

# **Newquay Neighbourhood Plan**

## **Basic Conditions Statement**

Produced by the Newquay Neighbourhood Development Plan Steering Group

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## Introduction

Only a neighbourhood plan that meets each of the 'basic conditions' and other legal tests can be put to a referendum and, if successful, be used as the basis for determining planning applications.

This document shows how this Neighbourhood Plan meets the requirements of each legal test.

There are five basic conditions that are relevant to a neighbourhood plan. These are:

1. The plan must have regard to **national policies** and **guidance** issued by the Secretary of State; this includes the NPPF, Ministerial Statements and other government guidance and legislation
2. the 'making' of the neighbourhood plan **contributes to the achievement of sustainable development**
3. the 'making' of the neighbourhood plan is in **general conformity with the strategic policies** contained in the Cornwall Local Plan Strategic Policies and its supporting documents
4. the 'making' of the neighbourhood plan does not breach, and is otherwise **compatible with EU obligations**
5. **prescribed conditions are met** in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

## Statement of General Legal Compliance

This draft Plan is submitted by Newquay Parish Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for its own parish. The Plan has been prepared by the Newquay Neighbourhood Development Plan (NDP) Steering Group, with the support of Newquay Town Council.

The whole parish of Newquay has been formally designated as a Neighbourhood Area through an application made on 28<sup>th</sup> July 2014 under the Neighbourhood Planning Regulations 2012 (part2 S6) and approved by Cornwall Council on 18<sup>th</sup> September 2014. A copy of the formal notice of designation is included at Appendix 1.

The draft Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011), the Neighbourhood Planning Regulations 2012 and the Neighbourhood Planning Act 2017.

The draft Plan identifies the period to which it relates as 2018 to 2030. The draft Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The draft Plan relates only to the parish of Newquay as shown on the map in Appendix 2. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area.

## **Contribution to the Achievement of Sustainable Development**

Despite being a major settlement in the county, Newquay has a highly valued natural environment and the community has a strong view that development must respect and enhance this. This is the overall objective of the NNP – to deliver development that makes life better for residents and does not result in the loss of the beautiful natural environment.

The strategic goals of the Newquay Neighbourhood Plan are to:

- Direct sustainable development to the main urban centre of the town and restrict inappropriate development of smaller settlements that lack suitable infrastructure.
- Encourage developers to thoroughly consider the potential long-term effect of development on Newquay's community; enhance the existing character of the Parish of Newquay and mitigate negative impacts from design through to delivery.
- Ensure that new development is appropriately designed and built with materials that can withstand the effects of the local maritime climate to prevent avoidable visual decay such as rusting, rusting 'bleed' and stained render.
- Ensure that the special character of the parish's historic environment and heritage is safeguarded for the benefit of present and future generations.
- Encourage and diversify the year-round economy of Newquay, whilst protecting and enhancing existing businesses and the tourism offer.
- Ensure that new and replacement housing has a positive impact on the character of the local area including the provision of sufficient parking and contributes to making Newquay a better place to live, work and play.
- Ensure developments are well-integrated with the rest of the town and to provide greater permeability and access to community facilities in a sustainable way, whilst making sure that leisure facilities and green infrastructure, particularly those supporting youth, are not lost to the Town and enhanced with the needs of the increasing population.
- Ensure all development respects the character of the landscape and does not detract or negatively impact either visually or environmentally; the

natural environment is unequivocally the most important aspect for local residents to be conserved and protected.

- Establish a Coastal Change Management Area to manage the effects of physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal erosion both as they apply to new development proposals or to existing buildings, roads or other assets which become at risk from the effects of coastal erosion.
- To protect and enhance existing habitats encouraging wildlife and ensuring that new development caters for biodiversity.

To meet these strategic goals, 9 key policy areas have been identified.

- General Development
- Design Principles
- Heritage Conservation
- Economy
- Housing
- Community & Infrastructure
- Landscape and Environment
- Coastal Change Management
- Habitat and Biodiversity

The intention of the Plan and the policies within is to ensure that Newquay parish continues to thrive as a place to live, work and visit.

This plan promotes sustainable development as detailed below.

### **An Economic Role**

A key theme of the Newquay NP is to support and strengthen the local employment base by encouraging and diversifying the year-round economy of Newquay, whilst protecting and enhancing existing businesses and the tourism offer.

It sets out the following specific policies that are intended to support and strengthen the local employment base and contribute towards the NPPF objective of building a strong competitive economy.

**E1 Safeguarding existing employment sites:** Whilst there is significant pressure within the town for housing sites, to ensure the continued economic vibrancy of the town, it will be necessary to protect some commercial units or sites from change of use – unless demonstrated that commercial use no longer viable.

**E2 New employment and training space:** The growth of the town means that new employment opportunities will be needed to support the new residents; the provision of new employment space is supported, particularly in the town centre.

**E3 The Visitor Economy:** The ambition is to extend the Tourist season while increasing the quality of the accommodation and activities offer thus improving the image of the Town and broadening its appeal.

**E4 Economic Opportunities generated by the Aerohub and Cornwall Airport Newquay:** To ensure that growth of the Newquay Aerohub Enterprise Zone (including the Goonhilly Earth Station) has benefits for the town; whilst outside the Parish, the Aerohub and Cornwall Airport Newquay will provide new and exciting opportunities for diversifying jobs and encouraging more people to Newquay.

**E5 Commercial development and Parking:** To support the building of new and replacement commercial properties, whilst ensuring that new commercial designed to enhance its surroundings and that it provides an appropriate volume of open space and parking.

**CI 4.1 Public Car Parks:** Meet business needs for parking close to town centre by protecting central car parks from development unless alternative parking is provided.

## A Social Role

Supporting a strong and vibrant community, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment with accessible local services that reflect the community needs and support its health, social and cultural wellbeing.

Newquay NP supports this principle through the following policy areas:

**G1 Settlement Boundaries:** Establishes settlement boundaries around the town and local hamlets that provides a clear delineation between defined settlements and open country side. Recognises that affordable housing and market housing is already met within Newquay parish, but supports exception sites around the town boundary where there is a clearly evidenced local need.

**G2, D1, D2 Development Principles:** Establishes a clear set of development principles that ensures development is sustainable and of high quality and takes into account existing elements of the townscape or landscape that give the place local character with reference to the Newquay Character Statement.

**G3 Building for the Maritime Climate:** Requires Developers to consider how that new development should be designed and built with materials that can withstand the effects of the local maritime climate to prevent avoidable visual decay such as rusting, rusting 'bleed' and stained render.

**D3 and HC1 Shopfront Design and Heritage Conservation:** Recognises the decline of the town centre due to poor quality of shopfront and signage design and gradual loss of historic fabric and provides guidance to bring about a 'recovery' of the town centre restoring a vibrant and visually appealing town centre.

**D4 Public realm design:** Requires that the public realm is designed and kept in an appropriate condition to complement the local historic townscape character or landscape character.

**H3 Houses of Multiple Occupation:** Prevents large concentrations of large HMOs in any particular area while for new HMOs requiring sufficient on-site parking to be provided and that sufficient refuse and recycling storage space is included.

**H4 Parking for residential development:** Requires the recommended parking provision as identified in '*Cornwall Councils Travel Guidance for developers*' is provided.

**H5 Fire Sprinklers:** Enacts the advice of the Fire Service to require that new housing stock is suitable for the aging population and groups identified as being at more risk for fire in their homes.

**CI2 Allotments:** Requires the provision sufficient allotment opportunities for residents in the light of the increasing population.

### **CI3 Open Spaces, Leisure, Amenity Space & Green Infrastructure**

To ensure that leisure facilities, which include in this context amenity space for developments and green infrastructure, are not lost to the town and that new developments or re-developments take advantage of the opportunity to enhance and improve the availability of these facilities; in particular those supporting youth and those providing sport facilities to meet the needs of the expanding population of the town.

## **An Environmental Role**

Newquay NP supports its environmental role through the following policies:

**CI 1 Foot and Cycle Paths:** requires developments to be well-integrated with the rest of the town and to provide greater permeability and access to community facilities in a sustainable way.

**D2 Scale and location of development:** requires that developments should not have a detrimental impact on longer views, skyline views, landscape or townscape

**LE 1 to 4: The Landscape and Environment Policies:** which together aim to ensure all development respects the character of the landscape and does not detract or negatively impact either visually or environmentally. Sensitive areas, not currently protected, will have the local designation of being a Valued Landscape and or a protected Local Green Space and important valued and vistas which could be spoiled by encroaching development have been identified.

**CC 1 to 3: Coastal Change Policies:** Coastal Change Management Areas will be designated along the entire Parish coastline (with the exception of the working harbour) supported by policies which will manage the effects of physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal erosion both as they apply to new development proposals or to existing buildings, roads or other assets which become at risk from the effects of coastal erosion

**HB 1 Habitats & Biodiversity:** requires the protection of existing creatures and habitats and to ensure that new development caters for wildlife protecting areas of high biodiversity and maintaining effective ecological networks

## Achieving Sustainability

This plan contributes to the achievement of sustainable development by:-

- Providing a clear delineation between defined settlements and directing sustainable development to the main urban centre of Newquay.
- Positively contributing to the development of a strong, diverse and competitive economy by including policies to influence the location and form of land for new employment to meet anticipated need;
- Planning for good settlement area design and the creation of safe and well-connected places;
- Protecting locally important open spaces and landscape features;
- Protecting and enhancing the natural, built and historic environment of Newquay.

The table below indicates how each of the policies in the Newquay Neighbourhood Plan help to achieve sustainable development.

Policy	Economic implications	Social implications	Environmental implications
G1 Establishing a Settlement Boundary both for Newquay Town and the smaller settlements of Whipsiderry and Tregurrian	New employment land and uses outside of the settlement boundaries will be supported where these are consistent with Policy 5 of the Cornwall Local Plan.	Directs sustainable development to the main urban centre and restricts inappropriate developments of smaller centres that lack suitable infrastructure. Distinguishes between the Newquay and the separate settlement of Quintrell Downs	Provide a clear delineation between defined settlements and open countryside.



G2 Development Principles	Encourages developers to mitigate negative impacts from design through to delivery.	Development to be of a high quality, well thought out and considerate of the ongoing sustainability of the parish.	New buildings to respect the landscape and takes into account existing elements of the townscape or landscape that give the place local character
G3 Building for the Maritime Climate.	Reduces the need for future maintenance	Encourages use of materials that can withstand the effects of the local maritime climate to prevent avoidable visual decay such as rusting, rusting 'bleed' and stained render.	To ensure development resist the effect of the sea air and positively enhances local character
D1 Key Design Principles	Quality design upfront saves money in the long term.	Development to foster a sense of community and encourage interaction between residents	Development to take opportunity for well thought out and maintained communal space including the use of green infrastructure and sustainable connectively by walking and cycle routes.
D2 Scale and location of development	Ensures that proposals that may be larger or taller than the surrounding townscape are tested and understood by developers in terms of impact.	Reassure residents that development will not change the local character and the appreciation of the landscape and the townscape.	Ensure that the environment is protected, avoiding "concreting" of green areas, avoiding loss of view from the public realm and crowding of the landscape
D3 Shopfront Design	Make the holistic environment of the Town Centre as the major	Prevents further decline in the Town Centre – promote a	Ensure there is no more unnecessary loss of historic fabric, and

	attractor and key selling point for all local businesses.	recovery to restore a vibrant and visually Town centre	contemporary shopfronts and signs are designed with a better understanding of scale, architecture and suitable materials.
D4 Public Realm	Ensure the minimising of conflicts between different users, and the reduction the visual impact of street furniture, statutory services and excessive signage.	Ensures the Public Realm is accessible and inclusive for all – with street furniture chosen to minimise anti-social behaviour.	Enhance the overall appearance and use of the town including green spaces and existing hard landscaped areas
HC1 Heritage Conservation	The economic vitality of the town will be encouraged with careful management and promotion of the historic character of the Town.	Ensures that the special character of the parish's historic environment and heritage is safeguarded for the benefit of present and future generations.	Ensures that Listed Buildings and Scheduled Ancient Monuments and their setting are protected.
E1 Safeguarding existing employment units and sites	Ensures the continued economic vibrancy of the Town	Encourages Mixed live/work developments	Reduced need for car travel where jobs are available locally
E2 New Employment & Training Space	Increases economic activity in the Town	New employment opportunities and sites are required to support expected growth in population	As above more local jobs will reduce the travel needs of the employees
E3 The Visitor Economy	Encourages the extension of the Tourist season while increasing the quality of the accommodation and activities offer	The Visitor Economy does and will continue to play an enormously important role not only in the	Encourages sustainable tourism opportunities (for example: heritage trails, cycle trails and coastal

	thus improving the image of the Town and broadening its appeal.	economy of the town but across the parish.	activities) which capitalise on the assets and landscapes of the Town and Parish
E4 Aerohub and Cornwall Airport Newquay	The success of the Enterprise Zone will bring real economic opportunities to the Town.	New high-tech job opportunities particularly for Newquay's young people	Sustainable transport links will reduce car travel
E5 Commercial Development and Parking	Supports the provision of new or replacement commercial property	Considers effect on traditional buildings and parking requirements	Ensure new commercial property does not have a detrimental impact on the amenity of neighbouring properties or on the character of the local area.
E6 Support for Innovative Projects	Identifies post plan projects that will support the economic viability of the Town	Identifies post plan projects that will add value to the Community	A priority would be to establish a Conservation Area for the Town.
H1 Replacement Dwellings and Extensions	Supports the building trade	Encourages replacement dwellings to have a positive impact on the character of the local area.	Seeks to ensure no adverse visual impact on the Cornish landscape or townscape
H2 Development in Sensitive Landscape Areas	Landscape areas are a key part of Newquay's attraction to Visitors. Protection from inappropriate development in sensitive areas (including private gardens and commercial grounds) means	Ensures that development will be assessed against the effect on the amenity of future occupiers of the site or those currently occupying adjoining or nearby properties.	Ensures that development will be assessed against the contribution the garden or grounds makes to the local landscape.

	that this will continue to be so.		
H3 Houses in Multiple Occupation	To avoid concentration of large HMOS which could have an effect on the local economy.	Having large concentrations of HMOs can have negative community impacts such as lack of maintenance, increased pressure on car parking etc.	The Cornwall Fire Service has identified that HMO's can have an increased risk of fire due to poor management and occupancy type. In their opinion, Sprinklers save lives.
H4 Parking for residential development	Encourages the provision of sufficient parking in developments, avoiding the need for expensive correction action	Reduces the pressure on limited street parking, avoiding street congestion and on-pavement parking	Residential parking required to be safe and importantly feel safe for users, issues of natural surveillance and appropriate lighting must be fully considered
H5 Fire Sprinklers	The changes to building regulations in Wales making sprinkler installation compulsory all domestic premises had reduced the cost of installation and improved availability of suppliers.	Fire Sprinklers are advised by the Fire Service for development providing affordable housing or those specifically for elderly or disabled residents.	Fire Sprinklers will make any fires easier to control and consequently less effect on the environment.
CI1 Foot and Cycle Paths	Provision of foot and cycleways will assist integration of estates with the rest of the town and provide access to local facilities and businesses	Footpaths and cycle paths are recognised as an important part of the transport network and should be conserved and enhanced in planning	All new foot and cycle paths should be designed to be safe. Surveillance and lighting are design issues which must be fully considered and advice taken from Devon and

		decisions.	Cornwall Police.
CI2 Allotments	Assists developers in providing their commitments to contribute to the provision of allotments.	There is a demand for allotments that current provision does not meet	Meets a demand for self-sustainability
CI3 Open Spaces, Leisure Facilities, Amenity Space and Green Infrastructure	The open space etc infrastructure is a key part of Newquay's attraction to visitors. Protection means that this will continue to be so.	Protection for recreational space.	Protection for open spaces and green infrastructure
CI4 Public Car Parks	Provision of parking in central Newquay is considered essential to support the local economy	Newquay car parks assists access by local people and visitors to the businesses and beaches of the Town	Preserving the coastal and other car parks that contribute to the open nature of the Newquay landscape
LE1 Landscape Character Areas	Newquay's landscape is a key part of Newquay's attraction to visitors. Protection means that this will continue to be so.	The natural environment is unequivocally the most important aspect for local residents to be conserved and protected.	This and the other landscape policies all combine to protect Newquay's precious environment
LE2 Valued Landscapes	Newquay's Coastline and its natural valleys are key parts of Newquay's attraction to visitors. Protection means that this will continue to be so.	Many areas of landscape across our rural and urban parish are highly valued by the local community but may not have a recognised landscape designation. The community are keen to ensure that these areas are not subject to	Allocates a local designation for protection of the urban landscape, otherwise unprotected.

		any development which would harm their visual and recreational value.	
LE3 Local Green Spaces	Newquay's Green spaces are key parts of Newquay's attraction to visitors. Protection means that this will continue to be so.	The Green Spaces identified are of particular importance in an urban area and there was huge support for this from the community.	These Green Spaces add both to the landscape and to Biodiversity
LE4 Protection of Views and Vistas	The views, vistas and streetscapes of Newquay are key parts of the Town and the Parish's attraction to visitors. Protection means that this will continue to be so.	All consultations resulted in a clear majority agreeing that the Neighbourhood Plan should seek to protect important public views and vistas by restricting development which will have a negative impact	Protection of views and vistas from inappropriate development will provide protection to the Environment
CC1 Designation of a Coastal Change Management Area (CCMA)	The CCMA will manage the effects of physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal erosion both as they apply to new development proposals or to existing buildings, roads or other assets which become at risk from the effects of coastal erosion	Newquay's coastline and environment is an important part of the area's character; much loved and valued by local residents and visitors to the area. It plays an important part in quality of life; leisure pursuits and, of course, in setting Newquay's position as a tourism destination.	Coastal Change is a huge issue for the environment in Newquay. There has been a significant deterioration in the cliffs over the past 15 years as monitored by the Shoreline Management Plan with which these CC policies are fully in accordance.
CC2 Development in locations	To keep development back	While all environmental	This and the other CC policies are

vulnerable to coastal change	from vulnerable cliff edges, helping to reduce the need for environmentally and visually damaging cliff stabilisation works up and down our coast – and ultimately a costly re-siting exercise	issues are considered important by the Community, the specific topic of protection of the undeveloped cliff edges is clearly the top priority	supported fully by the Environment Agency
CC3 Drainage Management	To avoid future costly problems, it is best practice for development to be drainage led, with a consideration of how water will be dealt with a fundamental part of any planning application.	The Community are only too well aware of poor drainage solutions in the past which both damage the appearance of the cliffs and causes damage	Poorly managed drainage can cause damage to cliffs, causing further instability and erosion.
HB1 Habitats and Biodiversity	The positive management of built development and amenity areas is hugely important in terms of the contribution they can make to biodiversity.	Over 90% of respondents to the household survey supported an objective to improve conservation value in order to support thriving wildlife populations on land, coast and at sea – with many comments throughout the survey.	By identifying Biodiversity as one of key themes of the NNP, the Community has acknowledged the importance of protecting local wildlife and their habitats.

## Having regard to national policies and guidance

All the policies in this neighbourhood plan have been drafted with consideration of the national planning policies set out in the NPPF and associated guidance.

The detailed consideration of the Newquay Neighbourhood Plan policies in Appendix 4 demonstrates how each is in conformity with National Planning Policy and guidance.

### **General conformity with the strategic policies of the development plan(s) for the area**

All the policies in this neighbourhood plan have been drafted with consideration of the local planning policies set out in the Cornwall Local Plan and associated guidance.

The detailed consideration of all policies in the Newquay Neighbourhood Plan demonstrates how each is in conformity with Local Planning Policy and guidance.

### **Compatibility with EU Regulations**

The Newquay NDP Steering Group requested that Cornwall Council screen the Neighbourhood Plan for Strategic Environmental Assessment and Habitat Regulations Assessment on 23<sup>rd</sup> November 2017. Natural England, the Environment Agency and Historic England were consulted as part of the screening process. The screening opinion concluded that "Based on the scale and location of development proposed in the NDP (Nov17v4 draft) Cornwall Council is of the opinion that the Newquay NDP is unlikely to have significant effects on the environment or on European Sites and that SEA and HRA is therefore not required." A copy of the screening opinion is included at Appendix 3.

### **Prescribed conditions and prescribed matters.**

There are no relevant prescribed matters that this Plan needs to take into account.

### **Comprehensive Impact Assessment Implications**

The Equality Act 2010 places a duty on all public authorities to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons with a "protected characteristic" and those who do not. The protected characteristics are Age, Disability, Gender Re-assignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex, Sexual Orientation and in Cornwall an additional characteristic, Cornish Status.

This NDP has been developed to be in general conformity with the Cornwall Local Plan, which was subject to Examination in Public and found to be sound. The Cornwall Local Plan provides for objectively assessed need, to meet the needs of all groups in the community.

The Cornwall Local Plan has been subject to Comprehensive Impact Assessment. This concluded that the current and future businesses and residents of, and visitors to, Cornwall will be affected by the land use policies in terms of provision of jobs, homes, infrastructure, access to services and the protection of the



environment. The strategic policy objectives to 2030 are to plan for the needs of the whole community now and in the future. In addition, where evidence demonstrates a need, a number of protected characteristic groups are positively planned for with specific provision made for older people and the disabled.

In particular the economic strategy, overall housing target and affordable housing targets aim to ensure appropriate jobs and housing is available to meet local needs. Failing to provide sufficient housing will impact most on disadvantaged groups.

*The Newquay NDP provides a strategy for the development of the neighbourhood area, and a range of policies, which will result in positive benefits for the local community. The key positive impacts are promoting sustainable development, protecting the built and natural environment, providing employment and housing to meet local need and promoting community engagement and involvement in planning. The policies contained within the plan do not disadvantage any minority group or group with protected characteristics.*

## **Conclusion**

The Newquay Neighbourhood Plan has regard to National Planning Policy and is in general conformity with the strategic policies of the Cornwall Local Plan. This Plan is compatible with EU obligations and promotes sustainable development.

It is considered that the Basic Conditions as set out in Schedule 4B to the Town and County Planning Act 1990 (as amended) have been met. The Plan complies with Paragraph 8(1)(a) of Schedule 4B to the Act and should proceed to Referendum.

## Appendix 1 – Designation of Neighbourhood Area

### Cornwall Council

Dolcoath Avenue Camborne Cornwall TR14 8SX

Email: [planning@cornwall.gov.uk](mailto:planning@cornwall.gov.uk)

Tel: 0300 1234151

Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



Application number: PA14/00015/NDP

**Applicant:**

Mr A Curtis  
Newquay Town Council  
Municipal Offices  
Marcus Hill  
Newquay  
Cornwall  
TR7 1AF

**Town And Country Planning Act 1990 (As Amended)  
The Neighbourhood Planning (General) Regulations 2012**

### Designation of a Neighbourhood Area

**CORNWALL COUNCIL**, being the Local Planning Authority, **HEREBY APPROVES**, the designation of a Neighbourhood Area to be used for the creation of a Neighbourhood Development Plan as set out in the following application received on 28<sup>th</sup> July 2014 and accompanying plan(s):

**Proposal:** The designation of the Parish of Newquay as a Neighbourhood Area

**Relevant Body:** Newquay Town Council

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 18 September 2014**

**Phil Mason  
Head of Planning, Housing and  
Regeneration**

**REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**

The Cornwall Council has considered the proposed Designation of the Neighbourhood Area and finds that:

- The area proposed is appropriate to be designated as a Neighbourhood Area;
- The Parish Council is a relevant body for the purposes of Section 61G of the 1990 Act; and
- No substantive objection has been made to the designation of the area under Regulation 6

It is therefore considered that the Designation of the Neighbourhood Area should be approved.

## Appendix 2 – Parish Map



## Appendix 3 – Screening Opinion

### Newquay Neighbourhood Development Plan – SEA and HRA Screening

Cllr Joanna Kenny  
[joanna.kenny@newquaycouncil.co.uk](mailto:joanna.kenny@newquaycouncil.co.uk)  
by email

Neighbourhood  
Planning Team  
3B Pydar House,  
Pydar Street,  
Truro,  
TR1 1XU

Dear Cllr Kenny,

29 January 2018

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

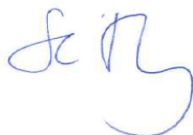
As required by the SEA regulations I produced a screening opinion report for the Newquay NDP (Nov17v4 draft) and consulted the statutory bodies, Natural England, Historic England and the Environment Agency. I also asked Natural England to confirm whether or not HRA was required under the HRA directive.

Based on the scale and location of development proposed in the NDP (Nov17v4 draft) Cornwall Council is of the opinion that the Newquay NDP is unlikely to have significant effects on the environment or on European Sites and that SEA and HRA is therefore not required.

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

If significant changes or additions are made to your plan as a result of your pre-submission consultation, I would advise you to have it rescreened.

Yours sincerely,



Sarah Furley  
Group Leader  
**Neighbourhood Plans**  
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## Appendix 4 – Policy analysis

### DETAILED CONSIDERATION OF NEWQUAY PARISH NEIGHBOURHOOD DEVELOPMENT PLAN POLICIES

This table sets out how each policy reflects the aims of local and national policy

Policy	Commentary	NPPF	Cornwall Local Plan
G1 Establishing a Settlement Boundary both for Newquay Town and the smaller settlements of Whipsiderry and Tregurrian	<ul style="list-style-type: none"> <li>Establishes settlement boundaries around the town and local hamlets that provides a clear delineation between defined settlements and open country side.</li> <li>Recognises that affordable housing and market housing is already met within Newquay parish, but will support exception sites around the town boundary</li> <li>Supports new employment land and uses outside of the settlement boundaries</li> </ul>	<p>17 Strategy to allocate land for development</p> <p>28 Support sustainable rural tourism and leisure developments that benefit businesses in rural areas</p> <p>47 Allocate development sites</p> <p>54 Exception Sites for Affordable housing</p> <p>55 Sustainable development in rural areas</p>	<p>Paragraph 2.33 Open countryside defined as the area outside the physical boundary of existing settlements</p> <p>Policy 3 Role and Function of Places – Requires the scale and mix of development to be based on the role and function of places. Newquay is identified as a main town – the site allocations are dealt with in the Site Allocations DPD (currently at Examination.) The settlement boundary encloses an area of land which is in conformity with the DPD and directs development to the main urban centre in general conformity with the Local plan hierarchy.</p> <p>Policy 5.1 Business &amp; Tourism requires employment land and uses to be well integrated with towns and villages. Development in the countryside and smaller settlements is permitted if it is of a scale that is appropriate to its location, or where an overriding need to a rural location is demonstrated.</p> <p>Policy 7 Housing in the Countryside – resists housing in the countryside except in special circumstances</p>

			Policy 9 Rural Exception Sites – allows affordable led schemes on the edge of smaller towns, villages and hamlets if there is demonstrable local need.
G2 Development Principles	Requires all new developments to be of quality and type that contributes positively and sustainably to the community.	17 high quality design 56-58 Good Design 60 Local Distinctiveness 95 Energy Efficiency 125 Light Pollution	Policy 12 Design – requires high quality design with reference to character and local distinctiveness, layout, connectivity, adaptability and inclusiveness and engagement process.  Policy 14 Renewable and Low Carbon Energy – promotes the use and production of renewable and low carbon energy.  Policy 26 – flood risk management and coastal change – requires development to minimise flood risk on site, replicate natural ground and surface water flows and decrease runoff.
G3 Building for the Maritime Climate	Encourages Developers to consider how that new development should be designed and built with materials that can withstand the effects of the local maritime climate to prevent avoidable visual decay such as rusting, rusting 'bleed' and stained render.	17 high quality design 56-58 Good Design 60 Local Distinctiveness	Policy 12 Design – requires development to maintain and enhance distinctive local character.
D1 Key Design Principles	All new development fits well, enhances the existing character of Newquay and	17 high quality design 56-58 Good Design	Policy 12 Design requires development to maintain and enhance distinctive local character.

	contributes to creating a better place to live, work and play.	60 Local Distinctiveness	<p>Policy 13 – requires inclusive and accessible design standards, internal space and public and private open space.</p> <p>Policy 25: Green Infrastructure – promotes retention and enhancement of a green infrastructure network.</p>
D2 Scale and Location of Development	To ensure the impact of proposals by virtue of their size and location do not have a detrimental impact on longer views, skyline views, landscape or townscape	<p>17 high quality design</p> <p>56-58 Good Design</p> <p>60 Local Distinctiveness</p>	Policy 12 Design - requires development to maintain and enhance distinctive local character.
D3 Shopfront Design	<ul style="list-style-type: none"> <li>• To prevent further decline in the town centre environment due to poor quality of shopfront and signage design</li> <li>• To provide guidance to bring about a 'recovery' by restoring a vibrant and visually appealing town centre.</li> </ul>	<p>17 high quality design</p> <p>17 conserve heritage assets</p> <p>23 viability and vitality of Town Centre</p>	<p>Policy 12 Design: requires development to maintain and enhance distinctive local character.</p> <p>Policy 4: Shopping Services and community facilities – requires consideration of the design of the shop front.</p> <p>Policy 24 Historic Environment – protect and enhance historic designated and undesignated assets</p>
D4 Public Realm Design	To ensure that the public realm is accessible and inclusive to all users, minimising conflicts between different users, and reduce the visual impact of street	<p>23 viability and vitality of Town Centre</p> <p>69 high quality public space</p>	<p>Policy 2 Spatial Strategy, Quality of Place -</p> <p>Policy 4: Shopping Services and community facilities. Permits development where it supports the vitality and viability of town centres</p>



	furniture, statutory services and excessive signage.		
HC1 Protection of the built Heritage	To ensure that the special character of the parish's historic environment and heritage is safeguarded for the benefit of present and future generations.	17 conserve heritage assets  135 Non- designated historic assets	Policy 24 Historic Environment - protect and enhance historic designated and undesignated assets and their setting.
E1 Safeguarding existing employment sites	To ensure the continued economic vibrancy of the town by protecting some commercial sites and identifying those suitable for mixed developments	17 Promote mixed use developments,  22 test economic allocation viable	Policy 5 Business & Tourism – NDPs should identify new land and safeguard appropriate existing land, necessary for the delivery of the economic strategies for Cornwall.
E2 New Employment and Training Space	To encourage new employment opportunities to support the expected growth of the Town	17 proactively drive and support sustainable economic development  21 support existing business sectors, & plan positively for knowledge driven, creative or high technology industries;	Policy 2: Spatial Strategy 3f supporting employment schemes giving particular emphasis to quality, permanent work  Policy 5 Business & Tourism – NDPs should identify new land and safeguard appropriate existing land, necessary for the delivery of the economic strategies for Cornwall.
E3 The Visitor Economy	To develop the Visitor Economy by extending the Tourist season while	17 proactively drive and support sustainable economic	Policy 5 Business & Tourism Supports the upgrading of existing tourism facilities and the development of new high quality

	increasing the quality of the accommodation and activities offer thus improving the image of the Town and broadening its appeal.	development  21 support existing business sectors	sustainable tourism facilities.
E4 Economic Opportunities generated by the Aerohub and Cornwall Airport Newquay	Encouraging transport links between the town at the Aerohub.	17 proactively drive and support sustainable economic development  21 plan positively for knowledge driven, creative or high technology industries;  29 sustainable transport solutions	Policy 2: Spatial Strategy 3.i. Supporting the Enterprise Zone Aerohub .....through improved linkages  Policy 5 Business & Tourism Supports new employment uses within areas well served by public transport.  Policy 27: Transport and accessibility - locate development so that the need to travel will be minimised and the use of sustainable transport modes can be maximised.
E5 Commercial Development and Parking	To ensure that new commercial development is thoughtfully designed to enhance its surroundings and that it provides an appropriate volume of open space and parking	17 proactively drive and support sustainable economic development  23 viability and vitality of Town Centre	Policy 13 Development Standards – new development should provide an appropriate level of off street parking and cycle parking  Policy 27 Transport and Accessibility – development should be designed to maximise use of sustainable transport modes and be accompanied by an effective travel plan.
E6 Support for Innovative Projects	To identify and encourage post-plan projects that seek to encourage the economic vitality of the town and give	17 proactively drive and support sustainable economic development	Policy 2: Spatial Strategy – 3) generating and sustaining economic activity  Policy 5 Business & Tourism

	added value to Residents		
H1 Replacement Dwellings and Extensions	To ensure that where an existing dwelling is replaced or extended, it does not negatively impact the character of the area.	56-58 Good Design 60 Local Distinctiveness	<p>Policy 2: Spatial Strategy 1)Quality of Place – ensuring that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location.</p> <p>Policy 12 Design – promoting local distinctiveness. Being of an appropriate scale, density, layout, height and mass with a clear understanding and response to its landscape, seascape and townscape setting.</p>
H2 Development in Sensitive Landscape Areas	To ensure that development (which may be in private gardens or commercial grounds) does not intrude into the landscape of sensitive areas or have a negative impact on important views.	17 contribute to conserving and enhancing the natural environment  64 Requiring good design	<p>Policy 2. Spatial Strategy 1 )Quality of Place – identify the value and sensitivity of the character and importance of landscapes Protect, conserve and enhance the natural and historic landscape</p> <p>Policy 12 Design - requires development to respond to landscape setting.</p> <p>Policy 23: Natural Environment – development should respect both designated and undesignated landscapes</p>
H3 Houses of Multiple Occupation	<ul style="list-style-type: none"> <li>•to prevent large concentrations of large HMOs in any particular area,</li> <li>•to ensure that appropriate</li> </ul>	58 Quality of development for an area	<p>Policy 2: Spatial Strategy 2.1 Quality of Place</p> <p>Policy 12 Design</p> <p>Policy 13: Development Standards – requires an</p>

	amenity facilities e provides s sufficient on-site parking, sufficient refuse and recycling storage space and fire sprinklers		appropriate level of off street parking and cycle parking and sufficient and convenient storage for waste, recycling.
H4 Parking for Residential Development	To require new residential development and conversions to provide sufficient parking so that additional strain is not put on the existing parking provision.	39 Local Parking Standards  69 Safe environment	Policy 13 Development Standards new development should provide an appropriate level of off street parking and cycle parking  Policy 27 Transport and Accessibility – provide convenient cycle and pedestrian routes
H5 Fire Sprinklers	to ensure that new housing stock is suitable for the aging population and groups identified as being at more risk for fire in their homes.	58 create safe and accessible environments	Policy 12 Design  Policy 16 – Health and Wellbeing
CI1 Foot & Cycle Paths	To ensure developments are well-integrated with the rest of the town and to provide greater permeability and access to community facilities in a sustainable way by foot or cycle	17 use of public transport, walking and cycling	Policy 16 – Health and Wellbeing – maximising the opportunity for physical activity  Policy 25 – Green Infrastructure – restoring or enhancing connectivity for nature and people  Policy 27 Transport and Accessibility
CI2 Allotments	To ensure that there are sufficient allotment opportunities for residents	73/74 Access to high quality open spaces - recreation	Policy 16 – Health and Wellbeing – encourage provision for growing local food.
CI3 Open Spaces, Leisure	To ensure that leisure facilities, including amenity	73/74 Access to high quality open spaces	Policy 13; provide proportionate public open space on site and different types of space based

Facilities, Amenity Space and Green Infrastructure	space for developments and green infrastructure, are not lost to the town and that new developments or re-developments take advantage of the opportunity to enhance and improve the availability of these facilities.		on local need.  Policy 16 – Health and Wellbeing- maximise the opportunity for physical activity through accessibility of open space  Policy 25 Green Infrastructure – restore or enhance connectivity for nature and people
CI4 Town Centre Car Parks	Preserve public car parks where these are essential for business support or where contribute to the landscape	23 viability and vitality of Town Centre	Policy 4: Shopping Services and Community facilities – development will be permitted where is supports the vitality and viability of town centres
LE1 Landscape Character Areas	To ensure all development respects the character of the landscape and does not detract or negatively impact either visually or environmentally.	17 contribute to conserving and enhancing the natural environment	Policy 23 Natural Environment
LE2 Valued Landscapes	To identify and designate key public areas whose landscape is valued by the Community to protect them from inappropriate development and to conserve for future generations.	17 contribute to conserving and enhancing the natural environment  Para 109: protecting and enhancing valued landscapes	Policy 23 Natural Environment - In areas of undeveloped coast, outside main settlements, only development requiring a coastal location and that cannot be achieved elsewhere, will be acceptable.
LE3 Local Green Spaces	To identify and designate key public areas as Local Green Space to protect them from	76/77 Local Green Spaces	Policy 23 Natural Policy  Policy 16 Health and Wellbeing

	inappropriate development and to conserve for future generations.		Policy 23 Natural Environment Policy 25 Green Infrastructure
LE4 Protection of Views and Vistas	To preserve the natural beauty of the parish enjoyed by residents and visitors alike by protecting important views, vistas and street scenes valued by the Community from being spoiled by encroaching development	17 contribute to conserving and enhancing the natural environment  64 Requiring Good Design	Policy 2; Spatial Strategy Identifying the value and sensitivity of the character and importance of landscapes ...and historic assets.  Policy 23 Natural Environment – sustain local distinctiveness and character  Policy 25 Green Infrastructure
CC1 Designation of the parish coastline as CCMA	To manage the effects of physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal erosion both as they apply to new development proposals or to existing buildings, roads or other assets which become at risk from the effects of coastal erosion.	95 Coastal Change  106 CCMA	Policy 26: Flood Risk and Coastal Change The Shoreline Management Plan 2 adopted as a strategic policy that defines the approach to sustainable management of the Cornwall coastline. The current 2016 update recommends the entire parish coastline to be designated as a CCMA.
CC2 Development in locations vulnerable to coastal change	To keep development back from vulnerable cliff edges helping to reduce the need for environmentally and visually damaging cliff	95 Coastal Change  107/8 Development in a CCMA	Policy 26: Flood Risk and Coastal Change Supports community led local solutions to managing flood risk and coastal change

	stabilisation works up and down our coast.		
CC3 Drainage Management	To ensure proper drainage management so that development does not exacerbate the rate of cliff decline by discharging additional water onto or down cliff faces	95 Coastal Change  107/8 Development in a CCMA	Policy 26 Flood risk Management and Coastal Change - Minimise flood risk on site and in the area
HB1 Habitats and Biodiversity	Protection of existing creatures and habitats and ensuring that new development caters for wildlife protecting areas of high biodiversity and maintaining effective ecological networks	109/117 /118 Biodiversity	Policy 23: Natural Environment. Conserve , protect and where possible enhance biodiversity.