

Planning, Design and Access Statement

Croft Farm Holiday Park
Luxulyan
Bodmin
Cornwall
PL30 5EW

31 March 2022

Change of use of land from the stationing of 13 no. static holiday caravans and 15 no. seasonal pitches to the stationing of 15 no. residential park homes

Applicant: Croft Farm Holiday Park



Sanderson
Weatherall

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1. Introduction

- 1.1. This Planning, Design and Access Statement (PDAS) has been prepared, on behalf of Croft Farm Holiday Park (hereafter 'the applicant'), to support a planning application for the change of use of land from the stationing of 13 no. static holiday caravans and 15 no. seasonal pitches to the stationing of 15 no. residential park homes at Croft Farm Holiday Park, Luxulyan, Bodmin (hereafter 'the application site').
- 1.2. The purpose of this statement is to describe the site and its location as well as explain the pre-application advice received from Cornwall Council; describe the proposed development; explain the relevant planning history; identify the policy context; explain design and access consideration; and assesses the extent to which it complies with the Development Plan and other material considerations.
- 1.3. The remainder of this report follows the structure set out below:
 - Section 2 – Site Location, Description and Pre-Application Advice;
 - Section 3 – Proposed Development;
 - Section 4 – Relevant Planning History;
 - Section 5 – Planning Policy Context;
 - Section 6 – Design and Access Considerations;
 - Section 7 – Planning Justification;
 - Section 8 – The Planning Balance; and,
 - Section 9 - Conclusion.
- 1.4. Any queries or requests for further information should be addressed to Owen Pike at Sanderson Weatherall LLP (0117 338 1800) or email owen.pike@sw.co.uk.

2. Site Location, Description and Pre-Application Advice

Application Site Location

- 2.1. The application site is located at the northern end of Croft Farm Holiday Park wholly within its operational boundary. The holiday park is located north of a concrete mixing and aggregate processing site (Fahey's Concrete Ltd) approximately 4 miles (6.44km) to the north of St Austell, 1.5 miles (2.4km) from the Eden Project visitor centre and 0.6 miles (0.96km) south of Luxulyan village. The holiday park is approached via an unclassified country road which runs from the A391 road, through Luxulyan to join with the A390. The holiday park is set back from the main road behind Croft Farm Residential Park, a separate park home site within the same ownership that borders the eastern boundary. The holiday park is accessed via a right of way over the entrance drive to the residential park.
- 2.2. Both parks lie outside of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS), the Cornwall and Tamar Valley Area of Outstanding Natural Beauty (AONB) and the Area of Great Landscape Value (AGLV). The latter designated landscape exists to the east of the fields on the other side of the main road. The nearest site that is designated for its nature conservation value is the deciduous woodland (a County Wildlife Site) to the west of the field which adjoins the western boundary of the application site.
- 2.3. Residential park homes within Croft Farm Residential Park (contains 59 no. dwellings in total) bounds the application site to the east and north. Static holiday caravans within the wider holiday park bound the application site to the south-east whilst woodland and recreational areas (in the same ownership) bound the application site to the south-west and west. Hedgerows and woodland run along the length of the site's western boundary.
- 2.4. Croft Farm Holiday Park is a caravan and camping site that was established in the 1960s. It comprises approximately 4 hectares (9.8acres) of land and contains 56 no. static holiday caravans and 15 no. grass pitches, hard-standing pitches, and seasonal pitches suitable for touring caravans, motorhomes, and tents. The static holiday caravans can be used for 10 months of the year (Condition Nos. 4, 3 and 5 attached to planning permissions **01/12/01756**, **99/12/01154** and **98/12/01496**, respectively). The Park also contains a reception office/shop, tourist information room, a games room, recreation field extending to approximately 2 acres and a woodland and dog walking area extending to approximately 5 acres.
- 2.5. There is a bus stop close to the south of the park's main entrance which provides a daily service (No.101) to St Austell (the largest town in Cornwall) as well as to Luxulyan.

- 2.6. No Public Rights of Way (408/11/1) traverse the holiday park; the closest Public Right of Way (PRoW) is a bridleway beyond the field to the north of the residential park.

Application Site Description

- 2.7. The application site comprises 13 no. static holiday pitches, 15 no. landscaped seasonal pitches of varying shapes and sizes (comprising 4 no. tent and 11 no. hardstanding touring pitches) and a toilet block. The static holiday pitches include concrete bases and are generally arranged in two rows either side of a road at the southern end of the application site. The seasonal pitches comprise a mix of stone chip pitches and grass pitches all with electrical hook-up points. There are several trees within the application site however none are understood to be protected by a Tree Preservation Order (TPO). The application site is neither within a designated landscape nor an area at risk of flooding.
- 2.8. The application site is approximately 0.75 hectares (1.85 acres) in size.
- 2.9. Vehicular access into the application site is via the internal road from the main park entrance.

Pre-Application Advice

- 2.10. A request for pre-application advice was submitted to Cornwall Council (hereafter 'the LPA') in July 2020 (**Appendix 1** refers). The main issues identified in the LPA's response are listed below (**Appendix 2** contain copies of the LPA's written feedback).
- Principle of Development – the LPA officer confirmed that the development could represent the rounding-off of an existing settlement if the scale of development was reduced and thus, it could be in accordance with Policy 3 of the Cornwall Local Plan (CLP);
 - Rural Exceptions Housing – the LPA officer confirmed that Policy LH2 of the Luxulyan Neighbourhood Development Plan (NDP) supports affordable schemes and promotes the use of modular low-cost housing “*which static caravans would fall within*”. The officer also confirmed there is conflict between NDP Policies LH1 and LH2 because the former restricts development in the countryside to 10 units and allows some cross subsidy, whereas the latter neither restricts the size of development nor supports any open market housing;
 - Housing Need – the LPA officer referred to a housing needs assessment which suggested there is only a need for 9 units for over 55s. The officer also suggested it would be questionable whether the authority would want to see all the need delivered on one site;

- Housing for Older People – the LPA officer suggested that the proposed age restriction of 55 and over would not satisfy the requirements of NDP Policy LH4 as it requires one person to be over state pension age;
- Landscape Character – the LPA officer confirmed that as the site is outside of any landscape character designation and the separation zone on the edge of Luxulyan, and to the west of existing park homes, *“it is considered that providing existing trees were retained and adequate landscaping was proposed that there would be limited impact upon the landscape character of the area”*;
- Landscape & Visual Impact Assessment (LVIA) – our request for pre-application advice set out that an LVIA would be unwarranted given the site is centrally located in the park and relatively well screened. The LPA officer did not consider this issue but instead merely identified an LVIA as a planning application requirement within a broad list of documents;
- Infrastructure Contributions – the LPA officer confirmed that if the proposed development is for over 55s accommodation, there would be no requirement to provide education contributions. **The LPA officer also confirmed that CIL is not chargeable on the proposed development;**
- Technical Assessments – the LPA officer recommended that any potential planning application is informed and supported by a Tree Survey, Flood Risk Assessment & Drainage Strategy, Design & Access Statement, Viability Appraisal, Affordable Housing Needs Assessment, Section 106 Heads of Terms, Phase I Contamination Report, Phase I Habitat Survey, and Biodiversity Net Gain Calculation; and,
- Community Engagement – the LPA officer also recommended consulting the Parish Council, nearby residents, and the local Ward Member.

3. Proposed Development

3.1. This application is submitted with the following description of development:

“Change of use of land from the stationing of 13 no. static holiday caravans and 15 no. seasonal pitches to the stationing of 15 no. residential park homes”

3.2. It is significant that the number of units proposed has been reduced by 25% compared to the scheme that was subject to pre-application consultation with the Council.

3.3. Planning permission is sought for the residential park homes to be occupied for 12 months of the year.

3.4. Occupation of the residential park homes would be limited to people aged 55 or over.

3.5. Elevation drawings of the proposed residential park homes have not been submitted because they fall under the statutory definition of a caravan as laid down on the Caravan Sites and Control of Development Act 1960 as supplemented by Section 13 of Caravan Site Act 1968. The exact style and type of residential park home sited on each pitch will depend on future demand; the manufacturer chosen and customer preference.

Layout

3.6. The positioning of each residential park home within the pitch, as shown on the submitted Proposed Park Layout Plan, is in accordance with the site licensing Model Standards 2008 for Caravan Sites in England.

Drainage Details

3.7. The existing foul drainage network comprising a private on-site system will be utilised. The method of surface water drainage at the site will be unaltered i.e., runoff from the roofs will be discharged directly to the ground via natural infiltration, gravel parking spaces will drain via infiltration and the existing road will continue to drain through existing arrangements.

Access

3.8. The main entrance off the unclassified road will be unaltered; accordingly, the established vehicular access arrangements will continue at the site.

Proposed Planning Obligations – Draft Heads of Terms

3.9. The siting of residential park homes, as caravans, is a 'sui generis' use for which the Community Infrastructure Levy (CIL) charge is Nil.

3.10. Notwithstanding this, the following planning obligation draft heads of term is proposed:

“Affordable Housing”

The applicant covenants with Cornwall Council to pay a sum towards off-site provision of affordable housing, prior to the occupation of the fifth residential park home.

3.11. The applicant is content to negotiate this during the application determination period.

4. Relevant Planning History

4.1. The most recent planning application at the holiday park relates to a parcel of land to the north of the current planning application site. Planning permission for the *'Replacement of 6 no. static holiday caravans and 7 no. seasonal pitches with 9 no. park homes for permanent residential use (one of which is an existing unit to be retained)'* was granted on 25 June 2019 under reference **PA18/05947**.

4.2. Condition 3 imposed an age restriction on the park homes and states as follows:

"The 9 units hereby approved shall only be occupied by persons over 55 (principle Occupier) and the spouse or partner of the principle Occupier, or any person staying with the Principal Occupier as guest or residing with the Principal Occupier, any registered carer or other person providing care to the Principal Occupier their spouse, partner, widow or widower, and the widow, widower or surviving partner of the principal occupiers."

4.3. The planning permission also included a legal agreement entered into under Section 106 of the Town and Country Planning Act 1990 that secured an off-site affordable housing contribution of £24,000.

Reason for Approval

4.4. The Delegated Officer Report (p5) concludes as follows:

"The proposed development would be considered a rounding off, of an existing settlement and is of an appropriate scale to the size of the existing settlement.

The proposal would make effective use of previously developed land.

The layout of the proposal would be in keeping with the existing development on the site and would not impact upon the landscape character of the area by be located within the confines of the existing development.

The proposal would provide alternative housing for people over 55s which would assist in providing a wider choice of homes in the area."

4.5. It is found that the proposal was broadly compliant with the emerging neighbourhood plan as it was for over 55s and represented a small-scale housing development of appropriate scale and density.

Appeal against Community Infrastructure Levy Charge

- 4.6. An appeal against a Community Infrastructure Levy (CIL) Charge was determined by the Valuation Office Agency (VOA) on 13 December 2019 (**Appeal Reference 1726101**). The VOA determined that the CIL payable in this case should be £0 (nil).

Changes to Development Plan

- 4.7. The Luxulyan Neighbourhood Development Plan has been formally made since the grant of planning permission PA18/05947. It therefore now forms part of the statutory Development Plan for the application site.

5. Planning Policy Context

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to achievement of sustainable development.

Development Plan Policy

- 5.2. The Statutory Development Plan comprises the following:
- Cornwall Local Plan Strategic Policies 2010 – 2030 (adopted 2016);
 - Luxulyan Neighbourhood Plan (made 2019);
 - Cornwall Site Allocations Development Plan Document (adopted 2019); and,
 - Saved Policies of the Restormel Borough Council Local Plan 2001 – 2011 (adopted 2001).

Cornwall Local Plan Strategic Policies

- 5.3. The Cornwall Local Plan Strategic Policies (CLPSP) was adopted by the LPA in November 2016. It provides the spatial strategy for the county identifying the type, scale and broad locations of where new homes, transport improvements, jobs, shops, open spaces, and services should occur in the period from 2010 to 2030. It also provides policies to ensure new development addresses the key issues facing the area.
- 5.4. The Policies Map that accompanies the LPSP shows that Croft Farm Holiday Park is an unallocated site located in the countryside. The Policies Map also shows that Croft Farm Holiday Park is located outside of the Cornwall and Tamar Valley Area of Outstanding Natural Beauty AONB and the AGLV. The most relevant policies to the proposed development are identified below.
- 5.5. Supporting text identifies several objectives of the LPSP, those of most relevance to the proposed development are listed below.
- *“Objective 4: Meet housing need by providing for new homes over the plan period that **provide everyone in the community with the opportunity of living in an appropriate home**, supported by local community facilities” (underlined and highlighted text – our emphasis).*
 - *“Objective 5: Allow people and communities to provide for jobs and deliver homes locally to meet needs, where they can best support the role and function of local communities as well as allow for further change and adaptation.”*

- *“Objective 9: Make the best use of our resources by;*
 - a. *Reducing energy consumption while increasing renewable and low carbon energy production;*
 - b. *Maximising the use of previously developed land;*
 - c. *Supporting local food production, and*
 - d. *Increasing resilience to climate change.”*
- *“Objective 10: Enhance and reinforce local natural, landscape and historic character and distinctiveness and raise the quality of development through;*
 - a. *Respecting the distinctive character of Cornwall’s diverse landscapes;*
 - b. *Maintaining and enhancing an effective network of open space and environmental stewardship for our ecosystems services network for food production, flood control and wildlife; and*
 - c. *Excellence in design that manages change to maintain the distinctive character and quality of Cornwall.”*

5.6. **Policy 1** is clear that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It states the following:

“Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise...”

5.7. **Policy 2** provides the spatial strategy for the County. It acknowledges that new development should provide a sustainable approach to accommodating growth, providing a well-balanced mix of economic, social, and environmental benefits which should maintain the ‘dispersed’ development pattern of Cornwall and provide homes and jobs based on the role and function of each place. It confirms, amongst other things, that strategic scale growth will be accommodated in the main towns and city where they can best support regeneration and sustainable development.

5.8. **Policy 3** identifies the settlement hierarchy in the County which comprises the following classifications: Main Towns; Eco-Communities; Community Network Areas excluding the main towns; and Within the AONB or its setting. It suggests that the scale and mix of uses of development and investment in services and facilities should be based on the role and function of places. It states the following:

“...3. Other than at the main towns identified in this Policy, housing and employment growth will be delivered for the remainder of the Community Network Area housing requirement through:

- *identification of sites where required through Neighbourhood Plans;*

- *rounding-off of settlements and development of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role;*
- *infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside. Proposals should consider the significance or importance that large gaps can make to the setting of settlements and ensure that this would not be diminished;*
- *rural exception sites under Policy 9”*

5.9. The application site is located within the *St Blazey, Fowey and Lostwithiel Community Network Area (CAN)*.

5.10. Supporting text clarifies how development will come forward in smaller villages and hamlets (**Para 1.68**) and states that *“In principle the use of previously developed land within or immediately adjoining the settlement will be permitted provided it is of a scale appropriate to the size and role of the settlement.”*

5.11. Given that Policy 3 steers larger scale growth to the main towns but also supports ‘organic’ growth in the countryside, the Council’s *Chief Planning Officer Advice Note on Infill/Rounding Off* was published in December 2017 to provide guidance. The first issue it discusses is the need for decision makers to first identify if the proposal physically relates to a recognisable settlement. It confirms that *“A settlement is a place where people collectively live-in permanent buildings.”* Although it acknowledges there is no absolute definition, other than at the named towns, it suggests the smaller villages and hamlets should have a *“form and shape and clearly definable boundaries, not just a low straggle of development”* (definition from the LPSP **Para 1.68**). It also confirms that ***“Well-defined groups of dwellings with a collective name will normally be settlements.”*** Other relevant points from the Advice Note are listed below.

- ***“In defining settlements there are no expectations of services or facilities.*** *The only specific exception to this is when assessing proposals for infill or rounding off in smaller villages and hamlets where, for development to be acceptable, such smaller villages and hamlets should ‘be part of a network of settlements and/or be in reasonable proximity to a larger village or town with more significant community facilities, such as a primary school.’ (paragraph 1.68 LP:SP)...*
- ***“In a rural place like Cornwall, other than in our city or towns it is unrealistic for public transport, walking and cycling to meet all of residents’ transport needs alone...”***
- *“Rounding off development should not visually extend development into the open countryside and should be predominantly enclosed by edging features...”*
- *“A judgement will be required on a case by case basis whether a site has the appearance of being within the physical boundaries of that settlement...”*
- *“Proposals must be adjacent to existing development and be contained within long standing and enclosing boundary features, for example, a road, Cornish hedge or stream. Suitable sites are likely to be surrounded on at least two sides by existing built development...”*

- *“The development of land which does not entirely fit the definition of infilling (part of continual frontage) or rounding off, but would be within the form and shape of that settlement, whether a main town or other settlement will be acceptable where there is no significant harm arising to social, environmental or economic considerations.”*
 - *“Development in this respect would accord with Policy 21c) which encourages proposals to increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land” (underlined and highlighted text – our emphasis).*
- 5.12. **Policy 2a** deals with the provision of homes and jobs, amongst other things, and it identifies the County will provide for 52,500 dwellings in the period to 2030.
- 5.13. **Table 1** sets out the apportionment of the local plan housing provision (at 31 March 2016). It identifies a windfall requirement of 207 dwellings for sites of less than 10 homes in the *St Blazey, Fowey and Lostwithiel CNA* for the period 2021-30.
- 5.14. **Policy 6** relates to housing mix and confirms that new housing developments of 10 dwellings or more should include an appropriate mix of house size, type, price, and tenure to address identified needs and market demand and to support mixed communities. It states that proposals should seek to: *“Address need and demand for affordable, market housing and starter homes...”* and *“Respond to the requirements of a changing population and of particular groups in the community, by increasing the supply of accessible and specialist housing (including ground floor flats, flats with lifts and **bungalow accommodation**)...”* (underlined and highlighted text – our emphasis).
- 5.15. Supporting text refers to the need of housing for older people (**Para 2.25**) and states that *“According to the SHMNA the number of **people aged 65 or more in Cornwall will increase by 43%** over the Plan period and includes a doubling in the numbers of those aged 85 and over. The significant increase in older people means that the Council needs to consider how it will tackle the strategic challenge of ensuring there is a **range of appropriate housing provision** for this particular group in the future. Larger schemes will be expected to include a proportion of accessible homes as part of the overall housing mix and should also consider the provision of specialist housing for older people”.*
- 5.16. Supporting text also refers to the need of single person and family households (**Para 2.30**) and states that *“The SHMNA shows a significant increase in single person and couple households driven in the main by the increasing number of older person households, and concludes, particularly in relation to affordable housing, that there will be a **high demand for smaller one and two bed properties**. The delivery of an increased number of smaller units **will allow downsizing to take place, freeing up larger homes in the Plan area**”* (underlined and highlighted text – our emphasis).

- 5.17. In addition, supporting text confirms that a Housing Mix Supplementary Planning Document (SPD) will be prepared to give further guidance on how Policy 6 should be addressed (**Para 2.31**).
- 5.18. **Policy 7** limits new homes in the countryside to scenarios where there are special circumstances, including: replacement dwellings; the subdivision of existing residential dwellings; the reuse of suitably constructed redundant, disused, or historic buildings; temporary accommodation for workers; or accommodation for full time agricultural, forestry and other rural occupation workers where there is an essential need of the business for the occupier to live in that specific location. To qualify as a 'suitably constructed redundant, disused or historic building', a building to be converted should have an existing lawful residential or non-residential use and be ten years old or greater.
- 5.19. **Policy 8** deals with affordable housing and confirms that the threshold for provision in designated rural areas and areas of outstanding natural beauty will be more than 5 dwellings, and for developments of between 6 and 10 dwellings in such areas, a financial contribution in lieu of on-site provision of affordable housing will be sought per unit of affordable housing that would have been provided. It also confirms the target levels of affordable housing are 50% in Zone 1, 40% in Zone 2, 35% in Zone 3, 30% in Zone 4 and 25% in Zone 5.
- 5.20. The application site is in Luxulyan Parish which is identified at **Appendix 2** as falling within Zone 4.
- 5.21. **Policy 9** deals with rural exception sites and states the following:
- “Development proposals on sites outside of but adjacent to the existing built-up area of smaller towns, villages and hamlets, whose primary purpose is to provide affordable housing to meet local needs will be supported where they are clearly affordable housing led and would be well related to the physical form of the settlement and appropriate in scale, character and appearance.*
- The number, type, size and tenure of the affordable dwellings should reflect identified local needs as evidence through the Cornwall Housing Register or any specific local surveys completed using an approved methodology.*
- The purpose of such developments must be primarily to provide affordable housing. The inclusion of market housing will only be supported where the Council is satisfied it is essential for the successful delivery of the development based on financial appraisal (For example to fund abnormal development costs or to deliver a balanced, sustainable community).*
- Market housing must not represent more than 50% of the homes or 50% of the land take, excluding infrastructure and services.*
- The Council will secure the first and future occupation of the affordable homes to those with a housing need and local connection to the settlement or parish in line with the Council’s adopted local connection policies.”*
- 5.22. **Policy 12** relates to design; the Council is committed to achieving high quality safe, sustainable, and inclusive design in all developments.
- 5.23. **Policy 21** deals with best use of land and existing buildings and states the following:

“The ensure the best use of land, encouragement will be given to sustainably located proposals that:

- a. use previously developed land and buildings provided that they are not of high environmental or historic value;*
- b. use despoiled, degraded, derelict and contaminated land provided that it is not of high environmental or historic value;*
- c. increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land;*
- d. take into account the economic and other benefits (including food production) of Grade 1, 2 and 3a agricultural land. Where significant development of agricultural land is demonstrated to be necessary, poor quality land should be used in preference to that of higher quality.”*

5.24. **Policy 23** seeks to sustain and protect and where possible enhance Cornwall’s natural environment and assets. It aims to do this by ensuring that, inter alia:

“...Development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and un-designated landscapes...

...Development should conserve, protect and where possible enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance...

...Development must avoid the loss or deterioration of ancient woodland and veteran trees, unless the need for, or benefits of, development on that site clearly outweigh the loss...”

5.25. **Policy 27** deals with transport and accessibility. It is clear all developments should provide safe and suitable access to the site for all people and not cause significantly adverse impact on the local or strategic road network that cannot be managed or mitigated. It also requires, inter alia: that the need to travel is minimised and the use of sustainable transport modes can be maximised by prioritising safe access by walking, cycling and public transport.

5.26. **Policy 5** is supportive of the development of new or upgrading of existing tourism facilities through the enhancement of existing or provision of new, high quality sustainable tourism facilities, attractions, and accommodation, subject to being an appropriate scale to their location, and their accessibility by a range of transport modes. The same policy also requires proposals should provide a well-balanced mix of economic, social, and environmental benefits.

5.27. None of the Policies seek to protect holiday caravans, seasonal pitches, or other types of visitor accommodation, nor do they preclude them from being changed to alternative uses, nor do they provide any guidance for the potential change of use of visitor accommodation to residential use. There are also no specific policies relating to residential park homes.

Luxulyan Neighbourhood Development Plan (NDP)

5.28. The Luxulyan NDP was formally made on 3 September 2019 and provides additional planning policies for Luxulyan parish for the period ending 31 March 2030.

5.29. Supporting text (**Para 5.1**) provides a summary view of the community and those issues of most relevance to the proposed development are listed below.

- *“The vast majority of respondents want future development to be within existing settlement patterns.”*
- *“A significant number of responses indicated **new development should be focused on providing lower cost houses** for people with a local connection.”*
- *“62% of the respondents believe that new homes should be **spread among a greater number of small sites**, to help meet the ambition of the community to promote affordable housing for local people.”*
- *“The responses show a definite wish that new houses should be of a **smaller size** for smaller family/start-up homes and homes adapted for **older people**.”*
- *“The responses about the tenure of new homes indicates a mixture of priorities but **primarily that people would like to own, or part-own their own home**, provided there was an opportunity to buy or part-buy at a realistic price. However, a significant number of responses also felt it was important to have more homes for rent.” (underlined and highlighted text – our emphasis)*

5.30. Supporting text (**Para 4.3**) acknowledges that caravans or temporary dwellings make up 11.5% of the homes in the parish. Supporting text (**Para 7.5**) also explains that the NDP seeks to accommodate housing growth in the following ways:

- By prioritising affordable homes for local people;
- Whilst retaining the essential rural character of the Parish; and
- Suitable exception schemes for affordable housing led proposals under CLP Policies 3 and 9.

5.31. **Policy LH1** relates to new housing development. It states:

“Small-scale incremental housing development of an appropriate scale, density, character and appearance that complies with the Cornwall Council Design Guidance and reflects and enhances the village and Parish of Luxulyan shall be permitted where this:

- (a) is proportionate with and will help to support social and community facilities available in the Parish;*
- (b) provides suitable infrastructure, including safe access to adjacent main roads and with safe walking and cycling access to the village amenities (where possible); and,*
- (c) is either:*

- i. a proposal for an affordable housing Rural Exception Site (in accordance with CLP Policy 9), which is non-contiguous and a minor development of 10 or less houses;
- ii. the conversion of suitable disused buildings within the Parish; or,
- iii. Housing for a rural worker where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.”

5.32. **Policy LH2** provides the rural exceptions housing policy for the parish. It states as follows:

“Affordable homes will be permitted to meet a local need where this need is evidenced and where the development does not have an unacceptable impact on the visual and landscape amenity of the area. This may be acceptable in the case of either new build dwellings or conversion of traditional buildings. In each case ancillary works such as access, outbuildings and curtilage boundaries should not have an unacceptable impact on the visual and landscape amenity of the area.

New dwellings will be supported where the following criteria apply:

1. *The proposal is to deliver an affordable home for discounted sale or rent*
2. *The proposal should be well-related to existing settlements and hamlets*
3. *The property has a maximum of 3 bedrooms although up to 4 bedrooms may be considered in exceptional circumstances*
4. *Applications to extend or otherwise enlarge these properties will not normally be supported unless material considerations indicate the development should be an exception*
5. *Self-build, modular off-site construction and other innovative low-cost housing models are encouraged under this policy.”*

5.33. Under the sub-heading housing for older people, supporting text confirms that *“Steps need to be taken to facilitate the delivery of housing for older people. The Luxulyan area has a high proportion of older people and owner occupiers. When those households need more specialised housing there is at times a lack of choice and there is the possibility of older people occupying larger unsuitable properties. **Currently there is no housing stock tailored for the elderly.**” (Para 8.12).*

5.34. Supporting text also confirms that *“This policy seeks to meet the need for more affordable housing for the Luxulyan area by allowing older people to build new homes and therefore stay in the Parish while adding to the stock of affordable homes. To qualify for consideration older persons housing should be restricted so in future sale or rent it is to be considered as an Intermediate Home for sale at a percentage of 60% of the Open Market Value or rented at affordable rent level. **These homes will also free up larger houses in the Parish and allow older people to release equity.**” (Para 8.13) (underlined and highlighted text – our emphasis).*

5.35. **Policy LH4** provides the parish policy for housing for older people. It states as follows:

“Within Luxulyan Parish housing developments that address the local need for older persons’ affordable housing will be supported. This can occur through the provision of bungalows or other suitable housing types that meet M4(2) optional accessibility standard in the Building Regulations 2016 or a future alternative similar standard.

Proposals when at least one occupant is over state pensionable age (or requires specialist housing by virtue of personal incapacity or impairment) meets the local occupancy requirements but are not deemed to be in housing need will be supported where affordable housing for older people is to be provided.

Consideration of the siting and design of such new houses will be important to ensure that there will be no unacceptable impact on the landscape character and visual amenity of the surrounding area, where development should reflect the locally distinct character, and not result in a loss of landscape amenity. The reuse of an existing traditional building within the landscape or a suitable plot within or near to the existing buildings, farmsteads or hamlets may prove to be a suitable site.

The new affordable dwelling should be subject to a s106 Legal Agreement ensuring that it remains available for local households where one member is over the state retirement age or can be sold or rented as an affordable dwelling for local people in perpetuity.”

5.36. **Policy LLNE1** provides the parish policy on local landscape character. It states as follows:

“Where appropriate, planning applications should be accompanied by a statement setting out how proposals are of an appropriate scale, density, character and appearance that reflects and enhances the village and Parish of Luxulyan.

Development in the area highlighted in yellow in Figure 6 will be required to maintain the open aspect between the settlements and not result in a reduction in the visual and actual separation of the settlements.

Proposals that detract from, or have an adverse impact on existing landscape characteristics identified in the Luxulyan Character Assessment or the 2007 Landscape Character Assessment (CA 20 Mid-Cornwall Moors and CA 39 St Austell Bay and Luxulyan Valley) will not be supported.”

Cornwall Site Allocations Development Plan Document

5.37. The Site Allocations DPD was adopted by the Council on 26 November 2019. It sets out the strategy for the future growth of 10 towns/conurbations throughout Cornwall, plus sets out policies for the delivery of two Eco-community sites, for the period 2010-2030. The housing and economic targets for these locations were set by the CLPSP, so the Allocations DPD addresses how and where these targets will be delivered, whilst setting them within a wider strategy for the area.

5.38. **Policy ECO-M2** relates to the Par Docks Eco-community site (this is the only allocated site within the St Blazey, Fowey & Lostwithiel CNA). It identifies the policy requirements for an allocation of approximately 500 dwellings, employment uses (B1/B2 use classes), retail space (A3/A4 use classes) and hotel use (C1 use class).

5.39. There is also no planning provision for residential park homes in the Allocations DPD.

- 5.40. Given the Council has focused its resources in producing the Site Allocations DPD, work to produce a Housing Mix SPD, as identified in the CLPSP, has not progressed. There is therefore a vacuum in the county relating to guidance on how minor residential developments can achieve a suitable housing mix.

Saved Policies of the Restormel Borough Council Local Plan

- 5.41. The Restormel Borough Council Local Plan (RBCLP) was originally adopted in October 2001 with a plan period from 2001 to 2011. Although the CLPSP has subsequently been prepared and adopted by the Council, some of the development control policies have been saved until they are replaced by up-to-date development management policies. The most relevant saved policy to the proposed development is identified below.
- 5.42. **Saved Policy 14** confirms that development will not be permitted that would cause harm to the landscape, features and characteristics of Areas of Great Landscape Value (AGLV).
- 5.43. Policy 74, which was superseded by the CLPCS, related to the provision of affordable housing. Supporting text (**Para 8.58**) that clarified the policy and confirmed the following:

“Mobile homes are considered to be another legitimate way of meeting certain affordable housing needs, both for sale and rent. Indeed, the Council makes use of such accommodation in a limited way. This policy will apply to all kinds of housing including mobile homes but mobile homes will not be treated any differently in terms of the suitability of locations from any other kind of housing...” (underlined and highlighted text – our emphasis)

- 5.44. None of the Saved Policies seek to protect holiday caravans, seasonal pitches, or other types of visitor accommodation, nor do they preclude them from being changed to alternative uses, nor do they provide any guidance for the potential change of use of visitor accommodation to residential use. There are also no specific Saved Policies relating to residential park homes.

Material Considerations

- 5.45. Material considerations include the National Planning Policy Framework, the Housing and Planning Act 2016, National Planning Practice Guidance, the Model Standards 2008 for Caravan Sites in England, ministerial statements and parliamentary reports, and case law.

National Planning Policy Framework (The Framework)

- 5.46. The current Framework, published in July 2021, states that the purpose of the planning system is to contribute to the achievement of sustainable development by performing an economic role, social role, and environmental role. Critically, the Framework requires these roles to be delivered

simultaneously through the planning system, delivering mutually dependent benefits. The Framework places a presumption in favour of sustainable development (**Paragraph 10**).

- 5.47. The Framework clarifies that the presumption in favour means proposals that accord with an up-to-date development plan should be approved without delay, or “*where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date*”, planning permission should be granted unless, “*...policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*” (Footnote 7), or “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*” (**Paragraph 11(d)**).
- 5.48. Under theme 3 *Plan-making*, **Paragraph 23** states that strategic policies within the development plan “*should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development.*”
- 5.49. **Paragraph 60** under theme 5 *Delivering a sufficient supply of homes*, states: “*To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.*”
- 5.50. **Paragraph 62** states: “**Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies** (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.” (highlighted and underlined text – our emphasis)
- 5.51. **Annex 2** defines ‘Older people’ as: “**People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.**” (highlighted and underlined text – our emphasis)
- 5.52. **Paragraph 66** states: “*Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated*

neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.”

5.53. **Paragraph 68** states: *“Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify enough supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:*

a) specific, deliverable sites for years one to five of the plan period; and

b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.”

5.54. **Paragraph 69** states: *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;

b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;

c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and

d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.”

5.55. **Paragraph 74** states: *“Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:*

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.”

5.56. **Paragraph 78** states: *“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”*

5.57. **Paragraph 79** states: *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”*

5.58. **Paragraph 80** generally seeks to avoid the development of isolated homes in the countryside.

5.59. Under theme 11 *Making effective use of land*, **Paragraph 119** states: *“Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-development or ‘brownfield’ land.”*

5.60. **Annex 2** defines ‘previously developed land’ as follows:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”

5.61. **Paragraph 219** is clear that due weight should be given to relevant policies in existing plans according to their degree of “consistency” with The Framework.

The Housing and Planning Act 2016

- 5.62. The Housing and Planning Act 2016 received Royal Assent on 12 May 2016 and Clause 124, which relates to the Assessment of accommodation needs, came into force on 12 July 2016. Clause 124 requires local housing authorities in England (defined as District Councils and London Borough Councils) to consider:

“...the needs of people residing in or resorting to their district with respect to the provision of-(a) sites on which caravans can be stationed...”

- 5.63. This suggests that local housing authorities need to start forward planning for provision of residential caravans (park homes). This legislation is a significant change from other recent planning legislation because it is the first-time non-traveller caravans have been recognised as having a role in contributing towards the supply of housing in each area. The legislation is considered to represent a significant material consideration because it represents the current direction of national planning policy relating to park homes.
- 5.64. The Applicant understands that the need for non-traveller caravans was not considered within the Strategic Housing Market Needs Assessment (SHMNA) for Plymouth City Council, South Hams District Council, West Devon Borough Council, Cornwall Council and Dartmoor National Park Authority published in July 2013.⁹

National Planning Practice Guidance (NPPG)

- 5.65. PPG was launched as a web-based resource in March 2014 and sections are updated on an ad-hoc basis. It provides guidance on how policies in The Framework are to be implemented in practice. It replaced a wide range of circulars, planning guidance and good practice guides.
- 5.66. **Paragraph 001** of the section titled *Housing for older and disabled people* (Reference ID: 63-006-20190626) explains how the needs for all types of housing should be addressed. It identifies ‘housing for older people’ as a specific group that has a need for a certain type of housing. It confirms that *“In mid-2016 there were 1.6 million people aged 85 and over; **by mid-2041 this is projected to double to 3.2 million.** Offering older people, a better choice of accommodation to suit their changing needs can help them **live independently for longer, feel more connected to their communities** and help **reduce costs to the social care and health systems.**”* (highlighted and underlined text – our emphasis).
- 5.67. Paragraph 010 (Reference ID: 63-010-20190626) identifies *“Age-restricted general market housing”* as a specialist type of housing to meet the diverse needs of elderly people.
- 5.68. Paragraph 012 (Reference ID: 63-012-20190626) also identifies ‘bungalows’ among the general housing which is needed.

Model Standards 2008 for Caravan Sites in England

5.69. The Model Standards that apply to park homes were published by the Department for Communities and Local Government in April 2008. The key standards are listed below, as follows:

- 3m from a site boundary;
- 6m from any other caravan (separation area);
- 30m from a fire point; and,
- parking spaces in separation areas should be no closer than 3m from adjacent caravan.

The Housing White Paper, Fixing our broken housing market, 2017

5.70. This was published in February 2017 to outline how the Government seeks to achieve its objective of boosting new housing supply, to deliver *'between 250,000 and 275,000 homes every year'*. It proposes four steps, which are outlined below.

1. Planning for the right homes in the right places (principally by using local and neighbourhood plan policies).
2. Building homes faster (mainly by better linking infrastructure with housing development, more efficient development management and addressing the construction skills shortages).
3. Diversifying the housing market (focusing on increasing the numbers of small and medium-size builders, promoting more varied forms of tenure, and encouraging 'modern methods of construction').
4. Helping people now (by meeting all the population's diverse housing needs).

5.71. Regarding step 3, the document confirms the government will boost productivity and innovation *"by encouraging modern methods of construction in house building"* (Executive Summary, 19, 45), *"support the development of modern methods of construction"* (p48) generating the confidence for the private sector to invest in new capacity and *"create new opportunities for the use of modern methods of construction"* (p54). It defines 'modern methods of construction' (footnote 61, p54) as including:

"homes that are built offsite or can be rapidly assembled or use other techniques that increase productivity."

5.72. The document also confirms that in diversifying the housing market the Government will (p14) *"promote more modular and factory built homes."*

5.73. Park homes are manufactured in factories so can be delivered relatively quickly, particularly compared to bricks and mortar houses. They are therefore a type of development that uses modern methods of construction and accordingly, are supported by The Housing White Paper.

The Affordability of Retirement Housing, published by the All-Party Parliamentary Group on Housing and Care for Older People

- 5.74. This report highlights the massive problem of under provision of affordable homes for older people seeking retirement on lower incomes (**Appendix 3** refers). The report found that there are over 8 million people over 60 in 7 million homes interested in down-sizing, that the number of homes built specifically for older people has fallen from 30,000 per year in the 1980s to 8,000 a year today, and that up to 50% of older people in some areas, typically the South East, are priced out of retirement housing.

Ministerial Statement, Better homes, and bungalows for Britain's older people, 2015

- 5.75. This document outlines how the Government plans to provide more bungalows to address the needs of older people and to encourage them to move out of bigger homes to make way for younger families (**Appendix 4** refers). Park homes are single storey in a similar fashion to brick-built bungalows. They can therefore help Cornwall Council to address the Government's call for Councils to plan for more bungalows.

Written Ministerial Statement, 14 July 2010

- 5.76. The Government has made clear its support for park homes when the former Minister for Housing and Local Government, the Right Hon Grant Shapps, commented: "*The Government values the role the park home sector plays in the housing market offering an alternative to mainstream housing for many people, often over the age of fifty, in mainly rural, semi-rural and seaside locations*" (**Appendix 5** refers).

Department for Communities and Local Government Letter, June 2007

- 5.77. This letter confirms that park homes are a form of low-cost housing, and that LPAs should plan for provision of low-cost homes (**Appendix 6** refers). Thus, park homes have a vital role to play in ensuring there is a sufficient supply of housing available to all those in housing need. Park homes provide a greater choice of housing in sought-after areas of southern England where 'normal' market housing is often priced well above the national average.

Case Law

Braintree DC v. SSCLG [2018] EWCA Civ 610

- 5.78. This Court of Appeal Judgement has provided clarity over government policy on countryside development in a ruling that backed a developer's plans to build two bungalows in an Essex village

(**Appendix 7** refers). Braintree District Council in Essex relied on Paragraph 55 of the NPPF¹, which advises that “*local planning authorities should avoid new isolated homes in the countryside*”, when it refused to grant Granville Developments permission for two bungalows in the village of Blackmore End in 2016. The council argued that the homes would be ‘isolated from services and facilities’. The Court of Appeal upheld a High Court decision ruling that proposals cannot be considered isolated if there are other dwellings nearby.

¹ This was replaced by Para 80 in the current revised Framework.

6. Design and Access Considerations

Use

- 6.1 The proposed development seeks to change the use of the land at the application site from static holiday caravan and seasonal pitches to residential pitches.

Amount

- 6.2 15 no. park homes are proposed, laid out in accordance with the Model Standards 2008 for Caravan Sites in England. Around the park homes would be grassed amenity space, single parking spaces for each unit and circulation space.

Layout

- 6.3 The proposed layout of the park homes is shown on the Layout Plan as Proposed that accompanies this application.

Scale

- 6.4 The proposed park homes fall within the definition of caravans as laid down by Section 29 (1) of the Caravan Sites and Control of Development Act 1960 and as modified by Section 13 (1) of the Caravan Sites Act 1968 and Statutory Instrument 2006/2374. The actual size and model sited will depend upon future demand, the manufacturer chosen and customer preference. Notwithstanding this, it is currently envisaged that one single unit (38ft x 12ft) and fourteen twin units (30ft x 20ft) will be stationed on the application site.

Landscaping

- 6.5 New trees at a ratio of 3 to 1 will be replanted for each tree removed to facilitate the development.

Appearance

- 6.6 The park homes will be similar in appearance to the existing park homes to the east and north.

Access

- 6.7 The holiday park has one vehicular access, and it is located to the east of the application site; this comprises an opening onto the adjoining unclassified road. The applicant does not propose to

create a new vehicular access to the application site. Nor are any improvements proposed to the park's existing access.

7. Planning Justification

- 7.1. This section of the statement sets out the justification for the proposed change of use when considered against the relevant planning policies and other material considerations.
- 7.2. The key issues arising from this proposal are as follows:
- a) Principle of development and presumption in favour of sustainable development;
 - b) Making more efficient use of previously developed land;
 - c) Meeting the needs of older people;
 - d) Affordable housing;
 - e) Landscape and visual considerations;
 - f) Arboriculture and biodiversity considerations;
 - g) Flood risk and drainage considerations; and,
 - h) Traffic and access considerations.
- 7.3. Each of these issues is now discussed in turn.

Principle of Development and Presumption in Favour of Sustainable Development

Planning Practice Guidance, Ministerial Statements and Cornwall Local Plan:

- 7.4. Residential mobile homes, now more commonly referred to as park homes, are single storey in a similar fashion to brick-built bungalows. They can therefore help Cornwall Council to address the Government's call for Councils to plan for more bungalows to address the needs of older people and to encourage them to move out of bigger homes to make way for younger families (Better homes and bungalows for Britain's older people, 2015). Identifying the need for particular types of housing, including bungalows, is highlighted as being important in providing housing for older people in national planning guidance (PPG - Paragraph 001, Reference ID: 63-006-20190626).
- 7.5. The only real difference between bungalows and park homes is their method of construction. Due to mass production methods park homes are a unique form of affordable low-cost housing that provides an important bridge in the market between social housing and mainstream market housing, especially for those seeking to reduce their housing costs but unable to access social housing.
- 7.6. Single floor living and low cost means that park homes are particularly popular with older people looking to downsize from larger bricks and mortar housing, to save maintenance and running costs,

and to free up capital to create or supplement a pension. In this way park homes have an important function in freeing up housing for families seeking large family homes. The proposed park homes at Croft Farm Holiday Park will be restricted to occupation by people aged 55 or over in 'Park Rules' agreed with the residents.

- 7.7. As a result of Croft Farm Holiday Park's welcoming environment with its well-maintained pitches and a secure entrance, the benefits that this form of living provides, the absence of allocated park home sites and the lack of new park home sites coming forward for development in Cornwall, the applicant has received numerous enquiries from older people seeking to buy a home at Croft Farm Holiday Park. This planning application therefore seeks to address that demand by providing 15 no. residential park homes within the site.
- 7.8. The Government supports park homes, recognises that they are a form of low-cost housing and considers that LPAs should plan for the provision of low-cost homes (Written Ministerial Statement 2010 and DCLG Letter 2007). Cornwall Council has previously accepted that *"Mobile homes are...another legitimate way of meeting certain affordable housing needs, both for sales and to rent"* (RBCLP, Para 8.58). It now aims to *"provide everyone in the community with the opportunity of living in an appropriate home"* (CLPSP, Objective 4) and *"Allow people and communities to provide for jobs and deliver homes locally to meet needs"* (CLPSP, Objective 5). Furthermore, given there is predicted to be a 43% increase in the number of people aged 65 or more in Cornwall, the authority accepts that it *"needs to consider how it will tackle the strategic challenge of ensuring there is a range of appropriate housing provision for this particular group in the future"* (CLPSP, Para 2.25) and *"there will be a high demand for smaller one and two bed properties"* the delivery of which *"will allow downsizing to take place, freeing up larger homes in the Plan area"* (CLPSP, Para 2.30). The Luxulyan NDP directly encourages small-scale incremental residential development under Policy LH1, promotes factory-built homes under Policy LH2 and supports addressing the local need for older person's accommodation under Policy LH4. All the above provide in-principle support for the proposed development.

National Planning Policy Framework:

- 7.9. Despite this positive framework, Policy 7 restricts where new homes, including park homes, will be allowed in the countryside. It limits them to replacement dwellings, the subdivision of existing residential dwellings, the reuse of buildings, temporary accommodation for workers, or accommodation for full time agricultural, forestry and other rural occupation workers. The principle of the proposed development is therefore not supported by Policy 7.
- 7.10. However, none of the adopted CLPSP and NDP policies, or saved RBCLP policies, seek to protect holiday caravans, seasonal pitches, or other types of visitor accommodation, nor do they preclude

them from being changed to alternative uses, nor do they provide any guidance for the potential change of use of visitor accommodation to residential use. Neither do any of the development plan policies relate specifically to park homes. Furthermore, there are no policies on the provision of single storey homes to address the needs arising from older people.

- 7.11. On this basis, The Framework (Para 11(d)) is clear that where there are no relevant development plan policies, or the policies that are most important for application determination are ‘out-of-date’, planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies in the Framework that protect areas or assets of particular importance indicate development should be refused. None of the areas or assets of particular importance (Footnote 7 of The Framework) apply to the application site. The Framework therefore provides additional in-principle support for the development.

Site Surroundings, Case Law and Pre-Application Advice:

- 7.12. The bus stop at the entrance of the park means there are alternative travel options to the car for accessing community facilities and services in Luxulyan and St Austell. The application site is located on the edge of an existing settlement adjacent to 59 no. park homes on the wider site and in the vicinity of other residential dwellings, including Tean Cottage, Croft Farm and Bryher Croft Farm; it is therefore contended that the proposed development will not result in ‘isolated homes’ in the countryside, as confirmed in the Court of Appeal Judgement Braintree DC v. SSCLG (**Appendix 7** refers). It therefore follows that the proposed development is in accordance with Para 80 of The Framework. On this basis and in the light of the application site’s established holiday use for 13 static holiday caravans and 15 seasonal pitches and the mature boundaries on all sides, it is contended that the scheme does not represent encroachment into the open countryside.
- 7.13. Further in-principle support for the proposed development is provided by the Council’s Pre-Application Advice (**Appendix 2** refers), which states (p2) when referring to planning permission PA18/05947: *“As the view was taken that Croft Park Residential Park was a settlement then the same assumption would need to be made with this pre-application enquiry”*. It went on to state: *“It is considered that the site is well related to the existing residential development on this whole site...”* and *“...is confined by existing boundary enclosures”*. Although the advice expressed concern that the provision of 20 units may not be proportionate to the scale of the settlement it acknowledged (p4): *“that the proposal could represent rounding off if the scale of development was reduced and could be in accordance with policy 3 of the CLP.”* The number of residential park homes has been reduced by 25% and it will result in there being only two additional permanently sited static caravans at the application site compared to those in-situ at present. In addition, the application site’s relationship with the existing residential park homes and the park’s boundary features are

unchanged. It is therefore suggested that the proposed development is in accordance with CLPSP Policy 3.

- 7.14. The bullets below will demonstrate how the proposed development also represents a sustainable development by being framed around the three dimensions of sustainable development, namely: the economic role; social role; and environmental role.

Economic Growth:

- *Job Retention and Staff Spending:* The park currently employs 5 staff, all of whom live in Cornwall, so a proportion of the staff wages will be re-spent in the local economy. These jobs will be secured by the proposed development.
- *Job Creation and Spending:* It is envisaged that the reconfiguration of the application site to provide 15 park homes will create 2.0 full time jobs during the construction period (3 years) relating to formation of the roads, bases, and installation of services, amongst other things. These construction workers are likely to be recruited locally and re-spend some of their wages in the local economy.
- *Business Spending:* The fees paid to local firms which supply goods and services will increase because of the development. It is also envisaged that £15k - £20k per pitch will be paid to local trades.
- *Resident Spending:* Park residents currently pay £82,949.28 in council tax a year and spend additional money on local goods and services. The expanded population will pay an additional £21,088.80 in council tax and more money at local shops, pubs, bus, and other services indirectly creating further jobs in the local economy and helping to sustain the viability of rural businesses in proximity.
- *New Homes Bonus:* £126,532.80 of new homes bonus (15 x £1,405.92 x 6 years) will be paid to the LPA because of the development.

Social Betterment:

- *Additional Low-Cost Homes:* The proposed development will provide 15 low-cost homes. Park homes are more affordable than equivalent sized bricks and mortar housing, but they are still sold and rented in the open market. The Government has therefore defined them as low-cost market housing.
- *Additional Affordable Homes:* In addition, the applicant will make a financial contribution towards affordable housing provision off-site. It is considered that this will be necessary because park homes as a product, and the application site's central location within an

operational caravan park, are unlikely to be an attractive proposition to registered providers.

- *Single Storey Homes for Older People:* As single storey homes, park homes are akin to bungalows, only much cheaper and more acceptable in rural and semi-rural settings. They are therefore very popular with older people and the proposed scheme will therefore help to meet the needs of older people.
- *Strengthened Community:* Croft Farm Residential Park already has a large established community with its own activities. Increasing the number of residents will strengthen this community.

Environmental Enhancement:

- *Sustainable Location:* The application site is sited in a sustainable location on the edge of an existing settlement where it is connected to the County's bus network but also within walking and cycling distance of several community facilities in Luxulyan and the Eden Project visitor centre.
- *Sustainable Homes:* The modern park homes to be stationed on the application site will be manufactured to British Standard BS3632 and therefore they will achieve efficiency levels on a par with, and in some cases, exceed housing constructed of conventional bricks and mortar.
- *Limited Landscape Impact:* The layout of the proposed development has been designed to utilise existing concrete bases where possible and is likely to be well screened from public views outside of the holiday park by boundary planting and undulating topography.

7.15. In the light of the above and with respect to Paragraph 11 of The Framework, the proposed scheme is sustainable development and accordingly, there should be a presumption in favour of the proposals, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this case, the application site is not located in an area that is protected, or identified as an asset of particular importance, at Footnote 7. This approach is also in accordance with Policy CLPSP Policy 1.

Making More Efficient Use of Previously Developed Land

7.16. In establishing whether an application site is physically related to a recognisable settlement, the Council's *Chief Planning Officer Advice Note on Infill/Rounding Off* is clear that "A settlement is a place where people collectively live-in permanent buildings." All 59 park homes at Croft Farm

Residential Park are main residences which can be used all year round. The Council's Advice Note also suggests that settlements should have a “*form and shape and clearly definable boundaries, not just a low straggle of development*” and that “*Well-defined groups of dwellings with a collective name will normally be settlements*”. Both the residential park and holiday park have been built around an internal road network and all boundaries are recognisable in the landscape generally being established hedgerows/hedge-banks or tree belts. Croft Farm Residential Park is well-known in the local community, as reflected in the NDP. The Advice Note is also clear that “*In defining settlements there are no expectations of services or facilities.*” **In other words, the number of, or proximity to, services and facilities is not a determining factor in whether a place qualifies as a settlement.** Significantly, page 2 of the Council's Pre-Application Advice (**Appendix 2** refers) confirmed the Croft Farm Residential Park should be treated in the same way as it was treated in the determination of planning permission PA18/05947 i.e., regarded as a settlement. For these reasons, there can be no dispute that Croft Farm Residential Park is a settlement.

7.17. Given that maximising the use of Previously Developed Land (PDL) is an overarching aim of the CLPSP (Objective 9), section 3 of Policy 3 allows housing on PDL within or immediately adjoining settlements and Policy 21 allows the use of PDL for sustainably located proposals, it is suggested that any proposal that seeks to make more efficient use of PDL should be supported.

7.18. The application site contains a toilet block building, several hardstanding areas including a road and bases for static holiday caravans and seasonal pitches. It also falls within the curtilage of the existing holiday park. It therefore follows that the application site is previously developed land. This approach would be consistent with the Council's approach in assessing the most recent planning application at CFHP (land immediately to the north of the current application site), where the Delegated Officer Report (p5) confirmed:

“The proposal would make effective use of previously developed land.”

7.19. There are no material reasons why the Council should not be consistent and reach the same conclusion with regards to the current case. On this basis, the proposed development would be in accordance with Policies 3 and 21.

Meeting the Needs of Older People

7.20. One of the core principles in The Framework is delivering a wide choice of high-quality homes. To deliver this, Paragraph 62 states:

*“...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, **older people**, students, **people with disabilities**...)”* (highlighted and underlined text – our emphasis).

- 7.21. Sustainable development therefore requires the provision of housing to cater for the needs of all sections of the population. As single storey homes, park homes are particularly popular with older people, many of whom have (or anticipate having) mobility difficulties. It should be noted that the definition of older people, as set out in Annex 2 of the Framework, is quite broad being “*People over or approaching retirement age, including the active, newly retired through the very frail elderly...*”
- 7.22. Although Footnote 8 and Paragraph 74 of The Framework do not specifically state a requirement for local authorities to demonstrate a five-year supply of different types of housing, the latter is located under same theme as Paragraph 62. It is therefore implicit in the combination of these two paragraphs that there should be a five-year supply for all types of housing, including park homes. Therefore, even if the local authority can demonstrate a five-year overall housing supply, the adopted Development Plan² does not actually contain any specific policies to guide where park homes should be located. **No sites have been allocated and park home operators cannot compete for sites which have been allocated for general housing due to the low-cost nature of their product.** There is therefore no planned provision for park homes, such that proposals have no choice but to come forward on a speculative basis, and no five-year supply of such homes to meet the need outlined below. The provision of additional park homes at Croft Farm Residential Park would therefore also help to address the current shortfall in this specific provision.

- 7.23. In planning to meet the needs of older people NPPG advises that:

“Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.”³

- 7.24. PPG goes on to identify types of specialist housing for older people including age-restricted general market housing, retirement living or sheltered housing, extra-care housing or housing-with-care, and residential care homes and nursing homes. It states:

*“There is a significant amount of variability in the types of specialist housing for older people. **The list above provides an indication of the different types of housing available, but is not definitive.** Any single development may contain a range of different types of specialist housing.”⁴*

“Many older people may not want or need specialist accommodation or care and may wish to stay or move to general housing that is already suitable, such as bungalows, or homes

² Cornwall Local Plan Strategic Policies, Luxulyan Neighbourhood Plan, Cornwall Site Allocations Development Plan Document, and Saved Policies of the Restormel Borough Council Local Plan.

³ Ministry of Housing, Communities & Local Government (2019), Planning Practice Guidance - Paragraph 006 of the Housing for older and disabled people Section (Reference ID: 63-006-20190626).

⁴ Ministry of Housing, Communities & Local Government (2019), Planning Practice Guidance - Paragraph 010 of the Housing for older and disabled people Section (Reference ID: 63-010-20190626).

*which can be adapted to meet a change in their needs. **Plan-makers will therefore need to identify the role that general housing may play as part of their assessment.***⁵

“It is up to the plan-making body to decide whether to allocate sites for specialist housing for older people. Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing. The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation). Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.”⁶ (highlighted and underlined text – our emphasis)

Low-Cost Market Housing for Older People:

- 7.25. ‘The Affordability of Retirement Housing report’ published by the All-Party Parliamentary Group on Housing and Care for Older People highlights the massive problem of under provision of affordable homes for older people seeking retirement on lower incomes (**Appendix 3** refers). In addition to identifying the number of homeowners interested in down-sizing, the fall in the number of homes specifically built for older people and the high proportion of older people that are priced out of retirement housing (**Paragraph 5.74** refers), the report also recommends spreading the use of alternative ownership models. Park homes are not mentioned by name, but they represent an affordable low-cost alternative ownership model to more expensive mainstream housing or sheltered housing. The report also recommends tackling land costs. As park homes are usually provided on land that has not been allocated for housing, the price of the land is substantially lower. Therefore, the proposed development at Croft Farm Holiday Park will help address the under provision of affordable homes for older people identified by MPs.
- 7.26. The letter from the Department for Communities and Local Government confirms that park homes are a form of low-cost housing, and that LPAs should plan for provision of low-cost homes (**Appendix 6** refers). This viewpoint is echoed by Cornwall Council whereby the pre-application advice refers to Policy LH2 and acknowledges that static caravans represent a form of **“modular low-cost housing”** (p3). As a result, park homes have a vital role to play in ensuring there is a sufficient supply of housing available to all those in housing need. Park homes provide a greater choice of housing in sought-after areas of southern England where ‘normal’ market housing is often priced well above the national average.
- 7.27. As the Government accepts, park homes are significantly cheaper than comparably sized bricks and mortar housing. For example, a comparison of park home prices with that of bungalows in the area (within a 10-mile and 3-mile radius of Croft Farm respectively) reveals that 2-bedroom

⁵ Ministry of Housing, Communities & Local Government (2019), Planning Practice Guidance - Paragraph 012 of the Housing for older and disabled people Section (Reference ID: 63-012-20190626).

⁶ Ministry of Housing, Communities & Local Government (2019), Planning Practice Guidance Housing for older and disabled people Section (Reference ID: 63-013-20190626).

residential park homes sell for between £195k to £215k whereas 2-bedroom bungalows with a garden sell for between £220k to £380k (**Appendices 8 and 9** refer). It is clear park homes are cheaper than comparable bricks and mortar properties providing a garage and plot large enough for a proper garden in the same area. Therefore, although park homes may not meet the definition of affordable housing, they are nonetheless low-cost market housing and address local needs, in accordance with the objectives of Policy 9.

- 7.28. The national policy requirement to provide for a mix of housing, including low-cost housing such as park homes, is recognised by supporting text within the Cornwall LPSP (Paragraph 2.31); this states that a Housing Mix Supplementary Planning Document (SPD) will be prepared to give further guidance on how Policy 6 (which only applies to developments of 10 dwellings or more) should be addressed. However, no progress has been made by the Council in producing the Housing Mix SPD as resources have been redeployed to produce a Site Allocations DPD. On this basis, there are currently no District policies to guide housing mix on windfall sites outside of development boundaries.
- 7.29. Furthermore, the District's Strategic Housing Market Needs Assessment (SHMNA) (July 2013) has not in fact assessed the need for low-cost market housing including park homes. In the absence of any prior assessment of need for residential park homes (which is also encouraged by the Housing and Planning Act 2016), as an indication of current local demand for park homes, the applicant is confident that 15 additional residential park homes could be sited and sold or rented to address the policy requirement. On this basis, and in the absence of alternatives, this proposal for 15 additional residential park homes at Croft Farm should be permitted in accordance with the presumption in favour of sustainable development in Paragraph 11 of The Framework.
- 7.30. In this context, it is important to note that no residential park homes will be developed within the sites allocated for housing within either the Site Allocations DPD or Luxulyan NDP. None of these sites has been specifically allocated for residential park homes, or to provide low-cost homes for older people, and the owners of such sites will achieve far greater value from development for normal bricks and mortar housing. Unlike affordable housing, the Council cannot compel the developers of the allocated sites to include residential park homes within the development mix. In any event, the most sensible place to develop new park homes is adjacent to existing park homes, and Croft Farm represents a sustainable site for the reasons outlined previously.
- 7.31. In providing park homes, the proposed development will therefore expand a sustainable community providing single storey housing for the elderly, less able and those on low incomes within relative proximity to a range of facilities and community services. The proposed development therefore directly addresses the requirement for a mix of housing to address the needs of different groups in

the elderly as required in Paragraph 62 of The Framework and addresses the need to provide housing for older people, including types of housing such as bungalows set out in PPG.

- 7.32. 11.5% of the homes in Luxulyan Parish are caravans or temporary dwellings which suggests residential park homes are a popular form of accommodation for people living in this part of Cornwall. Experience from other local authority areas shows that between 1% and 2% of households choose to live in residential park homes. Generally, these are the choice of older couples whose children have left home, whether that is a restriction of the home park or not. It follows, that Cornwall's Development Plan should be making provision for 1-2% of its projected housing need to be in the form of park homes. This would mean identifying sites for between 525 and 1,050 residential park homes (i.e., 1-2% of the CLPSP Policy 2a requirement). However, the plans make no such provision.
- 7.33. The current application for an additional 15 park homes at Croft Farm provides an opportunity to make up a small part of that shortfall in provision.
- 7.34. Given that the proposed accommodation is for older people and is located on a site that is in relative proximity to a range of community facilities and services, it is a type of development which is in accordance with the objectives of Policy LH4 of the Luxulyan NDP. As the occupancy of the residential park homes is not limited to people of state pension age it is not fully supported by Policy LH4. On the other hand, the proposed age restriction limiting the units to people aged 55 or over is consistent both with the age restriction imposed on planning permission **PA18/05947** and the older residential park homes at Croft Farm Residential Park.

Affordable Housing

- 7.35. CLPSP Policy 8 confirms that new housing developments of between 6 and 10 dwellings in designated rural areas should provide a financial contribution in lieu of on-site provision of affordable housing. It also provides a target level of affordable housing of 30% in Zone 4, which is the specific zone the application site falls within. The applicant is therefore prepared to pay a sum towards off-site provision of affordable housing and is willing to secure this by providing a planning obligation. In addition, a Development Viability Appraisal has been submitted as part of the planning application and this demonstrates that the Council's current tariff charge of £102k per unit would not make the scheme financially viable. Instead, a lower amount is proposed. Overall, the approach to securing affordable housing off-site is in accordance with Policy 8.

Landscape and Visual Considerations

- 7.36. CLPSP Policy 23 requires development to respect landscape character by being an appropriate scale, mass, and design. The policy does not make it a mandatory requirement that planning

applications within the countryside should be accompanied by a Landscape and Visual Impact Assessment (LVIA)

- 7.37. In terms of the Luxulyan NDP, Policy LLNE1 relates to landscape character. Like CLSP Policy 23, it is a flexible policy because it states *“Where appropriate, planning applications should be accompanied by a statement...”* explaining how schemes are of an appropriate scale, density, character, and appearance that reflects and enhances the village and wider parish. This wording implies there will be cases where statements are required and other cases where they will be unwarranted. In the former cases, the wording is clear that statements alone will suffice to satisfy the policy. They need not necessarily be a statement prepared by a landscape architect or landscape planner.
- 7.38. In any case, it is significant that the most recent planning application at the wider site (planning permission PA18/05947) related to a development on the edge of the park whereas the current application relates to a parcel of land that is centrally located within the park. The most recent planning application was also accompanied by a Landscape Appraisal (LA), which was prepared by a chartered landscape architect, and confirmed that none of the localised viewpoints from which the application site (adjoins the current application site on its northern boundary) could be seen *“can be regarded as highly sensitive.”* The LA concluded (p30) that *“The replacement of the static caravans with permanent homes will result in a barely perceptible change to the view from the few viewpoints within the surrounding countryside, since the proposed permanent uses will be very similar in character, height and form to the existing units. It will be very difficult to distinguish between the two types of development in the views. It is proposed to retain an existing unit on the north boundary, which will further restrict the perceived changes, particularly as it will screen the new units from view. It is concluded that on completion the proposed will have no significant effects on landscape character or visual amenity.”* Planning officers were also in agreement with the LA as reflected in the Delegated Officer Report (p4) which states *“The proposed development is set within the confines of the existing residential/Holiday Park and therefore would not extend into the countryside and would not therefore result in a detrimental impact upon the landscape character of the area.*
- 7.39. Given the current application site is less prominent in the landscape because it is surrounded by existing built form, woodland, and other mature vegetation on all sides, and it already accommodates built form that is established in the landscape, it is logical to conclude that the proposed development will have no significant effects on landscape character.
- 7.40. In addition, it is contended that the proposed development satisfies CLPSP Policy 23 and NDP Policy LLNE1 because the size of the residential park homes will be within the parameters set by the Caravan Sites and Control of Development Act 1960 as supplemented by Section 13 of Caravan

Site Act 1968. The layout is in accordance with the site licensing Model Standards 2008 for Caravan Sites in England and the appearance of the units will reflect both the static holiday caravans that are on site at present (and which will be replaced) and the neighbouring residential park homes. The proposed density of 20 units per hectare is also suitable given the site's rural location. Although several trees are to be removed (see **Paras 7.42 to 7.44** for details) to facilitate the development, they represent only a small proportion of the total trees that exist across the wider site. Both parks will still be verdant and pleasant places to either reside or visit.

- 7.41. Finally, it is noteworthy that the application site is not located within an Area of Great Landscape Value (AGLV). Even though the nearest AGLV lies 0.6km to the east, the existing park homes at Croft Farm Residential Park adjoin the application on its east boundary. Therefore, it is considered the proposed development will not cause harm to the landscape features and characteristics of the AGLV and accordingly, there is not conflict with Saved Policy 14.

Arboriculture and Biodiversity Considerations

- 7.42. Policy 23 of the CLPSP requires developments to protect and retain ancient woodland and veteran trees. It also requires developments to conserve, protect and enhance biodiversity. Despite there being 34 individual trees, groups, and hedges inside the application site and along its boundaries none are ancient woodland or veteran species of the highest value. Neither are any of the species protected by Tree Preservation Order(s). In the light of the fact the new residential park homes will be sited on new concrete bases, the planning application is supported by an Arboricultural Impact Assessment (AIA). But the AIA has taken a precautionary approach because although most of the trees adjacent to the existing static holiday caravans and pitches have generally co-existed well with the concrete and hardcore bases in situ it proposes the removal of 15 trees (8 individual trees, 6 groups and 1 hedge). However, the park's manager has advised based on his experience of siting residential park homes on the wider site and elsewhere that the removal of some of the existing bases may be of benefit to some of the trees and so it may not actually be necessary to remove all these trees. Final decisions will be made during the construction phase on a tree-by-tree basis. Notwithstanding this, the remaining 19 tree features will be retained and integrated into the development, as explained in the AIA.
- 7.43. Although the precise number of trees to be removed is therefore not known at this stage, mitigation measures are proposed. Firstly, new trees at a ratio of 3 to 1 will be replanted for each tree removed to facilitate the development. These new trees will be 'Standard', 8-10m girth, 2.5-3m tall. They will be planted in the undeveloped area of the park immediately to the west of the application site. Secondly, the trunks of at least 6 of the removed trees would be stacked in the same area for biodiversity purposes, including potential enhancement.

- 7.44. The mitigation measures would need to be secured by condition because the undeveloped area lies outside of the planning application site boundary but within the same ownership. This approach is reasonable given Section 72(1)(a) of the Town and Country Planning Act 1990 (as amended), which amplifies the general power in section 70(1)(a), and makes clear that the local planning authority may impose conditions regulating the development or use land under the control of the applicant even if it is outside the site, which is the subject of the application, where the planning authority considers it to be expedient for the purposes of or in connection with the development authorised by the permission.
- 7.45. In the light of the relative infancy of the trees to be removed and the habitat proposed for small mammals and insects by moving some of the felled tree trunks to adjacent land, it is considered that the proposed development would be in accordance with CLPSP Policy 23 insofar as it relates to trees and biodiversity.

Flood Risk and Drainage Considerations

- 7.46. A Flood Risk Statement, which includes a drainage strategy, has been submitted to accompany the planning application and it confirms that the application site is located within Flood Zone 1 and not within a Critical Drainage Area. On this basis, it confirms that the application site is at low risk of flooding from both rivers and seas, and from surface water.
- 7.47. Previous infiltration testing on the adjoining parcel to the north (site that was granted planning permission under PA18/05947) identified the presence of very sandy clay with a favourable infiltration rate of 0.045m/hr. This is deemed a suitable rate to discharge surface water run off via infiltration. Accordingly, the method of surface water drainage at the site will be unaltered with roof runoff being discharged directly to the ground to drain via natural filtration. Parking bays adjacent to each unit will be formed out of gravel and allowed to drain via infiltration. The internal roads will be improved and resurfaced where necessary and continue to drain through existing arrangements. Finally, foul drainage shall be connected to the existing private system.
- 7.48. It is therefore considered that there are no conflicts with any adopted development plan policies relating to flood risk and drainage.

Traffic and Access Considerations

- 7.49. The proposed development will result in thirteen less plots within the application site and so it is likely to result in only a negligible change to vehicle movements at the park. The planning application also seeks to utilise the existing and established main entrance off the unclassified road. It is therefore considered that the proposed development is in accordance with CLPSP Policy 27 in

so far as it will not cause adverse impacts on the local or strategic road network, particularly as the proposed age restriction is likely to result in less traffic movements at peak times.

- 7.50. When assessing the compliance of the scheme against NDP Policy LH1, Cornwall Council's pre-application advice (**Appendix 2** refers) acknowledged the bus stop at the entrance of the park and the train station within 1km but also stated "*it is arguable whether it is considered safe as there is no streetlights or pavements to facilities, so there would be conflict with part B, however part B does say 'where possible' so this would have to be weighed up when considering the application as a whole.*" There have been no significant material changes to the site's accessibility to local services and facilities nor to the local highway network since the grant of planning permission PA18/05947. It is therefore reasonable that the same conclusion should be reached, specifically, that "*the existing access is suitable, and the proposal would not impact upon highway safety*" (Delegated Officer Report, p4).
- 7.51. In the light of the above, it is considered that the proposed development is in accordance with Policy 27 in so far as the need to travel is minimised and the use of sustainable transport modes can be maximised.

8. The Planning Balance

- 8.1. The Framework confirms the presumption in favour of sustainable development and confirms that social, economic, and environmental issues must be balanced and integrated, at the same time, by the decision-taker when determining planning applications.
- 8.2. Decisions should be assessed against the Development Plan unless material considerations suggest otherwise. Therefore, development not in accordance with a Development Plan can still be acceptable.
- 8.3. The task for the decision maker, then, is to weigh the level of conformity with the Development Plan together with other material considerations.
- 8.4. There are no Development Plan policies that seek to protect holiday caravans, seasonal pitches, or other types of visitor accommodation, or preclude visitor accommodation from being changed to other uses. There are also no Development Plan policies that provide guidance for the change of use of visitor accommodation to residential use or relate to park homes specifically. Accordingly, the tilted balance in Para 11(d) of The Framework is engaged. None of the designated areas, as set out at Footnote 7 of The Framework, where development is restricted apply to the application site. Planning permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 8.5. It has been demonstrated that the proposed development represents sustainable development in that it clearly complies with the three strands of sustainability as outlined in The Framework. Although The Framework does not require proposals to be positive on all three strands of sustainability, the proposed development meets the three strands in that there will be economic growth benefits, social betterment, and environmental enhancements. The proposals have been assessed against the policies in The Framework and no significant conflict has been found.
- 8.6. The type of development proposed is in conformity with the thrust of national planning policy and guidance and several other material considerations. Furthermore, the proposed development is in conformity with several Development Plan policies. By making more efficient use of previously developed land, the proposal would be in accordance with Policies 3 and 21. The proposal would also widen the choice of housing in the local market area and provide a financial contribution towards affordable housing. In such circumstances, the proposals would accord with Policy 8. It has been demonstrated that there will be no significant effects on landscape character and accordingly, the proposals would be in accordance with Policy 23. Given the proposal will not cause adverse impacts on the local or strategic road network, and the need to travel is minimised and the use of sustainable transport modes can be maximised, the proposals would accord with Policy 27.

8.7. The proposed development will also deliver the following significant benefits which are material considerations:

- It will contribute towards increasing the overall housing stock in the County;
- It will provide additional lost cost homes in a high value area;
- It will provide single storey homes for older people in a County where the number of people aged 65 or more will increase by 43% over the Plan period;
- It will provide a type of development that is compatible with rural and semi-rural settings as well as the character of the area;
- It will increase the number of residents at Croft Farm Residential Park which will strengthen this community;
- A financial contribution towards affordable housing provision off-site will be made;
- It will generate a council tax revenue of £21,088.80 per annum a year;
- It will generate a New Homes Bonus revenue of £126,532.80;
- It will secure existing jobs at Croft Farm;
- It will create jobs during the construction period;
- It will increase the amount the applicant spends with local firms which supply goods and services to the park;
- It will help to sustain the viability of rural businesses in proximity, including the local bus service; and,
- The proposed development will achieve efficiency levels on a par with, and in some cases, exceed, housing constructed of conventional bricks and mortar.

8.8. The Framework's presumption in favour of sustainable development, the benefits associated with the development and the general conformity with the Development Plan far outweigh any perceived harm associated with the loss of static holiday caravans and seasonal pitches.

8.9. In this case the planning balance therefore falls firmly in favour of approving the proposed development.

9. Conclusion

- 9.1. The proposed development comprises the change of use of land from the stationing of 13 no. static holiday caravans and 15 no. seasonal pitches to the stationing of 15 no. residential park homes at Croft Farm Holiday Park, Luxulyan, Bodmin.
- 9.2. The information provided within this application demonstrates that the proposed development is in general conformity with the Development Plan. It also demonstrates that there are no material considerations that indicate why planning permission should be refused.
- 9.3. It is therefore respectfully suggested that full planning permission should be granted for the proposed development.

10. Appendices

Appendix 1 – Request for Pre-application Advice

Appendix 2 – Pre-application Advice

Appendix 3 - The Affordability of Retirement Housing, published by the All-Party Parliamentary Group on Housing and Care for Older People

Appendix 4 - Ministerial Statement, Better homes, and bungalows for Britain's older people, 2015

Appendix 5 - Written Ministerial Statement, 14 July 2010

Appendix 6 - Department for Communities and Local Government Letter, June 2007

Appendix 7 - Braintree DC v. SSCLG [2018] EWCA Civ 610

Appendix 8 – Current Park Home Prices

Appendix 9 – Current Bungalow Prices

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Appendix 2 – Pre-application Advice



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Appendix 5 - Written Ministerial Statement, 14 July 2010



Appendix 6 - Department for Communities and Local Government Letter, June 2007



Appendix 8 – Current Park Home Prices

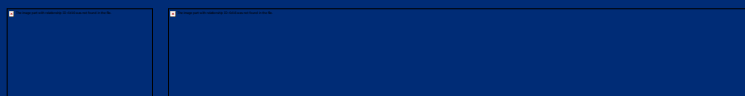


Appendix 9 - Current Bungalow Prices





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