

Independent Examiners'
Report of the Liskeard'
Neighbourhood
Development Plan'

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9th April 2018

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SECTION 2

Summary

As the Independent Examiner appointed by Cornwall Council to examine the Liskeard Neighbourhood Development Plan, I can summarise my findings as follows:

- 1. ' I find the Liskeard Neighbourhood Development Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions.*
- 2. ' I am satisfied that the Referendum Area should be the same as the Plan Area, should the Liskeard Neighbourhood Development Plan go to Referendum.*
- 3. ' I have read the Liskeard Consultation Statement and the representations made in connection with this subject I consider that the consultation process was robust and that the Neighbourhood Plan and its policies reflects the outcome of the consultation process including recording representations and tracking the changes made as a result of those representations.*
- 4. ' I find that the Liskeard Neighbourhood Development Plan can, subject to the recommended modifications proceed to Referendum.*
- 5. ' At the time of my examination the adopted local plan was the Cornwall Local Plan 2016.*

SECTION 3

Introduction

1. Neighbourhood Plan Examination.

My name is Deborah McCann and I am the Independent Examiner appointed to examine the Liskeard Neighbourhood Development Plan.

I am independent of the qualifying body, I do not have any interest in the land in the plan area, and I have appropriate qualifications and experience, including experience in public, private and community sectors.

My role is to consider whether the submitted Liskeard Neighbourhood Development Plan meets the Basic Conditions and has taken into account human rights; and to recommend whether the Liskeard Neighbourhood Development Plan should proceed to Referendum. My role is as set out in more detail below under the section covering the Examiner's Role. My recommendation is given in summary in Section 2 and in full under Section 5 of this document.

The Liskeard Neighbourhood Development Plan has to be independently examined following processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.

The expectation is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. Having read the plan and considered the representations I did require clarification on a number of issues. These points were dealt with by written representations in a question and answer format. This additional information is publicly available on the Cornwall Council website.

2. The Role of Examiner including the examination process and legislative background.

The examiner is required to check whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body*
- Has been prepared for an area that has been properly designated for such plan preparation*
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that*
- Its policies relate to the development and use of land for a designated neighbourhood area.*

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

As an independent Examiner, having examined the Plan, I am required to make one of the following recommendations:

1. The Plan can proceed to a Referendum

2. The Plan with recommended modifications can proceed to a Referendum

3. The Plan does not meet the legal requirements and cannot proceed to a Referendum

I am also required to recommend whether the Referendum Area should be different from the Plan Area, should the Liskeard Neighbourhood Development Plan go to Referendum.

In examining the Plan, I am required to check, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether: - the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area are in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004:

- The Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 to specify the period for which it has effect - the Plan has been prepared for an area designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.

I am also required to determine whether the Plan complies with the Basic Conditions, which are that the proposed Neighbourhood Plan:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;*
- Contributes to the achievement of sustainable development; and*
- Is in general conformity with the strategic policies contained in the Development Plan for the area.*

The Plan must also not breach, and otherwise be compatible with EU obligations and Human Rights requirements.

Cornwall Council will consider my report and decide whether it is satisfied with my recommendations. The Council will publicise its decision on whether or not the plan will be submitted to a referendum, with or without modifications. If the Neighbourhood Plan is submitted to a referendum, then 28 working days' notice will be given of the referendum procedure and Neighbourhood Plan details. If the referendum results in more than half those voting (i.e. greater than 50%), voting in favour of the plan, then the Unitary Authority must "make" the Neighbourhood Plan a part of its Development Plan as soon as possible. If approved by a referendum and then "made" by the local planning authority, the Neighbourhood Plan then forms part of the Development Plan.

SECTION 4

The Report

1. Appointment of the Independent examiner

Cornwall Council appointed me as the Independent Examiner for the Liskeard Neighbourhood Development Plan with the agreement of Liskeard Town Council.

2. Qualifying body

I am satisfied that Liskeard Parish Council is the Qualifying Body.

3. Neighbourhood Plan Area

The designated Liskeard Neighbourhood Area covers the parish of Liskeard.

The Basic Conditions Statement submitted with the Liskeard Neighbourhood Development Plan confirms there are no other Neighbourhood Plans covering the Area of the Liskeard Neighbourhood Development Plan.

4. Plan Period

It is intended that the Liskeard Neighbourhood Development Plan will cover the period 2016-2030.

5. Cornwall Council initial assessment of the Plan (Regulation 15).

Liskeard Town Council, the qualifying body for preparing the Liskeard Neighbourhood Development Plan, submitted it to Cornwall Council for consideration. Cornwall Council has made an initial assessment of the submitted Liskeard Neighbourhood Development Plan and the supporting documents and is satisfied that these comply with the specified criteria.

6. Site Visit and Hearing

I carried out an unaccompanied site visit on the 22nd of March 2018 to familiarise myself with the Neighbourhood Plan Area.

Hearing

The expectation is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. Having read the plan and considered the representations I did require clarification on a number of issues. These points were dealt with by written representations in a question and answer format. This additional information is publicly available on the Cornwall Council website. Following the response to the Questions for Clarification I decided that I would need to call for a Hearing.

A Hearing was held on Monday 26th of March 2018 at Liskeard Town Council Offices.

The full minutes of the Hearing are available to view on the Cornwall Council website.

Following a short introduction to the Cornwall Local Plan policy context for the Liskeard

Neighbourhood Development Plan, the Hearing covered the following policy areas:

Policy NP1 – Development Boundary

I wanted to clarify how the Development Boundary for the NDP was established. The Qualifying Body (QB) explained that the consultation process identified support for a Development Boundary within the NDP and that National Policy support for Neighbourhood Plans to include Development Boundaries. The 2007 Caradon Local Plan settlement boundary was used as a starting point (but this extended into Menheniot parish) GIS and the online planning register were used to map the sites with planning permission outside of the boundary and mapped rural buildings that could be included. The Cornwall Council online toolkit guidance was also used.

The QB accepted that the Cornwall Local Plan gives Liskeard a target of 1400 homes across the plan period. Policy H5 is a mechanism to allow further housing to be released, following under achievement of development. Development on brownfield (BF) sites and windfall is expected to help meet the 1400 home target.

Representation was made that Trevellis Park should have been included within the Development Boundary as it meets the criteria, as two thirds of the site edge is enclosed with development. The site was included within the boundary at the Regulation 14 consultation stage, and then excluded from the settlement boundary when the plan was formally submitted. A planning application (PA) was refused, then the appeal dismissed for highways reasons only, not because the site is unsuitable.

The QB stated that the site was excluded for clarity, as it was unlikely to come forward after the appeal was dismissed. A second planning application has been refused, which is currently at appeal. The application has been reduced from 14 to 9 dwellings, with highways issues negotiated and resolved.

Reference was made to the officer's report and that the Landscape Officer has stated that the application would harm the local environment, would not be considered rounding off, there was no Affordable Housing provision and the development would extend into the open countryside. Policy 3.1 and 7 of the CLP were referenced as refusal reasons.

Liskeard NDP was formally submitted to Cornwall Council on the 25th of August 2017 and the Planning Application had been submitted on the 4th December 2017.

Representation was made that the settlement boundary lacks flexibility, as multiple applications have been refused.

The QB contested this, as policy H5 will release sites if necessary to meet the 1400 target across the plan period in accordance with a scoring system.

Policy H5

The discussion then went on to discuss policy H5

The QB set out that the purpose of this policy is to achieve flexibility. Calculations were made using the Cornwall Council Strategy, using a lead in time and build out rate based on post recession calculations, so are conservative. It was acknowledged that flexibility is needed for developability and sustainability. Sites were assessed against sustainability criteria.

It was confirmed that this approach has been checked with Cornwall Council monitoring team and they have confirmed that the figures are consistent with their methodology for the housing trajectory.

The QB accepted that delivery between 2010 and 2015 was slow, but the NDP trajectory represents over delivery by 2030, 102 dwellings being built in the past year, against the trajectory forecast of 70.

The QB felt that this demonstrates that Liskeard will meet its target.

There were questions raised as to how policy H5 would work in practice, will the developers, Cornwall Council or NDP Steering Group lead this?

The QB confirmed that the same monitoring process will be used as Cornwall Council. Cornwall Council publish their implementation strategy (including monitoring figures) annually. If there is a housing shortfall, Policy H5 will be used and there is scope for the review of the NDP to potentially include sites within the plan.

Representation was made that Persimmon Homes supports the plan, but references to the H2 sites are a concern for suitability reasons. Concern was expressed that there was no evidence to show that the H2 sites are suitable. Also there was concern about Part F and G of H5, is the 5% trigger and the CLT reference well assessed and implementable?

The QB stated that it is difficult to do viability studies in advance of a trigger mechanism policy. The 5% trigger came from national guidance and agreed that the CLT is an aspiration. It was confirmed that Cornwall Council encourages self builds and is developing a policy for this and that during the Cornwall Local Plan (CLP) examination a self build policy was considered but there was not enough evidence to have a trigger policy. This may come through during the CLP review.

POLICY EM1

The QB expressed the strong community desire for employment in the parish. They looked at mixed-use schemes (CLP Policy 5) but accepted that it is not appropriate to have employment on some smaller housing sites (e.g. less than 10). So they considered an offsite contribution concept like affordable housing. 30 plus dwellings seemed an appropriate trigger size.

It was established that the trigger size of 30 dwellings had not been tested but chosen as it represented a small-medium sized development. Cornwall Council confirmed that if policy is adopted then CC development management officers would consider this when a planning application comes in, however the CLP doesn't have a policy to require this or standard contribution and was not sure that the causal link is strong enough.

Concerns were raised regarding clarity and need, that there is no contribution calculation. Representation was made that Policy EM2B has enough sites already, why were more needed?

The QB confirmed that the CLP page 35/36, paragraph 2.12 was the route of this policy.

POLICY EM2

It was confirmed that planning permission has now been granted for this site.

POLICY EM2B

The QB expressed community concern over long term problems providing employment in Liskeard, a need for public sector intervention for employment sites (grant funding was used to provide access to Charter Way). The 2007 Caradon Plan identified this site to extend the business park, the Eastern side of Liskeard has always required employment development.

The evidence behind the allocation was outlined and the opportunity for mixed use was discussed.

Policy EM3

The QB confirmed that this was not intended as a policy and that this should be made clear within the plan.

POLICY H1

Representation was made that the Trevellis Park site should be included within the Development Boundary, and the failure to do so is inconsistent with the National Planning Policy Framework and achieving sustainable development.

POLICY H2

The QB outlined the basis for the policy.

Public engagement indicated a strong view that derelict sites should be used for housing and agricultural land preserved. NPPF 111 and CLP 2.130 prioritise previously developed land so the QB felt that the policy does meet the Basic Conditions.

The basis for the trigger point of 90 was discussed, the QB stated that the potential for 120 dwellings had been identified and discounted 30%.

Cornwall Council confirmed support for the ambition to regenerate town centre but questioned whether the NDP could require one to be dependent on the other? CLP encourages the use of brown field sites but does not believe that the release of greenfield can be contingent on unrelated sites.

It was generally agreed that the development of brownfield land should be a priority but couldn't restrict other development, as this would be contrary to national policy.

There was concern expressed that there was no evidence if sites identified are suitable or will come forward.

The QB confirmed that over 50% of brownfield sites have planning permission already.

It was noted that these sites are coming forward without this policy in place.

POLICY TC2

The QB stated that the threshold of 200m² was established in the Caradon Local Plan. The Cornwall DPD does not set a threshold, so previous figure applied. Liskeard Town Centre is small and there is strong local support to increase vitality of the town centre. Currently vacancy rates are approximately 10%. A1 uses have not risen and 7 retail units have been converted for residential use.

Cornwall Council confirmed that the CLP doesn't set thresholds but they can be set locally with evidence.

POLICY OSL10

The QB confirmed that evidence base includes: Caradon Hill Historic LCA, Local Landscape Character Assessment (CEC consultants), Dark Sky Bodmin Moor, CC Mapping. Area Heritage Project identified medieval farmland, shrine and deer park with later industrial heritage at bottom of valley. At Regulation 14, CEC did Landscape Character Assessment. This concluded that the character is consistent with nearby AGLV for continuity of landscape setting. Future development should be to the East, not West. Community consultation confirmed support and the new part is within Dark Sky designation.

POLICY OS11

The QB clarified the evidence supporting Accessible viewpoints that represent the character of Liskeard. Local landscape that don't have designation – assessment of impact of a design that addresses impacts. It was accepted that the Map could be improved to include vistas.

7. The Consultation Process

The Liskeard Neighbourhood Development Plan has been submitted for examination with a Consultation Report which sets out the consultation process that has led to the production of the plan, as set out in the regulations in the Neighbourhood Planning (General) Regulations 2012.

The Statement describes the approach to consultation, the stages undertaken and explains how the Plan has been amended in relation to comments received. It is set out according to the requirements in Regulation 15.1.b of the Neighbourhood Planning (General) Regulations 2012):

(a) It contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) It explains how they were consulted; (c) It summarises the main issues and concerns raised by the persons consulted; and

(d) It describes how these issues and concerns were considered and, where relevant, addressed in the proposed neighbourhood development plan.

Examination of the documents and representations submitted in connection with this matter have led me to conclude that the consultation process was thorough, well conducted and recorded.

A list of statutory bodies consulted is included in the Consultation Statement.

8.Regulation 16 consultation by Cornwall Council and record of responses.

The Unitary Authority placed the Liskeard Neighbourhood Development Plan out for consultation under Regulation 16 for the statutory six-week period from the 20th October 2017.

A number of representations were received during the consultation period and these were supplied by the Unitary Authority as part of the supporting information supplied for the examination process. I considered the representations, have taken them into account in my examination of the plan and made reference to them where appropriate.

9. Compliance with the Basic Conditions

The Liskeard Neighbourhood Development Plan working Group produced a Basic Conditions Statement. The purpose of this statement is for the Neighbourhood Development Plan Working Group to set out in some detail why they believe the Neighbourhood Development Plan as submitted does meet the Basic Conditions. It is the Examiner's Role to take this document into consideration but also make take an independent view as to whether or not the assessment as submitted is correct.

I have to determine whether the Liskeard Neighbourhood Development Plan:

- 1. ' Has regard to national policies and advice*
- 2. ' Contributes to sustainable development*
- 3. ' Is in general conformity with the strategic policies in the appropriate Development Plan*
- 4. ' Is not in breach and is otherwise compatible with EU obligations and Human Rights ' requirements. '*

Documents brought to my attention by the Unitary Authority for my examination include:

(a) ' The Liskeard Neighbourhood Development Plan:

This is the main document, which includes the policies developed by the community.

(b) The Consultation Statement:

This is a statement setting out how the community and other stakeholders have been involved in the preparation of the Liskeard Neighbourhood Development Plan and is supported by an evidence base, which arose from the consultation.

(c) Basic Conditions Statement.

This is a statement setting out how Liskeard Neighbourhood Development Plan Working Group considers that the Neighbourhood Development Plan meets the Basic Conditions. This statement also includes the screening report for the Strategic Environmental Appraisal and Habitat Regulations Assessment.

The titles for the pages in this report are confusing as it refers on each page to the "Strategic Environmental Assessment Report" rather than the Basic Conditions Statement- this should be corrected.

(d) Sustainability Appraisal:

This is an appraisal of how well the working group considers the Liskeard Neighbourhood Development Plan policies contribute to achieving sustainable development objectives.

Comment on Documents submitted

I am satisfied having regard to these documents and other relevant documents, policies and legislation that the Liskeard Neighbourhood Development Plan does, subject to the recommended modifications, meet the Basic Conditions.

10.Planning Policy

10.1. National Planning Policy

National Policy guidance is in the National Planning Policy Framework (NPPF) 2012.

To meet the Basic Conditions, the Plan must have “regard to national policy and advice”. In addition, the NPPF requires that a Neighbourhood Plan “must be in general conformity with the strategic policies of the local plan”. Paragraph 16 states that neighbourhoods should “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan”.

The Liskeard Neighbourhood Development Plan does not need to repeat these national policies, but to demonstrate it has taken them into account.

I have examined the Liskeard Neighbourhood Development Plan and consider that, subject to modification, the plan does have “regard for National Policy and Advice” and therefore the Plan does meet the Basic Conditions in this respect.

10.2. Local Planning Policy- The Development Plan

Liskeard is within the area covered by Cornwall Council. The relevant development plan is Cornwall Local Plan 2016

I am however satisfied from examining the plan and the evidence supporting it that the policies in the plan, subject to modification are in general conformity to the Strategic Policies of the appropriate Development Plan.

I have considered the Strategic policies of the Development Plan and the Policies of the Liskeard Neighbourhood Development Plan and consider that, subject to the recommended modifications, the Plan does meet the Basic Condition in this respect and is in general conformity with the Strategic policies of the Cornwall Local Plan 2016.

11. Other Relevant Policy Considerations

11.1 European Convention on Human Rights (ECMR) and other European Union Obligations

As a ‘local plan’, the Neighbourhood Development Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC Office.

A Strategic Environmental Assessment (SEA) screening opinion was sought as required from the following organisations during the formal consultation period:

- Natural England*
- Historic England*
- Environment Agency*
- Cornwall Council*

SEA Screening Report 7th December 2016 Amended 21st August 2017

Screening Outcome

The Liskeard NDP allocates sites and provides for a level of development for one of the main towns of Cornwall, which are both factors that could trigger the need for SEA. However, the strategic impact of the quantum of development has been assessed by the Cornwall Local Plan and the NDP group has assessed the environmental impacts of their choice of location of development in their ‘Place to Live’ report and have summarised this in their Sustainability Checklist. Amendments have also been

made to the draft Plan so that the July 2017 draft provides robust policies for the protection of the ' historic environment. '

In addition, the plan area does not contain many sensitive environmental designations. '

As a result of the assessment in section 4, it is unlikely there will be any significant environmental ' effects arising from the Liskeard Neighbourhood Plan and the NDP does not require a full SEA to be undertaken. '

The NDP will not impact on European Sites and a HRA is not required. '

11.2 Sustainable development

The Liskeard Neighbourhood Development Plan has been assessed by means of a Sustainability Appraisal and the conclusion of this process was that the principles of Sustainable Development required in the NPPF have been taken into account in the development of the plan and its policies and where issues have been identified they were addressed by revisions to the document prior to submission. I am satisfied having regard to these documents and other relevant documents, policies and legislation that the Liskeard Neighbourhood Development Plan does, subject to the recommended modifications, meet the Basic Conditions.

I am satisfied that the Liskeard Neighbourhood Development Plan subject to the recommended modifications addresses the sustainability issues adequately.

The Neighbourhood Development Plan is required to take cognisance of the European Convention of Human Rights and to comply with the Human Rights Act 1998.

I am satisfied that the Liskeard Neighbourhood Development Plan has done so.

I am therefore satisfied that the Liskeard Neighbourhood Development Plan, subject to modification meets the basic conditions on EU obligations.

11.3 Excluded development

I am satisfied that the Liskeard Neighbourhood Development Plan does not cover County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.

11.4 Development and use of land

I am satisfied that the Liskeard Neighbourhood Development Plan covers development and land use matters.

11.5 The Neighbourhood Plan Strategic Aims and Policies

The Liskeard Neighbourhood Development Plan Vision:

LISKEARD - A MODERN CORNISH MARKET TOWN

LISKEARD IS:

- *A Cornish market town with a distinct identity and character*
- *A vibrant and friendly community built on a human scale*
- *A place where people from the surrounding area come to use services, shops, cultural and leisure facilities*

- *Set in a valued rural, agricultural landscape between the sea and the moor*

LISKEARD WILL BE:

- *A thriving modern market town at the heart of South East Cornwall*
- *A place where people can work in rewarding jobs supporting a vibrant economy*
- *An attractive place to live with a range of housing to meet local needs*
- *A caring community supporting residents of all age and social groups through health, education, employment, and enjoyment of cultural and leisure facilities*
- *An attractive centre which retains its human scale, and where people want to access services, meet and shop*
- *A place that fosters mobility and healthy living with a sustainable transport network for walkers, cyclists and those who depend on public transport*
- *A place that attracts visitors and supports tourism in S E Cornwall*

AIMS

A Place to Work and Learn: To

- *Attract high quality employment, and training facilities, to meet the needs of business and the working age population*
- *Ensure the long-term sustainability of Liskeard as a thriving, prosperous place and modern market town*
- *Provide high quality services to local residents and the surrounding rural communities'*

A Place to Live: To

- *Meet the housing targets (as in the Local Plan) up to 2030 in a way that enhances the role of Liskeard as the economic centre of a wider rural hinterland*
- *Enhance the environmental, social and economic sustainability of Liskeard and its neighbourhoods*
- *Protect the interests of future generations*

A Place to Meet, Shop and Do Business: To

- *Sustain and enhance Liskeard's modern market town centre as a vibrant, lively and friendly community service centre and shopping facility for its residents and the surrounding communities*
- *Promote the town as a welcoming and friendly destination for visitors with its strategic placement between sea and moor and excellent road and public transport links to the rest of the country*
- *Support Liskeard as a Cornish town centre which is proud of its history, and also forward thinking and ready to meet the challenges of the 21st century*

A Place to Relax and Enjoy: To

- Conserve and enhance existing open spaces and leisure facilities
- Enhance connectivity to key facilities
- Integrate with existing local walks, cycle trails (e.g. Caradon Trail) and the World Heritage site
- Develop the multi-use park at Roundbury
- Protect our rural hinterland.

The Liskeard Neighbourhood Development Plan also seeks to build social, economic and environmental resilience in anticipation of future changes and challenges.

COMMENT

I am satisfied that the Liskeard NDP vision, aims and objectives were developed from the consultation process and that the policies within the plan reflect the vision, aims and objectives.

12. Liskeard Neighbourhood Development Plan Policies

DEVELOPMENT BOUNDARY

POLICY NP1

Development Boundary

The neighbourhood plan designates a Liskeard Development Boundary, as shown on the proposals map within which development will be permitted according to the following policies.

COMMENT

Having examined the Liskeard NDP I required further clarification on how the proposed development boundary was decided upon and how it provides for adequate flexibility across the plan period to meet the housing need identified by Cornwall Council. Initially I sought clarification by means of written question and answer however the response of the Qualifying Body did not provide sufficient clarity and I called a Hearing to consider this policy amongst others.

The Qualifying Body (QB) explained that the consultation process identified support for a Development Boundary within the NDP and that National Policy support for Neighbourhood Plans to include Development Boundaries. The 2007 Caradon Local Plan settlement boundary was used as a starting point (but this extended into Menheniot parish) GIS and the online planning register were used to map the sites with planning permission outside of the boundary and mapped rural buildings that could be included. The Cornwall Council online toolkit guidance was also used.

Cornwall Local Plan gives Liskeard a target of 1400 homes across the plan period and Policy H5 provides a mechanism to allow further housing sites to be allocated, if through monitoring across the plan period there is an indication that this target will not be met from existing commitments or development within the Development Boundary. However, development on brownfield sites and windfall is expected to help meet the 1400 home target.

Representation was made that the settlement boundary lacks flexibility, as multiple

applications have been refused.

The QB contest this, as policy H5 will release sites if necessary to meet the 1400 target across the plan period in accordance with a scoring system.

On balance I conclude that the Development Boundary has been established as a result of a thorough process and although I had some concerns relating to flexibility to deliver the required housing numbers across the plan period I am satisfied that in conjunction with Policy H5 the NDP has the ability to meet the Cornwall Local Plan target.

Representation has been made that Trevellis Park should have been included within the Development Boundary as it meets the criteria for inclusion. The site was included within the boundary at the Regulation 14 consultation stage and then excluded from the settlement boundary when the plan was formally submitted. A planning application was refused and the appeal dismissed for highways reasons only, not because the site is unsuitable.

The QB stated that the site was excluded for clarity, as it is unlikely to come forward after the appeal was dismissed. A second planning application has been refused, which is currently at appeal. The application has been reduced from 14 to 9 dwellings, with highways issues negotiated and resolved however the Landscape Officer has stated that the application would harm the local environment and would not be considered rounding off. In addition, there was no Affordable Housing provision and the development would extend into the open countryside. Policy 3.1 and 7 of the CLP were referenced as refusal reasons.

I have not been provided with any compelling evidence that the decision not to include Trevellis Park within the Development Boundary is incorrect.

On balance and as a result of the Hearing I am now satisfied that the Development Boundary as identified has been established appropriately and will provide the flexibility required, therefore Policy NP1 does meet the Basic Conditions.

A PLACE TO WORK AND LEARN

POLICY EM1

Employment and Housing Balance

In order to relate the delivery of employment land to the expansion of housing provision, all new larger housing schemes (30 or more dwellings) must contribute towards the need (as defined in the Cornwall Local Plan) for employment land, or servicing and development of such sites to facilitate the delivery of viable workplaces, through a process of cross-subsidy. Where a developer can demonstrate that the site is not suitable for inclusion of employment (e.g. because of topography, environmental impact, poor transport links etc.) then an 'off-site' contribution will be sought to cross-subsidise the release/development of employment land elsewhere in the NDP/CNA area.

COMMENT

At the Hearing the QB gave a full explanation of the reasoning for this policy, expressing the strong community desire for employment and considered this policy as a mechanism to ensure delivery. It was established that the trigger size of 30 dwellings had not been tested but chosen as it represented a small-medium sized development.

Cornwall Council confirmed that the CLP doesn't have a policy to require delivery of

employment in this way or for any kind of offsite contribution and was not sure that the causal link is strong enough.

Concerns were raised regarding the clarity and need for the policy and that there is no contribution calculation mechanism. Representation was made that Policy EM2B has enough sites already, why were more needed?

The QB confirmed that the CLP page 35/36, paragraph 2.12 was the route of this policy.

Having considered this policy carefully and taking into account the clarification provided at the Hearing I have concluded that the policy as currently worded does not have regard to National Policy and advice and is not in general conformity with the Development Plan. Therefore, in order to meet the Basic Conditions and should be modified as follows:

Employment and Housing Balance

In order to relate the delivery of employment land to the expansion of housing provision, all new larger housing schemes (30 or more dwellings) will be encouraged to contribute towards the need (as defined in the Cornwall Local Plan) for employment land, or servicing and development of such sites to facilitate the delivery of viable workplaces, through a process of cross-subsidy.

POLICY EM2

Employment Land Allocation

Employment development will be supported at the following locations:

- 1. East of Charter Way (11.05 ha)**
- 2. North of Pengover Road (0.93 ha)**
- 3. Rapsons Lorry Park/Mortuary Site (0.25 ha)**
- 4. Undeveloped part of Heathlands Trading Estate (0.44ha)**

COMMENT

I have no comment on this policy

EM2A

The development of the land north of Pengover Road must:

a) Be for use classes B1, B2, B8, A1 and A3 only;

and

b) Be commenced in advance of/ concurrently with any development of adjoining land for residential development;

and

c) Ensure that the main vehicular access to the site operates safely in conjunction with the Clemo Road Industrial Estate Rd.

COMMENT

At the Hearing the QB gave a full explanation of the reasoning for this policy- I also heard counter arguments. Whilst I understand the motivation behind this policy is to ensure that the community's clear priority to deliver additional employment within the plan area is met, this cannot be achieved through the NDP unless the policy also meets the Basic Conditions. By introducing an element of compunction in relation to the delivery of the employment land the policy does not have regard to National Policy.

In order to meet the Basic Conditions, the policy should be modified as follows:

The development of the land north of Pengover Road must: '

a) Be for use classes B1, B2, B8, A1 and A3 only; '

and '

B) Ensure that the main vehicular access to the site operates safely in conjunction with the ' Clemo Road Industrial Estate Rd. '

Developers are encouraged to commence development of this site in advance of/ concurrently ' with any development of adjoining land for residential development; '

EM2B

The development of the land east of Charter Way must include:

a) B1, B2 and B8 uses

b) A 15 metre wide heavy planting strip on the site's perimeter and the retention of important hedgerows, which will link with it, may include:

a) Self-build residential development

b) Live-work units

and

c) Recreational facilities

Retail, other than as an integral part of a principal use, is specifically excluded.

Where a developer of employment land can demonstrate that cross-subsidy from a housing project is necessary to ensure the viability of the development, an element of housing will be supported subject to policies elsewhere in this document and the Cornwall Local Plan on design standards.

Note: 6.2 ha has already been permitted at Tencreek and 0.83 ha at former Magistrates Court. A further 12.72 ha is sought under suggestion EM3 providing in total more developable floorspace than the CLP requirement for the CNA in the plan period. This gives a flexible choice of sites in sustainable locations and allows viable options to come forward.

COMMENT

At the Hearing the QB gave a full explanation of the reasoning for this policy- I also heard counter arguments. Whilst I understand the motivation behind this policy is to ensure that the community's clear priority to deliver additional employment within the plan area is met, this cannot be achieved through the NDP unless the policy also meets the Basic Conditions.

In order to meet the Basic Conditions, the policy should be modified as follows:

The development of the land east of Charter Way should include:

a) B1, B2 and B8 uses

b) A 15 metre wide heavy planting strip on the site's perimeter and the retention of important hedgerows, which will link with it.

The site may include:

a) Self-build residential development

b) Live-work units

and

c) Recreational facilities

Retail, other than as an integral part of a principal use, is specifically excluded.

Where a developer of employment land can demonstrate that cross-subsidy from a housing project is necessary to ensure the viability of the development, an element of housing will be supported subject to policies elsewhere in this document and the Cornwall Local Plan on design standards.

Note: 6.2 ha has already been permitted at Tencreek and 0.83 ha at former Magistrates Court. A further 12.72 ha is sought under suggestion EM3 providing in total more developable floorspace than the CLP requirement for the CNA in the plan period. This gives a flexible choice of sites in sustainable locations and allows viable options to come forward.

POLICY EM3

COMMENT

FOR CLARITY THIS SHOULD BE MOVED FROM THE POLICY SECTION AND THE REMAINING POLICIES RENUMBERED

POLICY EM4

Safeguarding Existing Employment Land

The following existing employment sites are safeguarded in accordance with CLP Policy 5

1. Liskeard Business Park, Charter Way

2. Miller Business Park, Station Road

3. Trevecca, Culverwood Road
4. Clemo Road Industrial Estate
5. East of Charter Way
6. Heathlands Industrial Estate
7. Moorswater Industrial Estate (within the NDP area)
8. Former Magistrates Courts Site, Culverwood Road

Where any of these sites is no longer required, the mechanism for release in Policy 5 of the Cornwall Local Plan will apply.

COMMENT

I have no comment on this policy

POLICY EM5

Home Based Enterprise

Home based enterprise proposals will be encouraged where it can be shown that there will be no unreasonable adverse impact affecting nearby residents and countryside, or the character and appearance of the locality by reason of visual impact, vehicle movements, noise vibration, special lighting, advertising and activity at unusual hours. Planning permission will be required if there are alterations to buildings, or the scale of business materially changes the use of the premises.

COMMENT

I have no comment on this policy.

POLICY EM6

The Development of an Innovation/ Business Support Hub

The development of an innovation/business support hub will be permitted:

- a) *On the sites coming forward under Policy EM1 and policy EM2 and safeguarded in Policy EM4, and*
- b) *On sites elsewhere if the site is:*
 - i) *On an established public transport route; and*
 - ii) *Accessible by foot and cycle;*

COMMENT

I have no comment other than the word “permitted” should be replaced with “supported”.

POLICY EM7

Redevelopment and Enhancement of Existing Employment Sites

The redevelopment and/or enhancement of employment uses on existing sites at Trevecca, Miller Business Park, and Moorswater to provide upgraded business and employment premises and improved environment will be permitted subject to there being no significant detrimental impact on the amenities of adjoining residential areas in terms of:

- a) Its scale and visual appearance;**
- b) noise, effluent or fumes it would emit;**
- c) the traffic it would generate;**

and that it will not add to difficulties with water supply, sewerage and sewage treatment and waste disposal

COMMENT

I have no comment other than the word “permitted” should be replaced with “supported

POLICY EM8

Small Workshop Development in the Countryside

Small workshop development in the countryside will be permitted if:

- (a) The need cannot be met by the conversion of an existing building;**
- (b) Its scale, form, bulk and general design is appropriate to its location;**
- (c) It will not add to difficulties with water supply, sewerage and sewage treatment and waste disposal;**
- (d) It will not have a materially adverse impact on the rural environment in terms of, noise, effluent or fumes it would emit, and the traffic it would generate;**
- (e) It will not conflict with the need to conserve the best and most versatile agricultural land ' and minimise interference with farming; '**
- f) It will not have a materially adverse impact on nature conservation or landscape interests, ' and '**
- g) it is located within or adjacent to existing groups of buildings. '**

Where the development involves the conversion or change of use of buildings the following ' criteria will also apply: '

- h) The scale, design and use of materials retain the existing character of the building and relate to its surroundings;**
- i) The building is capable of change or conversion without the need for major extension or rebuilding and**

j) Reasonable measures have been taken to provide for any nature conservation interest.

Where development involves conversion or change of use of a listed building, CLP strategic policy 24 will apply

COMMENT

I have no comment other than the first sentence should be modified as follows:

Where planning permission is required, small workshop development in the countryside will be supported if:

A PLACE TO LIVE

POLICY H1

Meeting the Housing Requirements of the Cornwall Local Plan to 2030 Proposals to meet the target of 1400 new dwellings (set in the Cornwall Local Plan) within the Liskeard Neighbourhood Development Plan designated area through a combination of brownfield land development and well located and designed mixed-use urban extensions as indicated on the proposals map and within the development boundary (Policy NP 1) will be supported.

COMMENT

See comments on NP1

POLICY H2

Brownfield Land First

Further releases of land for housing beyond the development boundary established in POLICY NP1 will not be permitted until 90 dwellings have commenced development on a combination of the urban capacity sites identified in Table 1, and smaller unidentified and windfall sites within the urban area (using the base date for measurement of 1st April 2016), and the conditions in policy H5 apply.

COMMENT

At the Hearing the QB outlined the basis for the policy. Public engagement indicated a strong view that derelict sites should be used for housing and agricultural land preserved. NPPF 111 and CLP 2.130 prioritise previously developed land so the QB felt that this policy meets basic conditions of NPPF. The basis for the trigger point of 90 was discussed, the QB stated that the potential for 120 dwellings had been identified and discounted by 30%. Cornwall Council confirmed support for the ambition to regenerate town centre but questioned whether the NDP could require one to be dependent on the other? The CLP encourages the use of brown field sites but does not believe that the release of greenfield can be contingent on unrelated sites. It was generally agreed that the development of brownfield land should be a priority but couldn't restrict other development, as this would be contrary to national policy. There was concern expressed that there was no evidence if sites identified are suitable or will come forward.

Whilst I understand the motivation behind this policy is to ensure that the community's clear priority to deliver development on brownfield sites first, this cannot be achieved through the

NDP unless the policy also meets the Basic Conditions. In order to meet the Basic Conditions, the policy should be modified as follows:

Before further releases of land for housing beyond the development boundary established in POLICY NP1 take place developers will be encouraged to deliver 90 dwellings on a combination of the urban capacity sites identified in Table 1, and smaller unidentified and windfall sites within the urban area (using the base date for measurement of 1st April 2016), and the conditions in policy H5 apply.

POLICY H3

Employment and Housing Balance

In order to relate the delivery of employment land to the expansion of housing provision, all new larger housing schemes (30 or more dwellings) must contribute towards the need (as defined in the Cornwall Local Plan) for employment land, or servicing and development of such sites to facilitate the delivery of viable workplaces, through a process of cross-subsidy. Where a developer can demonstrate that the site is not suitable for inclusion of employment (e.g. because of topography, environmental impact, poor transport links etc.) then an 'off-site' contribution will be sought to cross-subsidise the release/development of employment land elsewhere in the NDP/CNA area.

Note Cross-referenced to employment policy EM1

COMMENT

See comments on EM1

To meet the Basic Conditions, the policy should be reworded as follows:

Employment and Housing Balance

In order to relate the delivery of employment land to the expansion of housing provision, all new larger housing schemes (30 or more dwellings) will be encouraged to contribute towards the need (as defined in the Cornwall Local Plan) for employment land, or servicing and development of such sites to facilitate the delivery of viable workplaces, through a process of cross-subsidy.

Note Cross-referenced to employment policy EM1

POLICY H4

Allocation to Meet Current Target Land is allocated at Charter Way/Pengover Road for mixed-use development for 207 residential dwellings with associated roads, footways, parking, landscaping, drainage and open spaces. Note: since publication of this draft document the above site PA17/04823 has received full planning permission from Cornwall Council, with relevant site assessments, on 5/07/17.

COMMENT

It was confirmed at the Hearing that this site has now been granted planning permission.

POLICY H5

Ensuring Housing Apportionment Target up to 2030

If the demonstration of housing deliverability detailed in our evidence base over the plan period, falls short of the trajectory needed to reach the target of 1400 by 2030 (taking a three year moving average), then housing will be allowed in accordance with Policy H2 and the criterion based ranking assessment that has been carried out as part of this plan.

Extensions of appropriate scale to the area, beyond the development boundary set in Policy NP1 may be permitted if they:

- a) Are in accord with the neighbourhood plan's assessment ranking in terms of sustainability and suitability (based on criteria of location, access, impact and developability).***
- b) If appropriate, comprise a mix of uses including employment land, live/work units, completed workshops to be delivered in- phase with the housing element (see Policy EM1).***
- c) Include provision for enhanced or additional community space and facilities***
- d) Integrate effectively with and reinforce existing neighbourhood nodes***
- e) Provide access to the town centre and neighbourhood facilities by safe walking routes, cycleways and efficient public transport.***
- f) On sites of more than 50 dwellings include at least 5% of plots are serviced and made available for self-build and self-completion developments.***
- g) On sites of more than 50 dwellings provision should be made for the involvement of a community land trust.***

COMMENT

The QB set out that the purpose of this policy is to achieve flexibility in the delivery of housing across the plan period. Calculations were made using the Cornwall Council Strategy, using a lead in time and build out rate based on post recession calculations, so are conservative. It was acknowledged that flexibility is needed for developability and sustainability. Sites were assessed against sustainability criteria.

It was confirmed that this approach has been checked with Cornwall Council monitoring team and they have confirmed that the figures are consistent with their methodology for the housing trajectory.

The QB accepted that delivery between 2010 and 2015 was slow, but the NDP trajectory represents over delivery by 2030, 102 dwellings being built in the past year, against the trajectory forecast of 70. The QB felt that this demonstrates that Liskeard will meet its target.

The QB confirmed that the same monitoring process will be used as Cornwall Council. Cornwall Council publish their implementation strategy (including monitoring figures) annually. If there is a housing shortfall, Policy H5 will be used and there is scope for the review of the NDP to potentially include sites within the plan.

Representation was made that Persimmon Homes supports the plan but there was concern about Part F and G of H5, is the 5% trigger and the Community Land Trust (CLT) reference well assessed and implementable?

The QB stated that it is difficult to do viability studies in advance of a trigger mechanism policy. The 5% trigger came from national guidance and agreed that the CLT is an aspiration. It was confirmed that Cornwall Council encourages self builds and is developing a policy for this and that during the Cornwall Local Plan (CLP) examination a self build policy was considered but there was not enough evidence to have a trigger policy although this may come through during the CLP review.

Having considered this policy carefully, including representations made at the Hearing I consider that the policy will provide the flexibility required across the plan period. However, the references to self build and CLT are aspirational and in order to meet the Basic Conditions the policy should be modified as follows:

POLICY H5

Ensuring Housing Apportionment Target up to 2030

If the demonstration of housing deliverability detailed in our evidence base over the plan period, falls short of the trajectory needed to reach the target of 1400 by 2030 (taking a three year moving average), then housing will be allowed in accordance with Policy H2 and the criterion based ranking assessment that has been carried out as part of this plan.

Extensions of appropriate scale to the area, beyond the development boundary set in Policy NP1 may be supported if they:

- a) Are in accord with the neighbourhood plan's assessment ranking in terms of sustainability and suitability (based on criteria of location, access, impact and developability) and if appropriate and deliverable:*
- b) Comprise a mix of uses including employment land, live/work units, completed workshops to be delivered in- phase with the housing element (see Policy EM1).*
- c) Include provision for enhanced or additional community space and facilities*
- d) Integrate effectively with and reinforce existing neighbourhood nodes*
- e) Provide, where achievable access to the town centre and neighbourhood facilities by safe walking routes, cycleways and efficient public transport.*
- f) On sites of more than 50 dwellings developers are encouraged to include at least 5% of plots are serviced and made available for self-build and self-completion developments.*
- g) On sites of more than 50 dwellings developers are encouraged to include provision for the involvement of a community land trust.*

POLICY H6

Agricultural Dwellings and Specialist Need Dwellings

Any new dwelling required to serve the essential uses of agriculture, forestry or some other special need shall be sited within or immediately adjacent to an existing group of dwellings suitably located to serve the purpose, unless it can be shown that there are overriding reasons why it must be built elsewhere.

COMMENT

I have no comment on this policy.

Policy H7

Redressing the Imbalance in Housing

Tenure, Size and Mix

New residential developments should incorporate where appropriate a balance of:

a) Larger family and ‘aspirational homes’

b) Small dwellings suitable for 1 and 2 person households

c) Later-living units, and ‘lifetime housing’ suitable or readily adaptable for disabled persons or those with special needs, on parts of the sites with generally level access to facilities and public transport

d) Specialised housing (such as; extra care, foyer housing for young people, care and support housing etc.)

Proposals must show how they assist in rebalancing the housing stock and meet market demands.’

COMMENT

I have no comment on this policy

POLICY H8

Supporting the Town Centre

On sites coming forward for housing within or on the edge of the town centre boundary, permission will only be granted for schemes that support the viability and vitality of the town centre through:

a) Maintaining existing housing densities, or, where appropriate to local scale and character, increase housing densities, and:

b) Include provision for small dwellings suitable for first-time buyers, and purchase or renting by the elderly, and other small households or:

c) Include provision for mixed use development such as live/work units, with ‘common room’ and ‘maker-space’ facilities

COMMENT

I have no comment on this policy.

POLICY H9

General Design Principles

New residential development must comply with Cornwall Local Plan Policy 12 and:

- a) Respond to and where possible provide remediation of existing environmental or design issues that are detrimental**
- b) Incorporate design features that enhance prevention of crime, anti-social behaviour and disorder and provide a secure environment by application of 'Secure by Design' standards**
- c) Demonstrate high standards of sustainable design as set out in Policy SUS1**

COMMENT

I have no comment on this policy

A PLACE TO SHOP MEET AND DO BUSINESS

POLICY TC1

New Large Scale Retail Development (a) Retail development to meet the Cornwall Local Plan retail forecasts will be supported at the following sites as part of comprehensive schemes which may also include car-parking, community uses and public realm areas, work space, and residential development.

- i) Within the Liskeard Cattle Market site**
- ii) Sungirt**

Subject to:

- 1) Being of a scale appropriate to the size and function of the town centre; '**
 - 2) Arrangements being in place to make car parking provision "dual role" and available for ' other town centre short-stay needs; '**
 - 3) The provision of electric vehicle charging points; '**
 - 4) Building design being of a high quality, which respects the typical local architectural style, ' massing, and use of materials. '**
- (b) If no sites are available, suitable or viable within the town centre, planning permission will be granted on the edge of Liskeard town centre only if they comply with the following criteria:**
- 1) They are of a scale appropriate to the size and function of the town centre;**
 - 2) There is evidence of need for additional retail development within the town;**
 - 3) The site is within 300 m, taken on the level or otherwise suitable gradient, of the town centre as defined in the Cornwall Local Plan;**
 - 4) The development would be conveniently and safely accessible by a choice of means of transport, including public transport, walking, cycling and the car, and by disabled people, from the town centre and the surrounding area;**
 - 5) Arrangements are in place to make car parking provision "dual role" and available for other town centre short-stay needs;**

6) The provision of electric vehicle charging points;

7) The store would be sited on that part of the application land nearest the town centre;

8) The store would have a direct street frontage that is within 300 m, taken on the level or otherwise suitable gradient, of the town centre as defined in the Cornwall Local Plan, and have pedestrian exits and footpath links to the town centre.

(c) If no town centre or edge of town centre site is available, suitable and viable, planning permission will be granted for an out-of-town centre site provided that:

There is compelling evidence of need for additional retail development within the town;

1) The proposal (individually or cumulatively with other proposals) would not seriously harm the vitality and viability of Liskeard town centre, in terms of:

2) The extent to which development would put at risk the strategy for the town centre; '

a The likely effect on future private sector investment in the town centre; '

b Changes to the quality, attractiveness and character of the centre, and to its role '

c The economic and social life of the community; '

d Changes to the physical condition of the centre; '

e Changes to the range of services that the centre will continue to provide; and, '

f Likely increases in the number of vacant properties in the primary retail area of the centre; '

3) The site is located where there is frequent reliable, and convenient public transport from a wide catchment area (or arrangements are in place to ensure such provision is made available); '

4) The development would be conveniently and safely accessible by a choice of means of transport, including public transport, walking, cycling and the car, and by disabled people, from the adjoining built up area; '

5) The proposal will not give rise to a substantial increase in car journeys; '

6) Arrangements are in place to make an element of car parking provision "dual role" and available for car-sharing clubs; '

7) The provision of electric vehicle charging points; '

For the purpose of these Policies, factory outlet centres, discount stores, warehouse clubs and hybrid trade/retail stores are treated as retail businesses.

COMMENT

This policy is long and confusing. For clarity I recommend that the policy is split into three related policies TC1 and TC1A, TC1B and in order to meet the Basic Conditions, modified as follows:

POLICY TC1

New Large Scale Retail Development (a) Retail development to meet the Cornwall Local Plan retail forecasts will be supported at the following sites as part of comprehensive schemes which may also include car-parking, community uses and public realm areas, work space, and residential development.

- i) Within the Liskeard Cattle Market site***
- ii) Sungirt***

Subject to:

- 1) Being of a scale appropriate to the size and function of the town centre;***
- 2) Arrangements being in place to make car parking provision “dual role” and available for other town centre short-stay needs;’***
- 3) The provision of electric vehicle charging points;’***
- 4) Building design being of a high quality, which respects the typical local architectural style, ’ massing, and use of materials. ’***

TC1A ’

Edge of town retail development ’

If no sites are available, suitable or viable within the town centre, planning permission will only be supported on the edge of Liskeard town centre where there is evidence of need for additional retail development to serve the town and if the development is:

- 1) of a scale appropriate to the size and function of the town centre;***
- 2) The site is within approximately 300 m, taken on the level or otherwise suitable gradient, of ’ the town centre as defined in the Cornwall Local Plan; ’***
- 3) The development would be conveniently and safely accessible by a choice of means of ’ transport, including public transport, walking, cycling and the car, and by disabled people, ’ from the town centre and the surrounding area; ’***
- 4) Arrangements are in place to make car parking provision “dual role” and available for other ’ town centre short-stay needs; ’***
- 5) The provision of electric vehicle charging points; ’***
- 7) The store would be sited on that part of the application land nearest the town centre; ’***
- 8) The store would have a direct street frontage that is within approximately 300 m, taken on ’ the level or otherwise suitable gradient, of the town centre as defined in the Cornwall Local Plan, and have pedestrian exits and footpath links to the town centre.***

TC1B

If no town centre or edge of town centre site is available, suitable and viable, planning permission will be supported for an out-of-town centre subject to a Retail Impact Assessment in accordance with policy TC2 and if the proposal can demonstrate that:

1) The proposal (individually or cumulatively with other proposals) would not seriously harm ' the vitality and viability of Liskeard town centre, in terms of: '

2) The development would not put at risk the strategy for the town centre; '

a The likely effect on future private sector investment in the town centre; '

b Changes to the quality, attractiveness and character of the centre, and to its role '

c The economic and social life of the community; '

d Changes to the physical condition of the centre; '

e Changes to the range of services that the centre will continue to provide; and, '

f Likely increases in the number of vacant properties in the primary retail area of the centre;

3) The site is located where there is frequent reliable, and convenient public transport from a wide catchment area (or arrangements are in place to ensure such provision is made available);

4) The development would be conveniently and safely accessible by a choice of means of transport, including public transport, walking, cycling and the car, and by disabled people, from the adjoining built up area;

5) The proposal will not give rise to a substantial increase in car journeys;

6) Arrangements are in place to make an element of car parking provision "dual role" and ' available for car-sharing clubs; '

7) The provision of electric vehicle charging points; '

For the purpose of these Policies, factory outlet centres, discount stores, warehouse clubs ' and hybrid trade/retail stores are treated as retail businesses. '

POLICY TC2 '

Impact Assessment of Retail Developments '

Impact assessments will be required for all proposed retail developments and extensions that are proposed under policy TC1 (b) and TC1 (c), which are above 200 sq.m in floorspace in view of the small scale of Liskeard town centre.

COMMENT

At the Hearing the QB gave a full explanation of the reasoning for this policy. The QB stated that the threshold of 200m2 was established in the Caradon Local Plan. The Cornwall DPD does not set a threshold, so the previous figure has been applied. Liskeard Town Centre is small and there is strong local support to increase vitality of the town centre. Currently vacancy rates are approximately 10%. A1 uses have not risen and 7 retail units have been

converted for residential use. Cornwall Council confirmed that the CLP doesn't set thresholds but they can be set locally with evidence.

I am satisfied that the evidence supports the imposition of the 200sq.m threshold and that the policy therefore meets the Basic Conditions.

POLICY TC3'

Development in the Town Centre Generally'

Development proposals within Liskeard town centre will be supported where it is demonstrated the:

- a) Contribute to a lively and vibrant centre;'**
- b) Enhance the character and attractiveness of the town centre;'**
- c) Have appropriate access and car parking provision;'**
- d) Increase diversity in the range of shopping and services available and introduce modern approaches that are likely to increase visits to the town centre;'**
- e) Would not have an unacceptable impact on residential amenity;'**
- f) Would not harm the character of the historic environment, and respond to and where possible provide enhancement and remediation to existing character or design issues that are detrimental.'**
- g) Maintain and/or enhance separate access arrangements to upper floors, which could be used for residential or alternative uses.'**

COMMENT'

I have no comment on this policy.

POLICY TC4

Liskeard Cattle Market

Development options, which regenerate the site in a way that maximises the economic and cultural benefits to the community, will be supported.

Proposals for the regeneration of the cattle market must:

- 1. Be of a scale and character appropriate to Liskeard and reflect the sense of place and preserve or enhance the historic character and setting associated with the site; and**
- 2. Maintain and improve the permeability of pedestrian routes through/across the site which:**
 - Link to and from the main shopping area of the town**
 - Connect to Dean Street and Barras St/Windsor Place via Market Approach**

- Retain connectivity to the existing Liskerrett Centre
- Provide a new pedestrian link to the rear of Rosedean House Surgery
- Improve access for vehicles and pedestrians along Fairpark Road,
- Maintain access to adjacent properties,

and

- Retain sufficient parking to contribute to the needs of the town centre and meet the requirements of the proposed development, and

3. Provide superfast fibre connections, or ducting to facilitate such connections, and

4. Include a full historic environment impact assessment to inform the design process, as detailed in NDP policies TC 3, 8 -12, and Cornwall Local Plan policy 24.

The Design and Access Statement accompanying any planning applications must be derived from a master-planning process and illustrate satisfactorily how the above criteria have been met.

COMMENT'

I have no comment on this policy.'

POLICY TC5'

Development in the Town Centre Primary Shopping Area and Upper Floors in Primary Retail Frontage

Within the Liskeard primary shopping area, outside of the primary retail frontages, and on the upper floors of the primary retail frontages, the following uses will be permitted: shops (A1), financial and professional services (A2), restaurants and cafes (A3), drinking establishments (A4), hot food takeaways (A5), business (B1), hotels and guesthouses (C1), residential care homes (C2), dwelling houses (C3), non residential institutions (D1), assembly and leisure (D2) and sui generis uses appropriate to a town centre

COMMENT'

For clarity the policy should be reworded as follows:'

Development in the Town Centre Primary Shopping Area and Upper Floors in Primary Retail Frontage

Within the Liskeard primary shopping area, outside of the primary retail frontages, and on the upper floors of the primary retail frontages, where planning permission is required the following uses will be supported: shops (A1), financial and professional services (A2), restaurants and cafes (A3), drinking establishments (A4), hot food takeaways (A5), business (B1), hotels and guesthouses (C1), residential care homes (C2), dwelling houses (C3), non residential institutions (D1), assembly and leisure (D2) and sui generis uses appropriate to a town centre.

POLICY TC6

Development in the Primary Retail Frontages

Within the primary retail frontages proposals for changes of use of ground floor class a1 premises to non-class A1 uses will be permitted if:

- a. It falls within classes A2, A3, A4, and A5 or***
- b. If in other use classes it can be demonstrated that the use is appropriate to a retail shopping frontage and will add to the vitality and viability of the town centre; and***
- c. The use would not reduce the predominance of A1 uses.***

For purposes of clarity 'sui generis' uses such as betting offices and pay day loan shops are not considered to be appropriate in a retail shopping frontage.

COMMENT

Supported where permission necessary evidence

In order to meet the Basic Conditions, the policy should be reworded as follows:

Development in the Primary Retail Frontages

Within the primary retail frontages proposals, where planning permission is required, changes of use of ground floor class A1 premises to non-class A1 uses will be supported if:

- a. It falls within classes A2, A3, A4, and A5 or***
- b. If in other use classes it can be demonstrated that the use is appropriate to a retail shopping frontage and will add to the vitality and viability of the town centre; and***
- c. The use would not reduce the predominance of A1 uses.***

For purposes of clarity 'sui generis' uses such as betting offices and pay day loan shops are not considered to be appropriate in a retail shopping frontage.

POLICY TC7

Liskeard Town Centre Broadband & Wi-Fi

New retail, service, business and live-work accommodation (whether provided through new development or conversion) located within Liskeard Town Centre (as shown on the Proposals Map Inset) shall be provided with a superfast fibre connection, or ducting to facilitate such connection when it becomes available.

COMMENT

I have no comment on this policy

POLICY TC8

Design of New Development in the Town Centre and Liskeard Conservation Area

The design of new development proposals within the town centre and Liskeard conservation

area should:

- a) Be informed by and consistent with the scale, design and character of the surroundings, '*
- b) Be integrated into the historic topography and settlement form, '*
- c) Reinforce the existing 'sense of place' and local distinctiveness '*
- d) Reflect existing historic street patterns and the historic streetline. '*
- e) Avoid pastiche and 'token' local distinctiveness, making use of appropriate materials and detailing to reflect local building traditions '*

COMMENT '

I have no comment on this policy '

POLICY TC9 '

Shopfront and Other Commercial Signage in the Town Centre and Liskeard Conservation Area '

New shopfront and other commercial signage within the Liskeard Conservation Area must respect the composition, materials and detailed design of the building and of surrounding historic environment in terms of their scale, depth, materials, colour and siting. In particular:

- a) Fluorescent or internally illuminated modern projecting box signs and box fascia & 'cut-out' box signs and fascias with individually illuminated letters will not be permitted.***
- b) Cut out plastic and perspex lettering signs will not be permitted.***

House styles of multiple stores will only be acceptable where they involve the use of designs and materials visually related to or developed from, the composition, materials and detailed design of the building and of surrounding historic environment.

Externally illuminated hanging signs may be permitted provided they are of a design sympathetic to the character of the area.

COMMENT

Advertisements are controlled by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. In order to meet the Basic Conditions, the policy should be modified as follows:

Shop and Other Commercial Signage in the Town Centre and Liskeard Conservation Area

New shop and other commercial signage within the Liskeard Conservation Area must comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Where permission is required applications will only be supported where the new signs respect the composition, materials and detailed design of the building and of surrounding historic environment in terms of their scale, depth, colour and siting. In particular:

- a) Fluorescent or internally illuminated modern projecting box signs and box fascia & 'cut-out' box signs and fascias with individually illuminated letters will not be permitted.***

b) Cut out plastic and perspex lettering signs will not be permitted.

House styles of multiple stores will only be acceptable where they involve the use of designs and materials visually related to or developed from, the composition, materials and detailed design of the building and of surrounding historic environment.

Externally illuminated hanging signs may be supported provided they are of a design sympathetic to the character of the area.

POLICY TC10

Shop Fronts in The Town Centre and Liskeard Conservation Area

Proposals for new shop fronts in Liskeard Conservation Area must be related to the scale and proportions of the building and frontage in which they are to be situated; and traditional stall risers and pilasters should be retained or replaced in brick or other sympathetic material.

COMMENT

I have no comment on this policy.

POLICY TC11

Local Listing of Non-Designated Heritage Assets in the Town Centre and Liskeard Conservation Area

The following buildings and grounds are locally listed as being of architectural significance, local distinctiveness and character and historic importance:

a) St Malo, Varley Lane

b) Hollywood, Russell Street

Proposals impacting on these buildings and grounds will be considered under CLP Policy 24 'Historic environment'.

From time to time additional sites may be locally listed, in which case NDP Policy TC11 and CLP Policy 24 will apply to them.

COMMENT

I have no comment on this policy.

POLICY TC12

Maintenance and Improvement of Buildings and Public Realm in the

Town Centre

When buildings and the public realm within the Liskeard Conservation Area are being maintained or improved, the design principles set out below should be followed:

Town Centre Building

Design Principles

- **Windows and doors in buildings in sensitive and highly visible locations should be of traditional materials and design. Historic windows and doors should be repaired where possible or replaced to match originals.**
- **Traditional wall coatings should be repaired like-for-like rather than replaced by modern treatments. Historic brick or stone walls should remain untreated.**
- **Buildings clad with local natural slate should be repaired like-for-like. If new slates are necessary, they should be locally sourced.**
- **Decorative features such as bargeboards should be conserved and replaced with like-for-like where repair is not possible.**
- **Local slate roofs should be retained and repaired with slate to match. The insertion of further dormer windows and rooflights should be limited and confined to rear and less visible roof slopes.**

Historic shopfronts should be conserved and shopkeepers should be encouraged to reveal historic features, which still survive beneath modern insertions.

- **Commercial signage should reflect in its scale, materials, colour and siting the sensitive nature of the surrounding historic environment. Fluorescent, plastic or perspex signs should be avoided.**
- **Satellite dishes should be confined to rear facades, which are not highly visible.**
- **The historic buildings should be kept in good repair, well maintained and used in such a way that any former historic functions can still be read in the surviving fabric.**
- **Slate hanging material should be locally sourced.**
- **Surviving historic shopfronts should be retained and maintained, even when the building has been converted to domestic use.**

COMMENT

Unless the buildings are listed or in a conservation area many of the items this policy seeks to control would not require planning permission.

To meet the Basic Conditions, the introductory paragraph to this policy should be modified as follows:

Where planning permission is required the maintenance and improvement of buildings and the public realm within the Liskeard Conservation Area should where appropriate be carried out in accordance with the design principles set out below:

A PLACE TO RELAX AND ENJOY

POLICY OSL1

Green Spaces

The neighbourhood plan designates the following locations as local green spaces (as shown on the proposals map).

OS ref Name

1 Old Rd Nature Reserve

3 Lanchard Woods

4 Pound Dean play area

5 New Road paddocks

6 Thorn Park

7 Westbourne Gdns

8 Varley Ln bowling green

9 Lanchard Cemetery

10 Rapsons Open Space

11 Trevillis Pk OS/Station Rd

12 Trevillis Pk OS – N

13 Trevillis Pk OS – S

14 Sungirt woods

15 Pound Street OS

16 Smiths Cottages OS

17 Castle Park

18 Castle St OS

19 St Martins Churchyard

20 Pengover Park OS

21 St Martins School playing fields

22 Plymouth Rd woodland

23 Charter Way/Tencreek woodland

24 Bovey Lane (Maudlin Farm)/Carthew Close OS

25 Charter Way/ Catchfrench Crescent woodland

26 Carnclaze Close play area

27 Hanson Rd OS

29 Pengover Rd allotments

32 Luxstowe Parc Sports fields

33 Luxstowe Tennis courts and OS

34 Culverland Play area

35 Wrey Ave OS

36 Trevecca Cemetery

37 Culverland Rd rugby practice pitch

38 Eastern Ave OS

39 Catchfrench Crescent OS

40 Jago Close OS

41 Dennis Rd/Courtney Rd OS

43 Quaker Cemetery, Trevecca

44 Dungarth Rd allotments

OSL6 Roundbury Parc

COMMENT

For clarity the policy should be renamed Local Green Spaces.

The National Planning Policy Framework Paragraphs 76 and 77 set out the context and requirement for the designation of Local Green Spaces. Although there was evidence to support the sites identified above I was not satisfied that this information addressed satisfactorily the tests in Paragraph 77. I requested further clarification and this is available to view on the Cornwall Council website. Having examined the additional information, I have the following comments:

2.Is this area missing?

5 New Road paddocks

This area seems to have been included more as of landscape importance rather than as a Local Green Space. I have not been provided with adequate evidence to support its designation and therefore this should be deleted.

21 St Martins School playing fields

School playing fields are not appropriate for inclusion as a Local Green Space as their use/reuse is already controlled and should be deleted from this policy.

25 Charter Way/ Catchfrench Crescent woodland

This area seems to have been included more as of landscape importance rather than as a Local Green Space. I have not been provided with adequate evidence to support its designation and therefore this should be deleted.

29 Pengover Rd allotments

Allotments are not appropriate for inclusion as a Local Green Space as their use/reuse is already controlled and should be deleted from this policy.

30 and 31 are missing?.

44 Dungarth Rd allotments

Allotments are not appropriate for inclusion as a Local Green Space as their use/reuse is already controlled and should be deleted from this policy.

POLICY OSL2

Conservation, Enhancement and Creation of Local Green Spaces and Other Parks and Green Spaces to Accommodate Growth

No development will be permitted within the local green spaces listed in Policy OSL1 and shown on the local green spaces proposals map if it would impair the effectiveness of the site in serving one or more of the following purposes:

- a) Providing a resource for formal and informal recreation and/or a venue for formal events;**
- b) Forming a green foreground or background, which is important to the character of Liskeard's setting;**
- c) Helping to preserve the cherished views of the town centre, or of individual buildings or groups of buildings, or of the surrounding rural and heritage landscapes both into and out of the town;**
- d) Providing areas of rural tranquility, which surround or penetrate the built-up area of Liskeard and helps to maintain the relationship between the town and surrounding countryside;**
- e) Contributing to the character and visual setting of the town by their open nature**
- f) Conserving and enhancing biodiversity, ecological assets, ancient woodland, priority habitat deciduous woodland, watercourses and other landscape features important to the local community**

COMMENT

The protection offered to designated Local Green Spaces is set out in paragraph 77 of the NPPF; this policy is not consistent with those controls. This policy is confusing, seeking to cover a number of elements, which are adequately covered in other policies within the plan. It does not have regard for national policy and should be deleted.

POLICY OSL3

Play Provision in Neighbourhood Areas

The Neighbourhood Plan supports the provision of neighbourhood equipped areas for play (NEAPS) at Castle Park, Thorn Park and Rapsons Park, and of 'natural play facilities' at Sungirt Woods, Lanchard Woods and 'Roundbury Park'.

New housing or mixed use developments shall provide equipped formal and natural play in accordance with tables shown or provide contributions towards facilities as set out in order to provide each of the five neighbourhoods (see diagram pg. 67) in the town with a range of equipped and natural play across all age ranges.

NEAPS are also required within the urban extensions to be provided at Addington, Tencreek and Charter Way.

COMMENT

This policy is not necessary, part isn't land use and part is already covered by existing Cornwall Council policy. The first paragraph is not policy and should be moved to a separate section of the plan. Paragraphs 2 and 3 are not necessary. The policy in its current form should be deleted.

POLICY OSL4

Locations for Enhanced Public Realm Access and Environmental Improvements

Schemes to enhance the Public Realm for pedestrian comfort, improved convenience of access and connectivity, including improved access for mobility impaired users through improved surfaces, level changes, handrails etc., quality signage, tree planting, cycle parking, public seating and trolley friendly surfaces will be implemented. Contributions will be sought towards works from development in the town as all development directly affects the town's public realm. The main focus will be on:

- a) The Dean St/Barras St/Windsor Place junction with barrier free pedestrian-prioritised design linking in with the existing Dean St civic space*
- b) Bay Tree Hill – in accordance with CLP retained policy (Lisk 5 - former Caradon Local Plan), with possible timed road closures.*
- c) Liskeard Railway Station (including links between mainline and branch line stations) with disabled parking, kiss 'n ride, rail staff parking and taxi rank to reduce conflicts and promote sense of place for arriving passengers.*
- d) 'Pedestrian and cycle links between the Station and the Town Centre.'*
- e) Conserve and enhance The Parade as civic space.*

COMMENT

This is not a land use policy and should be moved to a separate section of the plan.

POLICY OSL5

Open Space and Developer Contributions

Developers of housing sites (including affordable and starter homes), larger holiday accommodation (hotels, caravan parks etc.) and developments that impact upon access to

public open space will be required to make financial contributions towards the creation and maintenance of new and/or the extension and enhancement of existing public open space facilities. The level of contribution for each site will be determined taking into account the table below. On-site open space must be laid out prior to occupation of 75% of dwellings in any phase, and off-site contributions to be paid prior to occupation of 50% of dwellings.

Where on-site provision is required, the local planning authority may seek the option of a commuted capital sum to construct the facility. In these circumstances, a serviced site (as appropriate for the facility concerned) may be transferred to the town council free of charge by the developer.

COMMENT

This policy seeks control over something that is outside the remit of the NDP and is not a land use policy. It should be moved from the policy section.

POLICY OSL6

Meeting the Communities Need for Sports and Leisure

Approximately 8.8 hectares of land adjacent to St Cleer Road and identified on the proposals map is allocated for open recreational use. Land use will comprise playing fields, play areas, public open space, and ancillary buildings such as changing rooms, cycle hire shop, café and shelters.

Where appropriate, investment through planning obligations related to developments which bring additional population to Liskeard will be directed towards the creation of this new park.

In addition, parkland and natural areas will be provided in the mixed-use urban extensions to be provided at Addington (3.08ha), Tencreek (4.1ha) and Charter Way (4.8ha), and as part of the employment land allocation on land east of Charter Way (Policy EM1)

COMMENT

I have no comment on this policy.

POLICY OSL7

Provision of Orchards and Allotments

Protect existing allotments at Pengover Road, Dungarth Road and extend provision of orchards and allotments through developer contributions on or offsite at Maudlin Farm, Woodgate Road, Culverland Road, Charter Way, Tencreek and Addington

COMMENT

Allotments are already protected through other legislation and the use of developer contributions does not form part of a land use policy. This policy should be moved from the policy section of the plan.

POLICY OSL8

Routes and Settings of Caradon Trail, Liskeard Caradon Railway World Heritage Site and Looe Valley Cycle Trail

Development which would adversely impact on the routes and settings of the designated Caradon Trail (green corridor) and proposed Looe valley cycle trail, in terms of its location, functional connection, appearance, heritage value and interpretation, and the safety of pedestrian and cyclist users, will not be permitted.

Development on or adjacent to the Liskeard Caradon railway line designated WHS will not be permitted unless it conserves and enhances the asset, its setting and landscape context. Full heritage impact assessment will be required for any development in the WHS buffer zone.

COMMENT

I have no comment on this policy

POLICY OSL9

Dark Sky

Designs, which incorporate measures to reduce light pollution, into adjoining properties or the open countryside, will be supported. Proposals must include an assessment of the impact of light pollution from the development on local amenity, surrounding countryside and dark landscapes, as well as nature conservation, identifying mitigating measures to be incorporated.

These could include:

- **The use of full cut off streetlights in rural edge highway and public space lighting**
- **Restricted and careful use of flood and security lighting including effective baffling and motion sensors**
- **Low colour temperature lighting**
- **Landscaping to reduce glare and light throw, off site**

COMMENT

This policy is not proportionate in its requirements for proposals and Highway lighting is under the control of the highway authority. In order to meet the Basic Conditions the first paragraph of this policy should be modified as follows:

Designs, which incorporate measures to reduce light pollution, into adjoining properties or the open countryside, will be supported. Where appropriate due to the size and scale, proposals should include an assessment of the impact of light pollution from the development on local amenity, surrounding countryside and dark landscapes, as well as nature conservation, identifying mitigating measures to be incorporated.

POLICY OSL10

Area of Local Landscape and Heritage Value

The area between the development limit and the Caradon AGLV, (CL8 & 9 saved policies), is designated as an area of local landscape and heritage value with a view to future redesignation as an extension to the area of great landscape value. Within this area, any development, which is permitted, should recognize and respect the landscape character,

pattern and scale of settlement, and reflect the traditional building styles, materials and design of the local area.

Proposals to create greater recreational linkages in the form of permissive paths connecting to the existing network of paths and bridleways, signage and interpretive material will be supported.

COMMENT

At the Hearing the QB confirmed that evidence base for this policy includes:

Caradon Hill Historic LCA

Local Landscape Character Assessment (CEC consultants)

Dark Sky Bodmin Moor

Cornwall Council Mapping.

The Area Heritage Project identified medieval farmland, shrine and deer park with later industrial heritage at the bottom of the valley. At Reg 14, CEC Consultants did a Landscape Character Assessment. This concluded that the character is consistent with nearby AGLV for continuity of landscape setting. Future development should be to the East of Liskeard, not the West. Community consultation event confirmed support and the new part is within Dark Sky designation.

On the basis of this information I consider that the policy does meet the Basic Conditions.

POLICY OSL 11

Cherished Views

Any development proposals affecting the cherished views set out in this document must demonstrate the impact on the cherished view by providing an analysis through an accurate visual representational assessment and statement*. Such statements must set out a description of the cherished view and describe the nature of the impact or harm to the view from the proposals, taking into account the cumulative impact on the view, caused by any existing unimplemented development proposals and identify any mitigating measures to be incorporated into the development as necessary.

***These will normally be set out in the Design and Access Statement or Environmental Statement accompanying a planning application. Each should consider the impact of the view taking into account the foreground, middle ground and background impacts.**

COMMENT

At the Hearing the QB clarified the evidence for this policy and I am satisfied that the policy meets the Basic Conditions subject to the modification of the first sentence as follows:

Where appropriate to the size and scale development proposals affecting the cherished views set out in this document must demonstrate the impact on the cherished view by providing an analysis through an accurate visual representational assessment and statement*.

POLICY OSL12A

Pedestrian, Equestrian and Cycle Links and Corridors

When formulating S106 agreements associated with new residential development, consideration should be given to the inclusion of proposals that provide or support facilities that form part of the strategic pedestrian, equestrian and cycle network for Liskeard in order to:

- a) Create new and improve existing walking, equestrian and cycling connections where routes are disjointed, enhance surfaces, and create safe priority road crossings and/or inline highway routes;***
- b) Create new designated footpaths, bridleways and cycle paths to improve the movement network for these modes and enhance permeability; and***
- c) Create direct and safe routes to local amenities***
- d) Provide linkages or safe road crossings between parts of existing or proposed routes***
- e) enhance the function and appearance of designated quiet lanes***

COMMENT

This is not a land use policy and should be moved to a separate section of the plan.

POLICY OSL12B

Protection of Pedestrian, Equestrian and Cycle Links and Corridors

Development which would adversely impact on the route and setting of the round Liskeard Trail and links to Caradon and Looe Valley cycle trail, in terms of its location, functional connection, appearance, heritage value and interpretation, and the safety of pedestrian and cyclist users, will be not be permitted. Further protect trail routes by seeking Quiet Lane status'

COMMENT

I have no comment on this policy

POLICY OSL13

Protection of Existing Cultural, Community, Arts, Recreational and

Sports and Leisure Facilities

The loss of existing community, sport, leisure and recreational facilities will be not be permitted, unless replacement facilities of at least equivalent value in terms of quality, accessibility and cost of access are provided and fully commissioned to the satisfaction of the planning authority in consultation with the town council before the existing facilities are closed.

COMMENT

As currently worded the policy is not a land use policy as the planning system cannot prevent the loss or closure of a facility only whether or not to grant planning permission for a change of use which needs planning permission. This policy does not meet the Basic Conditions and should be reworded as follows:

Sports and Leisure Facilities

The change of use existing community, sport, leisure and recreational facilities will be not be supported, unless it can be demonstrated that the current use is unviable or replacement facilities are provided in an appropriate alternative location. Consultation with the town council before the existing facilities are closed is encouraged.

ICY OSL14

Provision of Additional Cultural, Community, Arts, Recreational and

Sports and Leisure Facilities

The inclusion of new community facilities in new developments and redevelopments within the town centre, in particular facilities that provide for cinema, high quality indoor leisure such as bowling and soft play for young children within them will be supported provided that they:

- a) Are designed in a way that integrates them into the historic built environment;*
- b) Provide for their flexible use as community and other facilities, and*
- c) Are well linked by public transport and by pedestrian and cycle access routes to all town neighbourhoods*

COMMENT

I have no comment on this policy

A PLACE WITH A SUSTAINABLE FUTURE

POLICY SUS1

Sustainable Development Standards All new developments will be expected to demonstrate sustainable design that incorporates:

- Orientation and designs that maximise solar gain for heating and natural lighting, minimise heat loss, minimise energy consumption, and utilise natural cooling in summer,*
- Provision of shelter belt planting in areas exposed to wind,*
- Use of renewable energy sources, in suitable locations,*
- Use of sustainable water sources (rainwater harvesting, greywater recycling) and efficient use of all water for both internal and external water consumption.*
- Measures to reduce surface water run-off including soak-aways, swales and basins, green roofs and sustainable urban drainage systems.*
- Use of sustainable lighting design to minimise energy consumption and intrusive light*

spillage, both within the development and its surroundings

- *Designs that are adaptable and extendable to meet changing life stages and new technologies,*
- *Renewable, local, recycled or recyclable long-life materials*
- *Landscaping that sustains and promotes biodiversity,*
- *Landscaping and layouts that provide refuge, calm and tranquility,*
- *Sustainable travel to work measures.*

Wherever possible, new development should be designed to facilitate the retro-fitting of modern standards to adjoining earlier developments.

In developing schemes to deliver specialised housing (e.g. later living), skillful use of soft landscaping, height changes across open spaces, and mixes of paving, water and glass to demark areas is preferred to the creation of gated or walled communities

COMMENT

This policy is not proportionate in its requirement for “all developments” to demonstrate the inclusion of the criteria within the policy and therefore does not have regard to national policy. The first sentence of the policy should be modified as follows:

New developments where achievable and appropriate to the scale of development will be encouraged to demonstrate sustainable design that incorporates:

POLICY SUS 2

Improved Communications

New live-work or business accommodation sites shall be provided with a superfast fibre connection, or ducting to facilitate such connection when it becomes available.

COMMENT

I have no comment on this policy

SECTION 5

Conclusion and Recommendations

1. ' *I find that the Liskeard Neighbourhood Development Plan has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.*
2. ' *The Neighbourhood Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.*
3. ' *The Liskeard Neighbourhood Development Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the Neighbourhood Area.*
4. ' *The Strategic Environmental and Habitats Regulations Assessment screening, meet the EU Obligation.*
5. ' *The policies and plans in the Liskeard Neighbourhood Development Plan, subject to the recommended modifications would contribute to achieving sustainable development. They have regard to national policy and to guidance, and generally conform to the strategic policies of the Cornwall Local Plan 2016.*
6. ' *I therefore consider that the Liskeard Neighbourhood Development Plan subject to the recommended modifications can proceed to Referendum.*

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9th April 2018