

James Evans BA (Hons) AssocRTPI
Independent Planning Consultant
Email: james@evansplanning.co.uk
Mobile: 07763007794
Website: www.evansplanning.co.uk



DEVELOPMENT BOUNDARY REVIEW

for

*Portreath Parish Neighbourhood Development Plan (post Regulation 14
consultation)*

Contents

1	Introduction	3
2	Stage of the NDP	3
3	What is a development boundary?	3
4	How is the development boundary defined?	4
5	Submissions Received with regard to the Development Boundary and how these have been taken into account	6
6	Land/ Site Assessments.....	6
7	Overall Conclusions and Advice	14
	Photographs.....	18

1 Introduction

- 1.1.1 The purpose of this report is to provide professional planning advice on potential revisions to the drafted development boundary contained within the Regulation 14 consultation version of the Portreath Parish Neighbourhood Development Plan (the NDP).
- 1.1.2 The advice is provided in response to comments received through the consultation process, and any other material matters that are considered relevant.

2 Stage of the NDP

- 2.1.1 The NDP has just proceeded through its first formal public consultation (the Regulation 14 consultation).
- 2.1.2 The document will be amended and updated taking into account matters raised through the consultation process.
- 2.1.3 The updated NDP will then be presented to Cornwall Council, who will undertake a separate round of consultation.
- 2.1.4 The NDP will thereafter be submitted to an Independent Examiner and then for a public Referendum.
- 2.1.5 Please refer to page 16 of the Regulation 14 version of the NDP which outlines the steps for an NDP to proceed to examination.
- 2.1.6 The Regulation 14 consultation was at step 3 of 7.

3 What is a development boundary?

- 3.1.1 Attached at Appendix A is the Cornwall Council guidance note on '*Development Boundaries for Neighbourhood Development Plans.*'
- 3.1.2 To summarise, a development boundary, or sometimes referred to as a settlement boundary, is often found in planning policy documents as a clearly defined marker to distinguish where different planning policies apply with regard to the settlement in question.
- 3.1.3 Most typically, but not exclusively, such boundaries are used for the application of housing policies.
- 3.1.4 As a general rule, there are three types of policies relating to housing for settlements outside of the main urban areas in Cornwall.
- 3.1.5 These relate too:
- Open market led development within the settlement that does not extend the settlement into the open countryside;
 - Rural exception sites, being affordable housing led development
 - Housing in the countryside, which is restricted other than in exceptional circumstances, most typically barn

conversions or essential accommodation for rural workers.

- 3.1.6 The Regulation 14 NDP development boundary defines a line to distinguish between the application of market-led housing policies and policies for rural exception sites and the open countryside. I.e, within the boundary market-led housing policies apply and outside they do not.
- 3.1.7 The Cornwall Council guidance note on *'What can Neighbourhood Plans do: topics analysis'* explains that *'land within the development boundary will be considered appropriate for infill and rounding off development proposals (subject to the usual planning considerations).'*
- 3.1.8 It is important to note the above, ie: if within the boundary, development of the site for market -led development is as overall point of principle supported as a consequence. If a planning application is submitted, it will only be considered on matters of detail, such as design, living conditions, site access, etc.
- 3.1.9 As a final note, whether a parcel of land, including part of a domestic garden falls within or without the boundary, permitted development rights and domestic alterations would not be altered as a result. The boundary deals specifically with the application of housing policies only.

4 How is the development boundary defined?

- 4.1.1 It is key that the boundaries as defined align with the policies in the Cornwall Local Plan (the CLP) relating to housing. Principally this is policies 3 and 21 and the associated supporting text. Further, Cornwall Council produced a guidance note on the application of these policies through a *'Chief Planning Officer's Advice Note: Infill/Rounding Off'* attached at Appendix B.
- 4.1.2 Furthermore, reference should also be made to the Cornwall Council guidance note on *'Development Boundaries for Neighbourhood Development Plans'* attached at Appendix A.
- 4.1.3 Alignment with the CLP and the National Planning Policy Framework (the NPPF) policies is key. As only a draft NDP that meets each of a set of basic conditions can legally be put to a Referendum and be made.
- 4.1.4 Two of these basic conditions are highlighted in bold, with key components underlined. In basic terms these explain that the NDP is legally required to have regard to the NPPF and be in general conformity with the CLP:
 - 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).

- 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

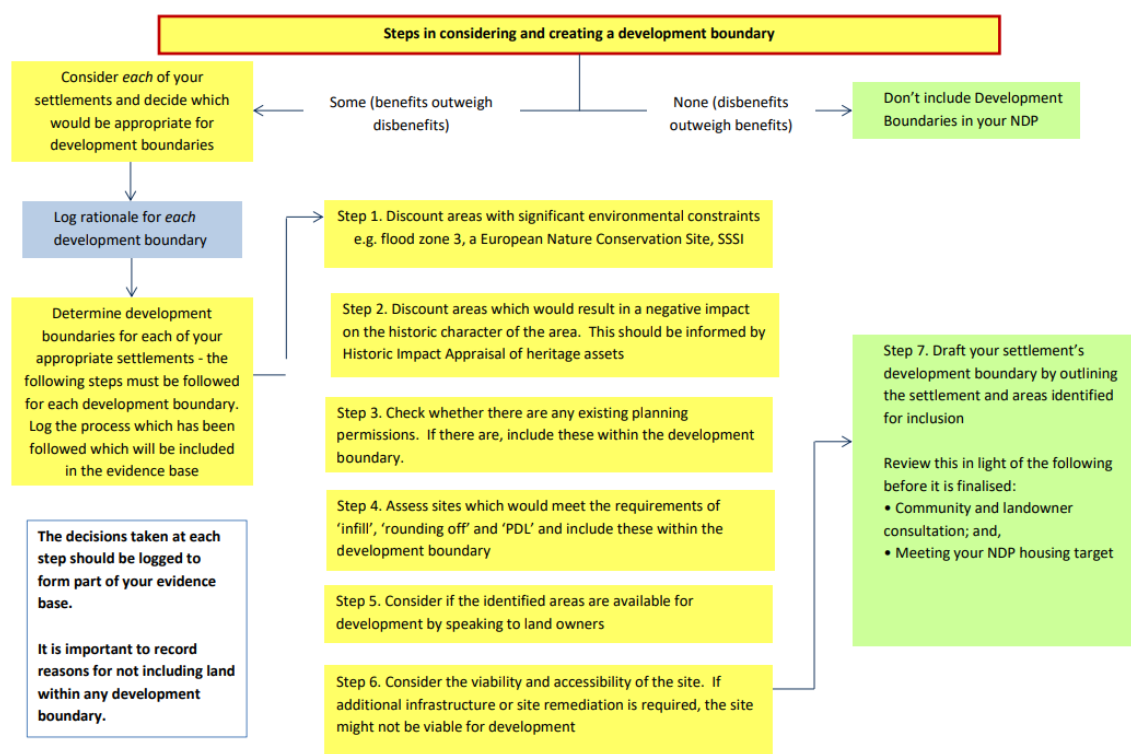
achievement of sustainable development.

- 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).**

4.1.5 Having regard to the above, the following step by step criteria has been identified for the assessment of each site, this builds upon the step by step guidance provided by Cornwall Council as outlined in figure 1 below.

Step 1: Discount areas with significant environmental constraints e.g. flood zone 3, a

Figure 1 step by step guidance provided by Cornwall Council in their advice note 'Development Boundaries for Neighbourhood Development Plans' for considering and creating a development boundary



Neighbourhood Planning – Guidance on Development Boundaries

European Nature Conservation Site, SSSI

Step 2: Discount areas which would result in a negative impact on the historic character of the area.

Step 3: Does the land have any existing planning consents or status?

Step 4: Does the land meet the requirements of 'infill', 'rounding off' and 'previously developed land' as per the Cornwall Local Plan

Step 5: Are there any other material matters of relevance?

Advice: the final conclusion on the above, providing the advice on a site by site basis.

A number of the comments received refer to areas for potential revisions, whereas others are specifically focused to certain plots of land. A number of the comments provide the same or similar suggestions.

5.1.3 The primary focus of this report is to provide comments and advice on the latter, but it should not be lost in the consideration of possible changes the support that also has been provided for them as presently drafted.

5.1.4 For note, submissions of comments or suggested changes/ revisions to the NDP does not automatically mean they will be accepted. This is because, as highlighted under paragraphs 4.1.3 and 4.1.4 of this report, the establishment of an NDP is tied to a number of legislative requirements, and ultimately any possible change to the boundary is required to be assessed in this context.

5.1.5 Ie, it is crucial that any changes met the basic conditions to have regard to the NPPF in be in general conformity with the CLP.

5 Submissions Received with regard to the Development Boundary and how these have been taken into account

- 5.1.1 A number of comments have been received through the Regulation 14 consultation regarding the proposed development boundaries. This is relatively typical of an NDP consultation.
- 5.1.2 Comments have been received in favour of the boundaries as drawn, are neutral or have raised concerns or suggestions.

6 Land/ Site Assessments

- 6.1.1 Over the following pages maps are provided of the highlighted areas as raised through the consultations for review through this report.
- 6.1.2 The existing draft boundary as consulted upon is shown in black,

with the proposed sites/ land in question indicated in red.

6.1.3 Each site is provided a number, and thereby is reviewed in the subsequent table against the criteria as outlined.

6.1.4 A short description of each site and the background to the comments received is provided in the table below

Table 1 Land for assessment through this report

Site Ref	Summary Description	Background to the representations
1	Land to the south of Tregea Terrace leading towards Tregea Lane, including domestic gardens	No detailed mapping submitted as to the exact locations, but reference to the land to the rear of this terrace has been made extensively in submissions.
2	Land to the west of the Incline	Detailed submissions including mapping highlighted section of land to the east of the incline.
3	Land to the south of Glenfeadon Terrace	Again, no detailed mapping submitted as to the exact locations, but land mentioned in comments received with regard to Tregea and Primrose Terrace gardens. This appears to relate only to no15 Glenfeadon Terrace's garden.
4	Land to the south of Primrose Terrace	No detailed mapping submitted as to the exact locations. Land mentioned amongst submissions with regard to site 1. Albeit it should be acknowledged that a comment has also been submitted to exclude the inclusion of a garden here also.
5	Land to the east of the Incline	A small parcel of land where planning permission is in place for a small grouping of residential development.
6	Recent affordable housing development at Tregea Close/ Ashton Close/ Feadon Lane	Incorporating the land covering these recently constructed affordable housing led sites has been made through comments more broadly covering the settlement.
7	Gwel-an-Mor	Land encompassing the Gwel-an-Mor complex is referenced in wider comments on the boundaries. It should be noted that the representations on behalf of the Gwel-an-Mor Holiday Site state that 'In regard to Figure 6 it is accepted that the Gwel-an-Mor Site lies outside the Portreath Settlement Boundary.'
8	Land at Bridge Moor south of Pemberthy Road.	Representation received suggesting the land to be included. Site has recently been subject to pre-application engagement with Cornwall Council.
9	Cambrose	Comments received without any detailed mapping suggesting Cambrose should be included as a settlement.
10	Land to the east of Cambrose at Cambridge Barns	Reference made to the inclusion of this land as part of the settlement of Cambrose
11	Land at Sunny Corner	Comments received concerning a parcel of land used as a play area and contains existing buildings.

Figure 2 Location of land for assessment as indicated in red. Please Zoom in to the image or refers to the zoomed in section of the plan overleaf. Please note that in circumstances where no detailed plan was submitting through the consultation, the area shown is indicative



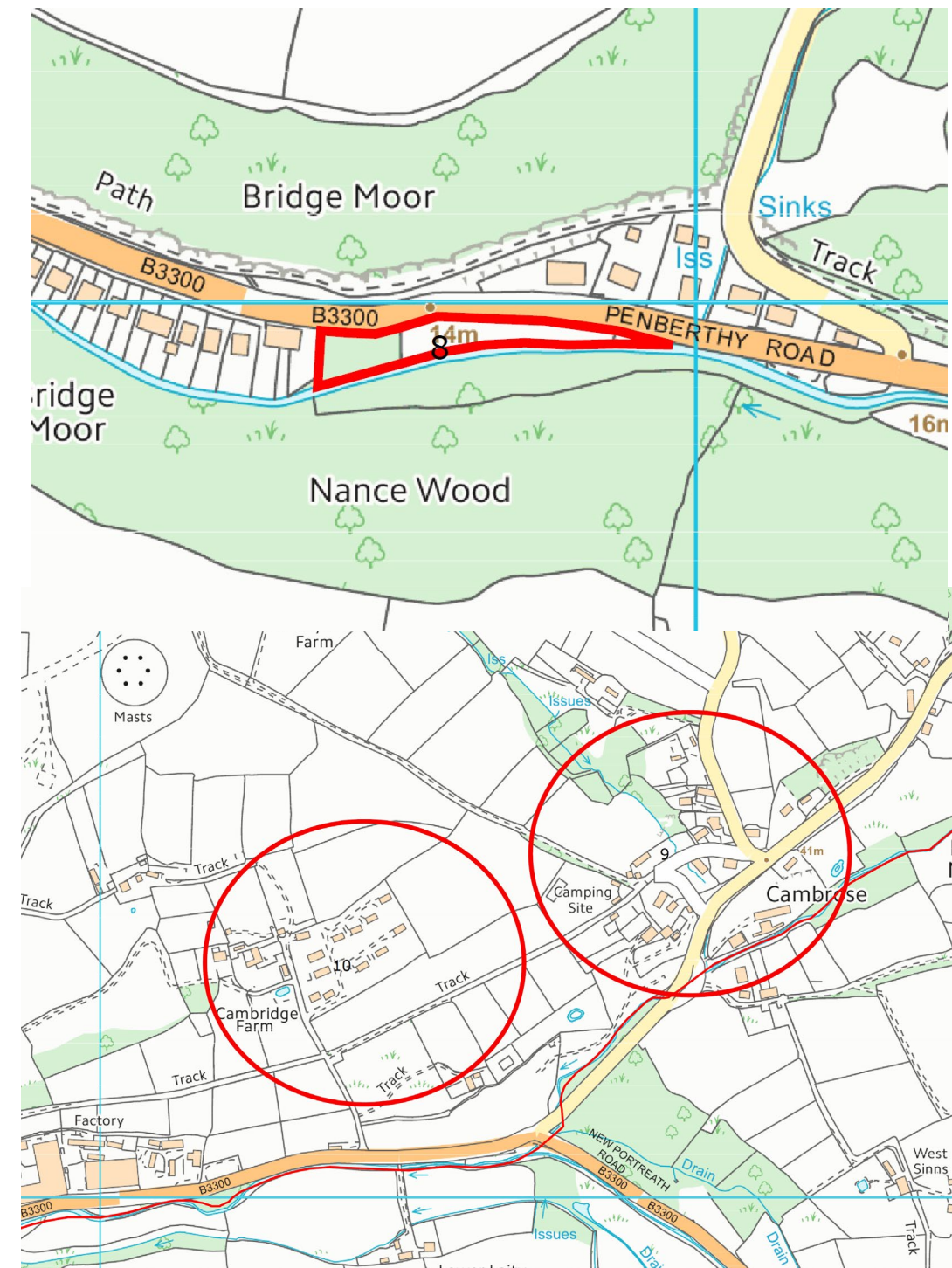
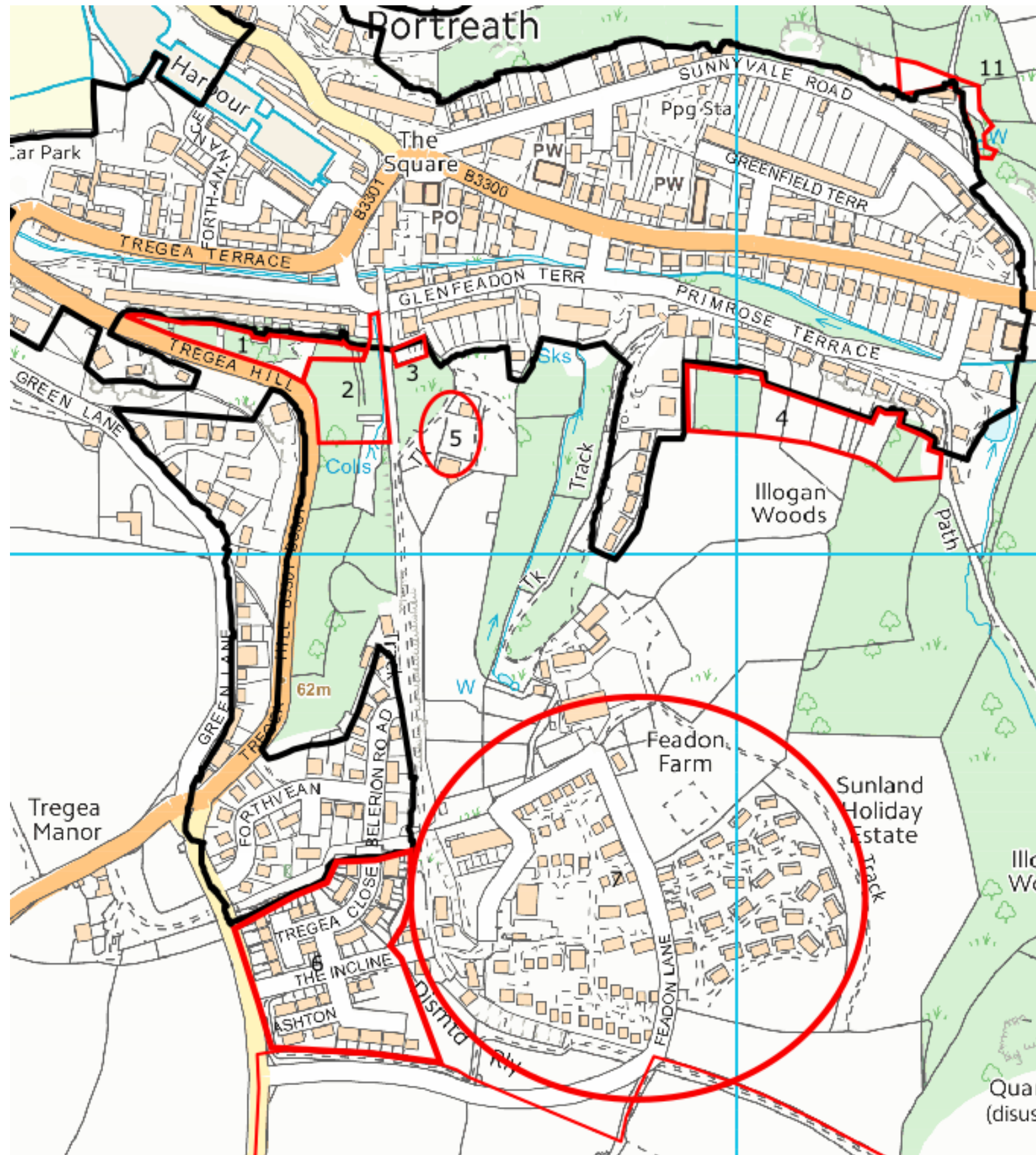


Table 2 Land/ Site assessment

Land/Site	Step 1: Does the land have significant environmental constraints	Step 2: Will the inclusion of this land result in a negative impact on the historic character of the area.	Step 3: Does the land have any existing planning consents or status?	Step 4: Does the land meet the requirements of 'infill', 'rounding off' or 'previously developed land' as per the Cornwall Local Plan	Step 5 Other matters	Advice
1	Area of Great Landscape Value	Land is within the World Heritage Site	Historically, as is evident on historical mapping for the area, enclosed land in the shape of gardens ran to the southern side of some of these properties. But latter mapping from the early C20 indicates these enclosed areas of land had merged. It therefore appears the land reverted to a non domestic use through the early C20, but then more recently gardens have re emerged over time up to Tregea Hill. This is not the case exclusively (please refer to figures 1, 2 and 3 at the end of this report), and there is limited planning history available online that evidences planning permission being in place for gardens extending up to Tregea Hill. Whilst the use may have become immune from enforcement action over time, the position is that the planning status of this land as gardens does not appear to have been formally established.	The land does not meet the requirements of 'infill' as it does not constitute the 'filling of a small gap in an otherwise continuously built up frontage that does not physically extend the settlement into the open countryside' (p165 of the CLP). There could be some argument that the land could meet the requirements of 'rounding off' which concerns the 'development on land that is substantially enclosed but outside of the urban form of a settlement and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside' (p168 of the CLP). However, the fact that land falls with the Area of Great Landscape Value designation, does imply a visually extension into the landscape. My perception of viewing the land is that, whilst there are components of domestication, the land generally reads as undeveloped, please figures 1, 2 and 3. With regard to 'previously developed land' as highlighted not all of this land is in domestic use and where this is the case, it is not clear what the formal planning status of this land is, and thereby there are doubts if it does constitute in a formal planning sense 'previously developed land.' It should also be recognised that the definition of 'previously developed land.' in the NPPF, states that 'it should not be assumed that the whole of the curtilage should be developed.'	None	Even if my conclusions on step 4 are wrong, the simple fact is that this land falls within the World Heritage Site, and thus the land conflicts with step 2 of the criteria due to the potential effects housing development here would have on this internationally safeguarded designation. My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.
2	Area of Great Landscape Value	Land directly abuts the World Heritage Site to the north, north-west and the Incline running to the east. The Incline is also to its northern section a Grade II Listed Building	There is no planning history showing on the Council's online register. However, part of the land is hard surfaced, includes a caravan and there are the foundations of former demolished dwellings on the site (see figures 4 and 6) and various other built structures. The southern sections of the land, and towards the slopes up to Tregea Hill are more natural in appearance with tree cover.	This is a large site as a whole, and from my visit, it is considered that the western and southern sections on the slopes rising upwards from the hard surfaced section and the location of the demolished dwellings would be perceived as visually or physically extending the settlement into the undeveloped landscape, I also do not consider these components of the land could be defined as 'previously developed land' due to the natural appearance. That said, and whilst there is no apparent planning history to confirm, the eastern section of the land does not have a natural or undeveloped appearance, due to the enclosure of the land by steep rising slopes and the developed appearance, there could be some argument about whether the land meets the requirements of 'rounding off'. With regard to 'previously developed land', as outlined there does not appear to be a formal planning status as such, and it should also be noted that, with regard to the demolished dwellings, despite the foundations, the NPPF definition of "previously developed land" does exclude 'land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.' There maybe potential for development here, but it would need to be informed by a robust heritage statement, and through a conventional planning application.	Due to the lack of tress and the level of hard standing on the land, it is not considered this area aligns with the criteria for local green space designations as per p. 100 of the NPPF. Therefore, it is suggested local green space designation 6 is removed.	Whilst there maybe arguments with regard to the potential for part of the land to be considered as 'rounding off' or 'previously developed land', it directly abuts a Grade II Listed Building and is within the World Heritage Site and against a feature that is and obvious attribute of the designation. Thus, the inclusion of this land would conflict with step 2 due to the potential effects housing development here would have on this internationally and nationally safeguarded designations. My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.

Land/Site	Step 1: Does the land have significant environmental constraints	Step 2: Will the inclusion of this land result in a negative impact on the historic character of the area.	Step 3: Does the land have any existing planning consents or status?	Step 4: Does the land meet the requirements of 'infill', 'rounding off' or 'previously developed land' as per the Cornwall Local Plan	Step 5 Other matters	Advice
3	Area of Great Landscape Value	Land falls within the World Heritage Site. The Incline directly to the west is also to its northern section a Grade II Listed Building	Planning permission was granted through PA17/08228 for a Retrospective planning application for the retention of garage, rear balcony decking and outbuilding at 14 Glenfeadon Terrace Portreath Redruth Cornwall TR16 4JX	The land would align with 'rounding off' which concerns the 'development on land that is substantially enclosed but outside of the urban form of a settlement and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside' (p168 of the CLP). Due to the established planning status, it is also 'previously developed land'.	None	<p>Unlike land at 1 and 4, the majority of the gardens to the rear of Glenfeadon Terrace are within the draft boundary, the one exception appears to be no. 14, which has planning established on the land as domestic garden and with a large outbuilding. There is no real prospect of this land being developed for a separate self contained unit due to limitations of site access, but the enlargement would be a modest addition that squares of the boundary more consistently by encompassing the land. Unlike land/sites 1 and 4 this is small change focused to a single garden with planning in place.</p> <p>Due to the modest nature of the enlargement, whilst there are no clear benefits in including it other than squaring of the boundary, I would advise to include this component of land bearing in mind the planning permission/ status that exists.</p>
4	Area of Great Landscape Value and County Wildlife site to the western edge	The majority of the land falls within the World Heritage Site	<p>As per land/ site 1, historical mapping indicates the potential for garden use historically, but subsequent abandonment and later reinstatement onto the rising land over time. Please see figures 1, 10 to 12</p> <p>However, online planning records do not show formal planning in place for the use of this land as gardens. Whilst the use may have become immune from enforcement action over time, the position is that the planning status of this land as gardens does not appear to have been formally established.</p>	<p>The land does not meet the requirements of 'infill' as it does not constitute the 'filling of a small gap in an otherwise continuously built up frontage that does not physically extend the settlement into the open countryside' (p165 of the CLP).</p> <p>As per site/ land 1 there could be some argument that the land could meet the requirements of 'rounding off' which concerns the 'development on land that is substantially enclosed but outside of the urban form of a settlement and where its edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). It should not visually extend building into the open countryside' (p168 of the CLP). However, the land falls with the Area of Great Landscape Value designation, which does imply a visually extension into the landscape. My perception of viewing the land is that, whilst there are components of domestication, the land generally reads as undeveloped, please see figures 1, 10 to 12.</p> <p>With regard to 'previously developed land', whilst it appears there is more of a domestic use than land/site 1, it is not clear what the formal planning status of this land is, and thereby there are doubts if it does constitute in a formal planning sense 'previously developed land.' It should also be recognised that the definition of 'previously developed land.' in the NPPF, states that 'it should not be assumed that the whole of the curtilage should be developed.'</p>	None	<p>The context here is almost identical to that of site/ land 1, and the land is also covered in part by a County Wildlife Site.</p> <p>The conclusions are therefore the same. Even if my conclusions on step 4 are wrong, the simple fact is that this land falls within the World Heritage Site, and thus the land conflict with step 2 due to the potential effects housing development here would have on this internationally safeguarded designation.</p> <p>My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.</p>
5	Area of Great Landscape Value	Land is outside of the World Heritage Site but is located on an elevated position above it. The Incline to the east is a Grade II Listed Building to its northern section	Extensive planning history over the last 20 plus years for residential development at the site.	<p>The land and buildings here read as a detached component of built form from the settlement, and therefore I do not consider the land aligns with the requirements of 'infill' or 'rounding off'.</p> <p>Whilst the land is 'previously developed land' due to the established dwellings here and the commenced planning approvals, due to the visual separation from the settlement, I don't consider the land is 'within or immediately adjoining the settlement' (p168 of the CLP).</p>		<p>The site has planning permission in place, and the inclusion within or outside of the boundary will not impact upon this.</p> <p>I consider that the pocket of land reads as detached from the confines of the settlement, as per figure 9.</p> <p>Thus I do not consider it passes the criteria at step 4. There is also potential effects upon the grade II listed building, and therefore there is also a perceived conflict with step 2.</p> <p>My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.</p>

Land/Site	Step 1: Does the land have significant environmental constraints	Step 2: Will the inclusion of this land result in a negative impact on the historic character of the area.	Step 3: Does the land have any existing planning consents or status?	Step 4: Does the land meet the requirements of 'infill', 'rounding off' or 'previously developed land' as per the Cornwall Local Plan	Step 5 Other matters	Advice
6	None	The Incline to the western side of the land is within the World Heritage Site	Planning permission granted and completed through PA14/12100 for the 'Construction of 39 residential units (19 Open market & 20 Affordable) with associated car parking.'	The site land is now incorporated within the settlement and is built up. Land within it would therefore meet one of the criteria of 'infill', 'rounding off' or 'previously developed land' as per the CLP.	None	The site was previous developed as a rural exception site, but now quite clearly falls within the defined limits to the settlement. My advice is that this land would align with the criteria for inclusion in the development boundary and therefore should be included.
7	Area of Great Landscape Value covers eastern side	The Incline to the west and southern side of the land is within the World Heritage Site	The planning history on this site is extensive. In very short/ basic terms until recently the complex was tied to holiday use only restrictions, alongside various other limitations relating to historic decision notices, however the restriction on the use of the accommodation for holiday purposes has now been lifted on the significant majority of units here to facilitate investment, albeit the use is as second homes and investments due to the nature of the site layout.	<p>The representations on behalf of the Gwel-an-Mor Holiday Site state that 'In regard to Figure 6 it is accepted that the Gwel-an-Mor Site lies outside the Portreath Settlement Boundary.'</p> <p>Further, from reviewing an approved planning decision from 2014 on part of the land (ref: PA13/06121) to lift the holiday restriction from 55 of the lodges at the site, the officer commented in response to the benefits of the scheme that 'Against this has to be weighed the fact that the site is outside the village and is not considered a suitable site for open market housing.'</p> <p>The officer then states that 'On balance it is considered that there are legitimate concerns over open market housing on this site. However the proposal seeks to unblock a stalled development that will have significant economic benefits for the wider facility and site. The controls and design will reinforce the use of the units as primarily second homes and holiday use without the need for a specific holiday condition.'</p> <p>Based upon the planning context, and the nature of the activities on the site, alongside the comments received from Gwel-an-More themselves, and the delineation of the land from the adjacent residential complexes, I consider that that the land should remain outside of the boundary.</p>	Suggest the provision of wider policies relating to the land outside of those relevant to the settlement boundary to address potential future developments on the site due to the contribution the 5* resort provides for local employment and businesses.	Whilst next to the settlement, the land has a clearly defined second home character and in terms of characteristics reads differently to the settlement nearby. My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included. However, whilst outside of focus of this report, I consider that future development at the site should be informed by new policies addressing business , employment and tourism.
8	Site of Special Scientific Interest, Tree Preservation Order, Area of Great Landscape Value, Ancient and Semi-	The mineral tramway to the north on the opposite side of Penberthy Road is within the World Heritage Site	A recent pre-application enquiry was made on this land through PA19/03295/PREAPP for 'proposed development of 8 (No.) to 9 (No.) single family homes and supporting small scale workspaces' The conclusions of the advice stating 'In summary the principle for the development of the site for residential development and workspace is unlikely to be supported and	<p>I agree with the pre-app officer's advice.</p> <p>The advice concluded that the site was outside of the settlement and was subject to a number of constraints that would be likely to prejudice development coming forward in accordance with planning policies.</p> <p>The land is not within or adjacent to a settlement, and there does not meet the criteria for 'infill', 'rounding off' or 'previously developed land' as per the CLP.</p>	None	The site is heavily constrained and is clearly not suitable for inclusion in the development boundary as a consequence or as point of principle. My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.

Land/Site	Step 1: Does the land have significant environmental constraints	Step 2: Will the inclusion of this land result in a negative impact on the historic character of the area.	Step 3: Does the land have any existing planning consents or status?	Step 4: Does the land meet the requirements of 'infill', 'rounding off' or 'previously developed land' as per the Cornwall Local Plan	Step 5 Other matters	Advice
	natural woodland County Wildlife Site and flood zone 3		<i>the submission of a formal planning application is discouraged.'</i>			
9	Flood zone 3 to the southern section of Cambrose	The mineral tramway running to the south is within the World Heritage Site	There is a recent dismissed appeal for a dwelling, approval for a replacement dwelling and a holiday use approval.	<p>The planning appeal (ref: APP/D0840/W/17/3187996) for a dwelling at Land North of Carn View Cambrose Redruth Cornwall TR16 4HT was determined in 2018 against the policies in the CLP.</p> <p>The Inspector stated that <i>'the site cannot realistically be described as rounding off the settlement, first because Cambrose is a loose collection of houses in a rural area, and secondly because the development would extend built development into what currently looks like open countryside.'</i> Further he went on and said <i>'The hamlet does not have a clearly definable boundary.'</i></p> <p>This, the Inspector concluded that Cambrose was not a settlement as per policy of the CLP, and thereby land here would not meet the criteria for 'infill', 'rounding off' or 'previously developed land' as per the CLP.</p>	None	<p>Based upon the appeal decision, the lack of recent planning decisions in favour for residential uses at Cambrose and the flood zone matters to the southern side of the settlement, I do not consider that Cambrose should now be introduced a settlement suitable for new build housing through the NDP.</p> <p>My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.</p>
10	None	The mineral tramway runs into Cambrose and is within the World Heritage Site	Extensive recent planning history concerning the development of the site as a tourist enterprise which contains a number of holiday units.	<p>The conclusions reached on point 9 above are applicable here also. Further, there has been an extensive number of planning applications and appeals at the land in question. The most recent of these, from November 2020 clearly states that the land is <i>'Located in the open countryside.'</i></p> <p>The land/ site does not meet the requirements of 'infill', 'rounding off' or 'previously developed land' as per the CLP.</p>	None	<p>As per above, and further reinforced through the appeals on this site, I do not consider that the location should be introduced a settlement suitable for new build housing through the NDP</p> <p>My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.</p>
11	Area of Great landscape Value	World Heritage Site directly adjacent	Planning permission from 2007 concerning a replacement dwelling, both the north-eastern section of the site and the western section are not delineated as domestic curtilage in this application. Whilst the use may have become immune from enforcement action over time, the position is that the planning status of this land as gardens does not appear to have been formally established.	<p>As per sites/ land 1 and 4, As per site/ land 1 there could be some argument that the land could meet the requirements of <i>'rounding off'</i> However, the land falls with the Area of Great Landscape Value designation, which does imply a visually extension into the landscape, this is particular the case with the western component of the site. With regard to <i>'previously developed land'</i>, it is not clear what the formal planning status of this land is, and thereby there are doubts if it does constitute in a formal planning sense <i>'previously developed land.'</i> It should also be recognised that the definition of <i>'previously developed land.'</i> in the NPPF, states that <i>'it should not be assumed that the whole of the curtilage should be developed.'</i></p>		<p>The site would lead to a encroachment into the Area of Great Landscape Value and will be directly adjacent to the World Heritage Site. I also does not have an established use as previously developed land.</p> <p>My advice is that this land would not align with the criteria for inclusion in the development boundary and therefore should not be included.</p>

7 Overall Conclusions and Advice

- 7.1.1 As is clear in my land/ site specific advice provided in table 2, whilst I have reached conclusions on each, the view is one reached on balance, and is predominately led by the historical or environmental constraints that exist.
- 7.1.2 The fundamental effect in this regard is that this has led to a conclusion to not include land or sites. The implication of which being that the NDP will define this land as outside of the settlement for the purposes of the application of housing planning policies.
- 7.1.3 As explained above, my conclusions are finely balanced in some cases, where there maybe a justifiable planning argument to bring forward a site.
- 7.1.4 This would need to be on the basis of extensive supporting evidence and appraisal, such as heritage impact assessments with regard to Listed Building/ the World Heritage Site, flood risk assessments with regard to the flood zone or landscape appraisals with regard to the Area of Great Landscape Value, or ecological appraisals with regard to the biodiversity designations.
- 7.1.5 It would therefore seem logical that the policy approach should enable such proposals to come forward on a site by site basis

through the conventional planning application route to be assessed as such, and to not be determined by the delineation of a boundary line, as to whether the land is within or outside.

- 7.1.6 My advice is that either the policy approach to the development boundaries should be modified, or the boundary themselves excluded altogether, so as to not automatically '*shut the door*' in a policy sense, as a consequence of the NDP, on the land/ sites as I have appraised.
- 7.1.7 As a final point, it does need to be flagged up that, with the experience of other NDP's in Cornwall, the inclusion of land on the edge of settlements, including elongated gardens has received objections from statutory and non-statutory consultees, such as Natural England.
- 7.1.8 This was on the basis that including such land amounts to a land allocation, and as such as the potential to have significant effects on the environment. The implication being that the NDP would be required to be supported by a Strategic Environmental Assessment (SEA) of a Habitat Regulation Assessment (HRA), the costs of which are significant and well beyond the means of the Parish Council.
- 7.1.9 For note, SEAs and HRAs are legally required assessments that must be undertaken for certain plans and projects, that

have the potential to have significant effects on the environment.

7.1.10 I thereby have provided the following suggested options in moving forward, please refer to table 3 overleaf. Please note that with each option, a stand alone policy relating to Gwel-an-Mor is suggested and the removal of local green space no 6.

7.1.11 **As outlined and highlighted in green, my recommended approach is to 'Remove boundary altogether but retain the rest of policy defining settlements and scale of development.'**

7.1.12 A suggested amended policy would read as follows which

omits reference to the settlement boundaries and a delineated line, referring back in this regard to the application of definitions of infill, rounding-off and/or brownfield sites (previously developed land) from the Cornwall Local Plan (referenced as LP:SP in the policy). The Policy retains a direction to the locations including settlements appropriate for new housing and the scale of the development.

7.1.13 Please note this is in advance of other possible changes to the NDP as a result of the consultation and the supporting text will be required to be changed accordingly.:

Suggested Reworded Policy 1

Policy 1: Locations and Scale for New Housing Development

New housing development will only be supported

- a) Within or physically adjacent to the built form of the settlement Portreath where it represents infill, rounding-off and/or brownfield site (previously developed land) development as defined through LP:SP policy 3 of no more than four residential units on any individual or cumulative site; or
- b) within of physically adjacent to the built form of the settlements of Bridge or Porthtowan (North Chapel Hill) where it represents infill or rounding-off and/or brownfield site (previously developed land) development as defined through LP:SP policy 3. of no more than three residential units on any individual or cumulative site; or
- c) within or physically adjacent to the settlement of Portreath where it would represent a small scale Rural Exception Site of no more than ten residential units, on any individual or cumulative site; or
- d) Housing development that does not align with points a) to c) above will not be supported unless it is in accordance with LP:SP policies 7.

Table 3 Options for the revised NDP with regard to the development boundary

Option	Pros	Cons	Advice
Amend boundary as per the comments received	<p>Individuals who have raised objections would be satisfied.</p> <p>Clear and obvious boundaries defining the application of housing policies</p> <p>Clear definition of what settlements housing policies apply to and which ones they do not.</p> <p>Defines up to scale of housing development.</p>	<p>Runs contrary my advice.</p> <p>The WHS office and Cornwall Council have stated that they would require the NDP to be rescreened to see if the revised boundaries would have the potential to have a significant effect on the environment and would be required to be supported by a Strategic Environment Assessment (SEA) and a Habitat Regulations Assessment (HRA).</p> <p>Natural England have objected to other NDP's where extended gardens are included in the boundary.</p>	<p>Do not pursue due to the costs associated with an SEA and HRA, conflict with advice and potential objections from WHS Office and/or Natural England.</p>
Amend boundary as per my conclusions in table 2	<p>Clear and obvious boundaries defining the application of housing policies</p> <p>Clear definition of what settlements housing policies apply to and which ones they do not.</p> <p>Defines up to scale of housing development.</p>	<p>Excludes a number of site subject to representations submitted, and as highlighted, whilst my advice has been to not include the majority of these, their maybe some scope to pursue these sites through the conventional planning application route. The boundary would be a significant barrier in pursuing a formal application as a point of principle.</p>	<p>Do not pursue, as it would hinder the opportunity for sites presently outside of the draft boundary to submit stand alone planning applications.</p>
As above, but amend policy wording so boundary relates on the infill development	<p>Clear boundary for application of infill policy.</p> <p>Would leave 'rounding off' and 'previously developed land' sites to be determined through conventional planning applications.</p> <p>Clear definition of what settlements housing policies apply to and which ones they do not.</p> <p>Defines up to scale of housing development.</p> <p>Address con as above.</p>	<p>Brings an element of subjectivity into what are 'rounding off' and 'previously developed land' sites.</p>	<p>As per the St Agnes NDP, this works effectively, but does lead to some confusion as to why market led development could be supported outside of the boundary.</p>

Option	Pros	Cons	Advice
Remove boundary altogether but retain the rest of policy defining settlements and scale of development	Clear definition of what settlements housing policies apply to and which ones they do not. Defines up to scale of housing development.	Brings an element of subjectivity into what are 'infill', 'rounding off' and 'previously developed land' sites. These will be defined as per the Cornwall Local Plan.	My suggested approach. This approach makes clear where 'infill', 'rounding off' and 'previously developed land' applies and the scale of the development.
Remove Policy 1 altogether	Policy approach would apply at present	No specific focus on where the housing policies would apply, scale and brings an element of subjectivity into what are 'infill', 'rounding off' and 'previously developed land' sites.	An option, but a lot left to case by case conclusions. This would run contrary to the level of support received for the development boundaries in the consultation.

Photographs



Figure 3 Aerial imager in the March 2002 CISI report showing the undeveloped nature of the land to rear Of Tregea and Primrose Terrace



Figure 4 Land behind Tregea Terrace as per site/ land 1



Figure 5 Land behind Tregea Terrace as per site/ land 1

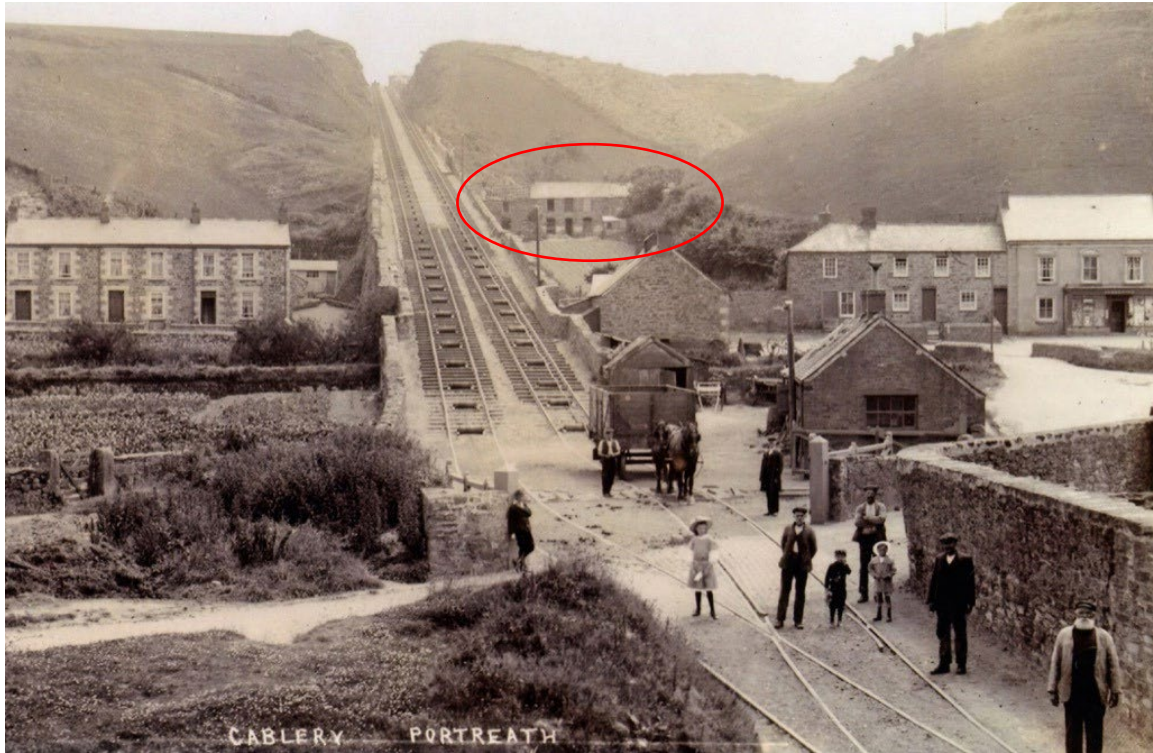


Figure 6 Site/ Land 2 as shown in an historical photograph showing the buildings now demolished



Figure 7 A view from the entrance leading up to site/ land 2

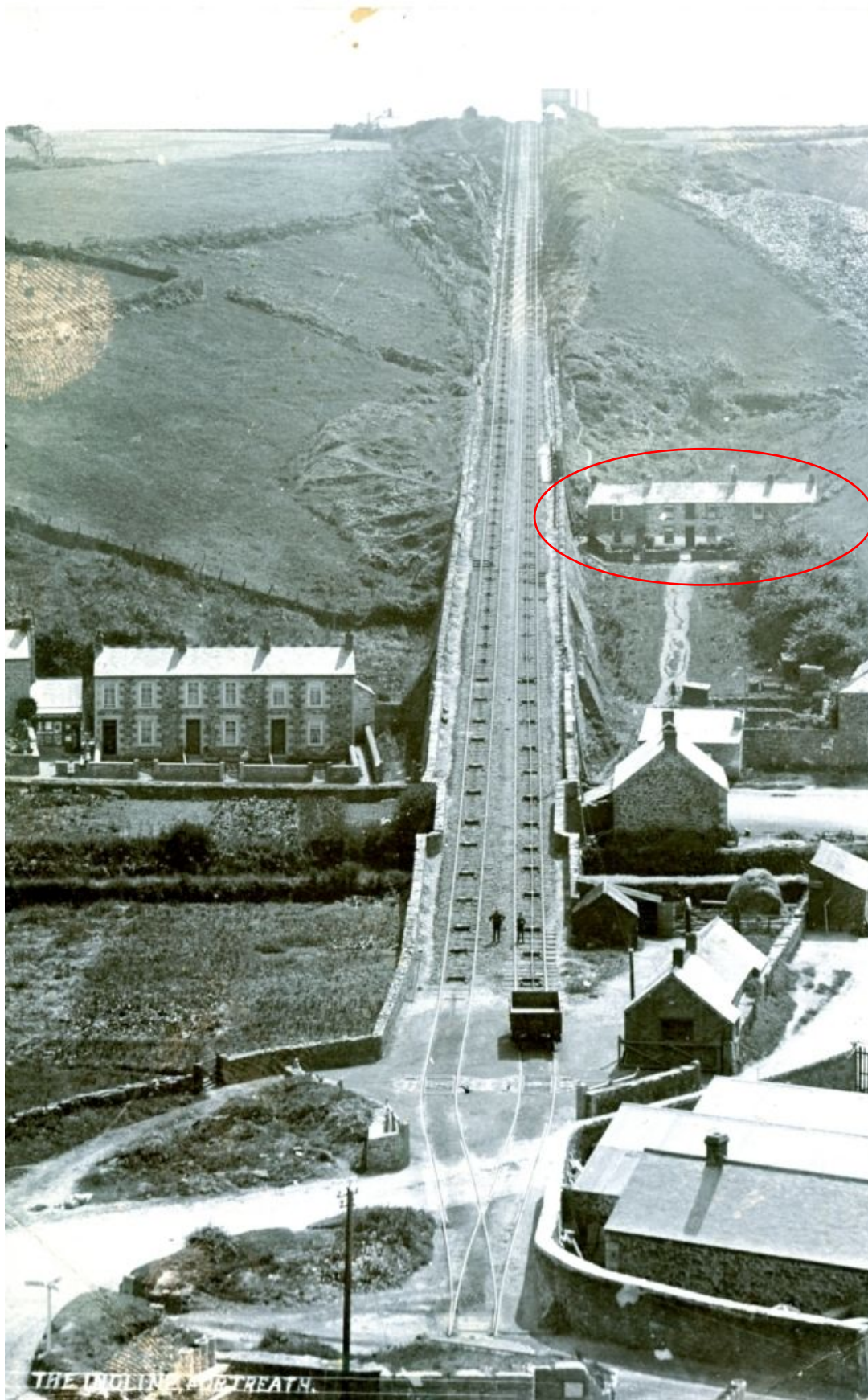


Figure 8 Site/ Land 2 as shown in an historical photograph showing the buildings now demolished



Figure 9 A view towards site/ land 5



Figure 10 Looking towards the land behind Primrose Terrace as per site/ land 4



Figure 11 Looking towards the land behind Primrose Terrace as per site/ land 4



Figure 12 Looking towards the land behind Primrose Terrace as per site/ land 4