

Carlyon Parish Neighbourhood Development Plan

Consultation Statement

2016 – 2030

Produced by the Carlyon Parish Neighbourhood Development Plan Steering Group

Date document produced: 17 May 2023

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Introduction

The Consultation Statement has been prepared to fulfil the legal obligations of the Neighbourhood Planning Regulations 2012 under Section 5(2). A Consultation Statement:

- (a) Contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
- (b) Explains how they were consulted;
- (c) Summarises the main issues and concerns raised by the persons consulted; and
- (d) Describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

This Consultation Statement summarises all the statutory and non-statutory consultation that has been undertaken with the community and other relevant statutory bodies and stakeholders in developing the Carlyon Parish Neighbourhood

Development Plan. It describes how concerns have been addressed and what changes have been made to the final Plan as a result of the pre-submission consultation.

Aims of the Consultation

In the Community and Engagement Strategy produced at the beginning of the Neighbourhood Plan process, we stated that our objectives were:

- Better communication, leading to better feedback and decision-making
- Improved two-way information flow
- Better information and communication channels to enable community participation
- Increased understanding and awareness of the NP, its purpose and relevance
- The agreed vision is to maintain and enhance Carlyon Parish as a thriving and popular community with notable and distinctive characters in keeping with its residential and business communities.

Background Information to the Consultation on the Neighbourhood Plan

The community has been consulted throughout the development of the Neighbourhood Plan. This may include distributing surveys, attending local events, setting up a website, using social media, organising workshops and sending letters to community groups and statutory organisations.

We would suggest breaking down this section into headings and include photographs of any events, and have blank copies of surveys, posters and newspaper articles as an appendix. Below are some suggested headings.

Provide a summary of any public meetings that were held at the beginning of the Neighbourhood Planning process.

Neighbourhood Plan steering group

The Steering Group was formed during a Parish Council meeting held on January 11th 2017. Its first meeting was held on February 15th 2017. The terms of reference (Appendix 3) were approved at that time. Meetings would be held monthly and always open to the public. Monthly bulletins would be written and sent by email to those who asked for them and also put

on the Parish noticeboards. 33 of these were published and can be seen on the Carlyon Parish Council website under the NDP Appendices tab in Appendix 4. ([Appendices - Carlyon Parish Council \(carlyon-pc.gov.uk\)](http://carlyon-pc.gov.uk))

The Steering Group met after the monthly Parish Council meetings 37 times between February 2017 and December 2020. Minutes of those meetings can be viewed on the Parish website as above in Appendix 5.

From January 2021 to April 2022 the NDP became an agenda item in the main Parish Council meetings. 14 of those were held in that period with minutes available on the Council website.

Neighbourhood Plan Steering Group Members

Neighbourhood Plan Steering Group Members	Responsibility
Graham Entwistle	Chairman (until March 2021)
Paul Trudgian	Communications Strategy and questionnaire analysis and Chairman from April 2021.
Frances Taylor	Treasurer until 2019
Mike Thompson	Treasurer replacing F Taylor
Juliet Aylward	Editorial content, Minutes and publicity
Robin Malcolm	Editorial content, monthly bulletins & publicity
Kim Robertson	Member – left 2018

Themed Working Groups

Working Group Members	Themed Working Group
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Mike Ford	Village Design Statement (VDS) and public consultation preparation
Gail Wieringa	As above and presentation at public events.
Irene Lord	VDS research
Elaine Burgess	Document scrutiny

Community consultation initial survey

The initial survey (appendix 8 on the Parish website [Appendices - Carlyon Parish Council \(carlyon-pc.gov.uk\)](http://carlyon-pc.gov.uk)) was delivered to every dwelling by post in June 2017. Some 737 surveys were sent out. Four weeks were allowed for the surveys to be returned in pre-paid envelopes enclosed with the survey plus a background document (appendix 11) giving more detail of the NDP process.

Business survey

Some 100 business surveys (appendix 10) were delivered by hand during the month.

Community consultation initial survey results

118 surveys (16%) were returned. The majority of responses emphasised the importance of open spaces, the landscape and rural/coastal feel of the Parish and wanted to protect the character of the area.

Community consultation second survey

A second survey was conducted incorporating questions that were most relevant as shown by the results of the initial survey. This second survey was circulated in the same way as the first one in December 2017. Appendix 9 [Appendices - Carlyon Parish Council \(carlyon-pc.gov.uk\)](http://carlyon-pc.gov.uk)

Community consultation second survey results

The response to the second survey was even stronger than to the first with 218 (30%) being returned. The strongest views related to new development being restricted to family homes, maintaining local character, preserving the coastal views, open spaces and the green boundaries.

Analysis of surveys

The full results and analysis of both these surveys can be seen in Appendix 12 on the Parish website [Appendices - Carlyon Parish Council \(carlyon-pc.gov.uk\)](https://www.carlyon-pc.gov.uk/Appendices-Carlyon-Parish-Council)

Public Engagement Events

The first public engagement event was held in the Tregrehan Methodist Centre during the Duck Race day in August 2017. Despite some appalling weather a steady flow of people came in to the dry to see what we had to present.

The second major public event was held at the Porth Avallen Hotel in Sea Road on September 29th 2019. This was a huge success with 123 members of the public turning out. Invitations had been delivered to every building in the NDP area.

Below are a few photos from the second event. The full set of photos are at Appendix 27 in the NDP Appendices folder.

The issues raised at these events closely mirrored the responses gathered in the weighty replies to the 2 surveys as referred to above.





Strategic Environmental Assessment Screening opinion

The Carlyon Parish NDP Steering Group requested that Cornwall Council screen the Neighbourhood Plan for Strategic Environmental Assessment and Habitat Regulations Assessment on 10th March 2020.

Natural England, the Environment Agency and Historic England were consulted as part of the screening process. The screening opinion concluded that an SEA and HRA is not required for the Neighbourhood Plan. The decision notice is at Appendix 1 in this document.

Pre-submission consultation (Regulation 14) Formal Consultee engagement

The formal consultee responses are set out in appendix 2 of this document.

Pre-submission consultation (Regulation 14) Community engagement

The Pre-Submission consultation on the draft plan proposal was held between 14 December 2020 and 10 February 2021. After consultation with Sarah Furley notices publicising the Community engagement were posted on the parish noticeboards with information also put in the parish newsletter which was sent to every household in the parish. The advice was that we didn't need to email members of the public. Hard copies of the Neighbourhood Plan were available to view at the Parish Clerk's office, The Pattern Hall, Foundry Park, Charlestown Road during the ten week consultation period. The Clerk can be contacted on 01872 501101. The documents were available to download from the parish council website during the consultation period and all relevant appendices were also available. The website address is www.carlyon-pc.gov.uk Only 2 responses were received at this stage. The community had given us their main feedback in the surveys and at the public events. The individual consultation responses received are set out in appendix 3.

Main Issues and Concerns Raised during the consultation

The main issues raised by the statutory consultees were regarding flooding and coastal erosion from the Environment Agency, crime prevention from the Police and some mapping issues raised by St Austell Town Council. These have all been addressed and the responses are summarised in Appendix 2 of this document.

In a lengthy email from CEG – the developers with planning permission on the beaches at Carlyon Bay – a request was made to incorporate a mention of future work on the beaches. Also it was pointed out that one of our maps was wrong. A question was raised about the Granite Gate site and a query about tourism was brought up. These have all been dealt with – the summary responses are in Appendix 3 below.

Final draft Neighbourhood Plan

Once the steering group have amended the draft Plan proposal from comments received during the Pre-submission consultation, the town or parish council will need to approve the final draft before formally submitting the Plan to Cornwall Council.

The Carlyon Parish NDP Steering Group have amended the draft Carlyon Parish Neighbourhood Development Plan from comments received during the Pre-Submission Consultation from statutory organisations, businesses and members of the community.

The Carlyon Parish Council approved the draft Carlyon Parish Neighbourhood Development Plan proposal at their Council Meeting on 17 May 2022.

Appendices

Appendix 1 Screening decision notice.

Robin Malcolm

Carlyon Parish NDP

robinmalcolm1@aol.com

by email

Dear Robin,

29 April 2020

Carlyon Parish Neighbourhood Development Plan – SEA and HRA Screening

As requested I have screened the Carlyon Parish Neighbourhood Development Plan (NDP) to see whether the plan requires Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA.)

As required by the SEA regulations I produced a screening opinion report for the NDP (Pre Strategic Environmental Assessment draft) and consulted the statutory bodies: Natural England, Historic England and the Environment Agency. I also asked Natural England to confirm whether or not HRA was required under the HRA directive.

Based on the scale and location of development proposed in the draft plan, Cornwall Council is of the opinion that the Carlyon Parish NDP is unlikely to have significant effects on the environment or on European Sites and that SEA and HRA is therefore not required.

This view is confirmed by the consultation bodies and the full screening report and the responses from the Environment Agency, Natural England and Historic England are attached.

If significant changes or additions are made to your plan I would advise you to have it rescreened.

Yours sincerely,

Sarah Furley Group Leader **Neighbourhood Plans** Tel: 01872 224294

Appendix 2

Pre-submission consultation (Regulation 14) Formal Consultee Responses

The table sets out the statutory organisations that were consulted during the Pre-Submission consultation stage of the Neighbourhood Plan process.

Statutory Organisation	Comment Received	Action Taken
Natural England	Natural England does not have any specific comments to make.	
Environment Agency	<u>Vision</u> We support the neighbourhood plan's overarching vision for a healthy and thriving community, but feel that this could be strengthened by having a greater focus on the	Comments appreciated and incorporated where relevant.

	<p>value of the natural environment for community wellbeing and ensuring that the community is resilient to the impacts of climate change in the future.</p> <p><u>Objectives</u></p> <p>We are pleased that objective b) picks up the need to protect and enhance the natural environment and climate change. Climate resilience will be increasingly significant and it is important that this is recognised. We also support objectives c), in particular the need to protect and enhance green space, and e) regarding challenging developers to deliver sustainable development. It may be implied that this would involve avoiding any unnecessary development in areas at risk of flooding, but it might be beneficial to specify this. An objective about protecting and enhancing water quality might also be valuable for the benefit of both wildlife and people (i.e. at bathing beaches).</p> <p><u>Policies</u></p> <p>We welcome the range of environmental policies set out in the plan. In particular, we are supportive of Policy 2: Green Buffers (especially GB2 Habitats), Policy 4: Climate Change and Green Infrastructure and Policy 7: Infrastructure (especially IN1 Sustainable design). It is positive that the plan appears to acknowledge that green infrastructure provides more than recreational, amenity and wildlife benefits but also benefits in terms of flood risk management and protecting water quality.</p> <p><u>Flood risk</u></p> <p>We consider that the plan should have a greater emphasis on flood risk. The Tregrehan Stream runs through Tregrehan Mills and the Sandy River runs from St Austell to Carlyon Bay. Both of these are categorised as main rivers and the floodplain associated within these rivers puts parts of the parish at risk of flooding. New development within the floodplain should be avoided where possible. Any development which must be located within the floodplain should be designed to be safe from flooding over its lifetime and not increase flood risk elsewhere. This is particularly relevant for policy EE3 Par Moor, where it will be important that any new development is flood resilient and businesses have a flood plan in place. More information on this can be found at: http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/292937/LIT_5284_ab06c2.pdf</p> <p>In Policy 4, we would suggest providing link to the EA's 2020 updated guidance on climate change allowances when considering flood risk within planning matters. The 2020 Flood and Coastal Erosion Risk Management Strategy should also be referenced in relation to Policy 4 and can be accessed at: https://www.gov.uk/government/publications/national-flood-and-coastal-erosion-risk-management-strategy-for-england--2</p> <p><u>Coastal risk</u></p> <p>We are pleased that the plan references key policy documents (SMP, RBMP, Cornwall Council Climate Change DPD) with regard to planning for climate change and coastal risk. In Policy H2, paragraph 10.10 references development pressures along coastal fringe – it may be useful to cross reference to Policy 4 and identify that SMP policy and CC Climate Change DPD supports sustainable management of these pressures,</p>	<p>The policy referred to has been changed as the Par Moor site originally noted is – as Cornwall Council advised us – this falls under the aegis of Cornwall Council under its Cornwall Site Allocations DPD for St Austell.</p> <p>Link incorporated Paragraph 13.4</p> <p>Suggestions incorporated into relevant paragraphs.</p>
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	<p>including application of Cornwall Council's Coastal Erosion Vulnerability Zone as a constraint where required.</p> <p>Policy 4 justification paragraph 13.1 notes the risk of cliff instability. Observations support that the cliffs along this part of the coastline are prone to frequent minor slips and rock falls. With reference to the SMP policy of no active intervention, and the previously noted unwelcome development pressure on the coastal fringe, it may be prudent to include in the Policy 4 wording that development which involves requirement for artificial coastal or cliff stabilisation works would not be supported.</p> <p>Any development pressure in the Porth Avellen Hotel area should be particularly carefully managed as existing development and the highway encroaches close to cliff edge in this location, where erosion risks already exist, including to, as the plan identifies, the route of the South West Coast Path. The path is also vulnerable along other sections of the Carlyon frontage. Where squeezed between cliff edge and private gardens no physical room is available to set it back therefore inland re-routing would be required, as we have seen happen in other nearby locations such as Duporth.</p> <p>Please contact us again if you require any further advice. Kind regards Sarah Squire MRTPI Sustainable Places – Planning Advisor Environment Agency – Devon, Cornwall and the Isles of Scilly Area</p>	<p>Addition made to Paragraph 13.1 and to Policy 4.</p>
<p>Home and Communities Agency</p>	<p>No comment received.</p>	
<p>Historic England</p>	<p>From the preliminary information available on your website it looks as though there may be an intention to allocate land for employment use in policy EE2. Additionally, policy EE3 refers to land identified in the St Austell Strategy map but provides no indication of that status of that allocation relative to the Local Plan. It will be useful to provide clarification to assist in the determination of whether new evidence is required for this provision or not.</p> <p>If these policies do constitute new allocations an SEA Screening Opinion exercise may be necessary. We would therefore encourage you to liaise with Cornwall Council on this matter.</p>	<p>Cornwall Council consulted – no SEA required. See Appendix I for decision notice.</p>
<p>Network Rail</p>	<p>We would appreciate the Council's providing Network Rail with an opportunity to comment on any future planning policy documents. We look forward to continuing to work with you to maintain consistency between local and rail network planning strategy.</p>	

Highways Agency	We are satisfied that the Plan's proposed policies are unlikely to result in development which will adversely impact the Strategic Road Network, and we therefore have no comments to make.	
Marine Management Organisation	No comment received.	
Three (Mobile)	No comment received.	
O2 and Vodafone (Mobile)	No comment received.	
EE Mobile	No comment received.	
OFCOM	No comment received.	
Royal Cornwall Hospital Trust	No comment received.	
Peninsula Community Health	No comment received.	
Kernow Clinical Commissioning Group	No comment received.	
Healthwatch Cornwall	No comment received.	
National Grid	No comment received.	
Devon and Cornwall Police	<p>Thank you on behalf of Devon and Cornwall Police for the opportunity to comment on the draft Carlyon Parish NDP</p> <p>Other than within the Retail and Small Business Policy I could see no specific references to crime or disorder which i feel should be included within all such Neighbourhood Plans. Whilst these issues are covered in other national and council policies i feel they should also be addressed within the Carlyon Parish NDP.</p> <p>I would therefore suggest that the following statement or similar is included within the NDP "All development proposals should consider the need to design out crime, and disorder to ensure ongoing community safety and cohesion"</p> <p>This can apply to all forms of development not just housing. May be just as relevant for new car parks, footpaths, play areas, commercial development etc. By designing out opportunities for crime and anti-social behaviour (ASB) will not only hopefully prevent or reduce these but very importantly also help reduce the fear of crime.</p> <p>Yours faithfully, Martin Mumford</p>	<p>Added to Policies H1 and 10</p>

	<p>Police Designing Out Crime Officer</p> <p>Martin Mumford Designing Out Crime Officer Devon and Cornwall Constabulary</p> <p>St Austell Police Station 1 Palace Road, St Austell PL25 4AL</p>	
Western Power Distribution	No comment received.	
EDF Energy	No comment received.	
Wales and West Utilities	No comment received.	
British Gas	No comment received.	
South West Water	No specific comment	
Adjoining Town and Parish Councils:-		
St Austell Town Council	<p><i>Members of the Town Council's Planning and Regeneration Committee last night considered the latest version of the Carlyon Bay Neighbourhood Development Plan. They were generally supportive of the key policies in the plan but identified a few mistakes which they asked that I draw discreetly to your attention.</i></p> <p><i>These were:</i></p> <p><i>Figure 2: Carlyon Settlement Boundary map – the Gwallon Keas development is not considered a settlement</i></p> <p><i>Section 11.1 – the policy numbers quoted are wrong.</i></p> <p><i>Figure5: Carlyon NDP area Green Buffers – the Gwallon Keas site is shown as a recreational area</i></p>	Changes as noted have all been made.

St Austell Bay	No comment received	
Charlestown PC	No comment received	
St Blaise PC	No comment received	
Treverbyn PC	No comment received	

Appendix 3

Pre-Submission Consultation – Individual Community Responses Received

The table below sets out the individual comments receive from members of the community during the Pre-Submission consultation and the action taken.

Neighbourhood Plan Policy	Comment Received	Action Taken
Housing, Employment, Green Buffers and Tourism.	Dear Sir/Madam Draft Carlyon Parish Neighbourhood Development Plan 2020 – 2030 Pre-Submission Consultation Lichfields provides planning advice to CEG in respect of the proposed residential-led development at Carlyon Bay. We have been instructed by our Client to submit representations to the pre-submission draft Carlyon Parish Neighbourhood Development Plan (NDP) consultation. We hope you find these comments useful and flag that our Client is maintaining an ongoing dialogue with the Parish Council, the NDP	

	<p>Steering Group and the wider local community. We would, therefore, be more than happy to meet (virtually) with you to discuss any of the points in this letter.</p> <p>We have 3 principal comments which are detailed below, followed by a number of other points.</p> <p>1. NDP Policy 1: H1. Housing Development (p12) - Reference to Carlyon Bay CEG is committed to developing the revised proposal for Carlyon Bay. The scheme is clearly deliverable, and completion could be achievable within the NP period. Given the significance of this scheme to the local community and the local economy, there should be a clear reference to it in the NDP. We therefore request that the following text is added at the end of NDP Policy 1: H1. Housing Development: "Planning permission has been granted for a major residential-led development at Carlyon Bay. The site is outside the settlement boundary but the principle of residential development in this location has been established. Development at Carlyon Bay will, therefore, be supported where it conforms with other policies in this Plan and relevant policies in the Cornwall Local Plan".</p> <p>Appropriate text should also be added to the 'justification' section to briefly explain the background to this proposal. To assist, we have drafted the following: "The beaches at Carlyon Bay have an implemented planning permission for a significant development that it is understood is likely to be substantially built out during the period of this NP. The permission includes agreements to ensure public access to the beaches beyond the development site. This is an important aspect for the local community. The extent of the approved development is shown on plan [X]"</p> <p>2. NDP Policy 8: Employment EE3 – Par Moor (p39) – Reference to Granite Gate The site that is commonly referred to as 'Granite Gate' has a temporary planning permission (up to seven years) for an overspill car park and contractors' compound (LPA ref: PA15/10510). CEG proposes to use this site in association with construction at Carlyon Bay. Granite Gate has an extensive planning history, including an historic permission for a business/technology park. In</p>	<p>Reference to the CEG site added to Policy H1</p> <p>Added to justification.</p> <p>References to the Granite Gate site is a matter with Cornwall Council responsibility under the Cornwall Site Allocations DPD for St Austell so specific mention of this site is not included in the Employment Policy 8.</p>
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	<p>2002, outline planning permission was granted for a motor museum (LPA ref: C2/00/00201) followed by the approval of RMAs in 2003 (LPA ref: C2/02/01556). Construction of the motor museum has commenced through the erection of the steel framework of the building. In addition, planning permission was also granted in 2005 for a temporary car storage shed to be in place for a period of two years whilst the motor museum was being built (LPA ref: C2/05/01487). In 2009, planning permission was granted for the "retention of existing storage building for 2 years" (LPA ref: 09/00234). This building remains in place in the south-eastern corner of the site. Granite Gate forms part of the Par Moor 'employment' allocation in the NDP (coloured purple on figure 14). Given the planning history of Granite Gate and its previously developed status, CEG endorses this allocation and Policy EE3, which supports the development of office space or light industrial units. However, we request that flexibility is built in to the policy to reflect the fact that: 1 CEG will be using the site for several years as the Carlyon Bay compound; 2 There may be potential for longer term use for car parking/off site management; 3 The demand for office space/light industrial units and commercial floorspace generally may well change over the period to 2030.</p> <p>This could be addressed by adding the following text (underlined) to Policy EE3: "<u>Development of office space or light industrial units on the site (STA-E3) on Par Moor identified in the St Austell Strategy Map, will be supported (Appendix 31 St Austell Strategy Map) See Figure 14 below – area in purple. Other uses for this previously developed site will be considered on their merits and in the context of other policies in this Plan and relevant policies in the Cornwall Local Plan. Reference to Granite Gate and its planning history/use as a contractor's compound should be added to the justification and we would be more than happy to assist with drafting text.</u></p> <p>3. NDP Policy 2: Green Buffers – GB1. Green Gaps (p18) and Amendment to Figure 5 (p20) Policy GB1 correctly cross references figure 5 which shows Green Gaps. However, figure 5 also shows a designation for recreational areas (purple) which washes over Carlyon Bay. Given that there is no policy on recreational</p>	<p>Relevant maps have been changed.</p>
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	<p>areas, we consider that the designation (purple) should be deleted. If a policy on recreational areas is introduced, we trust that the designation will be amended so that it does not cover Carlyon Bay, where the principal of residential-led development has been established.</p> <p>Other Points Other points we wish to highlight are as follows: 1 Paragraph 1.3: We agree that it is appropriate to retain flexibility to review the NDP if circumstances warrant and this may well be prior to 2030. 2 Paragraph 7.5(a): Should include a reference to tourism as a key part of the Cornwall economy with recognition that it should be encouraged, especially where opportunities arise to extend the visitor season. We anticipate that the Carlyon Bay development will help in this respect. 3 Table of Objectives (figure 2): We are not convinced that this table adds to the understanding of the NDP. The interrelationship between the various land uses and objectives is complex. For example, housing is a critical part of the economy and tourism can benefit, for example, the natural environment. We suggest it is deleted. 4 NDP Policy 9 on Tourism (p41): The importance of tourism to the local and Cornish economy is significant. It supports a whole "eco system" of activity. The tourism role of Cornwall should be enhanced and supported and we suggest that Policy 9 incorporates the following text: "Proposals to enhance, improve and where appropriate extend/expand an existing tourism related business will be supported, taking account of other policies in this Plan." We hope the comments made above are helpful. Our Client would welcome further opportunities to participate in and support the preparation of the NDP as it progresses. Should you wish to discuss these representations further, please do not hesitate to contact me. Yours faithfully Sophie White Planning Director</p>	<p>This table is provided within the template for inclusion in any NDP so adheres to the guidelines being followed.</p> <p>Policy 9 was written in the light of many comments made at our public consultation events and surveys. These expressed a preference for consistent employment over new tourism jobs. However Policy 9 does show – in the justification and intention – support for tourism and in the Policy itself – ET1 – support is given as here:- <i>'Applications for rural diversification relating to tourism activities will be supported, especially when new jobs will be created or existing jobs secured'</i>.</p>
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<p>General</p>	<p>This Plan submission is certainly a well-constructed and impressive document covering so many aspects relating to our lovely Parish. The detailed contents and appendices are clearly the result of so much preparation, consideration, discussions, investigations and consultations, all of which were necessary to bring this Plan together. It is commendable that such a small team of Parish Councillors and public volunteers has, over a prolonged period of some 4 years, produced the Plan having devoted so much personal and group time to its compilation. Not an easy task by any means. Your efforts are very much appreciated. Thank you all.</p>	
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Appendix 4

Pre-submission comments from Cornwall County Council

Comments for Carlyon Bay – Presubmission (Regulation 14)

General Comments on Policy Wording and Evidence Base:

The CC comments at Regulation 14 focus only on issues that may come up at Examination as contravening the Basic Conditions.

The policy wording is sometimes not precise enough to enable the clear implementation required. For example, using the phrase 'development will be supported where...' could be tightened up to say 'Development should...' The Examiner may recommend modifications to address this – but some suggestions are made in the individual policy comments below.

Evidence Base:

Please make sure that you have a clear evidence base, to support the proposed settlement boundaries. This should state the Guiding Principles, which are the list of objective criteria you have used to judge where the line of the boundary is drawn and include a commentary to show how each part of the settlement boundaries is consistent with those principles. Your landscape character assessment may be part of this evidence base, but there still needs to be a clear rationale to support the settlement boundaries which the Examiner can assess. The Examiner will be looking for consistency.

Common issues that have arisen at other examinations are:

- the inclusion of extant planning consents
- Domestic gardens should generally be included within the boundary.

For the Tregrehan boundary particularly there are some areas where the rationale for the line of the boundary isn't immediately clear – especially where it appears not to follow property boundaries. This may be a drafting error, but please double check this. There is some advice in section 4 of our Development Boundary guidance [development-boundary-guidance-v4-final-feb-2020.pdf \(cornwall.gov.uk\)](https://www.cornwall.gov.uk/media/1234567/development-boundary-guidance-v4-final-feb-2020.pdf)

Another common issue at examination is the need for evidence to support proposals for Local Green Space designation. I can see that your appendices 14 – 18 have been developed to address this and I have made some comments in the individual policy section. Please make sure that landowners have been notified.

Individual Policies:

Policy 2 Green Buffers

GB1: Supporting text suggests that this is evidenced in the Site Allocations DPD – but the area indicated extends well beyond the green buffer shown in the DPD. Please ensure that you have evidence to support the area of green buffer which extends beyond the DPD indication. (This may be in your Landscape Character Assessment.)

GB2C: The requirement to submit specific supporting information for a planning application is a procedure, which is part of the Local Planning Authority's registration requirements. This is governed by other legislation and can't be imposed by

planning policy. You could reference this in the supporting text, to alert applicants, but an NDP can't impose different requirements.

GB3: What is meant by the term designated trees? Consent will be required for any works to TPO'd trees and development should aim to retain all trees where possible. The strategic requirement for Biodiversity Net Gain will also help to encourage the retention of trees. Our Wildlife and Trees Guide note [Wildlife Trees and Woodland Guidance](#) has 3 suggested policies for the retention of trees following the hierarchy of retention, onsite replacement (with reference to canopy size) and offsite replacement which you could use or adapt.

GB4: the views need to be shown in the document and key views from public vantage points must be identified, with a clear link to the relevant sections of the evidence base.

Fig 5: the recreational area appears to extend over the extant permission at Carlyon Bay. What does recreational area mean in terms of policy implementation? I can't see a reference to these areas in the policy wording.

CCG1: An NDP can't refer to an emerging strategic policy in the policy wording itself although you may reference the Climate Change DPD in the supporting text. The emerging strategic policy will carry its own weight and does not need to be repeated in an NDP.

CCGI4: This is a policy where the wording could be tightened up, because I think the intention is not to support 'any' new development, provided it maintained wildlife corridors. Better to say 'New development should.....'

GS1:

As noted in the general comments, please ensure that landowners have all been notified.

LGS is not normally the right designation for recreation areas where you would support an alternative location for a sports facility or social club if that resulted in better provision of facilities. The designation is to protect land that is intrinsically specially and which therefore could not be replaced elsewhere. The usual policy wording is 'development will not be supported except in very special circumstances.'

Although LGS land does not have to be accessible to the public, the designation will rarely be acceptable in domestic private gardens. In Fig 8 the proposed LGS appears to encroach into private gardens – this may be a drafting error, but should be checked.

EE3: There is no need to repeat the strategic policy in the DPD – and the NDP cannot conflict with the strategic policy.

STA-E3 Par Moor

a) An employment site delivering B1, B2, B8 employment space, including at least 4,000sqm of B1a office space b) The site has a 7 year temporary permission for use as a construction depot so development may commence from the year 2023. c) There is a narrow corridor of 3b functional flood plain running through the south of the site which must be incorporated as blue/ green infrastructure. Flood risk will need to be reviewed at the time proposals emerge. d) To ensure likely significant effects upon the SAC and pSPA are avoided or appropriately mitigated, an appropriately designed SuDs scheme must be provided e) Planning permission for the development of only part of the site will not be granted, unless it is in accordance with a masterplan / concept plan for the entire site.

Appendix 5

Late consultation with the owners of the Carlyon Bay Hotel

In November 2022 the Plan was approved at the Legal Compliance and Examination stage as recorded below:-

That the Carlyon Neighbourhood Development Plan is agreed to be legally compliant and should be publicised under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and taken forward to Examination.

However a few days later the owners of the Carlyon Bay Hotel – the Brend group – said they had an intention at some time in the future to erect some eco-dwellings on part of the land and would like the green space as marked on the plan in the NDP to be amended. This was obviously a very late stage in the process particularly as the Brend group’s agent had been informed twice – in November 2019 and March 2020. Meetings took place between the Parish Council and the Brend group and it was decided that another consultation would be conducted. To that end over 900 consultation packs were posted to all in the Parish on Friday 24th February and the 6 week consultation period commenced on Monday 27th February (ending on 10th April). The result of that process is as outlined below in the minutes of Carlyon Parish Council 18th April 2023

Neighbourhood Plan

The Chairman outlined the background to how the draft neighbourhood plan had reached its current stage and stated that Brend Hotels had challenged the green space designation of West Crinnis field within the plan, which was their entitlement. Brend Hotels presented their "vision" of the future direction of the hotel at the parish council meeting in December 2022, which included plans to build eco lodges on the scrub land at the top of the field.

The Chairman reported that there had been a 25% response rate to the questionnaire (above the 23% response rate for the 2017 NDP consultations), broken down as follows:

Option 1 (Supported amending the Local Green Space designation) – 8%

Option 2 (Supported amending the Local Green Space designation, but only as it could lead to guaranteed public access to the west field after 2026) – 30%

Option 3 (Do not support amending the Local Green Space designation and leaving the parcel of land undeveloped is more important to us than guaranteeing public access after 2026) – 62% The results were robustly discussed by councillors and it was RESOLVED not to amend the Local Green Space designation on the draft Carlyon Neighbourhood Plan.

The Chairman then said that a meeting had been arranged with Brend Hotels for the following day where he would convey the outcome of the consultation to the hotel’s representatives.

