

John Slater Planning Ltd

Bude-Stratton Neighbourhood Plan 2030

Submission Version

A Report to Cornwall Council on the Examination of the Bude-Stratton
Neighbourhood Plan

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Introduction

Neighbourhood planning is a process, introduced by the Localism Act 2011, which allows local communities to create the policies which will shape the places where they live and work. The Neighbourhood Plan provides the community with the opportunity to allocate land for particular purposes and to prepare the policies which will be used in the determination of planning applications in their area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the adopted Cornwall Local Plan 2010-2030. Decision makers are required to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

The neighbourhood plan making process has been led by the Bude - Stratton Town Council, which is a “qualifying body” under the Neighbourhood Planning legislation.

This report is the outcome of my examination of the Submission Version of the Bude-Stratton Neighbourhood Plan. My report will make recommendations based on my findings on whether the Plan should go forward to a referendum. If the plan then receives the support of over 50% of those voting at the referendum, the Plan will be “made” by Cornwall Council, which is the Local Planning Authority for the neighbourhood plan area.

The Examiner’s Role

I was formally appointed by Cornwall Council in October 2016, with the agreement of the Town Council, to conduct this examination. My role is known as an Independent Examiner. My selection has been facilitated by the Neighbourhood Planning Independent Examiner Referral Service which is administered by the Royal Institute of Chartered Surveyors (RICS)

In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 38 years’ experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of both Cornwall Council, and Bude- Stratton Town Council and I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.

Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:

- That the plan should proceed to referendum on the basis that it meets all the legal requirements.
- That the plan should proceed to referendum if modified
- That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.

Furthermore, if I am to conclude that the Plan should proceed to referendum I need to consider whether the area covered by the referendum should extend beyond the boundaries of area covered by the Bude- Stratton Neighbourhood Plan area.

In examining the Plan, the Independent Examiner is expected to address the following questions

- a. Do the policies relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
- b. Does the Neighbourhood Plan meet the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 namely that it specifies the period to which it is to have effect? It must not relate to matters which are referred to as “excluded development” and also that it must not cover more than one Neighbourhood Plan area.
- c. Has the Neighbourhood Plan been prepared for an area designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.

I am able to confirm that the Plan, if amended in line with my recommendations, does relate to the development and use of land, covering the area designated by Cornwall Council, for the Bude- Stratton Neighbourhood Plan on 14th February 2014.

I can also confirm that it does specify the period over which the plan has effect namely the period between the adoption of the plan and 2030.

I can confirm that the plan does not cover any “excluded development”.

There are no other neighbourhood plans covering the area covered by the Plan designation.

Bude- Stratton Town Council is a qualifying body under the terms of the legislation. The neighbourhood area was designated by Cornwall Council on 14th February 2013.

The Examination Process

The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or if a person has a fair chance to put a case.

I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions.

Having reviewed the Plan and the Local Plan I felt there were various aspects of the Plan regarding housing numbers and planning obligations that I wanted to be able to explore with both the Local Planning Authority and the Town Council. I therefore published a document entitled Initial Comments of the Independent Examiner which identified the areas which I wanted to investigate, which was followed up by a Guidance Note and Agenda for the Hearing including specific questions. Both documents are on the appropriate websites. The hearing took place on Tuesday 13th December 2016 at the Parkhouse Centre. It ran from 10 am until 1.30 pm and I wish to record my thanks to all the parties for the constructive way that they approached the hearing. It certainly assisted me in coming to my conclusions and in making my recommendations.

I had previously carried out an unaccompanied visit to Bude, Stratton and the villages within the Plan area and the countryside of surrounding area on 2nd November 2016 to familiarise myself with the plan area. I also visited a number of areas at the conclusion of the Hearing.

The Basic Conditions

The Neighbourhood Planning Examination process is different to a Local Plan Examination, in that the test is not one of “soundness”. The Neighbourhood Plan is tested against what is known as the Basic Conditions which are set down in legislation. It will be against these criteria that my examination must focus.

The six questions which constitute the basic conditions test seek to establish that the Neighbourhood Plan: -

- Has had regard to the national policies and advice contained in the guidance issued by the Secretary of State?
- Will contribute to the achievement of sustainable development?
- Will be in general conformity with the strategic policies set out in the Development Plan for the area?

- Does not breach or is otherwise incompatible with EU obligations or human rights legislation?
- Whether prescribed conditions are met and prescribed matters have been complied with?

Whether the making of the Plan will have a significant effect upon a European site or a European offshore marine site, either alone or in combination with other plans and projects?

The Consultation Process

The Town Council first considered preparing a neighbourhood plan back in 2012. Towards the end of that year resident questionnaires were sent out and public meetings held, all of which supported the idea of the neighbourhood plan. The Town Council applied to have the neighbourhood area designated in November 2012 and formal designation was granted by Cornwall Council on 14 February 2013. The original survey generated over 800 responses both electronic and on paper and these are set out in Appendix 5.

Between February and April 2014, the steering group which had been¹⁰ set up to prepare the plan, developed their vision for the area with the accompanying policy aims and objectives, all of which were informed by the survey responses

In May 2014, a public meeting was held at Parkhouse Centre to recruit additional people to become involved the development of various plan theme areas. These groups met over the summer, building up policy options and researching the issues and context. Draft policies emerged from these being groups in the autumn of 2014. In spring 2015 a separate landowner / developer engagement exercise took place, involving presentations and workshops

The plan was the subject of its Pre - Submission Consultation between 13 July 2015 and 18 September 2015. This involve various different public and statutory bodies as well as the public. This led to some 856 detailed responses from 331 respondents including public organisations, local authorities, landowner / developers, business, schools, and community groups. These responses are set out in Appendices 3 and 4.

The whole engagement process is set out in the Consultation Statement as well as in the Issues Report which had been published in May 2014 which summarise the matters that had been raised in the initial consultation.

Regulation 16 Consultation

I have had regard, in carrying out this examination, to all the comments made during the period of final consultation which took place for a 6-week period between 16th August 2016 and 29th September 2016. This consultation was organised by the Cornwall Council who had received the Submitted Plan, prior to it being passed to me for its examination. That stage is known as the Regulation 16 Consultation.

In total 10 responses were received from public bodies. These were from the South West Water, Natural England, Environment Agency, Highways England, Historic England, Cornwall Council- Planning Portfolio Holder, Public Spaces, Education Infrastructure, Adult Education. In addition, one representation was received from a local resident.

Compliance with the Development Plan

To meet the basic conditions test, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the Development Plan. At the start of the examination process this would have been the North Cornwall Local Plan 2011, adopted in 2006. However, I was advised that the Cornwall Local Plan: Strategic Policies 2010- 2030 was adopted on 22nd November 2016. I will therefore be referring to that Plan as the development plan for the purpose of this examination and in particular for the consideration as to whether the Plan has been prepared having regard to the strategic policies in the Local Plan.

At the hearing, I heard how the Council had decided to prepared a separate Development Plan Document to deal with the allocation of sites in the Bude- Stratton area which will be separate from the Site Allocation Document that is to be prepared for other parts of the County which were not promoting their own neighbourhood plan.

Compliance with European and Human Rights Legislation

At an early stage in the plan's preparation the Steering Group requested Cornwall Council to screen the Bude-Stratton Neighbourhood Development Plan for a Strategic Environmental Assessment (SEA) as required by EU Directive 2001/42/EC which is enshrined into UK law by the "Environmental Assessment of Plans and Programmes Regulations 2004".

The Council originally confirmed, having consulted with the three statutory consultees, to the effect that an SEA was not required. It also concluded that a

Habitat Regulation Assessment was not required. In addition, on 2nd October 2015 the Council issued an amended SEA Screening Opinion again concluding that an SEA was not required. I have received no representations that the European Obligations have not been complied with nor any representations that the plan conflicts with Human Rights legislation and I am satisfied that this element of the Basic Conditions test is met.

The Neighbourhood Plan: An Overview

A neighbourhood plan is expected to be in general conformity with the strategic policies of the adopted local plan. In this case, much of the plan's development has taken place in parallel with the emerging local plan. The Cornwall Local Plan has now been adopted. The biggest issue that the neighbourhood plan has faced is how to deal with the question of delivering the required amount of residential development to meet the area's needs. I readily admit that I did have concerns as to whether the housing policies would allow me to recommend that the plan should go through to examination, before I held the hearing.

The Town Council took a decision not to allocate sites in the plan but rather to have a criteria based approach, which has, in my view, resulted in a somewhat conflicted position, on the one hand wishing to promote smaller developments of under 30 units but recognising that larger sites of over 30 homes, will also be required. The document has not, in my mind, resolved the question of its relationship with the Site Allocations DPD that Cornwall Council has stated that it will be producing as it too was concerned that the neighbourhood plan process may not deliver the housing numbers. Much time was usefully spent at the hearing, exploring the relationship between the residential policies of the respective plans.

I am grateful for the positive and constructive approach taken by the two principal parties in addressing my concerns, particularly regarding the restrictive locational criteria, which is incorporated in the proposed policies 3 and 8. I hope that both parties will not be surprised with my recommendations I have proposed, which we discussed at the hearing. I believe my recommended changes will bring the plan into a position that satisfactorily meets the basic conditions test, both in terms of delivering the strategic requirements in the local plan and also on the basis that it will now be delivering sustainable development.

The other main concern I had raised was the approach being taken in the neighbourhood plan to the question of developer contributions, which I felt went beyond what could ordinarily be expected, having regard to Secretary of State advice. However, at the hearing it was clear that the Town Council recognised that Cornwall Council will soon be introducing the Community Infrastructure Levy, which

then removed the need for whole sections of policies, dealing with the matter of developer contributions.

The plan generally has adopted a positive approach to new development, stating in particular, the forms of development which it seeks to encourage and support. This positive approach as to what developments will be approved, gives the decision maker confidence, which will allow developments that to comply with the aspirations of the neighbourhood plan to be approved, but importantly it does not require proposals which do not accord with the quoted aspirations, to be refused. On the basis of the specific wording, I have been able to recommend the retention of a number of policies which I may have sought to amend.

There are only a small number of policies which I have had to recommend be deleted from the plan. These reflect matters which have gone beyond the use and development of land. I am confident that the Town Council will recognise the plan that has emerged from the examination process.

I have restricted my examination to the development plan policies themselves and it will be necessary for the supporting text to be reviewed and amended on the basis of the changes which I will be making to policies, to provide a coherent and cogent document. A number of policies will need to be renumbered because of the deletions I have recommended.

The Neighbourhood Plan Policies

Policy 1 Affordable Housing Led Schemes

This policy supports affordable housing schemes subject to compliance with other policies in the plan. The policy meets basic conditions and no alterations are required.

Policy2 Mixed Development Schemes

There are a number of aspects which need to be addressed if this policy is to meet basic conditions. The requirements set out in criterion three, is that support will be given to those schemes which have the support of the Town Council. I am afraid that it would not be appropriate for a planning policy to effectively require the support of a separate body, beyond the local planning authority. As written it would effectively give a veto to the Town Council. I do not consider that this element of the policy can be retained.

Secondly I do not consider that it is appropriate for the neighbourhood plan policy to

restrict the occupation of affordable housing, to just those with a local connection. This is a matter for Cornwall Council as local housing authority, which has statutory responsibilities to allocate affordable housing, based on housing need.

Recommendation

Delete criterion iii).

Delete the last sentence.

Policy 3 Development and Community Facilities

This policy, along with Policy 8, dominated the debate at the hearing. My initial concern had been that the restriction on the scale and location of new residential development could result in a situation whereby the Plan would not be able to achieve the housing target set out in Policy 2A of the Cornwall Local Plan. The specific figure in the policy for the Bude area which includes Stratton, Flexbury and Poughill is 1200 dwellings for the period up to 2030. However, following my initial request, I received an up to date submission from the council that showed the residual shortfall requirement for the remainder of the Plan period to be 198 homes which required to be allocated.

It is clear from their representations made at Regulation 16 stage that Cornwall Council was concerned that the Town Council had not chosen to allocate sufficient sites to meet the housing requirements, as had been anticipated by the Local Plan inspector. Accordingly, it had already taken the decision that, in addition to the neighbourhood plan, it would also be preparing a specific Development Plan Document (DPD) that will be allocating sites in the Bude - Stratton area. I would add my view that it is indeed unfortunate that the Town Council and the Steering Group did not feel able to grasp the difficult issue of site allocation and it is clear that residents will now miss out on the opportunity to vote, at referendum, on individual site allocations within their Town. However, that was the approach that the Town Council adopted having regard to the community feedback.

I accept that residents have expressed a desire, which is articulated by Policy 3, which is to see housing schemes developed in sites of up to 30 dwellings. However, my concern was that this approach could lead to a position whereby the recently adopted Local Plan's objective assessment of housing need would not be met over the Plan period. This would then call into doubt whether the neighbourhood plan could be in general conformity with the strategic policies of the Cornwall Local Plan and also whether it will provide for the delivery of sustainable development. The Town Council's approach is further complicated, in that it seems also to countenance schemes of over 30 dwellings, if such proposal meets similar criteria. I am not sure how that achieves the residents desire to see smaller scale schemes.

Now that Cornwall Council has embarked on its own Development Plan Document,
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there is great potential for confusion as how housing policies will work in the Bude area. The way I would describe it is as follows. It seems that there will be general support the housing schemes of up to 30 units under Policy 3, support for schemes over 30 units under Policy 8 and also support for individual sites that will be allocated for residential development by the Council's Site Allocation DPD.

Part of my concern regarding the delivery of overall housing numbers arises from the locational criteria set out in both Policies 3 and 8, namely there is a requirement that all residential development will be linked to Bude Town Centre by safe walking and cycling routes. We explored this aspect in detail at the hearing, particularly when I sought the Town Council's views on the acceptability of sites identified in Cornwall Council's published SHLAA, when it saw merit in some sites which had a closer relationship with other amenities, such as other local shops which were not located in Bude town centre, and also other local facilities such as primary schools where it is important to have safe walking and cycling connections.

During the debate the Town Council accepted that the requirement to only consider those sites which were linked to Bude town centre, was overly restrictive and that a wider relationship between new housing development and other local facilities could be considered.

The discussion then moved on to whether it was still appropriate for the neighbourhood plan to include a policy relating to sites of over 30 units, if this matter was also being addressed by Cornwall Council's proposed development plan document. Potentially one scenario was that the neighbourhood plan policy could be superseded by the DPD, or alternatively, Policy 8 could still allow support to be given to planning applications for additional large sites beyond those allocated in the DPD, some of which may well have failed under the Plan's selection criteria.

I am therefore proposing a combined policy dealing with the location of all residential development. That will allow small sites of under 30 units as supported by the local community, to be located where there was good safe cycling and walking routes to local services and facilities. Secondly I propose that the DPD should be the appropriate vehicle, for allocating large sites over 30 units. It is not uncommon for local plans to allocate the larger strategic sites, and therefore this will avoid confusion between non-allocated sites being promoted under Policy 8, which may have been discounted as part of the DPD's site allocation process. This can be dealt with in terms of my revised wording of this policy. I am therefore proposing the deletion of Policy 8 and inserting reference to sites which will have been allocated in the forthcoming Site Allocations DPD. I do need to protect the position that should the DPD not be forthcoming and adopted, within a reasonable time period then the housing policies in neighbourhood plan will need to be considered to be out of date and reviewed. However, I consider that an unlikely possibility.

I now turn to the other elements of policy. At the hearing, there seemed to be agreement, in the light of developments now implemented, that there was effectively no longer a gap to be maintained between Bude and Stratton. I will recognise this is my proposed policy wording.

Finally, I was concerned that the policy requirements to contribute to various infrastructure and community projects would not necessarily meet the legal tests for planning obligations. At that hearing, the Town Council's representative stated that the inclusion of this element of the policy was to recognise that once introduced, the Community Infrastructure Levy contributions (CIL) should be made available to fund various infrastructure requirements. This element of the policy therefore needs revising.

Recommendation

Replace the policy with:

“Planning permission will be granted for schemes of up to 30 dwellings on sites within or adjacent to the settlements of Bude, Stratton, Flexbury and Poughill and for developments of over 30 units on sites allocated for residential development on any adopted Site Allocation DPD where it can be demonstrated that the development will be linked to local facilities including shops and primary schools by safe walking and cycling routes and

- a) It takes steps to follow the guidance of the Cornwall Design Guide 2012 (or any subsequent iteration)
- b) It maintains the gaps between the settlement of Bude - Stratton and the settlements of Flexbury and Poughill and does not cause their coalescence.
- c) It does not compromise the character and amenity of the Conservation Area.”

Policy 4 Residential Conversions

This policy refers to local plan policy for the conversion of buildings in the countryside. The title of this neighbourhood plan policy could usefully be changed to deal with building conversions in the countryside.

Whilst the policy may appear to repeat local plan policy, I am content that it does add a local dimension in terms of the range of buildings it applies to.

The only change required to policy is that reference to the *emerging* local plan is no longer appropriate.

Recommendations

Retitle policy: Residential Conversions in the Countryside.

Delete “(emerging)” from the first sentence.

Policy 5 Brownfield Development and Infill

Whilst the policy can support the development of the previously developed land, it cannot be used to resist greenfield development which would in itself being promoted by Policy 3. As worded that would lead to uncertainty as to which policy took precedence.

Recommendation

Replace “prioritised over greenfield development” with “supported”.

Policy 6 Social, Economic and Environmental Sustainability Impacts of Development

Rather than placing the onus on the applicant to demonstrate how the needs of future residents would not compromise the needs of current residents by additional growth, it became clear at the hearing that it is the intention was to be able to draw upon the CIL payments that Cornwall is intending to introduce in the next year or so. This will require developers, under the CIL scheme to make financial payments, which will then be available to fund additional facilities, arising from the new development irrespective of the contents of the neighbourhood plan policy.

It is not appropriate for a developer to be expected to rectify existing infrastructure deficiencies and the expectation should be that the developer should only be required to provide the infrastructure required to allow his own development to proceed.

I did have a concern with regard to the third element of policy relating to developments which offer measures to reduce its carbon footprint. Following the publication of the Secretary of State’s Statement to the House of Commons dated 25 March 2015, neighbourhood plans cannot impose technical requirements relating to the construction, internal layout or performance of new dwellings.

However, this policy is actually just a statement of support for those schemes that do provide these elements. The policy is not written as imposing any additional requirement or suggests that a scheme would be refused, if it did not meet these objectives. On that basis, I am not proposing to suggest changes to that element of the policy.

I note that the parking requirement for 2 spaces per unit is higher than those set out in Cornwall’s Parking Guidelines in respect of highly accessible locations. I would not regard Bude as a highly accessible location, not least because of the absence of a railway station. There will be instances where it is not possible to provide additional

parking, for example in the case of a conversion of the upper floors above a shop to flats would not have the space to provide additional spaces. Cornwall Council's standards are quoted to be "maximum guidelines". I therefore think it is appropriate to caveat the requirement for two spaces with the proviso "where it is practical to provide such spaces".

Recommendations

Delete first paragraph.

Replace second paragraph with "Developers will be expected to work closely with regulated infrastructure providers to ensure that the infrastructure requirements arising from their development are fully met".

Insert "where it is practical to provide such spaces" be inserted after "two car parking spaces".

Policy 7 Sheltered/Retirement Housing

The only issue relating to this policy is the requirement for developer contributions which would be covered by the requirement for developers to make CIL contributions.

Recommendation

Delete criterion a)

Policy 8 Scale of residential development

On the basis of my conclusions reached in respect of Policy 3, I propose that this policy be deleted.

Recommendation

That the policy be deleted.

Policy 9 Food Growing

This policy is not a policy that places any obligation upon developers. It does not imply that a proposal would only be supported if provision is made for community led food growing. It merely says that if a proposal does include the element, then it will be approved. Had the intention of the policy been that a proposal would be refused if the requirements had not been met, then that would have been considered an unreasonable requirement, which could affect the ability of the town to deliver the housing it requires. No alterations are required.

Policy 10 Further and Higher Education

This is a supportive policy, which meets Basic Conditions.

Policy 11 Workplace Training

Whilst this is a laudable objective, I do not consider this to be a policy which relates to the use and development of land, which is a legal requirement for neighbourhood plans. The policy can still be a community aspiration and it will be put into the supporting text, but it should not be a land use planning policy.

Recommendation

That the policy be deleted.

Policy 12 High-tech Industries/ Flexible Work Space

This is another supportive policy. Planning proposals do not generally differentiate between the types of companies which will occupy the premises e.g. a class B1 office or light industrial unit. Whilst it would not be appropriate for a planning consent to limit occupation to particular types of businesses within the approved use class I do recognise that the NPPF offers encouragement to the promotion of particular types of industries.

As this is not a restrictive policy, I believe it passes basic conditions. However, it is important to state that the policy must not be seen as opposing other types of employment uses.

The policy to encourage and support work hubs within new developments does not contravene the basic condition test.

Policy 13 Tourism Facilities/Out of Season Attractions

This is a sensible policy for what is a tourism based economy which seeks to extend and improve employment prospects. No changes are required.

Policy 14 Existing Employment Sites

This policy meets basic conditions and no change is required.

Policy 15 Green Tourism

This policy passes basic conditions.

Policy 16 Renewable Energy

This policy according to Policy 14 of the Cornwall Local Plan and paragraph 97 of the NPPF. It helps deliver sustainable development and meets Basic conditions.

Policy 17 Bude Town Centre

This policy meets basic conditions.

Policy 18 Town Centre Uses

As with the housing policy that sought to give priority for brownfield site development over green fields, I do not believe it is appropriate for priority to be given to restaurants, retail or pubs on brownfield sites within town centres over greenfield sites. I do not consider that it would ever be possible to show that there are no brownfield sites available, which would be given preferential treatment over the greenfield sites. Such uses could be acceptable in other town centres than Bude e.g. Stratton. Out of centre retail proposals will be covered by Policy 17, in any event.

In terms of the protection of upper floors of restaurants (A3) and drinking establishments (A4) to residential accommodation, I am not clear what is the impact of it being a *commercial* A3 or A4 use. If the upper floors are empty, then it is sensible for the accommodation to be converted into residential use subject to the achievement of an acceptable living environment, considering issues such as noise transmission.

I do not believe that it is appropriate to set priorities in terms of the specific uses as any of the uses listed would be acceptable in a town centre location.

Recommendations

In criterion, I Replace “Priority” with “Support” and delete “over green field sites”

In criterion II Replace “unless such a change of use would result in the loss of space within commercial A3 or A4 uses” with “if the upper floor is vacant”.

Delete criterion VI.

Policy 19 Public Transport

I do not have any concerns regarding the plans supporting the development of a park-and-ride facility. This is a matter of local discretion and judgement. The plan

however, can only deal with the development aspects of a park and ride operation i.e. the creation of an out of centre car park(s) and facilities.

The issue of the provision of improvements to bus services, is not a policy for the use and development of land, it is a question of resource allocation. The development of rail links to North Cornwall is also not a matter that can be included in a neighbourhood plan as it would require the use of land outside the neighbourhood area. The plan can choose to provide for long stay carpark to be promoted.

Recommendations

Delete paragraph 2

Delete “The development of rail links to North Cornwall and”

Policy 20 Cycleways and Public Rights of Way

The first sentence is not a policy but a statement and so should go into the justification for the policy. The *maintenance* of the network is not a policy for the use and development land, it is a resource allocation issue.

The matter of contributions would ordinarily be covered by CIL contributions. Whilst I note the requirement to provide for a safe dedicated pedestrian access to the existing pedestrian network, I assume this can be achieved by connecting sites by pavements. At the hearing, we discussed scenario where potential housing sites in the villages could only be accessed to the services, schools and facilities by pedestrians having to use country lanes with no footways which would be clearly unacceptable.

Recommendations

Insert “of” before” sustainable travel choices”

Delete in the second sentence “and maintenance”

Delete “first sentence of second paragraph”.

Policy 21 Traffic Management and Road Safety

I do not think it is appropriate for a policy to require contributions to improving road network capacity and reduce accidents. The Secretary’s advice set out in paragraph 33 of the NPPF is that development should only be refused on transport grounds if the impact on the highway network is *severe*. I will be recommending that the policy be deleted as not meeting the basic conditions test.

Recommendation

That the policy be deleted.

Policy 22 Sports and Leisure Facilities

This policy meets basic conditions.

Policy 23 Community hub

I do not have any comments with regard to this policy.

Policy 24 Bude Surf Lifesaving Club, Sea Pool and Beach Facilities

This is a locally distinct policy and I have no comments to make regarding basic conditions.

Policy 25 Open Spaces of Heritage and Recreation Value

I have no comments to make on the identification of the open spaces. I do not believe any developer proposal “**must**” demonstrate measures to enhance existing walking, cycling and horse riding opportunities. A proposal for development associated with the rugby club would not necessarily generate a requirement to improve horse riding opportunities. Rather than “must” I will recommend the use of “should, when it is appropriate.....”.

Recommendation

In second sentence replace “must” with “should, when it is appropriate”

Policy 26 Conservation Area and Listed Buildings

The only issue relating to the policy is the fact that it states that advice will be sought from English Heritage. The consultation requirements associated with planning applications is dealt with by the Town and Country Planning (General Development Management Procedure) Order 2015 rather than being the basis of a neighbourhood plan policy.

Recommendation

Delete everything after “enhanced” in the final sentence.

Policy 27 Play Spaces

The only issue relating to this policy is the fact that these matters for which developer contributions will be sought will be dealt with by CIL contributions. However new residential development may require that provision of on-site play areas. I have therefore deleted “as summarised in table above” as I could not see the table in my edition of the Plan.

Recommendation

Delete “through developer contributions” and “summarised in the table above”

Policy 28 Bude Marshes Local Nature Reserve and Higher Wharf

I have no comments to make on this policy.

Policy 29 Designated Wildlife Sites and Landscapes

I have no concerns regarding this policy which seeks to protect important designated sites and areas.

The Referendum Area

If I am to recommend that the Plan progresses to its referendum stage, I am required to confirm whether the referendum should cover a larger area than the area covered by the Neighbourhood Plan. In this instance, I can confirm that the area of the Neighbourhood Plan as designated by Cornwall Council on 14th February 2013 is the appropriate area for the referendum to be held and the area for the referendum does not need to be extended.

Summary

I would like to take this opportunity to congratulate the Town Council and the Steering Group for their commitment shown both in terms of the obvious hard work that has been put in to this neighbourhood plan and also quality of presentation of the material that has been submitted. This plan will certainly provide the basis for making important planning applications in the next decade or so. Furthermore, the introduction of CIL will also provide resources that the town can put towards the improvements that it has identified as needed, to accommodate the new development that needs to be provided.

Finally, I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made.

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I am therefore delighted to recommend to Cornwall Council that the Bude-Stratton Neighbourhood Development Plan, as modified by my recommendations, should now proceed to referendum.

JOHN SLATER BA(Hons), DMS, MRTPI

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