainable development through the promotion and use of a Sustainability Checklist
- encourage design and access statements which are submitted with planning applications to demonstrate a clear process for achieving good design
- encourage and support early and proactive engagement between development teams; Cornwall Council, communities and funding agencies in achieving good design
- provide signposting to further relevant information and guidance

<sup>29</sup> <https://www.cornwall.gov.uk/media/3630844/Sustainable-Building-Guide.pdf>

## Cornwall Shopfront Design Guide 2017

The Cornwall Shopfront Design Guide<sup>30</sup> will be endorsed in 2017 by Cornwall Council as a material consideration for land use planning purposes, to support the application of Policy 24: Historic Environment as the relevant policy in the adopted Cornwall Local Plan. It gives advice on the design of shopfronts which contribute so much to the special character of the County's settlements. It has been produced by Cornwall Council with funding from the Heritage Lottery and St Austell Town Council. Special appendices will be produced over time for selected towns and villages to give information on local distinctiveness. These can be produced by local Councils or partnerships.

The Local Plan sets a district strategy for **Sustainable Design and Construction**.

### Policy 12: Design

The Council is committed to achieving high quality safe, sustainable and inclusive design in all developments. Development must ensure Cornwall's enduring distinctiveness and maintain and enhance its distinctive natural and historic character.

Development should demonstrate a design process that has clearly considered the existing context, and how the development contributes to the social, economic and environmental elements of sustainability through fundamental design principles.

1. As part of a comprehensive place-shaping approach, proposals will be judged against fundamental design principles of:

- a. character – creating places with their own identity and promoting local distinctiveness while not preventing or discouraging appropriate innovation. Being of an appropriate scale, density, layout, height and mass with a clear understanding and response to its landscape, seascape and townscape setting; and
- b. layout – provide continuity with the existing built form and respect and work with the natural and historic environment; high quality safe private and public spaces; and improve perceptions of safety by overlooking of public space; and
- c. movement – creating a network of safe well-connected routes which are easy to read and navigate by the use of landmarks, spaces, views and intersections; and
- d. adaptability, inclusiveness, resilience and diversity – building structures can be easily altered, particularly internally, to respond to both climate change and changing social and economic conditions and provide a mix and pattern of uses; and
- e. engagement process – undertaking community engagement, involvement and consultation in the design process proportionate to the scheme.

2. In addition development proposals should protect individuals and property from:

- a. overlooking and unreasonable loss of privacy; and
- b. overshadowing and overbearing impacts; and
- c. unreasonable noise and disturbance.

3. For larger developments a balance needs to be achieved between private, semi-private and public open space, which includes allotments, sports facilities, children's play area provision and natural open space provision. The Council will seek the provision of larger areas of multifunctional green space rather than multiple smaller areas as appropriate in larger developments.

### Policy 13: Development Standards

All new development will be expected to achieve the provision of the following:

1. Sufficient internal space in housing for everyday activities and to enable flexibility and adaptability by meeting nationally described space standards for all affordable housing\*; and
2. Public open space on-site, in proportion to the scale of the development and providing for different types of open space based on local need. Where there is access to alternative facilities that would meet the needs of the new development, contributions to the ongoing maintenance and management of these alternative facilities may be required as part of a reduced requirement on site; and
3. An appropriate level of off street parking and cycle parking taking into account the accessibility of the location in terms of public transport and proximity to facilities and services; and

<sup>30</sup> <https://www.cornwall.gov.uk/media/27320349/shopfront-consultation-draft-v5-with-draft.pdf>

4. Sufficient and convenient space for storage for waste, recycling and compostables; and
5. Avoidance of adverse impacts, either individually or cumulatively, resulting from noise, dust, odour, vibration, vermin, waste, pollution and visual effects. Such adverse impacts should be avoided or mitigated during the construction, operation or restoration stage of development; and
6. Utilising opportunities for natural lighting, ventilation and heating by design, layout and orientation; and
7. Where feasible and viable, connection to an existing or planned heat network. In the absence of an existing or planning heat network development will be expected where feasible, to provide a site-based heat network, or be designed to facilitate future connection to a heat network.
8. Housing developments of 10 dwellings or greater should provide 25% of dwellings as accessible homes (Building Regulations Approved Document M4 (2): Accessible and adaptable dwellings or successor documents) unless site specific factors make the development unsuitable for such provision.

\*The reference to affordable housing in this policy does not include starter homes

The Local Plan is intended to help deliver the vision and objectives of 'Future Cornwall', our sustainable community strategy. The underlying principles of the strategy seek to manage future development to ensure all communities in Cornwall have an appropriate balance of jobs, services, facilities and homes.

Neighbourhood Development Plans can choose to focus on a few issues or cover a wide range. These could include allocation of land for housing and economic development or be development management policies covering issues such as design and the identification and protection of community green spaces and local historic assets.

#### **Policy 1: Presumption in Favour of Sustainable Development**

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and set out by the policies of this Local Plan.

We will work with applicants, infrastructure providers and the local community to find solutions which mean that proposals will be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan and supporting Development Plan (including, where relevant, with policies in Neighbourhood Plans) will be regarded as sustainable development and be approved, unless material considerations indicate otherwise.

When considering whether a development proposal is sustainable or not, account will be taken of its location, layout, design and use against the three pillars of economic development, social development and environmental protection and improvement.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- b) Specific policies in that Framework indicate that development should be restricted.

#### **Policy 2 – Spatial Strategy:**

New development should provide a sustainable approach to accommodating growth, providing a well balanced mix of economic, social and environmental benefits. This should maintain the dispersed development pattern of Cornwall and provide homes and jobs based on the role and function of each place. Strategic scale growth will be accommodated in our main towns and city where they can best support regeneration and sustainable development. Overall, development should seek to meet the following objectives of the Plan for Cornwall:

1. Respecting and enhancing quality of place: Proposals should maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important by:
  - a. Ensuring that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location;

- b. Considering the impact of development upon the biodiversity, beauty and diversity of landscape and seascape, character and setting of settlements, wealth of natural resources, agricultural, historic and recreational value of Cornwall;
- c. Identifying the value and sensitivity, of the character and importance of landscapes, biodiversity and geodiversity and historic assets;
- d. Protecting, conserving and enhancing the natural and historic landscape, heritage, cultural, biodiversity and geodiversity assets of Cornwall in recognition of their international, national and local status, in accordance with national legislation and policy, as amplified by the other policies of this plan.

2. Providing solutions to current and future issues:

Proposals should assist the creation of resilient and cohesive communities by:

- a. Delivering renewable and low carbon energies, increasing energy efficiency and minimising resource consumption through a range of renewable and low carbon technologies;
- b. Ensuring that built and environmental assets can adapt to and be resilient to climate change;
- c. Creating landscapes and biodiversity and geodiversity assets that are resilient and sensitively accommodating investment and growth within Cornwall's unique landscape and wealth of biodiversity and geodiversity, ensuring that people continue to be drawn to Cornwall to visit and invest and for a thriving healthy population to live and work;
- d. Supporting the delivery of made Neighbourhood Plans and other community based initiatives that help to make communities more resilient.

3. Generating and sustaining economic activity:

Proposals will be welcome that improve conditions for business and investment in Cornwall, in particular by:

- a. Supporting key regeneration activities and the economic vision for Cornwall;
- b. Providing homes and jobs in a proportional manner, where they can best sustain the role and function of local communities and that of their catchment;
- c. Supporting the expansion of existing businesses and the indigenous businesses of agriculture, fishing and mining;
- d. Safeguarding waterfront sites, docks and ports to provide for marine businesses;
- e. Maximising the economic growth and benefits of education, skills development, research, and the colleges and Combined Universities in Cornwall;
- f. Supporting employment schemes in both towns and rural areas, giving particular emphasis to quality, permanent work opportunities that break seasonal labour cycles;
- g. Supporting smart specialisation sectors including; food; aerospace; marine; renewable energies (including geothermal); and cultural industries;
- h. Supporting the provision of work hubs and the ability to work from home through live/ work units;
- i. Supporting the Enterprise Zone Aerohub at Newquay Airport as an economic catalyst for the wider Newquay, Clay Country and St Austell area through improved linkages;
- j. Supporting the economic regeneration of Camborne, Pool and Redruth;
- k. The regeneration of Hayle, focussing mainly on the harbour area and the development of the Wave Hub and associated employment development;
- l. Optimising the economic opportunity and maximising existing linkages in mid-Cornwall by:
  - i. supporting the role of Bodmin as a strategic employment location taking advantage of its position on the transport network;
  - ii. identifying mixed use development to deliver the eco-community at West Carclaze / Baal and Par Docks, to help deliver an exemplar development that provides a showcase for sustainable, greener, low carbon living;
  - iii. supporting the economic regeneration of St Austell as a centre for retail, business and leisure with a focus on promoting 'green' industries;
- m. Supporting economic development in South East Cornwall that meets the area's own needs and benefits from its relationship with Plymouth;
- n. Supporting Truro's wider role as an economic and service centre and maintaining its role in the retail hierarchy and as a retail alternative to major centres outside of Cornwall;
- o. Strengthening the role of Launceston and Saltash as gateways to Cornwall;
- p. Supporting the economic regeneration of Penzance, including the improvement of Penzance Harbour, and retention of a main line rail link to Penzance as a strategic link for Cornwall and the UK.

### **Policy 2a: Key Targets**

The Local Plan will provide homes in a proportional manner where they can best meet need and sustain the role and function of local communities and that of their catchment. Development proposals in the period to 2030 should help to deliver:

1. A minimum of 52,500 homes at an average rate of about 2,625 per year to 2030, to help deliver sufficient new housing of appropriate types to meet future requirements. In particular, meeting affordable housing needs;
2. At least 318 permanent pitches for Gypsies and Travellers, 60 transit pitches and 11 plots for Travelling Show-people;
3. Provide for 38,000 full time jobs and 704,000 sq. metres of employment floorspace to help deliver a mix of 359,583 sq. metres of B1a and B1b office and 344,417 sq. metres of B1c, B2 and B8 industrial premises by 2030;
4. The provision of additional bed spaces within purpose-built accommodation commensurate with the scale of any agreed expansion of student numbers at the Penryn campus, taking into consideration any changes in student numbers within other campuses at the universities in Falmouth and Penryn.
5. The provision of 2,550 bed spaces in communal establishments for older persons, including nursing and specialist accommodation.

### **Policy 3: Role and Function of Places (extract)**

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

1. Delivery of housing, community, cultural, leisure, retail, utility and employment provision will be managed through a Site Allocations DPD or Neighbourhood Plans for the following locations: Bodmin; Bude with Stratton, Flexbury and Poughill; Callington; Camborne with Pool, Illogan and Redruth; Camelford; Falmouth with Penryn; Hayle; Helston; Launceston; Liskeard; Newquay with Quintrell Downs; Penzance with Newlyn, Heamoor, Gulval and Longrock; Saltash; St Austell; St Ives with Carbis Bay; Torpoint; Truro with Threemilestone; and Wadebridge.

Development at or well related to these named towns will provide an appropriate level of affordable housing in accordance with the requirements of Policy 8.

2. The provision of eco-communities at West Carclaze/Baal and Par Docks with an indicative overall scale of about 1,500 and 500 dwellings respectively. The final scale and capacity of these proposals should be confirmed through the Site Allocations Plan.

**3. Other than at the main towns identified in this Policy, housing and employment growth will be delivered for the remainder of the Community Network Area housing requirement through:**

- identification of sites where required through Neighbourhood Plans;
- rounding off of settlements and development of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role;
- infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside. Proposals should consider the significance or importance that large gaps can make to the setting of settlements and ensure that this would not be diminished;
- rural exception sites under Policy 9

4. Within the AONB or its setting, development will be supported where it is in accordance with the other policies of this Plan and can demonstrate that it conserves and enhances the landscape character and natural beauty of the AONB.

### **Cornwall Local Plan - Community Network Area Sections**

The Local Plan is accompanied by a Community Network Section<sup>31</sup> which sets out specific objectives to be addressed in planning for the Wadebridge and Padstow Community Network Area. These include:

Objective 1 – Housing

<sup>31</sup> <https://www.cornwall.gov.uk/media/23245295/local-plan-cna-sections-pr2.pdf>



Identify the level and location of new growth. Provide suitable types of housing to meet a variety of needs enable the delivery of affordable housing particularly when considering the impact of a high percentage of second homes.

#### Objective 2 – Employment

Promote better quality jobs to create a more balanced economy.

#### Objective 3 – Shops and Services

Protect and support enhancements to local shops, facilities and services.

#### Objective 4 – Environment

Protect the various national and international designations; ensuring development does not have a negative impact on these areas. Consider coastal, tidal and fluvial flooding issues.

#### Objective 5 – Infrastructure

Improve access to healthcare provision particularly in the rural areas and promote public transport links to rural villages. Support and develop ICT infrastructure.

The Development Strategy for the Wadebridge and Padstow Community Network Area is described as follows:

*A comprehensive and co-ordinated approach will be pursued to the planning and development of the network area. Wadebridge is the main settlement in the CNA. A regeneration approach will enable Wadebridge to achieve balanced housing and economic growth linked with infrastructure improvements, whilst protecting, regenerating and enhancing its local service role, its unique qualities, character and the historic built and natural environment. Regeneration of the town centre should take into account its liability to flooding.*

*The network area contains the two key settlements of Wadebridge and Padstow, and these act as the local service centres to the many smaller settlements surrounding them.*

*This is an area with an important maritime heritage. Padstow was historically north Cornwall's main port and this remains both a working port and a tourist attraction. Estuarine quays and landing places along the Camel estuary contrast with the porths and beaches of the western area, and the fishing and industrial porths of the Port Isaac area.*

***Padstow is a popular second home location, but retains a strong community identity. Particular challenges for these towns and for the CNA in general include ensuring that a supply of affordable housing is available, reducing the impact of second home ownership and increasing access to local services and facilities.***

*As the main settlement with good employment and transport provision, Wadebridge will be required to accommodate the majority of those dwellings. Co-ordination will be needed amongst the remaining parishes within the CNA to ensure that housing needs are met. The Council will support the preparation of Neighbourhood Plans as a way of planning for the needs of those areas.*

#### **Cornwall Council Site Allocations DPD**

For many of the larger towns of Cornwall the Council is producing a Site Allocations Development Plan Document<sup>32</sup> (Allocations DPD). It sets out the strategy for the future growth of 10 towns / conurbations throughout Cornwall, plus sets out policies for the delivery of two Eco-community sites. The housing and economic targets for these locations were set by the Cornwall Local Plan so the Allocations DPD addresses how and where these targets will be delivered, whilst setting them within the wider strategy for the area. These strategies address issues such as economic growth and other aspirations for the town, whilst also setting out principles for the future delivery of infrastructure that will support both the existing and future residents.

*The Allocations DPD will be one of a suite of planning documents that make up the Cornwall Local Plan. When developing proposals for any of these communities, it is important to consider the range of policy documents, including the Cornwall Local Plan, NPPF and any relevant Neighbourhood Plans. The DPD recognises that as well as the named towns there are many Neighbourhood Plans that are at various stages of development that will support the delivery of the Community Network Area targets within the rural parishes of Cornwall.*

<sup>32</sup> <https://www.cornwall.gov.uk/media/26756017/cornwall-site-allocations-dpd-cabinet-version-for-web.pdf>

## Housing

### National Planning Policy Framework

It is important to understand the framework provided to ensure that local planning authorities establish policies and practices that will ensure provision of adequate numbers of appropriate new dwellings in their district.

Paragraph 184 recognises that neighbourhood plans also have a role to play.

*“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”<sup>33</sup>*

Section 6 of the NPPF focuses on policy which seeks to deliver a wide choice of high quality homes. Much of the policy is directed towards provisions local planning authorities should make through their plans and the decision-making process for planning applications. It includes requirements to boost the supply of housing through an understanding of market and affordable housing needs in the housing market area, identify a five-year housing land supply of deliverable sites, identify developable sites or broad locations for growth for a further 10 years, understand the expected rate of housing delivery and set out appropriate housing densities for the locality.

Importantly, paragraph 49 states that *“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”<sup>34</sup>*

Paragraphs 54 and 55 relate to housing in rural areas. They state that:

*“In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. 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.”<sup>35</sup>*

*“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *the exceptional quality or innovative nature of the design of the dwelling. Such a design should:*
  - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
  - reflect the highest standards in architecture;*
  - significantly enhance its immediate setting; and,*

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<sup>33</sup> Paragraph 184, NPPF, Department for Communities and Local Government, 2012

<sup>34</sup> Paragraph 49, NPPF, Department for Communities and Local Government, 2012

<sup>35</sup> Paragraph 54, NPPF, Department for Communities and Local Government, 2012

— be sensitive to the defining characteristics of the local area.”<sup>36</sup>

Another key principle of the NPPF relates strongly to housing development, “*Requiring Good Design*”. Paragraph 58 encourages neighbourhood plans to plan positively for the achievement of high quality and inclusive design for all development (not just housing).

*“Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:*

- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *are visually attractive as a result of good architecture and appropriate landscaping.”<sup>37</sup>*

### **National Planning Practice Guidance**

The National Planning Practice Guidance<sup>38</sup>, which amplifies the policies in the NPPF, has a section on how local authorities should support sustainable rural housing and communities and is worth noting the guidance it offers on housing provision:

- *“It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements.*
- *Assessing housing need and allocating sites should be considered at a strategic level and through the Local Plan and/or neighbourhood plan process. However, all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”*

It is particularly important to note the line “...allocating sites should be considered at a strategic level and through the Local Plan and/or neighbourhood plan process.” in the context of considering whether a neighbourhood plan should allocate housing sites for development or not. (The term ‘allocation’ refers to development sites which are set out on a map with boundaries to the site and which define exactly where development will take place. Allocating sites does *not* mean that no other development will come forward on other sites.) As already set out above, a neighbourhood plan cannot determine or deal with housing sites deemed by the local authority as being ‘strategic’ in nature, usually large-scale developments, but which can also be sites deemed to be of critical importance to the delivery of the overall scale of housing identified in the Local Plan. Smaller, non-strategic (or ‘local’), sites can be allocated in the neighbourhood plan, although they do not have to be.

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<sup>36</sup> Paragraph 55, NPPF, Department for Communities and Local Government, 2012

<sup>37</sup> National Planning Policy Framework (DCLG), paragraph 58, page 15

<sup>38</sup> See <http://planningguidance.planningportal.gov.uk/blog/guidance/rural-housing/how-should-local-authorities-support-sustainable-rural-communities/>

Clearly, local consultation will play a role in determining the approach to housing sites. However, there are also other factors which are worth identifying in order to frame a debate on whether or not the neighbourhood plan allocates housing sites.

So, in summary, there are options to deal with housing delivery:

- A. Allow the local authority to lead the process of allocation, but also introduce local criteria based policies in the neighbourhood plan to guide design, layout, density, steer away from inappropriate locations for development, etc.; or
- B. Allocate housing sites through the neighbourhood plan, and also introduce local criteria based policies in the neighbourhood plan to guide design, layout, density, steer away from inappropriate locations for development, etc.; or
- C. leave delivery solely to the market, but also introduce local criteria based policies in the neighbourhood plan to guide design, layout, density, steer away from inappropriate locations for development, etc

### **Cornwall Strategic Housing Framework 2014 - 2019**

The Strategic Housing Framework<sup>39</sup> sets out Cornwall's latest vision and plans for housing in Cornwall for the next five years. The overall aim is *"to make sure that there is enough accommodation of the right type, in the right places, and of good quality which people can afford to live in. Achieving the vision will depend on how successfully we manage to address all of our priorities together. Each element has a relationship to the others: for example, building new homes not only helps to increase the supply of housing; it also improves quality by providing modern, thermally efficient homes; and reduces the cost of living to the individual.*

*The strategy identifies five key housing priorities and the associated outcomes for each one. Working towards these priorities will help achieve the vision.*

*Create more balanced communities and increasing housing supply*

- *There will be more homes built where they are needed*
- *130 empty properties will be brought back into use each year*
- *There will be a choice of homes and tenures which meet a range of housing needs*
- *There will be consistent and robust evidence to tell us where new homes are needed*
- *There will be agreement between stakeholders on housing need and site identification*

*Helping people find and keep homes*

- *There will be tailored advice and guidance for people on the housing options available to them*
- *There will be better security of tenure in the private rented sector*
- *There will support and guidance for vulnerable people to find and keep a home*
- *There will be a more straightforward and transparent system to access affordable homes of all types*
- *There will be a better understanding of the types of properties available and the demand for them*
- *There will be fewer instances where people refuse a home that is offered to them*
- *There will be less homelessness and rough sleeping*

*A safe good quality home*

- *There will be an increase in the number of homes in good condition in the private sector*
- *There will be fewer empty properties*
- *There will be appropriate quality standards for all tenures*
- *There will be improved thermal efficiency across all tenures*

*A home which is appropriate for people*

- *There will be better use of our existing housing stock*
- *There will be more adapted properties let to people who need them*
- *There will be increased mobility between homes and tenures*
- *There will be more homes suitable for each stage of life*
- *There will be the right mix of house sizes and types to meet Cornwall's needs*

*A home people can afford to live in*

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<sup>39</sup> [https://www.cornwall.gov.uk/media/9631240/strategic-housing-framework\\_web.pdf](https://www.cornwall.gov.uk/media/9631240/strategic-housing-framework_web.pdf)

- *More people will be able to live in the area in which they want to live*
- *There will more low-cost housing relative to income and need*
- *People will have access to the right information to enable them to make an informed choice*

## **Cornwall Local Plan 2010-2030**

The neighbourhood plan is not able to contest overall scale, broad location or site-specific housing allocations deemed as 'strategic' in the adopted Local Plan. The Local Plan sets the overall targets in policy 2A and includes several strategic policies to ensure that housing development is appropriate to the county and local situation.

### **Policy 2a: Key targets (extract)**

The Local Plan will provide homes in a proportional manner where they can best meet need and sustain the role and function of local communities and that of their catchment. Development proposals in the period to 2030 should help to deliver:

1. A minimum of 52,500 homes at an average rate of about 2,625 per year to 2030, to help deliver sufficient new housing of appropriate types to meet future requirements. In particular, meeting affordable housing needs;
2. At least 318 permanent pitches for Gypsies and Travellers, 60 transit pitches and 11 plots for Travelling Showpeople;
3. Provide for 38,000 full time jobs and 704,000 sq. metres of employment floorspace to help deliver a mix of 359,583 sq. metres of B1a and B1b office and 344,417 sq. metres of B1c, B2 and B8 industrial premises by 2030;

### **Policy 6: Housing Mix**

New housing developments of 10 dwellings or more should include an appropriate mix of house size, type, price and tenure to address identified needs and market demand and to support mixed communities. Proposals should seek to:

- Address need and demand for affordable, market housing and starter homes including self-build and custom-build housing; and
  - Use local evidence of the need and demand for specific types, tenures and sizes of housing to
  - contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists; and
  - Respond to the requirements of a changing population and of particular groups in the community, by increasing the supply of accessible and specialist housing (including ground floor flats, flats with lifts and bungalow accommodation) which is able to meet people's needs throughout their lifetimes based on locally derived evidence of need and demand.
2. On sites of 200 dwellings or more, additional specialised housing (including extra care housing) should be considered where demand exists, to meet defined specialist needs.

### **Policy 8: Affordable Housing**

All new housing schemes within the plan area on sites where there is a net increase of more than 10 dwellings or where dwellings would have a combined gross floorspace more than 1,000 square metres (not including replacement dwellings) must contribute towards meeting affordable housing need.

In Designated Rural Areas and Areas of Outstanding Natural Beauty, the threshold will be more than 5 dwellings. For developments of between 6 and 10 dwellings in such areas a financial contribution in lieu of on-site provision of affordable housing will be sought per unit of affordable housing that have been provided.

Subject to considerations in policy 10, developments should provide the target levels of affordable housing as set out below:

- 50% in Zone 1
- 40% in Zone 2
- 35% in Zone 3
- 30% in Zone 4
- 25% in Zone 5



The mix of affordable housing products will vary through negotiation and shall be provided taking into account the Council's evidence of housing need and any viability constraints identified, reflecting the different markets in different value zones. However, the target provision for affordable housing (other than starter homes) is typically in the following tenure proportions:

- 70% rented homes owned or managed as affordable housing, provided that the initial rent level (inclusive of any relevant service charges) does not exceed the local housing allowance
- 30% intermediate housing for rent or sale, provided that the homes are available at first and subsequent occupation at a price which is affordable to a typical local household, taking into account the estimated purchasing power in such households.

As and when by the Housing and Planning Act (2016) and subsequent Regulations, the provision of affordable housing will include an element of starter homes to meet the needs of qualifying households. Planning obligations will be used to ensure that affordable housing is provided and (where possible) retained for eligible local households.

Any off-site contributions must be broadly equivalent in value to on site provision and secured to support the delivery of affordable housing through a planning obligation.

A financial or other contribution will be sought from proposals to remove holiday occupancy restrictions on existing dwellings using the thresholds set out above where there is evidence of need and where development would otherwise have been provided on site for community infrastructure including affordable housing.

Where the splitting of a site would result in two or more sites that are physically adjoined, the Council will consider the capacity and suitability of the entire developable area for the purpose of determining whether it falls above or below the affordable housing thresholds. This includes situations where the density or number of units in a proposal is lower than might reasonably be expected.

Cornwall Council produced an SPD<sup>40</sup> in 2014 that set out the approach it would normally take to the negotiation of affordable housing on relevant sites. In summary, however, the Council will adopt the following approach to negotiations:

- On relevant local plan sites where an affordable housing contribution is required, the Council will seek to negotiate an element of affordable housing.
- The presumption will be in favour of on-site provision.
- The starting point for negotiations will be the Local Plan policy position. At least 70% of the affordable homes on site should be provided as affordable or social rented housing. The balance can be some form of intermediate housing, provided it satisfies the Council's price, nomination and management requirements.
- The Council is mindful of the economic climate and the impact of its requirements. At the early stages of the Local Plan period, the Local Planning Authority will adopt mitigations.

#### **Policy 10: Managing Viability**

Where the Council is satisfied through the submission of appropriate evidence that the proposal cannot deliver the full quota of affordable housing without affecting the viability of the scheme to such an extent that it cannot proceed, it will consider whether the following approaches would assist in securing the maximum achievable contribution to affordable housing:

1. Securing public subsidy or other commuted sums, recognising that this may result in further changes to scheme mix and the delivery timescales;
2. Flexibility in the affordable housing tenure, type and size mix and/or phasing required within the development;
3. The transfer of free serviced land / plots to the Council reflecting the number of affordable dwellings that would normally be expected for that development;
4. A negotiated reduced percentage of on-site affordable provision;
5. Consideration of an off-site contribution to enable an improved number or range of affordable homes on another local site.

If, after considering the above options, only very limited or no affordable housing can be secured due to market conditions at a particular moment in the economic cycle, the Council will seek other mechanisms

<sup>40</sup> SPD = Supplementary Planning Document

<https://www.cornwall.gov.uk/media/4379819/Affordable-housing-SPD-consultation-draft-final.pdf>

within a planning obligation to secure planning gain. These can include (but not be limited to) re-phasing, deferment of affordable housing obligations, options to reappraise the scheme at future phases or at commencement to allow viability to be re-assessed.

#### **Policy 7: Housing in the Countryside**

The development of new homes in the open countryside will only be permitted where there are special circumstances. New dwellings will be restricted to:

1. Replacement dwellings broadly comparable to the size, scale and bulk of the dwelling being replaced and of an appropriate scale and character to their location; or
2. the subdivision of existing residential dwellings; or
3. Reuse of suitably constructed redundant, disused or historic buildings that are considered appropriate to retain and would lead to an enhancement to the immediate setting. The building to be converted should have an existing lawful residential or non-residential use and be ten years old or greater; or
- 4 Temporary accommodation for workers (including seasonal migrant workers), to support established and viable rural businesses where there is an essential need for a presence on the holding, but no other suitable accommodation is available and it would be of a construction suitable for its purpose and duration; or
- 5 Full time agricultural and forestry and other rural occupation workers where there is up to date evidence of an essential need of the business for the occupier to live in that specific location.

#### **Policy 9: Rural Exceptions Sites**

Development proposals on sites outside of but adjacent to the existing built up area of smaller towns, villages and hamlets, whose primary purpose is to provide affordable housing to meet local needs will be supported where they are clearly affordable housing led and would be well related to the physical form of the settlement and appropriate in scale, character and appearance.

The number, type, size and tenure of the affordable dwellings should reflect identified local needs as evidenced through the Cornwall Housing Register or any specific local surveys completed using an approved methodology.

The purpose of such developments must be primarily to provide affordable housing. The inclusion of market housing will only be supported where the Council is satisfied it is essential for the successful delivery of the development based on detailed financial appraisal (For example to fund abnormal development costs or to deliver a balanced, sustainable community).

Market housing must not represent more than 50% of the homes or 50% of the land take, excluding infrastructure and services.

The Council will secure the first and future occupation of the affordable homes to those with a housing need and local connection to the settlement or parish in line with the Council's adopted local connection policies.

#### **Policy 11: Gypsies, Travellers and Travelling Showpeople**

Proposals for new residential and transit sites and extensions to existing sites will be approved where they:

1. Are of appropriate size and proportionate in scale to and avoid dominating any nearby settled community;
2. Take account of the particular and differing needs of different groups of Gypsies and Travellers;
3. Are located so as to ensure reasonable access (defined as within approximately three miles for transit sites and less for permanent sites) by a range of transport modes, where possible including walking, cycling, public transport and car sharing to services including GP and other health care provision, education facilities, shops and public transport;
4. Provide safe road access and sufficient space within the site for parking and turning of vehicles as well as the storage of equipment, and for transit sites, are located reasonably close to, or easily accessible from the primary or county road network;
5. Avoid areas (including those with noise or air quality issues or are in areas at high risk of flooding) that would have a detrimental impact on the health and well-being of any travellers that may locate there;
6. Include sufficient residential amenity and play areas to meet the needs of residents of the site and promote healthy lifestyles; and
7. Provide opportunities for travellers to live and work from the same location where this can be sensitively designed to mitigate potential impacts on the site surroundings or other residential uses near to the site;

## **Cornwall Strategic Housing Market Needs Assessment**

Cornwall Council commissioned a Strategic Housing Market Needs Assessment<sup>41</sup> (SHMNA) in collaboration with Plymouth City Council, South Hams Council, West Devon Borough Council and Dartmoor National Park to better understand housing need in the wider housing market area.

The main findings of the latest assessment are:

### **Core Output 1: Estimates of current dwellings in terms of size, type, condition, tenure**

- Cornwall contains a total of 259,346 dwellings. Long-term stock vacancy (vacant for longer than 6 months) = 3,516 long term empty homes.
- On average, dwellings in Cornwall have 5.6 rooms per household of which 2.8 rooms are bedrooms per household (England average number of rooms 5.4 with 2.7 bedrooms).
- 2.8% of households in Cornwall as being overcrowded based on the 'bedroom requirement' standard. This is lower than the national average overcrowding levels (4.8%).
- Cornwall has a pronounced over representation of detached properties relative to the national benchmark. Cornwall is also distinguished by the relatively low proportion of flatted properties (13.5%) when compared to the national benchmark of 22.1%. Cornwall is also distinguished by relatively low proportions of semi-detached stock (24.4%) compared to the national average (30.7%).
- The 2009 Private Sector Stock Condition Survey concluded that 55% of private sector dwellings were classified as non-decent with incidences of non-decent housing particularly high in relation to thermal issues and Cat 1 hazards.

### **Core Output 2: Analysis of past and current housing market trends**

- The scale of migration is particularly pronounced in Cornwall where, with the exception of 2008/09, the net flow has exceeded 4,000 people per annum.
- Cornwall has seen a net out-flow of younger persons and a strong inflow of working age persons (and their children)
- Cornwall shows a high proportion of households with lower incomes. The income profile shows that 35% of households have a gross annual income of less than £15,000
- Cornwall has tracked the national average house price very closely since 1996.

### **Core Output 3: Estimate of total future number of households, broken down by age and type where possible**

Cornwall is projected to have a comparatively strong level of population growth with the assumption being that recent trends of high levels of in-migration are sustained.

### **Core Output 4: Estimate of current number of households in housing need**

Cornwall – 5,480 households are identified as being in 'current need' of Affordable Housing  
54% of newly forming households in Cornwall were unable to access market housing based on incomes and entry level (lower quartile) house prices:

### **Core Output 5: Estimate of future households that will require Affordable Housing**

Net annual Affordable Housing need in Cornwall will be 2,240 dwellings per annum over the next five years

<sup>41</sup> <https://www.cornwall.gov.uk/media/5830826/SHMNA-revised-2014.pdf>

## Strategic Housing Land Availability Assessment (SHLAA), 2016

The Strategic Housing Land Availability Assessment (SHLAA) has been prepared by Cornwall Council as part of the evidence base for the Cornwall Local Plan.

The purpose of the latest SHLAA<sup>42</sup> assessment was to identify sites within the Cornwall study area which have the potential to accommodate housing but which did not yet have planning permission for residential use. The study was prepared by officers of Cornwall Council in consultation with a panel of developers, agents, and public bodies. It provided an update to the documents previously produced, namely:

- 'Cornwall Council Strategic Housing Land Availability Assessment March 2011' (baseline December 2009);
- 'Cornwall Strategic Housing Land Availability Assessment September 2013' (baseline 1st April 2013); and
- 'Cornwall Council Strategic Housing Land Availability Assessment February 2015' (baseline 1st April 2014).

The baseline for the latest study is 1st April 2015.

Throughout the SHLAA Padstow is treated as part of the Wadebridge and Padstow CNA and as single housing market. The only site(s) identified in the SHLAA process is "land at Trevethan Farm".

## Housing Performance - Monitoring

Monitoring has a crucial role to play in providing feedback within the process of delivering planning policy. It provides information on the performance of policy and impacts on the environment. In the context of the planning system, with its focus on the delivery of sustainable development and sustainable communities, monitoring takes on an added importance in providing a check on whether those aims are being achieved.

Local authorities are required to report directly to the public on the implementation of their local development schemes and local development policies through monitoring reports at least annually or when the information becomes available.

The Cornwall Monitoring Report covers the period from 1 April to 31 March each year. It tracks the progress of the Development Plan Documents (DPDs) against the timetable as set out in the Local Development Scheme (LDS) and also sets out performance against a series of indicators including a statement as to the adequacy of housing supply. Most importantly it provides a five-year supply calculation.

All local councils are required to deliver a minimum number of new homes every year in line with Government guidelines. To ensure delivery of these new homes, planning restrictions can be removed from local planning policy. This is completed through a mechanism called 5 Year Housing Land Supply. This mechanism requires councils to show they can represent enough housing land supply for the next five years. If they cannot do so, policies that restrict housing delivery can be classed as out of date.

The current Monitoring Report- concludes that, *as a result in the increase in completions coupled with a significant increase in permissions granted over the last year that are deliverable within five years, the five-year supply position has improved considerably with the deliverable supply of 18,162 representing more than a five year supply whether a 5% or 20% buffer is applied to the requirement. The council's position hasn't changed since last year in that it believes a 5% buffer is justified. The supply position is expected to improve further once the homes granted permission that are awaiting the signing of a S106 during the last year are added.*

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<sup>42</sup> <http://www.cornwall.gov.uk/media/17232324/cornwall-shlaa-report-january-2016.pdf>

## Self-build and Custom Housebuilding

New rules came into effect on 31 October 2016 which amended the Self-build and Custom Housebuilding Act 2015 and implemented Chapter 2 of the Housing and Planning Act 2016 which sets out provisions to support self-build and custom housebuilding.

These place a duty on relevant authorities to make land available to meet the demand on their self-build and custom housebuilding registers. The legislation requires 'relevant authorities' to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area and to have regard to that register when carrying out their functions. Unless exempt, they also have a legal duty to grant sufficient 'development permissions' to meet the demand for self-build and custom housebuilding in their area.

## National Planning Practice Guidance

The NPPG says self-build and custom housebuilding registers provide valuable information on the demand for self-build and custom housebuilding in an authority's area and should form a key part of an authority's evidence base of demand for this type of housing. Local planning authorities should use the demand data from the registers in their area, supported as necessary by additional data from secondary sources when preparing their Strategic Housing Market Assessment to understand and consider future need for this type of housing in their area. Relevant bodies with plan-making functions should use their evidence on demand for this form of housing from the registers that relate to their area in developing their Local Plan and associated documents. This includes when preparing their local housing strategies. When developing plans to regenerate their area, local authorities should have regard to registers that relate to their areas and consider the demand for self-build and custom housebuilding.

According to the Cornwall's Self-Build and Custom Housebuilding Monitoring Report<sup>43</sup> at the end of 2016, *the Self-build and Custom Housebuilding Register was established in April 2016 and has been available for people to submit details through Cornwall Council's online form. Between 1st April and 30th October 2016 (the first base period), 255 individuals and 3 associations of individuals had expressed an interest in self-build and custom housebuilding and been accepted onto the register. Demand has been dominated by considerable interest in self-build within the Wadebridge and Padstow CNA and the overwhelming majority of these would like a self-build plot in the village of St Merryn.*

The 2016 Housing and Planning Act section 10 places a duty on Local Authorities to give suitable development permission for enough serviced plots of land for self-build and custom housebuilding in the authority's area arising in each base period. The first base period is the period beginning 1st April 2016 and ending on 30th October 2016. A permission is regarded as suitable if it is permission in relation to a plot of land that could include self or custom housebuilding. There is no requirement to disaggregate the supply to meet demand in specific parts of a Local Authority area. A serviced plot is one that has access to a public highway and has connections for electricity, waste and waste water, or can be provided with those things in specified circumstances or within a specific period.

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<sup>43</sup> <https://www.cornwall.gov.uk/media/23294270/cornwall-monitoring-report-self-and-custom-build-report.pdf>



## Community Services and Facilities

### National Planning Policy Framework

*“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss*

*Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*

*Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.”<sup>44</sup>*

*“Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.”<sup>45</sup>*

*Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

- give great weight to the need to create, expand or alter schools*
- work with schools’ promoters to identify and resolve key planning issues before applications are submitted”<sup>46</sup>*

*“Planning should.....take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.”<sup>47</sup>*

*Planning policies and decisions, in turn, should aim to achieve places which promote:*

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity*
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion*
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas”<sup>48</sup>*

### National Planning Practice Guidance

National Planning Practice Guidance, published by DCLG, provides supplementary guidance to the NPPF. A number of recent and relevant revisions to the guidance have been published. These include guidance on health and wellbeing and Local Green Space:

#### Health & Wellbeing

*“Local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making. Public health organisations, health service organisations, commissioners and providers, and local communities should use this guidance to help them work*

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<sup>44</sup> Page 18, paras 74-76, National Planning Policy Framework, HM Government, 2012

<sup>45</sup> Page 10, para 37, National Planning Policy Framework, HM Government, 2012

<sup>46</sup> Page 17, para 72, National Planning Policy Framework, HM Government, 2012

<sup>47</sup> Page 6, para 17, National Planning Policy Framework, HM Government, 2012

<sup>48</sup> Page 17, para 69, National Planning Policy Framework, HM Government, 2012

effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.”<sup>49</sup>

### Open Space

*“Open space should be taken into account in planning for new development and considering proposals that may affect existing open space. Open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure, as well as being an important part of the landscape and setting of built development, and an important component in the achievement of sustainable development.*

*It is for local planning authorities to assess the need for open space and opportunities for new provision in their areas. In carrying out this work, they should have regard to the duty to cooperate where open space serves a wider area.”<sup>50</sup>*

### Local Green Space

*“Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities.*

*Local Green Space designation is for use in Local Plans or Neighbourhood Plans. These plans can identify on a map (‘designate’) green areas for special protection. Anyone who wants an area to be designated as Local Green Space should contact the local planning authority about the contents of its local plan or get involved in neighbourhood planning.*

*Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.*

*Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented.*

*Local Green Spaces may be designated where those spaces are demonstrably special to the local community, whether in a village or in a neighbourhood in a town or city.*

*The green area will need to meet the criteria set out in paragraph 77 of the National Planning Policy Framework. Whether to designate land is a matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.*

*Provided land can meet the criteria at paragraph 77 of the National Planning Policy Framework there is no lower size limit for a Local Green Space.*

*Land designated as Local Green Space may potentially also be nominated for listing by the local authority as an Asset of Community Value. Listing gives community interest groups an opportunity to bid if the owner wants to dispose of the land.”<sup>51</sup>*

National agencies have been considering the implications of the new NPPF and setting out their own national policies and guidance which often makes reference to the role of neighbourhood plans.

**Sport England** believes that it is important that the Neighbourhood Plan reflects national policy for sport as set out in the NPPF document with particular reference to Parts 73 and 74 to ensure proposals comply with national planning policy. It is also important to be aware of Sport England’s role in protecting playing fields and the presumption against the loss of playing fields. *“As set out in our national guide, playing fields are one of the most important resources for sport in England. They provide the valuable space required to maintain and*

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<sup>49</sup> Planning Practice Guidance Para: 001 Ref ID: 53-001-20140306 Revision date: 06 03 2014

<sup>50</sup> Planning Practice Guidance Para:001 Ref: 37-001-20140306 Revision date: 06 03 2014

<sup>51</sup> Planning Practice Guidance Para:022 Ref: 37-022-20140306 Revision date: 06 03 2014

enhance opportunities for people to participate both in formal team sports and in other more informal activities. Along with sporting benefits, good quality, accessible playing fields also contribute to maintaining active and healthy communities and securing wider reaching benefits.

#### *Planning applications affecting playing field land*

Since 1996 Sport England has been a statutory consultee on all planning applications for development affecting playing field land. This requires local planning authorities to consult Sport England when a relevant planning application is received. Sport England's comments should then be taken into account prior to them making any decision whether or not to grant planning permission. This requirement is set out by the government in Statutory Instrument 2010/2184.

Depending on the nature of the application Sport England will inform the relevant sport's national governing body of the proposals and seek their comments prior to submitting a response to the local planning authority.

It is Sport England's policy to oppose any planning application which will result in the loss of playing field land unless it is satisfied that the application meets with one or more of five specific exceptions.

If a local planning authority is minded to grant planning permission for an application despite receiving an objection from Sport England then the requirements of Circular 02/2009 may apply. This instructs local planning authorities to notify the Secretary of State for Communities and Local Government of an application if the land is owned by a local authority or used by an educational establishment (currently or within the five years prior to receiving the application), and where Sport England has objected due to a current or resulting deficiency of playing field land in the area or because the replacement to be provided is inadequate.

#### *Playing Pitch Strategies*

Sport England believes that the best way to protect and improve the provision of playing fields is for a local area to have an up-to-date and adopted Playing Pitch Strategy in place. The starting point for assessing the vast majority of planning applications affecting playing field land should therefore be to look at how the proposals fit with the local Playing Pitch Strategy. The following link provides guidance on developing a Playing Pitch Strategy and Sport England's knowledge of the coverage of such strategies across the country."<sup>52</sup>

"Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.

If new sports facilities are being proposed, Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes."<sup>53</sup>

### **Cornwall Education Strategy 2016-2020**

Planning for education provision in Cornwall is dominated by four challenges according to the latest strategy<sup>54</sup>:

1. *The population is changing and growing and one aspect of this currently is the continuing high demand for pupil places in primary schools - a demand which will begin to be reflected in our secondary and post 16 settings from 2017 onwards. This is not, however, a uniform increase in demand and this means that some areas, often urban, are faced with increased demand for places while education settings in other communities, often more remote, continue to experience falling rolls. This presents significant challenges in ensuring efficient, effective and sustainable pupil place planning in partnership with schools and academies and is addressed in Cornwall's Pupil Place Planning Strategy 2015-2020<sup>55</sup>. A further challenge will be to provide additional early education places for three and four year old children who will be*

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<sup>52</sup> A Sporting Future for the Playing Fields of England – Planning Policy Statement, Sport England, 2014

<sup>53</sup> Correspondence with Planning Administrator, Sport England, May 2014

<sup>54</sup> <https://www.cornwall.gov.uk/media/22313974/education-strategy-for-cornwall-2016-20.pdf>

<sup>55</sup> [https://democracy.cornwall.gov.uk/documents/s84248/Appendix%201%20Pupil%20Place%20Planning%20Strategy\\_P1.pdf](https://democracy.cornwall.gov.uk/documents/s84248/Appendix%201%20Pupil%20Place%20Planning%20Strategy_P1.pdf)

*eligible to receive 30 hours of free childcare instead of 15 hours under the provisions of the Childcare Act 2016. This must be implemented by September 2017.*

- 2. The economy is still underperforming and, in line with national expectations and perceptions, the education sector and local businesses must continue to develop our coherent working partnership.*
- 3. The geography and settlement pattern places strain on the public purse and causes constraints. Community-based education is a concept long held dear by Cornwall communities particularly for children in the early stages of education from early years to the end of Key Stage 2. Even at the secondary stage, there are a number of small schools supporting the sparse populations of large geographic areas.*
- 4. The cost of living is increasing inequality. National evidence demonstrates that socio economic circumstances – as well as ethnicity, gender or social, cognitive and linguistic development - can put children and young people at risk of educational underachievement.*

#### **Priorities**

- To champion world class education opportunities for all children, young people, families and carers and ensure that the needs of vulnerable children and young people are met; to provide isolated and disadvantaged adults a quality second chance opportunity when they are unable to benefit first time around.*
- To secure high quality provision, widen local opportunities and promote equalities*
- Develop system-wide school-led improvement and facilitate the conversion of locally maintained settings to academies and Multi-Academy Trusts, for those wishing to convert, in a period of transition for both maintained and academy schools*
- To promote, protect and improve our children and young people's mental and physical health and wellbeing in educational settings*

### **Health & Wellbeing Strategy for Cornwall 2013-2015**

The latest Health and Wellbeing Strategy<sup>56</sup> sets out the priorities which the Health and Wellbeing Board have agreed to jointly tackle in order to improve the health and wellbeing of people living in, working in and visiting Cornwall. The Strategy is also focused on three long term outcomes which are:

- Helping people live longer, healthier lives –  
Measures include: Planning, transport, housing, procurement, environmental and health and social care systems to be developed collaboratively and policies designed to increase healthy, active lifestyles and reduce inequalities.*
- Improving the quality of people's lives  
Measures include: Support the re-engagement of young people into education, employment and training.*
- Fairer life chances for all  
Measures include: Invest £56m in existing homes, adaptations and new affordable homes, through the Housing Strategy and support setting up Cornwall Energy Buying Group*

### **Cornwall Open Space Study 2014**

Cornwall has an Open Space Strategy<sup>57</sup> although it currently only applies to "larger towns". It was used as interim planning guidance pending adoption of the Cornwall Local Plan. It includes recommended standards as follows:

- Where possible future standards for parks & amenity (typ.1) have been based on a figure of 9m2 per person, (which is then reduced by up to 20% relative to the availability of the other types of open space)*
- Users of outdoor sports spaces are far better served by larger strategic sites of a minimum of 1 hectare*
- The quantity of sports pitches required equals the Cornwall Sports Pitch Strategy standards (draft 2013)*

<sup>56</sup> <https://www.cornwall.gov.uk/media/3624157/Health-and-Wellbeing-strategy-WEB.pdf>

<sup>57</sup> <https://www.cornwall.gov.uk/media/8104587/open-space-strategy-cornwall-towns-2014.pdf>

- *The quantity standard for children's equipped play space per person should be 40% higher than the current average for all 16 of Cornwall's growth areas. Minimum size of 500m<sup>2</sup> applying to new facilities - this*
- *standard is reduced by between 5 –15%, depending upon the scale and accessibility of the local beach(es).*
- *The new quantity standard for equipped youth facilities should be approximately twice the current average (100% higher). Minimum size of 500m<sup>2</sup> applying to new facilities - this standard is reduced by between 5 – 20%,*
- *depending upon the scale and accessibility of the local beach(es)*
- *Where there are no immediate plans for new cemeteries the standard for cemeteries and churchyards is simply the existing provision spread across a newer larger population. e allotment standards are based upon an adjustment of the existing towards the average*
- *Some form of 'playable' open space should be available for all children within 330m direct distance of all properties within the 16 study areas*
- *The provision of one type of open space in excess of what is required for that area cannot be used to reduce or offset the provision of another type, unless specifically agreed as part of a wider strategic plan for the area*
- *Equipped Children's Play and Teen Provision should conform to EN1176 standards and will require regular inspection in accordance with ROSPA guidance*

*Cornwall Council will:*

- *As a major owner & operator of open space the Council will continue to manage its environment assets in accordance with the new local quantity, accessibility and quality (Environment Service) standards laid down in this document*
- *Work with local partners to investigate and facilitate Town & Parish Councils and community Groups to have an increased role in improving their local open spaces and in service delivery of Cornwall Council's environment assets, including asset transfer, providing management standards are not likely to fall below the minimum quality standard defined in this strategy.*
- *Ensure that development contributes towards the delivery of the open space needs of these communities, through the planning of strategic & multifunctional on-site open space and by imposing appropriate planning obligations*
- *Cornwall Council will keep the records and assessments up to date to enable regular reviewing of the provision standards and their delivery*

*For smaller towns and settlements in rural areas not covered in the Strategy the Fields in Trust quantity standards (formerly National Playing Fields Association) or Carrick Open Space Standards will continue to apply. However, for these unmapped areas the methodology set out for the 16 Cornish towns can be applied and **it is the intention that it be used for informing Neighbourhood Planning and eventually rolled out to all of Cornwall.***

### **Cornwall Leisure Resources Strategy 2014**

The Council's vision for leisure in Cornwall is: *for a network of leisure activity and facilities available to residents and visitors across Cornwall that contributes to local health, wellbeing and the economy in Cornwall.* The Council's Strategy<sup>58</sup> has eight strategic themes that provide focus. They are:

Ambitious Cornwall - Focusing on the need for fairer funding and more local control over Government spending.  
Stewardship of Cornwall's asset - Working with partners to protect the environment at the same time as harnessing natural assets and resources to generate income.

Being efficient, effective and innovative - Delivering services in the most efficient and effective means.

Greater access to essentials for living - Enabling all people to access services and necessities whatever their income and location.

<sup>58</sup> <https://www.cornwall.gov.uk/media/10009089/leisure-resources-strategy-2014-web.pdf>



Healthier communities - Ensuring everyone has the best possible opportunity to achieve good health and protecting the most vulnerable.

Driving the economy - Securing sustainable economic growth, maintaining natural and cultural assets and building on strengths in key industries.

Partners working together - Working with partners to ensure that public services are delivered as efficiently and effectively as possible.

Engaging with our communities - Supporting local people, town and parish councils and the voluntary and community sector to make decisions that affect them and deliver what their community needs.

Included in the action plan – under the heading “Planning” are the following actions:

- Improve the Council’s capacity to secure developer contributions for leisure facilities
- Produce an assessment of indoor sport and recreation facilities that is consistent with Sport England’s guidance

### **Cornwall Community Safety Partnership Plan 2016-2019**

The Community Safety Partnership Plan<sup>59</sup> identifies seven headline outcomes that are expected to see measurable improvement over the three-year lifecycle of the plan:

- *Improved partnership effectiveness*
- *Reduced risk of serious harm through providing the right response to safeguard individuals and their families from violence and abuse*
- *Reduced impact of alcohol-related harm on individuals, their families and the community and reduced risks of violent crime*
- *Reduced crime and prevention of further victims, through achieving positive life changes for offenders and their families*
- *Improved outcomes for local communities and an increase in public confidence, by working more effectively together*
- *Effective resolution of anti-social behaviour, including the diversion of perpetrators and supporting the most vulnerable individuals in our communities*
- *Reduced impact of drug-related harm on individuals, their families and the community and improved health and recovery outcomes for people in treatment*

Safer Cornwall is committed to achieving the shared equality objectives as agreed by key public and voluntary sector organisations across Cornwall and Isles of Scilly. The areas identified for objectives are:

- Education
- Employment
- Environment
- Framework Convention for Protection of National Minorities (Cornish)
- Health and Wellbeing
- Housing
- Socio-economic

### **Devon and Cornwall Police and Crime Plan 2014/17**

The Police and Crime Commissioner’s six priorities for Devon, Cornwall and the Isles of Scilly are:

1. *To make our area a safer place to live, work and visit – reducing the likelihood that people will become victims of crime*
2. *To reduce the crime and harm caused by the misuse of alcohol*
3. *To make every penny count in protecting policing for the long term....*
4. *To promote an effective criminal justice system for our area, delivering a high quality service for victims, witnesses and society*
5. *To deliver a high quality victim support service across our area*

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<sup>59</sup> [http://safercornwall.co.uk/wp-content/uploads/dlm\\_uploads/2017/07/Safer-Cornwall-Partnership-Plan-2016-19-Year-2-Refresh.pdf](http://safercornwall.co.uk/wp-content/uploads/dlm_uploads/2017/07/Safer-Cornwall-Partnership-Plan-2016-19-Year-2-Refresh.pdf)

6. *To encourage and enable citizens and communities to play their part in tackling crime and making their communities safer*

As regards priority number 6 the Plan states:

*We must:*

- *Secure active involvement by citizens and communities in policing*
- *Engage with existing volunteering schemes and organisations*
- *Inspire communities to instigate their own safety initiatives*
- *Work with Devon & Cornwall Police to create new volunteering opportunities*
- *Consider start-up grants for community projects that promote community action*
- *Encourage businesses to work more closely with the police to help deter and tackle crime*

## **Cornwall Local Plan 2010-2030**

### **Policy 16: Health and Wellbeing**

To improve the health and wellbeing of Cornwall's communities, residents, workers and visitors, development should:

1. Protect, and alleviate risk to, people and the environment from unsafe, unhealthy and polluted environments by avoiding or mitigating against harmful impacts and health risks such as air and noise pollution and water and land contamination and potential hazards afforded from future climate change impacts; and
2. Where it affects Air Quality Management Areas, demonstrate that singularly or cumulatively, it will not cause increased risk to human health from air pollution or exceeding EU standards. Measures proposed to mitigate this should reflect Cornwall's Air Quality Action Plan and Local Transport Plan and aimed at achieving reductions in pollutant emissions and public exposure; and
3. Maximise the opportunity for physical activity through the use of open space, indoor and outdoor sports and leisure facilities and providing or enhancing active travel networks that support and encourage walking, riding and cycling; and
4. Provide easy, safe and secure storage for cycles and other recreational equipment; and
5. Encourage provision for growing local food in private gardens which are large enough to accommodate vegetable growing or greenhouses or through the provision of allotments; and
6. Provide flexible community open spaces that can be adapted to the health needs of the community and encourage social interaction.

### **Policy 28: Infrastructure**

Developer contributions will be sought to ensure that the necessary physical, social, economic and green infrastructure is in place to deliver development. Contributions will be used to provide or enhance local infrastructure that is adversely affected by the development of a site but which will not be delivered on that site.

Development will be permitted where it would:

1. Be supported by appropriate infrastructure provided in a timely manner; and
2. Provide on-site mitigation measures or make financial contributions for site specific infrastructure provision not in the Regulation 123 list, including maintenance and management contributions, to be negotiated on a site-by-site basis.
3. Where it can be demonstrated that it is not feasible to do this, the Council will seek to ensure all 'allowable solutions' or 'biodiversity off setting' payments are invested in projects within Cornwall with priority given to projects which achieve multiple benefits.

## Transport and Accessibility

### Introduction

Transport and accessibility is not wholly the responsibility of the planning system and not always the subject of planning policies. Everyday matters such as road maintenance and control of vehicle access to certain roads, for example, are usually the responsibility of the Highways Authority, where planning permission is not usually required. Likewise, the frequency of bus services is not something over which planning policy can have much, if any, influence in rural areas. Other things such as the erection of mobile phone masts can often be the subject of permitted development rights, particularly outside of protected areas. Neighbourhood planning should explore the degree to which local policy can affect change to address issues or concerns, and adapt and improve facilities and services through the application of planning policy as development proposals are submitted.

### Strategic Written Evidence

The following sections summarise the main strategic documents and key policies which will need to inform the development of the Neighbourhood Plan. Other key documents are 'signposted' and should be considered if necessary to help to fill gaps in contextual understanding, following completion of local research.

### National Planning Policy Framework

Section 4 of the National Planning Policy Framework (NPPF) focuses on policy which seeks to promote sustainable transport. Paragraph 29 states that *"Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas."*<sup>60</sup>

Transport policy guidance also sets out the relationship between appropriate locations and scales of development and transport. *"Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport."*<sup>61</sup>

The NPPF emphasises the need for plans and decisions on development to be mindful of the importance of accessibility in relation to scale and infrastructure. *"Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However, this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas."*<sup>62</sup>

It also sets out criteria to apply to the practicalities that new development should accommodate: *"Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to*

- *accommodate the efficient delivery of goods and supplies*
- *give priority to pedestrian and cycle movements, and have access to high quality public transport facilities*
- *create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones*
- *incorporate facilities for charging plug-in and other ultra-low emission vehicles*

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<sup>60</sup> Paragraph 29, NPPF, Department for Communities and Local Government, 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>61</sup> Paragraph 30, NPPF, Department for Communities and Local Government, 2012

<sup>62</sup> Paragraph 34, NPPF, Department for Communities and Local Government, 2012

- *consider the needs of people with disabilities by all modes of transport*<sup>63</sup>

Paragraph 39 sets out the criteria to be applied when local authorities seek to set parking standards for development.

- *“If setting local parking standards for residential and non-residential development, local planning authorities should take into account:*
- *the accessibility of the development*
- *the type, mix and use of development*
- *the availability of and opportunities for public transport*
- *local car ownership levels*
- *an overall need to reduce the use of high-emission vehicles*<sup>64</sup>

The NPPF also sets out the Government’s policy in relation to telecommunications in section 5 of the NPPF, ‘Supporting high quality communications infrastructure’ stating that high quality communications infrastructure is essential for sustainable economic growth. Paragraphs 43 and 44 state that: *“In preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.*

*Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of telecommunications development or insist on minimum distances between new telecommunications development and existing development. They should ensure that:*

- *they have evidence to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and*
- *they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and telecommunications services.*<sup>65</sup>

### **National Planning Practice Guidance**

The National Planning Practice Guidance<sup>66</sup>, which amplifies the policies in the NPPF, has a section on travel plans, transport assessments and statements in decision making. This provides detail on what these processes and documents are and how to develop them, which is not repeated here.

<sup>63</sup> Paragraph 35, NPPF, Department for Communities and Local Government, 2012

<sup>64</sup> Paragraph 39, NPPF, Department for Communities and Local Government, 2012

<sup>65</sup> Paragraphs 43-44, NPPF, Department for Communities and Local Government, 2012

<sup>66</sup> See <http://planningguidance.planningportal.gov.uk/blog/guidance/rural-housing/how-should-local-authorities-support-sustainable-rural-communities/>

## Cornwall Local Transport Plan 2010-2030

Cornwall transport strategy is set out in Connecting Cornwall 2030<sup>67</sup>. The Connecting Cornwall vision is:  
*Transport in Cornwall will be excellent. Our transport system will connect people, communities, businesses and services in a way that is reliable, efficient, safe, inclusive and enjoyable.*

*Transport in Cornwall will:*

- Respond to the challenges of climate change by ensuring we have a resilient transport network, reduce our reliance on fossil fuels in recognition of peak oil and support communities to live locally.*
- Support economic prosperity and raise income levels by improving transport links for business and access to employment, education and training.*
- Respect and enhance our beautiful natural and built surroundings through the way in which we travel and deliver transport.*
- Encourage healthy active lifestyles by providing people with the opportunity to walk and cycle.*
- Ensure our communities are safer and more enjoyable places to live and improve individual wellbeing by reducing the negative impacts of transport.*
- Provide equal opportunities for everyone regardless of age, postcode, income level or ability, to feel safe and access the services they need.*

*Its objectives are as follows*

*Tackling climate change*

- 1 Reduce reliance on fossil fuels and support the introduction of low carbon technologies.*
- 2 Support communities to live locally and reduce the need to travel.*
- 3 Adapt and improve the transport network to ensure resilience to climate change.*

*Supporting economic prosperity*

- 4 Improve connectivity of Cornwall to the rest of the world.*
- 5 Ensure a resilient and reliable transport system for people, goods and services.*
- 6 Support the vitality and integrity of our town centres and rural communities.*

*Respecting and enhancing the environment*

- 7 Make the most of opportunities to protect and enhance the environment.*
- 8 Minimise the use of natural resources and minimise waste.*
- 9 Provide sustainable access to Cornwall's environment.*

*Encouraging healthy active lifestyles*

- 10 Improve the health of our communities through provision for active travel.*
- 11 Increase awareness and an understanding of the health benefits of walking and cycling.*

*Supporting community safety and individual wellbeing*

- 12 Improve road safety.*
- 13 Increase public confidence in a safer transport network.*
- 14 Reduce noise and air quality impacts.*

*Supporting equality of opportunity*

- 15 Improve access to employment, education, healthcare and leisure.*
- 16 Improve access to public transport.*
- 17 Encourage community participation in shaping and delivering transport services.*

*What is Connecting Cornwall Proposing?*

- Prioritise investment into walking and cycling routes, together with better promotion and information so that travel by low carbon modes becomes a more attractive and healthy option.*
- Reduce road building. Roads will only be built where it can be demonstrated there is a strategic need that meets the priorities for Cornwall. This will reduce the growth in traffic and help to protect the natural environment of Cornwall.*
- Support the delivery of electric vehicle infrastructure in Cornwall and the investigation into fuels of the future with partner organisations in order to reduce our reliance on oil.*

<sup>67</sup> <http://www.cornwall.gov.uk/media/3626989/LTP3-2010.pdf>



- Encourage responsible use of our cars through effective travel planning, driver training in more fuel-efficient driving techniques, promotion of car clubs and car sharing.
- Work with our partners in health, education and the private sector to plan and provide services close to where people live, so that they can access them by train, bus or cycling without the need to travel by car.
- Work with bus operators to achieve a high-quality bus service which includes the provision of new, low emission passenger vehicles.
- Ensure that our transport system is built to last and can withstand the impacts of extreme weather events and rising energy prices, through effective design, construction and maintenance.
- Increase investment in drainage solutions to mitigate the impacts of extreme weather.

## Cornwall Local Plan 2010-2030

### **Policy 27: Transport and Accessibility**

All developments should:

Provide safe and suitable access to the site for all people and not cause a significantly adverse impact on the local or strategic road network that cannot be managed or mitigated.

For major developments to ensure a resilient and reliable transport system for people, goods and services, development proposals should:

1. Be consistent with and contribute to the delivery of Connecting Cornwall 2030, Cornwall's Local Transport Plan or any subsequent LTPs; and
2. Locate development and / or incorporate a mix of uses so that the need to travel will be minimised and the use of sustainable transport modes can be maximised by prioritising safe access by walking, cycling and public transport to minimise car travel; and
3. Locate larger developments which attract a proportionally larger number of people in the city and main towns or locations which are highly accessible by public transport.

Any proposals which do not accord with this will require significant justification and provide clear transport benefits; and

4. Be designed to provide convenient accessible and appropriate cycle and pedestrian routes, public transport and road routes within and in the immediate vicinity of the development; and
5. Be accompanied by an effective travel plan that delivers hard and soft measures to support new occupants in adopting sustainable travel habits; and
6. Safeguard land for the delivery of strategic transport opportunities including land around existing facilities to allow for expansion and use for future sustainable modes of travel e.g. closed branch rail lines and links to the Isles of Scilly.
7. Provide public transport solutions including park and ride where there is evidence that it will remove traffic from the highway network, is economically viable and that which accord with the appropriate transport strategy for the area.

## Employment and Business

### National Planning Policy Framework

*“Local planning authorities should:*

- Support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances*
- plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries*
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement*
- facilitate flexible working practices such as the integration of residential and commercial uses within the same unit*

*Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.*

*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.*

*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.”<sup>68</sup>*

In terms of retail, the NPPF focuses on the role of town centres and a sequential test being applied to retail development, with a focus on town centres first and then edge and out of town development. With regard to areas outside of town centres, the focus is on proposals being subject to an impact assessment. In rural areas, the focus is very much as set out above in terms of the role in relation to the rural economy but also in relation to the sustainability of services and facilities reflected elsewhere in the NPPF and summarised in other topic areas in this report.

### Economic Growth Strategy for Cornwall & Isles of Scilly 2012 – 2020

There are no shortage of economic growth strategies for Cornwall. The Cornwall and Isles of Scilly Local Enterprise Partnership published an Economic Growth Strategy for Cornwall & Isles of Scilly 2012 – 2020<sup>69</sup>. Based on a guiding principle that the culture, communities and environment of Cornwall and Isles of Scilly will remain special and unique, it sets four priorities:

Priority 1 - Inspiring business to achieve their national and global potential

Priority 2 - Creating great careers here

Priority 3 - Creating value out of knowledge

Priority 4 - Using the natural environment responsibly as a key economic asset

### Cornwall and Isles of Scilly Strategic Economic Plan 2017-2030

*By 2030, Cornwall and Isles of Scilly will be the place where businesses thrive and people enjoy an outstanding quality of life. To achieve this Vision, the LEP will work with businesses/partners/stakeholders to pursue three overarching Strategic Objectives:*

*Business – to achieve thriving businesses which excel at what they do*

*Economic growth will be delivered by businesses. It is therefore crucial that we focus on enabling business to thrive among our new starts, established businesses and our inward investors. “Excellence” will be measured by our levels of innovation, productivity and market reach. Excellent businesses support brilliant places providing an outstanding quality of life for all.*

*People – to achieve inclusive growth and improve the skills of our workforce*

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<sup>68</sup> National Planning Policy Framework, HM Government, 2012

<sup>69</sup> [https://www.cioslep.com/assets/file/LEP\\_Strategy\\_Document\\_2012-2020.pdf](https://www.cioslep.com/assets/file/LEP_Strategy_Document_2012-2020.pdf)

*People are at the heart of our economy. How the distribution of economic growth impacts upon us is of fundamental importance and concern. Inequality not only has a social cost, but it also hampers long-term economic performance and the productive potential of people and places. Inclusive growth will be the heartbeat that drives our ambition. Supporting people with the right skills and opportunity to benefit from the opportunities of economic activity will be crucial.*

*Place – to improve infrastructure and economic distinctiveness*

*Cornwall and Isles of Scilly is made up of amazing places and is unparalleled in its natural beauty and rich cultural heritage. As well as a strong emphasis on promoting the excellence of Cornwall and Isles of Scilly to the rest of the world and our connectivity to it, we will also focus on advancing the economic distinctiveness of our places within, supporting places to 'work better'.*

### **Cornwall Economic and Culture Strategy 2014-2020**

This Strategy<sup>70</sup> sets out the economic ambition for Cornwall Council until 2020, with a focus on priorities. The key impacts it aims to achieve for Cornwall's economy are:

- 1. An economy that is resilient and draws upon our strengths*
- 2. Economic progress that has positive outcomes for people and supports an improved quality of life*
- 3. Responsible use of the natural environment as a key economic asset*
- 4. More local people employed in prosperous businesses*
- 5. An increase in skill levels, offering opportunities for higher incomes*
- 6. Business inter-connectivity supporting business and employment growth*
- 7. A vibrant business base where business can innovate and flourish*
- 8. An exemplar council, leading in the areas of business-friendly procurement, planning, regulation and using our economic footprint to support local business*

There are six issues to be pursued to deliver the impacts above:

#### **Business transformation**

- Provide the conditions for business-led growth*
- Support innovation and promote a culture of enterprise to increase productivity*
- Support business resilience*

#### **Cornwall connectivity**

- Inter-connectivity and collaboration of businesses in Cornwall and beyond*
- Strategic 'gateway' opportunities which promote connectivity between Cornwall and 'the world' to attract and retain high value business*
- Sustainable movement within and between places throughout the whole of Cornwall, to support employment growth*

#### **Creativity and cultural heritage**

- Grow high quality creative and cultural industries*
- Achieve cultural distinction and be recognised as a leading rural region in this area*
- Achieve excellent community and social engagement*

#### **Employment and skills**

- Provide leadership for the development of employment and skills*
- Enable growth through business skills development*
- Promote and enable economic inclusion across Cornwall*
- Encourage progression into the labour market and progression through the labour market*

#### **Leadership**

- Invest in Cornwall, fighting for Cornish jobs and business*
- Work effectively with the Cornwall and Isles of Scilly Local Enterprise Partnership*
- Use European funding effectively and strategically*
- Maximise the council's capacity to promote the economy*

#### **Low Carbon economy**

<sup>70</sup> <https://www.cornwall.gov.uk/media/3624006/Economy-and-Culture-Strategy.pdf>

- Promote Cornwall as a 'green' exemplar region
- Develop the commercial potential of cutting edge renewable energy and environmental technologies
- Promote low carbon as a business growth catalyst
- Energy efficiency for business and communities
- Deliver the economic potential of a decentralised local energy market

### **Cornwall Employment and Skills Strategy 2016-2030**

This document sets out a refreshed Employment and Skills Strategy<sup>71</sup> for Cornwall and Isles of Scilly for the period 2016 to 2030 that will be overseen by the Employment and Skills Board (ESB), reporting to the Local Enterprise Partnership (LEP). The vision for 2030 is: "For Cornwall and the Isles of Scilly to have a healthy, skilled and productive workforce with access to rewarding jobs, clear progression pathways and opportunities for all". Activities will be co-ordinated under four Strategic Objectives, each containing particular areas of focus that reflect local priorities.

*SO1: Develop our highly skilled workforce for tomorrow. Through which we will.....*

- Enable the demand and supply of skills to meet the needs of the future economy
- Retain and attract skilled individuals
- Improve availability of STEM/STEAM skills
- Develop higher and degree level apprenticeships

*SO2: Drive employer and individual engagement and investment in skills. Through which we will.....*

- Enable the demand and supply of skills (at all levels) to meet the needs of high employment sectors
- Improve workforce health and well-being
- Support small, micro, social and community businesses as well as those who are self-employed to engage in training
- Create an effective apprenticeship service for Cornish employers

*SO3: Enable people to access and progress in meaningful employment. Through which we will.....*

- Build on models of good practice and find new ways of working with people who are furthest from the labour market
- Improve earnings and progression of lower paid workers
- Support those at risk of leaving the labour market
- Raise awareness of apprenticeship routes to progression for all staff

*SO4: Enable people to learn about career pathways and be equipped for the world of work. Through which we will.....*

- Ensure a high standard of Careers Education, Information, Advice & Guidance is available and accessible to all people
- Enable schools, colleges, employers and others to deliver sustainable employer/school engagement and experiences
- Encourage development of enterprise and work readiness skills in young people
- Promote the value of the apprenticeship and vocational pathways

<sup>71</sup>[https://www.cioslep.com/assets/file/Cornwall%20and%20IoS%20Employment%20and%20Skills%20Strategy%20Appendix%201\\_P1.pdf](https://www.cioslep.com/assets/file/Cornwall%20and%20IoS%20Employment%20and%20Skills%20Strategy%20Appendix%201_P1.pdf)

#### **Policy 4: Shopping, Services and Community Facilities**

The Council will seek to maintain the retail hierarchy by supporting centres to provide for the needs of their community. Allocations Development Plan Documents and Neighbourhood Plans should ensure that the retail floorspace capacity targets can be delivered by taking account of the market delivery and land available for this.

In considering the need for further retail provision Plans should review the level, nature and quality of existing commitments' ability to meet the space requirements set out in Table 2.

1. Development will be permitted where it supports the vitality and viability of town centres investment within them, and maintains and enhances a good and appropriate range of shops, services and community facilities. Retail and other main town centre uses outside defined town centres (with the exception of small scale rural development) must demonstrate the application of a sequential approach to site selection, where the proposals exceed the applicable threshold, show there is no significant adverse impact on the viability and vitality of, and investment within, the existing centres.

2. Proposals for shops, financial and professional services, and food and drink establishments (Use Class A) will be permitted within the defined town centre primary shopping areas, where:

- i) They do not individually or together with other proposals undermine the vitality or viability of the town centre; and
- ii) The proposal is consistent with the scale and function of the town centre; and
- iii) Consideration is given to ensuring that proposals do not eliminate separate access arrangements to the upper floors, which could be used for residential or alternative uses.

3. Within the primary retail frontages identified on the proposals map, the change of use of ground floor Class A1 shop premises to Class A2, A3, A4 and A5 will only be permitted where the proposed use would not undermine the retail function of the town centre and maintain and enhance its vitality and viability.

The determination of each application will have regard to the following factors:

- i) The location and prominence of the premises;
- ii) The size and width of the premises;
- iii) The number and distribution of other existing and committed non-A1 uses within the defined primary retail frontage (including any premises subject to current Permitted Development changes of use);
- iv) Where applicable, the length of vacancy of the premises and evidence of marketing for the current permitted use;
- v) The nature and character of the proposed use; and
- vi) The design of the shop-front.

The above considerations will normally be sufficient to assess applications for a change of use. Premises do not have to be vacant or marketed for a change of use to be acceptable. Nevertheless, the length of any vacancy of the premises and evidence of unsuccessful marketing for the current permitted use may be evidence of a lack of demand and changing retail patterns.

4. Community facilities and village 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 the service can be re-provided in locations that are similarly accessible by walking, cycling or public transport.

#### **Policy 5: Business and Tourism**

1. To ensure a continued supply of appropriate business space, proposals for new employment land and uses should be:

- a) well integrated with our city, towns and villages; or
- b) within areas that are well served by public transport and communications infrastructure; or
- c) in the countryside and smaller rural settlements be of a scale appropriate to its location or demonstrate an overriding locational and business need to be in that location such as farm diversification; or
- d) an extension to an existing business where re-location would be impractical or not viable.



2. Proposals that would result in the loss of business space must:

- i. demonstrate there is no market demand through active and continued marketing for at least a period of 9 months; or
- ii. result in the provision of better quality employment space allowing for mixed use; or
- iii. be necessary to meet a clear need for community facilities; or
- iii. be unsuitable to continue as business use due to environmental considerations.

3. The development of new or upgrading of existing tourism facilities through the enhancement of existing or provision of new, high quality sustainable tourism facilities, attractions and accommodation will be supported where they would be of an appropriate scale to their location and to their accessibility by a range of transport modes. Proposals should provide a well-balanced mix of economic, social and environmental benefits.

4. Site Allocations Development Plan Documents and Neighbourhood Plans should identify new land, and safeguard appropriate existing land, necessary for the delivery of the economic strategies for Cornwall. These allocations should be based on an assessment that considers the ability of the quantity, nature and quality of existing space and any commitments to meet the space requirements set out in Policy 2a and the needs of particular sectors.

The assessment should:

- assess the ability of vacant sites and buildings identified in the Employment Land Review to meet that need; and
- consider if any shortfall can be reasonably met through windfall sites coming forward; and
- Identify sites for further employment space, where necessary, to address the targets set out in the policy 2a; and
- Identify existing employment land and/or buildings that are considered to be of strategic, and where appropriate, local significance for safeguarding.

Strategic Employment Sites or allocations are sites of 5ha or more, including those comprising multiple units predominately within the B use classes, or sites that offer the potential to attract particular sectors or end users that have specific requirements with respect to scale, location or the particular attributes of a site, e.g. for marine uses/ aerospace/ telecommunications related to the smart specialisations set out in the Local Plan Strategy.

Locally Significant Employment Sites are sites which make a significant contribution in terms of space or job provision within a Neighbourhood Plan area.

## Renewable Energy

### National Planning Policy Framework

Section 10 of the NPPF is concerned with *meeting the challenge of climate change, flooding and coastal change*.<sup>72</sup>

Paragraph 93 highlights that planning plays a key role in helping to secure reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.

In terms of energy efficiency and carbon emission the following paragraphs are relevant:

95. *To support the move to a low carbon future, local planning authorities should:*

- *plan for new development in locations and ways which reduce greenhouse gas emissions;*
- *actively support energy efficiency improvements to existing buildings; and*
- *when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.*

96. *In determining planning applications, local planning authorities should expect new development to:*

- *comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*

In respect of renewable energy, the NPPF goes on to say:

97. *To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:*

- *have a positive strategy to promote energy from renewable and low carbon sources;*
- *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;*
- *consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
- *support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and*
- *identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.*

### National Planning Practice Guidance

To amplify the NPPF guidance, the National Planning Practice Guidance online resource includes guidance on the bigger picture of climate change, as well as renewable energy and low carbon development.

To set the context with climate change:

Guidance > Climate change > Why is it important for planning to consider climate change?<sup>73</sup>

001. *In addition to supporting the delivery of appropriately sited green energy, effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. Planning can also help increase resilience to climate change impact through the location, mix and design of development.*

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<sup>72</sup> <http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/delivering-sustainable-development/10-meeting-the-challenge-of-climate-change-flooding-and-coastal-change/>

<sup>73</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/climate-change/>

*Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. To be found sound, Local Plans will need to reflect this principle and enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework. These include the requirements for local authorities to adopt proactive strategies to mitigate and adapt to climate change in line with the provisions and objectives of the Climate Change Act 2008, and co-operate to deliver strategic priorities which include climate change.*

*In addition to the statutory requirement to take the Framework into account in the preparation of Local Plans, there is a statutory duty on local planning authorities to include policies in their Local Plan designed to tackle climate change and its impacts. This complements the sustainable development duty on plan-makers and the expectation that neighbourhood plans will contribute to the achievement of sustainable development. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development.*

More specifically concerning renewable and low carbon energy, another section of the Guidance contains information in relation to developing a strategy for renewable and low carbon energy.

Guidance > Renewable and low carbon energy > Developing a strategy for renewable and low carbon energy<sup>74</sup>  
003. *The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them.*

*Local and neighbourhood plans are the key to delivering development that has the backing of local communities. When drawing up a Local Plan, local planning authorities should first consider what the local potential is for renewable and low carbon energy generation. In considering that potential, the matters local planning authorities should think about include:*

- the range of technologies that could be accommodated and the policies needed to encourage their development in the right places;*
- the costs of many renewable energy technologies are falling, potentially increasing their attractiveness and the number of proposals;*
- different technologies have different impacts and the impacts can vary by place;*
- the UK has legal commitments to cut greenhouse gases and meet increased energy demand from renewable sources. Whilst local authorities should design their policies to maximise renewable and low carbon energy development, there is no quota which the Local Plan has to deliver.*

004. *What is the role for community led renewable energy initiatives?*

*Community initiatives are likely to play an increasingly important role and should be encouraged as a way of providing positive local benefit from renewable energy development. Further information for communities interested in developing their own initiatives is provided by the Department of Energy and Climate Change. Local planning authorities may wish to establish policies which give positive weight to renewable and low carbon energy initiatives which have clear evidence of local community involvement and leadership.*

*Neighbourhood plans are an opportunity for communities to plan for community led renewable energy developments. Neighbourhood Development Orders and Community Right to Build Orders can be used to grant planning permission for renewable energy development. To support community based initiatives a local planning authority should set out clearly any strategic policies that those producing neighbourhood plans or Orders will need to consider when developing proposals that address renewable energy development. Local planning authorities should also share relevant evidence that may assist those producing a neighbourhood plan or Order,*

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<sup>74</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/renewable-and-low-carbon-energy/>

*as part of their duty to advise or assist. As part of a neighbourhood plan, communities can also look at developing a community energy plan to underpin the neighbourhood plan.*

Suitable areas for wind energy development will need to have been allocated clearly in a local plan or neighbourhood plan.

*“When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if: · the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and · following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*

*Maps showing the wind resource as favourable to wind turbines, or similar, will not be sufficient. Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority.”<sup>75</sup>*

Further parts of the Guidance deal with particular considerations for specific types of renewable and low carbon energy technologies, these being hydropower, active solar technology (photo-voltaics and solar water heating), solar farms and wind turbines.

Guidance > Renewable and low carbon energy > Particular planning considerations for hydropower, active solar technology, solar farms and wind turbines<sup>76</sup>

*011. What are the particular planning considerations that relate to Hydropower?*

*Planning applications for hydropower should normally be accompanied by a Flood Risk Assessment. Early engagement with the local planning authority and the Environment Agency will help to identify the potential planning issues, which are likely to be highly specific to the location. Advice on environmental protection for new hydropower schemes has been published by the Environment Agency.*

*012. What are the particular planning considerations that relate to Active solar technology (Photovoltaic and Solar Water Heating)?*

*Active solar technology, (photovoltaic and solar water heating) on or related to a particular building is often permitted development (which does not require a planning application) provided the installation is not of an unusual design, or does not involve a listed building, and is not in a designated area.*

*Where a planning application is required, factors to bear in mind include:*

- the importance of siting systems in situations where they can collect the most energy from the sun;*
- need for sufficient area of solar modules to produce the required energy output from the system;*
- the effect on a protected area such as an Area of Outstanding Natural Beauty or other designated areas;*
- the colour and appearance of the modules, particularly if not a standard design.*

*013. What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic Farms?*

*The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.*

*Particular factors a local planning authority will need to consider include:*

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;*
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and*

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<sup>75</sup> Written Statement made by: Secretary of State for Communities and Local Government (Greg Clark) on 18 Jun 2015.

<sup>76</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/renewable-and-low-carbon-energy/particular-planning-considerations-for-hydropower-active-solar-technology-solar-farms-and-wind-turbines/>

(ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. (See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013).

- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

Finally, 'What are the particular planning considerations that relate to wind turbines' is dealt with at paragraph 014 in the format of a series of questions, that then link to extensive detailed advice on different aspects of wind turbine development.<sup>77</sup>

The following questions should be considered when determining applications for wind turbines:

- How are noise impacts of wind turbines assessed?
- Is safety an issue when wind turbine applications are assessed?
- Is interference with electromagnetic transmissions an issue for wind turbine applications?
- How can the risk of wind turbines be assessed for ecology?
- How should heritage be taken into account in assessing wind turbine applications?
- Is shadow flicker and reflected light an issue for wind turbine applications?
- How to assess the likely energy output of a wind turbine?
- How should cumulative landscape and visual impacts from wind turbines be assessed?
- What information is needed to assess cumulative landscape and visual impacts of wind turbines?
- Decommissioning wind turbines

Paragraph 033 says "The written ministerial statement made on 18 June 2015 is quite clear that when considering applications for wind energy development, local planning authorities should (subject to the transitional arrangement) only grant planning permission if:

- **the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan;** and
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

Whether the proposal has the backing of the affected local community is a planning judgement for the local planning authority."

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<sup>77</sup> [http://planningguidance.planningportal.gov.uk/blog/guidance/renewable-and-low-carbon-energy/particular-planning-considerations-for-hydropower-active-solar-technology-solar-farms-and-wind-turbines/#paragraph\\_014](http://planningguidance.planningportal.gov.uk/blog/guidance/renewable-and-low-carbon-energy/particular-planning-considerations-for-hydropower-active-solar-technology-solar-farms-and-wind-turbines/#paragraph_014)



Design of buildings is also a consideration in relation to energy efficiency and this is also dealt with in the Planning Practice Guidance.

Guidance > Design > What planning objectives can good design help achieve?<sup>78</sup>

*013. Planning should promote efficient use of natural resources*

*The structure, layout and design of places can help reduce their resource requirements in terms of energy demands, water and land take, and help to sustain natural ecosystems. Having a mix of uses and facilities within a neighbourhood can reduce travel demand and energy demands.*

*Ensuring a place is durable and adaptable will help make it less resource hungry over time. For example the layout of infrastructure servicing development (including water supply, sewerage, drainage, gas, electricity, cable, telephone, roads, footpaths, cycle ways and parks) should take account of foreseeable changes in demand to reduce the need for expensive future changes.*

*The layout and design of buildings and planting can reduce energy and water use and mitigate against flooding, pollution and over-heating.*

*Passive solar design is the siting and design of buildings to maximise the use of the sun's energy for heating and cooling. Passive solar design takes advantage of natural characteristics in building materials and air to help reduce the additional energy needed for heating and cooling. Policies can encourage sites to be planned to permit good solar access to as many buildings as possible. The potential benefits of passive solar design can only be realised by careful siting and layout. For example, access roads could predominantly run east-west, with local distributors running north-south and glazing minimised on north facing elevations to reduce heat loss.*

*Passive solar design principles can be applied equally effectively in housing and commercial developments. It is important that passive design considers the potential for overheating in the summer, as well as reducing need for heating in the winter.*

*A range of design solutions can be considered to help avoid overheating and the need for air conditioning. For example, high levels of thermal mass, maximising natural ventilation, passive cooling using planting for shade, roof overhangs to provide shade for high-sun angles, and smart glazing materials. The urban heat island effect can be reduced by, for example, allowing sufficient space between buildings, tree planting, shading and street layouts which encourage air flow and using light and reflective surfaces or vegetation on buildings.*

### **Sustainable Energy Action Plan (SEAP) 2013**

Cornwall's SEAP<sup>79</sup> focuses on actions where the Council has a role to play as a planner, motivator, consumer and producer. Cornwall Council has an overarching programme to coordinate efforts to reduce our carbon emissions and strengthen our wider leadership role within Cornwall. This Green Cornwall Programme aspires to exceed national and European targets, and exceed those set by the Covenant of Mayors. Cornwall's SEAP sits within this programme, and the actions presented in this document are in line with the Green Cornwall Strategy: All actions will support and encourage reductions in carbon emissions, and an increased use of sustainable energy and/or a reduction in energy demand, and will be targeted at the key sectors:

- Buildings and equipment/facilities
- Transport
- Local electricity production
- Local district heating/cooling
- Land use planning
- Public procurement of products and services
- Working with citizens and stakeholders

It includes a section on neighbourhood planning and using Neighbourhood Plans to empower local communities. *Neighbourhood planning gives local communities the opportunity to produce their own land use*

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<sup>78</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/design/what-planning-objectives-can-good-design-help-achieve/>

<sup>79</sup> <https://www.cornwall.gov.uk/media/17217090/seap-2013-final.pdf>

plans which then form part of the adopted planning policy for their area. There are three different types of neighbourhood plan which could contribute to carbon reduction in the following ways:

- A Neighbourhood Development Plan could allocate sites for renewable energy or contain design policies that require carbon reduction/ energy efficiency.
- A Neighbourhood Development Order is site specific and could be used to masterplan a renewable energy site and grant permission for it. The development order could also permit certain changes of use that encourage low carbon development, or masterplan a site for housing or employment development, requiring a very energy efficient design specification.
- The third type of plan is the Community Right to Build, a type of neighbourhood development order where the community group also owns and builds the development.

*If a community chooses to deliver renewable energy sites using the neighbourhood planning process, the plan will be subject to independent examination and a local referendum and will need to conform to the neighbourhood planning regulations.*

### **Cornwall Renewable Energy Planning Advice 2016**

Cornwall Council published a comprehensive SPD<sup>80</sup> in 2016. The SPD includes general guidance relating to all renewable energy technologies and specific siting and design guidance relating to the following technologies:

1. Onshore Wind
2. Solar PV – Ground Mounted
3. Solar – Roof Mounted
4. Hydropower
5. Biomass
6. Heat Pumps
7. Deep Geothermal
8. Advanced Energy from Waste
9. Anaerobic Digestion

*There is the potential to develop a local energy economy in Cornwall which can deliver significant long-term benefits to the community, including reduced energy bills, increased energy sustainability and security, and a shift of ownership to local people. The Council believes that this model of renewable energy deployment should receive particular support when considering the merits of renewable energy development at the planning decision stage.*

*Developments which are ‘led by’ or ‘meet the needs’ of local communities are defined by the outcomes achieved for the community, rather than number of people who support or oppose the scheme, and it should be recognised that 100% endorsement within the locality is unlikely. The model which the Council believes most closely meets the definition of ‘led by’ or ‘meet the needs’ of local communities is full community ownership and control of a renewable energy project.*

*The draft Local Plan seeks to minimise the impact of renewable energy by maximising its efficiency. Specifically, it states that renewable energy developments will be supported where they ‘maximise the use of the available resource’. This means that the Council will encourage renewable energy installations which make the optimum use of the available resource in a given location where it is acceptable to do so, taking into account the provisions of the draft Local Plan (including, for example, considerations such as landscape, heritage and residential amenity impacts).*

*The following are examples of where optimisation opportunities might occur:*

- *Where electricity generation produces heat as a by-product optimisation might include the identification and connection of a suitable user for this heat.*
- *Repowering of existing installations to achieve greater generation capacity where the site is technically and environmentally capable of accepting the repowered scheme. In some circumstances,*

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<sup>80</sup> <https://www.cornwall.gov.uk/media/18361631/cornwall-renewable-energy-planning-advice-march-2016.pdf>

*the site may be capable of accommodating renewable energy development of a different size, scale, design or type.*

- *Consolidation of multiple renewable energy developments into fewer developments or a single development capable of providing greater overall generation capacity.*

## Cornwall Local Plan 2010-2030

### **Policy 14: Renewable and Low Carbon Energy**

1. To increase use and production of renewable and low carbon energy generation development proposals will be supported that:
  - a. maximise the use of the available resource by deploying installations with the greatest energy output practicable taking into account the provisions of this Plan;
  - b. make use, or offer genuine potential for use, of any waste heat produced; and
  - c. in the case of wind turbines, they are within an area allocated by Neighbourhood Plans for wind power and avoid, or adequately mitigate shadow flicker, noise and adverse impact on air traffic operations, radar and air navigational installations; and
  - d. do not have an overshadowing or overbearing effect on nearby habitations.
  - e. in the case of solar development, noise, glint and glare is mitigated adequately.
2. Support will be given to renewable and low carbon energy generation developments that:
  - a. are led by, or meet the needs of local communities; and
  - b. create opportunities for colocation of energy producers with energy users, in particular heat, and facilitate renewable and low carbon energy innovation.
3. When considering such proposals, regard will be given to the wider benefits of providing energy from renewable sources, as well as the potential effects on the local environment; including any cumulative impact of these proposals.
4. In and within the setting of Areas of Outstanding Natural Beauty and undeveloped coast, developments will only be permitted in exceptional circumstances and should generally be very small scale in order that the natural beauty of these areas may be conserved.
5. When considering proposals for renewables that impact upon the Area of Outstanding Natural Beauty and its setting and / or the World Heritage Site or other historic assets and their settings, applicants should apply other relevant policies in the Plan.

### **Policy 15: Safeguarding Renewable Energy**

New development, where appropriate, should show that it does not significantly harm the performance of any existing facility and the potential for optimisation of strategic renewable energy installations, or the availability of their resource (where the operation is dependent on uninterrupted flow of energy to the installation).

## **Energy Efficiency and Renewable Energy; A Community-Led Approach**<sup>81</sup>

Cornwall Council has produced a guide to including energy efficiency and renewable energy matters in neighbourhood planning. It summarises the elements of the main Local Plan policies that provide the context for the energy elements of the Neighbourhood Plan:

*To increase use and production of renewable and low carbon energy generation development proposals will be supported that:*

- *Encourage best use of the resource through development which has the greatest energy output (without harmful impacts);*
- *Encourage co-location of energy supply with consumers, including using heat and innovative technologies, such as 'smart' energy infrastructure<sup>5</sup>;*
- *Enable community ownership;*
- *Connect to, or prepare for connection to a heat network.*

<sup>81</sup> <https://www.cornwall.gov.uk/media/19534882/neighbourhood-planning-advice-energy-efficiency-and-renewable-energy-a-community-led-approach-final.pdf>

*The Plan also supports the idea of safeguarding important existing schemes and key resources (for example, good locations for deep geothermal, hydro and tidal energy) and highlights the impacts which must be avoided or mitigated. Other policies within the Local Plan relevant to renewable energy development include those covering matters, such as landscape (including the AONB), historic environment and agricultural land. The Cornwall Renewable Planning Advice<sup>82</sup> provides design and siting guidance for all the main onshore renewable energy technologies and detailed advice on landscape and cumulative impact. It also provides detailed guidance on how the Local Plan views community ownership. This guidance will help to ensure your policies conform to Local Plan policy.*

*Community ownership can apply to all types of energy generation project, including heating projects. For community ownership the Planning Advice highlights the benefits and details the following key elements which are needed to achieve a community-owned project:*

- The project should be wholly or partly owned by a community energy enterprise.*
- Where the project is being delivered in partnership (perhaps with a traditional developer), there should be an agreement in place to ensure the community energy enterprise can achieve its objectives.*
- The purpose of the community energy enterprise should be to benefit the local community.*
- Membership should be available to all within the community.*
- A mechanism should be in place to ensure the project continues to deliver for the community over its lifetime (e.g. an asset lock or dissolution clause).*

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<sup>82</sup> <http://www.cornwall.gov.uk/renewablespd>

## Minerals and Waste

This section seeks to provide relevant extracts from the strategic framework and the local policies that are already in place or ‘emerging’ from recent reviews.

### Responsibilities for Planning for Minerals and Waste Planning

Cornwall Council is the Minerals Planning Authority responsible for determining the following types of development: including mineral exploration, extraction, processing, tipping of mineral waste, construction or erection of plant or buildings at a minerals site, oil and gas exploration and development, variation 3 of conditions attached to a minerals consent, consolidation of one or more planning permissions, review of old mineral permissions. As the MPA it also produces the Minerals

Cornwall Council is also the Waste Planning Authority (WPA) responsible for determining the following types of development: including scrap yards, clinical and other types of waste incinerator, landfill and land raising sites, waste storage facilities, sewage treatment plants, dredging tips, recycling and waste reception centres, GRP kiosks which house equipment for sewage undertakers, composting schemes, waste processing and composting plant, concrete crushing and blacktop reprocessing facilities. As WPA it is also responsible for producing the Waste Local Plan.

## Minerals

### National Planning Policy Framework

*“Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.”<sup>83</sup>*

*“When determining planning applications, local planning authorities should:*

- give great weight to the benefits of the mineral extraction, including to the economy;*
- as far as is practical, provide for the maintenance of land-banks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas*
- ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality*
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source,<sup>31</sup> and establish appropriate noise limits for extraction in proximity to noise sensitive properties*
- not grant planning permission for peat extraction from new or extended sites;*
- provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances*
- not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes;*
- 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 account of the need to protect designated sites*
- recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites”<sup>84</sup>*

<sup>83</sup> Page 32, para.142, National Planning Policy Framework, DCLG, 2012

<sup>84</sup> Page 34, para.144, National Planning Policy Framework, DCLG, 2012



## National Planning Practice Guidance

Planning Practice Guidance, published by DCLG, provides supplementary guidance to the NPPF<sup>85</sup>. A number of recent and relevant revisions to the guidance regarding mineral extraction and the planning process have been published. These include guidance specifically about hydro-carbon extraction:

*“The exploratory, appraisal or production phase of hydrocarbon extraction can only take place in areas where the Department of Energy and Climate Change have issued a licence under the Petroleum Act 1998 (Petroleum Licence).”<sup>86</sup>*

*“Planning permission is required for each phase of hydrocarbon extraction, although some initial seismic work may have deemed planning consent under Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995.”<sup>87</sup>*

*“The exploratory phase seeks to acquire geological data to establish whether hydrocarbons are present. It may involve seismic surveys, exploratory drilling and, in the case of shale gas, hydraulic fracturing.”<sup>88</sup>*

## Cornwall Local Plan 2010-2030

### Policy 17: Minerals - General Principles

1. Support will be given to maintain and grow a world class, thriving and sustainable minerals industry in Cornwall which meets local needs as well as exporting minerals, predominantly by rail and sea, to serve regional, national and international markets.
2. A sufficient supply of indigenous minerals will be maintained to achieve sustainable and economic growth, whilst encouraging the use of recycled and secondary materials, particularly secondary aggregates from china clay (kaolin) production, to minimise the requirement for new extraction.
3. New mineral development, (including extensions to existing sites) will be supported in the following areas:
  - a. China clay (kaolin) and secondary aggregate extraction in the St Austell (Hensbarrow) China Clay Area;
  - b. Primary aggregate extraction where it is outside the AONB designation; and
  - c. throughout Cornwall for:
    - i. Building, roofing, heritage and ornamental stone,
    - ii. Metal and industrial minerals,
    - iii. Primary aggregate development for particular grades of material not provided for by other permitted reserves.
4. Improved and more efficient working practices at existing minerals sites will be supported.
5. Mineral recycling and recovery facilities will be supported where they fall within well screened areas at currently operational quarries and landfill sites.
6. Mineral development should have no adverse impact on: slope stability, differential settlement of quarry backfilling, and mining subsidence.
7. All mineral development should enable progressive and effective reclamation at the earliest opportunity, taking into account aviation safety, for appropriate and beneficial after uses that:
  - i. Contribute to and enhance the natural and local environment including, ecosystem services and networks,
  - ii. Conserve and enhance heritage assets and protect and enhance valued landscapes, geological conservation interests and soils,
  - iii. Have the potential for wider community benefits

### Policy 18: Minerals Safeguarding

1. Important mineral resources and reserves and existing, planned and potential bulk transport, storage, handling and processing facilities and sites shall be safeguarded from sterilisation by other forms of incompatible development.
2. Mineral Safeguarding Areas will be identified for the following minerals resources and reserves;
  - a. aggregates (both primary and secondary),

<sup>85</sup> NPPF = National Planning Policy Framework

<sup>86</sup> Planning Practice Guidance Para: 104 Ref ID: 27-104-20140306 Revision date: 06 03 2014

<sup>87</sup> Planning Practice Guidance, Para:093 Ref: 27-093-20140306 Revision date: 06 03 2014

<sup>88</sup> Planning Practice Guidance, Para:095 Ref: 27-095-20140306 Revision date: 06 03 2014

- b. china clay,
- c. building and ornamental stone (including roofing and heritage materials) and
- d. metals (including relevant shafts and adits),

3. Mineral Safeguarding Areas will be identified for the following existing, planned and potential mineral infrastructure;

- a. key concrete batching and other products and roadstone coating,
- b. Storage, handling, processing and distribution of minerals,
- c. the bulk transport of minerals by rail, sea (ports) or haul roads.

The Cornwall Minerals Safeguarding Development Plan will develop detailed policy and identify sites for safeguarding minerals, mineral resources and associated facilities for transport, storage, handling and processing for onward transport by rail or sea.

Key sites used for the batching / manufacture of concrete products and coated materials will also be identified for safeguarding as well as sites for processing and the distribution of substitute recycled and secondary aggregate materials. Policy will also be developed to encourage prior extraction where appropriate.

### **Cornwall Minerals Safeguarding Development Plan Document (Submission Consultation) 2017**

The purpose of the Minerals Safeguarding Development Plan Document<sup>89</sup> (DPD) *is to set out those areas of mineral resources and infrastructure that are to be safeguarded. Safeguarding does not attempt to predict how much mineral resources will be needed over the plan period; instead it focuses on the viable mineral resources, taking into account evidence of them being a proven resource. It is important to note that there is no presumption in favour of minerals development within a Mineral Safeguarding Area, nor is there a veto on other forms of development within these areas. Cornwall Council does not rule out the possibility of safeguarding further sites in the future if clear evidence of substantial resources capable of being worked are identified.*

The Minerals Safeguarding DPD supports the delivery of policies in the Cornwall Local Plan. *It is essential that the Local Plan and accompanying development plan documents are read as a whole, all policies will be considered together in decision making.*

Drawing on the vision and objectives set out in the Cornwall Local Plan, the DPD has the following vision: *Cornwall will have a world class thriving minerals industry that serves local needs as well as exporting minerals to serve regional and national markets by encouraging the sustainable use of resources.*

The principle objective for the Minerals Safeguarding DPD is: *To safeguard mineral resources, sites and infrastructure from other forms of incompatible development.*

#### **Policy: MS1**

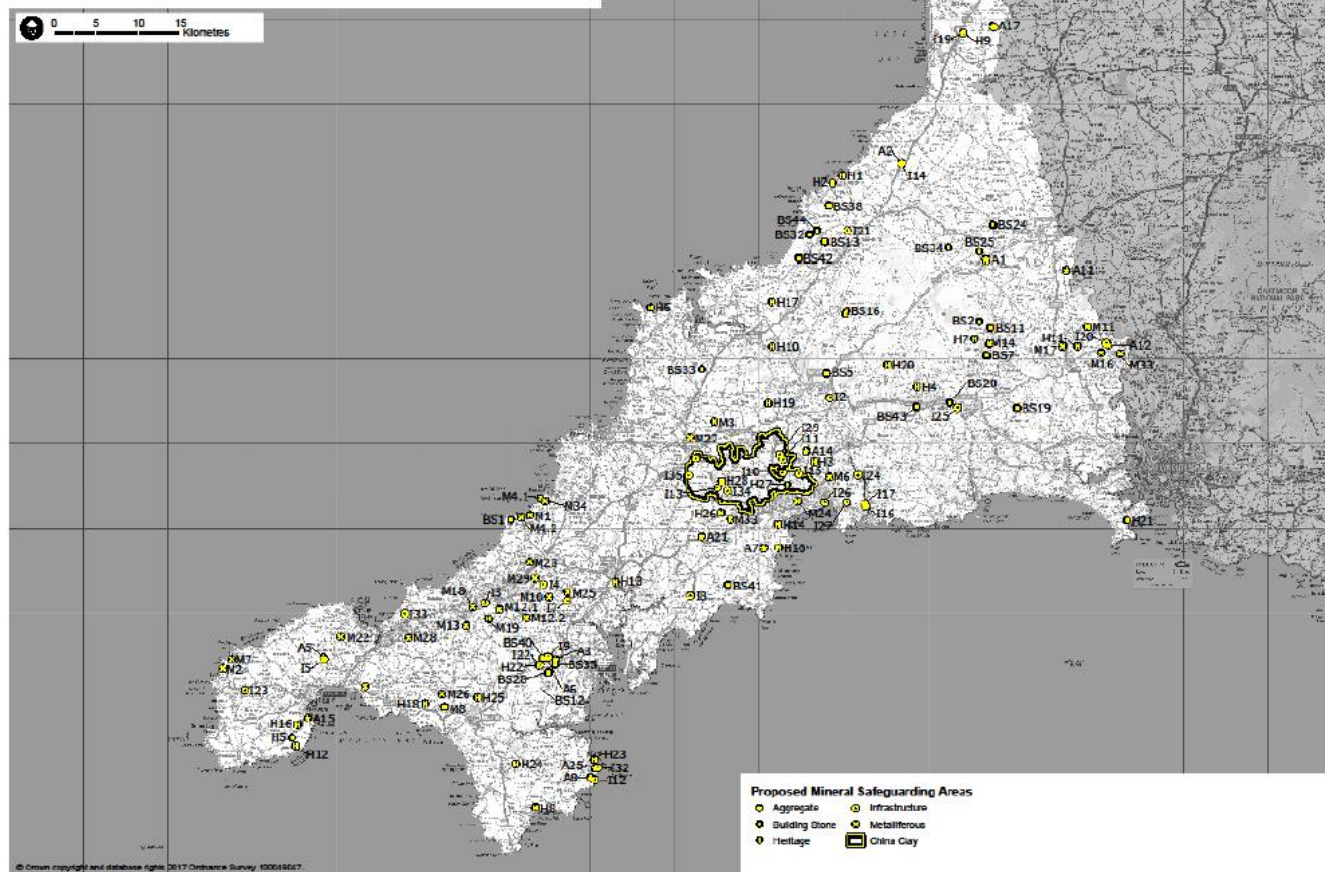
*Mineral resources and infrastructure within Mineral Safeguarding Areas defined on the Policy Map shall be safeguarded from sterilisation. Planning permission for non-mineral development will only be permitted within Mineral Safeguarding Areas where it can be demonstrated that;*

- a. the proposed development would not conflict with mineral related use of the site or infrastructure; or*
- b. the applicant has demonstrated, to the satisfaction of the mineral planning authority, that the mineral resource or infrastructure is not of current or potential economic value or that the mineral resource is not of value for heritage uses; or*
- c. the mineral resource can be satisfactorily extracted prior to the development taking place; or*
- d. that the mineral resource or infrastructure will not be detrimentally affected and the proposed development would not suffer unacceptable adverse impacts as a result of the mineral operations; or*
- e. there is overriding strategic need for the non-mineral development; or*
- f. the non-mineral development within the Mineral Safeguarding Area is exempt as set out in the exemption list*

<sup>89</sup> <https://www.cornwall.gov.uk/media/26858615/minerals-safeguarding-dpd-submission-document-main-section.pdf>

## Policy Map

### Mineral Safeguarding Areas



Cataclews Quarry (H6 on the map above) is protected because of its heritage stone. It has therefore a 100m buffer zone.

## Waste & Recycling

### Waste Management Plan for England

In 2013 the Government published a new Waste Management Plan for England that fulfilled the requirement in Article 28 of the revised EU Waste Framework Directive<sup>2</sup> (WFD). Article 28 requires that Member States ensure that their competent authorities establish one or more waste management plans covering all of their territory.

*“The Waste Management Plan for England is a high-level document which is non-site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of the revised WFD.”<sup>90</sup>* Most pertinent perhaps of this Plan is the objective for:

Measures to be taken to ensure that by 2020:

*“(a) at least 50% by weight of waste from households is prepared for re-use or recycled*

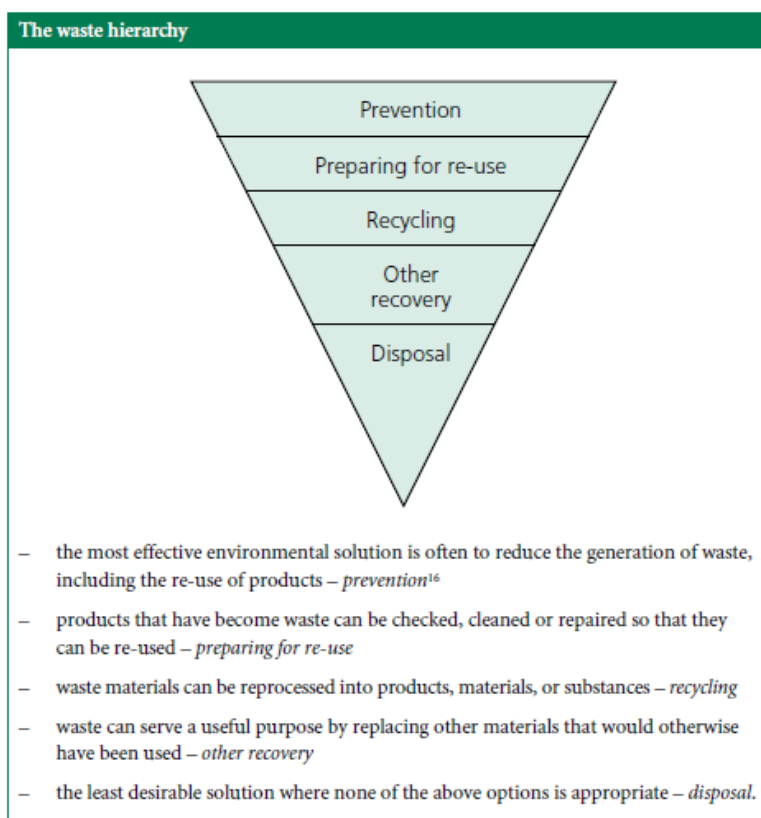
*(b) at least 70% by weight of construction and demolition waste is subjected to material recovery”<sup>91</sup>*

The **National Planning Policy for Waste** was published in 2014. It sets out detailed waste planning guidelines for the waste authorities and local planning authorities. It includes guidance on:

- ensuring that the planned provision of new capacity and its spatial distribution is based on robust analysis
- identifying sufficient opportunities to meet the identified needs of their area for the management of waste streams
- identifying, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations.
- Determining planning applications

Paragraph 8 of National Planning Policy for Waste, requires local planning authorities to ensure:

- *there is not an unacceptable impact of proposed non-waste development on existing waste management facilities that would prejudice the operation of the facility or the implementation of the **Waste Hierarchy**;*
- *non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities or local landscape. This includes adequate storage facilities for residential dwellings; and*
- *the operation of development maximises opportunities for the reuse and recovery or materials which minimises off-site disposal, or treatment.*



<sup>90</sup> Page 2, Waste Management Plan for England, DEFRA, Dec 2013

<sup>91</sup> Page 4, Waste Management Plan for England, DEFRA, Dec 2013

**Policy 19: Strategic Waste Management Principles**

1. 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.
2. New or extensions to existing landfill facilities (with the exception of Connon Bridge landfill site which will close on 31 December 2018) will only be supported where:
  - a. In the case of Local Authority Collected Waste proposals contribute towards meeting a shortfall in capacity;
  - b. In the case of Construction, Demolition and Excavation waste, they contribute to meeting a shortfall in capacity and, wherever possible, make use of the material for restoration of former mineral workings where restoration is needed and appropriate; or
  - c. In exceptional cases and where it can be demonstrated that the facility is required to meet an identifiable need to manage waste arising that cannot reasonably be moved up the waste hierarchy.
3. Proposals for development that facilitates markets for recycled / recovered materials, in particular initiatives to assist businesses and communities in Cornwall to re-use / recycle / compost their discarded waste materials, will be supported where they comply with other policies within this Plan.
4. When determining planning applications for non-waste development, the Council will ensure that any likely impact on existing waste facilities (as detailed in the Annual Monitoring Report) is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.

**Policy 20: Managing the Provision of Waste Management Facilities**

1. New or changes to existing energy recovery facilities should make use of a significant proportion of any heat produced by the recovery process to meet locally identifiable needs.
2. Particular support will be given to proposals for recycling and / or re-use and recovery facilities that:
  - a. are located in close proximity to the location from which the majority of the waste arises;
  - b. involve the re-use of previously developed land, suitable industrial estates or waste management facilities;
  - c. in the case of construction, demolition and excavation waste recycling facilities, are located within well screened areas at currently operational quarries and landfill sites;
  - d. in the case of construction, demolition and excavation waste, contribute to restoration of sites formerly worked for mineral extraction where restoration is needed and appropriate;
  - e. involve co-location with an existing operation of a similar or complimentary nature;
  - f. incorporate alternatives to the transport of waste by road;
  - g. incorporate added value services that benefit the community, such as apprenticeships and opportunities for volunteering and community involvement;
  - h. maximise use of local supply chains in the sourcing / reuse / recycling of waste.
3. Landfill development shall enable effective site reclamation at the earliest opportunity, taking into account aviation safety, for appropriate end uses.



## Appendix A

The following strategy documents have been referred to in the preparation of this report:

A Sporting Future for the Playing Fields of England – Planning Policy Statement, Sport England, 2014  
Biodiversity Supplementary Planning Document (SPD) consultation version  
Connecting Cornwall: 2030, Transport Plan 2011  
Cornwall and Isles of Scilly Shoreline Management Plan  
Cornwall Local Plan 2016  
Cornwall Local Plan Housing Implementation Strategy October 2016  
Cornwall Minerals Safeguarding Development Plan Document Submission Consultation June 2017  
Cornwall Monitoring Report Self-Build and Custom Housebuilding December 2016  
Cornwall Strategic Housing Land Availability Assessment Cornwall Council January 2016  
Cornwall's Environmental Growth Strategy 2015-2065  
Draft Cornwall Shopfront Design Guide, 2017  
Education Strategy for Cornwall 2016 – 2020  
Five Year Supply Housing Statement Provisional Results April 2017  
Future Cornwall - Wadebridge and Padstow Infrastructure schedule  
Good Practice Advice on Neighbourhood Planning and the Historic Environment, English Heritage, 2014  
Health and Wellbeing Strategy 2013 – 2015  
National Character Area Profile  
National Planning Policy Framework, Department for Communities and Local Government, 2012  
National Planning Practice Guidance, DCLG, 2015  
Neighbourhood Planning Roadmap, Locality, 2013  
Open Space Strategy for Larger Towns Recommendations for future provision standards July 2014  
Planning Policy Statement 10: Planning for Sustainable Waste Management, DCLG, 2011  
Safer Cornwall Partnership Plan 2016-2019 Year Two Refresh  
Strategic Housing Framework Our Strategy for Cornwall 2014 – 2019  
Strategic Housing Market Needs Assessment (SHMNA) 2013  
Strategic Tenancy Policy 2012  
Sustainable Energy Action Plan for a Greener Cornwall 2013  
The Cornwall and Isles of Scilly Strategic Economic Plan 2017-2030  
The Cornwall Local Flood Risk Management Strategy: Part 1 - Strategic Vision 2014  
Update on the Updated National Waste Planning Policy - Consultation Document 2013, DCLG, 2013  
Waste Management Plan for England, DEFRA, 2013