



Regulation 14 Consultation:
Representations to the Perranzabuloe Neighbourhood
Development Plan.

Representations submitted on behalf of

[REDACTED]

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Representation produced by:

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Introduction:

- 1 Influence Planning are instructed by [REDACTED] [REDACTED] to make representations in relation to the Regulation 14 Consultation pertaining to the Perranzabuloe Neighbourhood Development Plan.
- 2 The consultation period runs from 22nd April to 17th June 2022.
- 3 The purpose of this representation is to seek to extend the proposed settlement boundary for Perranporth to include land at Ramoth Way, as shown on the site plan attached. The land is considered to be located in a highly sustainable location, constitutes an infill site in accordance with the strategic policies of the area, is within easy walking distance to all services within the village centre, is outside the Flood Zone and could contribute to a small number of dwellings. In addition to the alterations to the development boundary, further representations are made against other policies set out in the Pre-Submission version of the NDP.
- 4 The proposed alteration to the development boundary is in accordance with guidance contained within the Cornwall Local Plan – Strategic Policies 2010-2030 (CLP), the Cornwall Council Site Allocations Development Plan Document (December 2019) as well as the National Planning Policy Framework (NPPF) and the four ‘basic conditions’ required by Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004

Overview of the Perranzabuloe NDP

- 5 The Perranzabuloe NDP, as written, does not contain any policies that are positive towards development. The NDP introduces settlement boundaries drawn tight around the main settlements of Perranporth, Bolingey and Goonhavern. The approach is not providing a vision of how the community may prosper and develop in the future. It does not take the opportunity to identifying the most appropriate sites for future growth and delivery for either housing, employment or community uses such as education. It is well known that Perranporth is to be the location for a new secondary school serving the north coast area, arguably the main strategic development impacting on the NDP area. Despite this, the location of the school is not mentioned within the document, this should be an allocated site to help deliver for the important facility for the local community. This will be referred to again later when discussing the proposed 'Green Buffer Areas' (Policy NE6). The NDP is simply seeking to add a tranche of restrictive policies many repeating content of the Cornwall Local Plan that will deter development opportunities in the NDP area.
- 6 The Government, when introducing the concept of neighbourhood plans, sought to enable a local perspective and means of implementation on strategic policies and national policies. The draft Perranzabuloe NDP has failed to adopt a positive approach to delivering sustainable development but has drawn tight boundaries with no flexibility. This means that any future development will be limited to infill only or rural exception sites.
- 7 Para 29 of the NPPF states that *'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies'.*

- 8 The National Planning Practice Guidance under the heading 'What is Neighbourhood Planning' states:
- 9 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see ahead.
- 10 Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see.
- 11 The pre-submission version of the NDP claims at Section 5 that ' the Parish along with the neighbouring coastal parishes *'have effectively met the housing requirements of the Local Plan this means that there is no urgency for the neighbourhood Development Plan to allocate new sites for housing development'*. This statement is missing the point that the CLP housing targets are minimal targets and policy supports the delivery beyond the minimal levels. To dismiss the need for new housing is out of touch with the current housing market in Cornwall. Cornwall Council at their Cabinet Meeting of 15th December 2021 have produced and adopted a report called *'Securing Homes for All: A Plan to meet Cornwall's Housing Crisis'*.
- <https://democracy.cornwall.gov.uk/mgAi.aspx?ID=95887>
- 12 The Cornwall Local Plan is now over five years old and the housing policies are in urgent need of review to ensure that the housing crisis is addressed. Recent pre-application advice issued by Cornwall Council (for example see: PA22/00441/PREAPP dated 5th April 2022). The Council state:

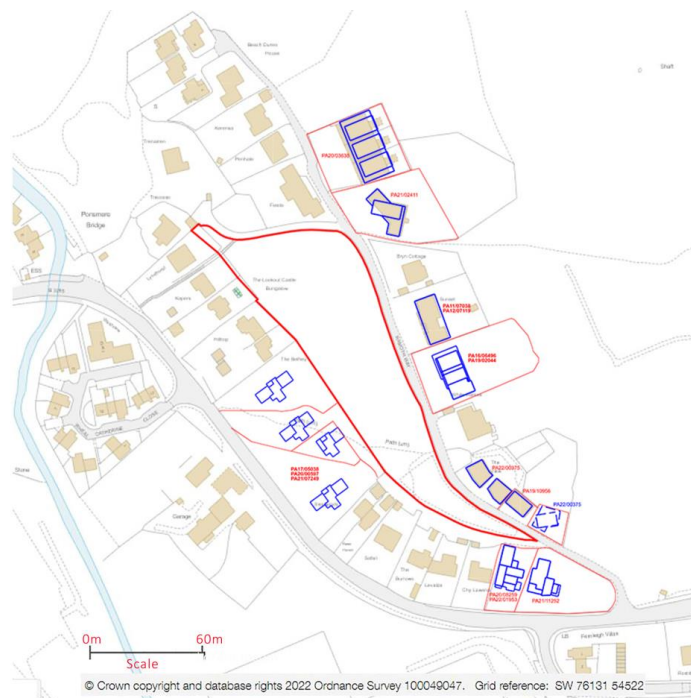
- 13 Cornwall housing crisis Securing Homes for All: A Plan to respond to Cornwall's Housing Crisis Securing Homes for All A Plan to respond to Cornwall's Housing Crisis - Appendix 1.pdf was considered by Cabinet on 15th December 2021. Cabinet resolved that the plan be agreed and implemented in order to advance the outcome of 'A Secure Home for All'.
- 14 The plan recognises that Cornwall is experiencing a housing crisis and sets out a number of objectives and interventions to respond to it. Four main objectives are proposed in respect of homelessness prevention, increased availability of homes for local residents, a step-change in affordable housing provision and assuring delivery of the new homes needed under the Local Plan.
- 15 For each of these objectives a number of interventions are proposed to be taken forward together with partners, local councils and communities to both respond to the immediate challenges residents face and to set in train more fundamental changes to address the roots of the housing crisis.
- 16 The plan sets out that the Cornwall Local Plan Strategic Policies 2010-2030 continues to establish an up-to-date level of housing supply as required and contains sufficient flexibility to deliver a range of affordable housing projects. However, in light of the current housing challenges, it is appropriate to consider what can be done to increase housing supply and enable the Council to remain flexible and react to changing circumstances. This plan is a material planning consideration in applications relating to the delivery of housing.
- 17 It is clear that by seeking to implement housing policies more restrictive than the policies of the Cornwall Local Plan (the NDP is silent of developing previously developed land (PDL) immediately adjacent to a settlement and has a more rigid interpretation of 'rounding off' within the settlement boundary whereas the Cornwall Local Plan allows 'rounding off' *'enclosed but outside of the urban form of a settlement'*). This different definition of rounding off and the failure to address PDL adjacent to a settlement makes the NDP policies more onerous than the strategic policies for the area and a therefore not in conformity

with the Cornwall Local Plan a key test of the basic conditions necessary for an NDP to be successful at Examination..

- 18 The main approach to delivering housing through the NDP will be through 'rural exception' sites. The very concept of 'exception sites' is that they are an 'exception' to adopted policy surely an NDP shouldn't be relying on proposals that are an 'exception' to their policy to deliver housing, this is the opportunity to guide and influence development. Why isn't the NDP doing this, this is the time to be identifying suitable sites to come forward and provide some certainty to the development sector. Even if the NDP provides some potential areas of growth it would deliver some certainty.
- 19 The submission NDP states that the document does not need to allocate housing sites due to the 'minimum' targets of the Cornwall Local Plan being achieved. However, this ignores the Government's objective of seeking to boost the supply of housing and it is apparent that the achievement of the 'minimum' Local Plan target is considered to be the end point for delivery in the draft NDP. The targets are minima not maxima and the NDP should not close the door on development as it proposes in its current form especially at a time of an acknowledged housing crisis.

Amendments requested as part of the NDP process.

- 20 This representation seeks a review of the proposed development boundary as it relates to Ramoth Way, Perranporth. The request is that the Development Boundary is drawn to the Ramoth Way road running east of the parcel of land outlined in red below.



- 21 The map shows the existing properties at Ramoth Way alongside the numerous plots with extant planning permissions. It is clear that the land is comfortably within a development area and is an infill site. The Perran NDP states:

Perran NDP, 4.2.1 Settlement Boundaries: *“Settlement boundaries are generally used to define the demarcation between predominantly built-up areas of a town or village and the surrounding, predominantly open countryside. On one side of the boundary, those policies relating to the built-up area apply while on the other, open countryside policies apply, such as the Cornwall Local Plan Policy 7: Housing in the countryside and Policy 9: Rural Exception Sites.”*

22 In this instance the proposed development boundary at Ramoth Way fails to take account of the NDPs own justification for establishing a development boundary. The site at Ramoth Way does not demarcate between a built up area and open countryside. Given the firm barrier between the housing on the eastern side of Ramoth Way the site is clearly an infill site and accords with the adopted policies of the Cornwall Local Plan (Policy 3 in particular).

23 The Cornwall Council Neighbourhood Planning Guidance on Development Boundaries for Neighbourhood Development Plans: *“Conformity is required with the CLP. Where there are obvious sites which would fulfil the requirements of ‘rounding off, infill or previously developed land’ then these areas must be included within the development boundary”*. The development boundary has not provided any options for growth which wouldn’t ordinarily be accepted by CLP Policy 3.
<https://www.cornwall.gov.uk/media/kqvjshiq/development-boundary-guidance.pdf>

24 The document continues: *‘Development boundaries are used to define a boundary between the built-up area of an existing settlement and the surrounding open countryside’*.

25 The development boundary as drawn fails to take account of the Cornwall Council guidance as the land requested to be included is part of the built up area and is not a boundary between built form and countryside.

26 The NDP in its introduction on repeats Paragraph 29 of the NPPF which advises that:

Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. ***Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. (Emphasis added).***

- 27 The NDP as written currently rules out sites that would accord with the strategic policies of the area by excluding rounding off sites other than within the proposed settlement boundaries, it rules out the development of PDL adjacent to a settlement.
- 28 The Perranporth development envelope as it relates to Ramoth Way is even more restrictive than the development envelope of the Carrick District Local Plan 1998, the former Local Plan for the area. The Carrick Plan was produced on evidence from the early 1990s and many of the current more recently built housing and extant permissions were not in situ. It makes no sense to exclude the area of land identified as being 'outside' of the Perranporth settlement boundary when it was in it some 30 years ago and has seen much development in the intervening years.
- 29 There does not seem to be any reasonable explanation for this negative restriction other than that it could be speculated that a Member of the steering group resides at 'Safari', Ramoth Way. The declarations of interest from the Vice Chair of the NDP Steering Group is below, given the answer to Q1 is no and the desire to exclude Ramoth Way from the development envelope does raise some questions why the negative assessment of Ramoth Way has been forthcoming given its apparent policy compliance overridden by the close proximity to the site the Steering Group Member resides.

Kevin Havill

- **Question 1:** Do you, or close family member, own (or have an interest in) land that might be significantly affected by policies likely to be considered in the preparation of the Perranzabuloe NDP? For example, do you live near sites that might be developed for housing or whose development would significantly impact on the views from your house?

Reply: NO

I have previously made objections to Cornwall Council about planning applications in the near vicinity of our home, primarily on the issues of loss of a County Wildlife Site and Highway Safety. I am not aware of policies being considered by the NDP which would significantly impact us negatively whilst I'm hoping that the policies adopted will provide for us and others in the parish positive benefits.

- **Question 2:** Are you, or a close family member, professionally involved in residential or commercial development (land agent, developer, builder and related) in the parish? If you have ticked 'yes', please specify:

Reply: NO

- **Question 3:** Do you have any other interests which could reasonably be expected to be positively or negatively impacted by policies likely to be considered in the preparation of the Perranzabuloe NDP?

Reply: NO

- 30 It is requested that the proposed NDP development envelope at Ramoth Way is amended to include the land shown on the plan inserted into this document and also attached.
- 31 Furthermore, in relation to **Policy SD1: Settlement Boundaries** at Part 2 in only allowing 'small scale infill' and development of PDL within the settlement boundary. This is a far more onerously worded policy than that of Policy 3 of the Cornwall Local Plan. The Cornwall Local Plan allows development of PDL immediately adjoining the settlement boundary, can be outside, see appeal decisions attached to this representation:
- APP/D0840/W/20/3263587 – PA20/04241 – Chyryn, Harris Hill, Illogan, and
- APP/D0840/W/21/3270728 – PA20/09426 – Land between Trevennel and Homelands, St Just in Roseland.
- 32 In both instances Inspectors allowed the appeals (with full cost awards in favour of the Appellant) due to the sites being PDL adjacent to the NDP development boundaries and the Council in determining the applications trying to back up local Parish level objections based on NDP conflict. However, both schemes were in accordance with the Cornwall Local Plan Strategic policies. An NDP which continues to promote such inconsistencies should not be endorsed and should be rewritten to avoid such conflicts.

Objection to Policy NE6 - Settlement Gaps and Green Buffer Designation.

Ramoth Way Green Buffer extents



- 33 This representation also seeks to object to the proposed designation of the 'green buffer' at Ramoth Way, Perranporth as shown in Appendix 8 of the Perranzabuloe NDP.

The NDP states:

v) Ramoth Way which includes currently undeveloped green space between

development established or permitted on all 4 sides in a sustainable location walkable to all the facilities in the village. This site could encourage sustainable development and should not be restricted via an arbitrary 'green buffer' designation.

Objection to Policy HO1 – Principal Residence Condition.

- 36 There is no evidence to justify the imposition of a 'primary residence condition' all across Perranzabuloe Parish. There is little evidence of second home ownership in Goonhavern or Rose and the speculation is that the pressure arises in locations with coastal views. Section 1 of the justification confirms that only 5% of the properties on recently constructed larger estates in Perranporth and Goonhavern experienced second home ownership or were holiday homes. This figure does not justify a parish wide policy. The approach is seeking to use a sledgehammer to crack a nut. If the policy comes forward it simply means the existing housing stock will face more pressure from the second home market as new builds will not serve this sector. The older properties in Perranporth with sea views will have their values pushed up further as the market will become increasingly sought after and more restricted given new builds will not cater for this market.
- 37 Justification 2 suggests that the redevelopment of hotels with apartments have been used for holiday purposes. The fact that the original building was a holiday business and is replaced by holiday apartments is supported by planning policy it maintains business use and holiday accommodation albeit in a different format. The former Ponsmere Hotel site was an example of such a change but it has to be acknowledged that in locations such as Perranporth holiday accommodation and rentals have historically occurred and served an important role in the area. The NDP needs to cater for a sustainable mix of accommodation not simply target every new build across the parish as a primary residence dwelling. The evidence from St Ives, St Minver show that the policy has failed and has halted most forms of new build development – the proposal in Perranzabuloe may tick boxes in a consultation exercises but the

unintended consequences need to be acknowledged. There is insufficient evidence to justify this policy within the NDP.

- 38 Justification 3 relates to Ramoth Way specifically – my client advises me that the majority of the properties are occupied full time and that the NDPs alleged claim of '*Local reports reliably suggest*' (where is the evidence) does not justify a Parish wide policy to cover this issue. Ramoth Way is a very small part of Perranporth and even smaller element of the Parish as a whole. What happens there should not be a 'litmus test' for the policy coverage of the whole NDP area.

Perranporth Secondary School Site

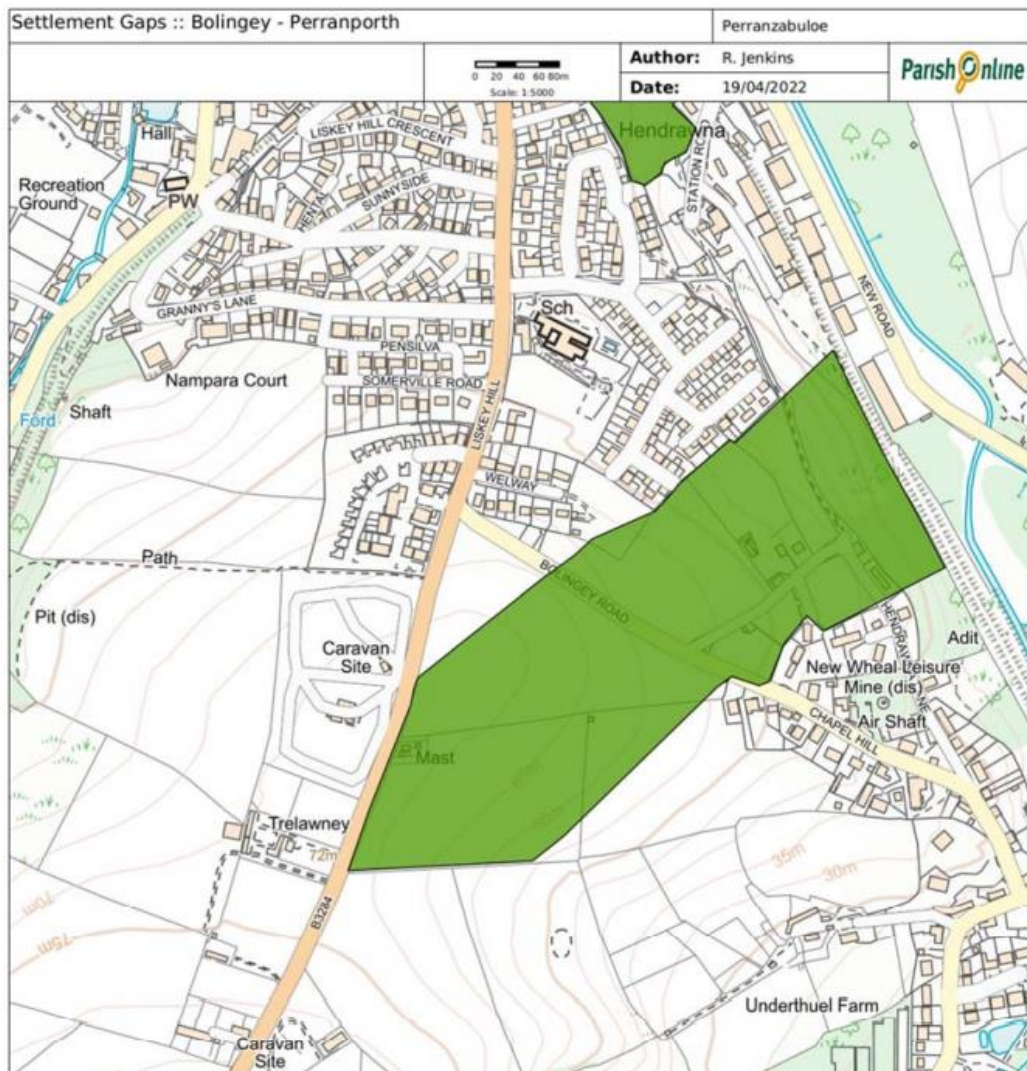
- 39 The NDP is silent on identifying the land that is required for the strategically important Perranporth Secondary School. This is the biggest development likely to come forward in the Parish in the next ten years yet there is no mention of it in the NDP.
- 40 In locating the new secondary school in Perranporth surely it will be the most sustainable destination in the Parish and this alongside the current housing crisis should encourage the NDP to contain more policies seeking to deliver planned growth and new housing allocations to show a preferred direction of travel.
- 41 It is understood that the identified site for the school is at the top of Liskey Hill, Perranporth.



- 42 Bizarrely, the NDP seems to identify a significant chunk of the site proposed to deliver the new school as an proposed 'green buffer area'.

Bolingey - Perranporth Settlement Gap extents

(this map also shows a part of the Hendrawna Green Buffer at the top)



- 43 This is a huge conflict between the NDP which is seeking to restrict development and the sustainable benefits to the community the school will deliver. The NDP needs to look forward to the future and not seek to restrict development based on historic development boundaries of the former local authority as its start point.

- 44 Policy NE6 'Green Buffer' policy as shown and worded would, if applied to a future planning application, stop the secondary school being delivered. This buffer zone must be scrapped and not move forward in the NDP.
- 45 We trust that these representations will be carefully considered ahead of the review and formal submission of this document for Examination.
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Attachments:

- 1 - Plan showing land at Ramoth Way to be included in Perranporth Settlement Boundary
- 2 – Appeal Decision APP/D0840/W/20/3263587 – PA20/04241 – Chyryn, Harris Hill, Illogan,
- 3 – Appeal Decision APP/D0840/W/21/3270728 – PA20/09426 – Land between Trevennel and Homelands, St Just in Roseland.