

Inquiry on 10, 11 and 12 February 2015

Appeal by Wainhomes (South West) Holdings Limited

**Proposed Residential Development of 90 Dwellings including Access,
Associated Engineering Works, Garages, Infrastructure Drainage and
Landscaping**

Land East of Tregony Road, Probus, Cornwall TR2 4JZ

Inspector's Pre-Inquiry Note

Introduction

This note is intended to help ensure the smooth running of the Inquiry and is based on the Inspector's reading of the written material provided in association with the planning application and appeal, including the statement of common ground, statements of case, and proofs of evidence.

Main Issues

It appears to the Inspector from the written material that he has seen that the main issues, at this provisional stage, are:

- whether safe and suitable access to the site would be provided for all people; and
- whether the proposal would make adequate provision with regard to affordable housing; education facilities; public open space; and waste management.

Some specific questions that the Inspector will wish to consider are set out below. No further written material should be submitted in response to these questions (unless specifically requested by the Inspector); rather reference should be made during the Inquiry to relevant evidence that has already been submitted. These questions are not intended to comprehensively cover all matters to be discussed at the Inquiry, but should help to provide a focus and the provision of clear answers to them from the witnesses will be of great assistance to the Inspector.

Planning Policy

- a. Which saved policies from the Carrick District Wide Local Plan (1998) are relevant to consideration of whether residential development would be appropriate on the site?
- b. Would the proposal be in accordance with policy BHM5 of the Balancing Housing Markets DPD (2008)?
- c. Would the proposal represent sustainable development as defined in the National Planning Policy Framework?

Safe and Suitable Access

- d. What are the current / expected numbers of vehicular and pedestrian movements on Tregony Road between the site and the village centre having regard to current usage and that associated with planned developments including at the Doctors' Surgery (but not including the appeal proposal)?
- e. What are the current / expected numbers of vehicular movements at the junction of Tregony Road with the A390 having regard to current usage and that associated with planned developments including at the Doctors' Surgery (but not including the appeal proposal)?

- f. How many additional vehicular and pedestrian movements would the appeal proposal be likely to generate along Tregony Road between the site and the village centre?
- g. How many additional vehicular movements at the junction of Tregony Road with the A390 would the appeal proposal be likely to generate?
- h. What evidence is there of accidents on Tregony Road between the site and the centre of the village in recent years?
- i. What evidence is there of accidents at the junction of Tregony Road and the A390 in recent years?
- j. What are the key existing physical characteristics of Tregony Road that influence whether it currently provides safe and suitable access for all people from the vicinity of the site to the facilities in the village?
- k. How do the above characteristics relate to relevant local and national guidance and standards?
- l. What are the key existing physical characteristics of the junction of Tregony Road and the A390 that influence whether it provides safe and suitable access to and from the site?
- m. How do the above characteristics relate to relevant local and national guidance and standards?
- n. What improvements are proposed / could be ensured by planning conditions or planning obligation to Tregony Road?
- o. How would the key physical characteristics of Tregony Road then relate to relevant local and national guidance and standards?
- p. What improvements (including to visibility) are proposed / could be ensured by planning conditions or planning obligation around the junction of Tregony Road and the A390?
- q. How would the key physical characteristics of the Tregony Road / A390 junction then relate to relevant local and national guidance and standards?
- r. What other transport measures are proposed / could be ensured through the planning obligation and planning conditions?
- s. Would the residual cumulative impacts of development on the transport network be severe?

Draft Planning Obligation

How do each of the provisions in the draft planning obligation relating to affordable housing, education, public open space, and waste management comply with the

tests set out in paragraph 204 of the National Planning Policy Framework? Where relevant to each of the provisions, the Inspector will require the following:

- t. relevant development plan policies, and relevant sections of any supplementary planning document or supplementary planning guidance, and the methodology for calculating the financial contributions.
- u. quantified evidence of the additional demands on facilities or infrastructure which are likely to arise from the proposed development.
- v. details of existing facilities or infrastructure, and up-to-date, quantified evidence of the extent to which they are able or unable to meet those additional demands.
- w. details, including the locations, of the facilities or infrastructure on which the financial contributions will be spent.

Other Matters

- x. What is the heritage significance of the “round” within the application site, and how would it be affected by the proposal?
- y. What is the heritage significance of the listed building(s) at Parkengear Farm a short distance to the east of the site, and how would this be affected by the proposal?
- z. Would the proposal provide satisfactory living conditions for future residents of the dwellings on the southern part of the site having regard to potential pollution and disturbance caused by activities at the nearby vehicle repair business?

Inquiry Procedure and Timetable

It is expected that the procedure will generally follow the Inquiry Procedure Rules (2000). However, consideration could be given to adopting a variation to the normal sequence of events if this would facilitate a more effective and efficient use of Inquiry time.

Based on the indicative timings provided, a draft programme for the three days is set out below. This will be discussed at the start of the Inquiry.

Tuesday Morning – Inspector’s opening announcements; opening statements; evidence from any third parties that can only attend on the first day; and the Council’s first witness - evidence in chief followed by cross examination.

Tuesday Afternoon – the Council’s second witness – evidence in chief and cross examination.

Wednesday Morning – the Parish Council’s evidence, followed by cross examination; any other third parties that wish to speak.

Wednesday Afternoon – both the appellant’s witnesses – evidence in chief and cross examination.

Thursday Morning – site visit

Thursday Afternoon – discussion of planning conditions and the planning obligation; any costs application; closing statements.

It will be incumbent on all to ensure that Inquiry time is used efficiently in order that the agreed programme is adhered to.

Late Documents

Written material should have been submitted by now. However, if you do envisage asking the Inspector to consider accepting late material please do so as soon as possible, ideally in writing before the opening of the Inquiry. You should explain what the late material is, in what way it is relevant, and why it could not be provided in accordance with the timetable. The views of other parties will be sought before the Inspector decides whether or not to accept it.

Conditions

Potential planning conditions should the appeal be allowed will be discussed towards the end of the Inquiry. Please could the Council confirm that the list of suggested conditions set out in its Statement of Case (October 2014) is up to date.

Closing Submissions

Please submit written copies of closing submissions prior to them being made, or at the latest before the end of the Inquiry.

Costs Applications

Whilst costs applications can be made at the Inquiry, as a matter of good practice and where circumstances allow, any such applications should be made in writing in advance.

Site visits

The Inspector will look at the site from the public realm and visit the surrounding area before the Inquiry. However, he will also carry out a formal accompanied visit during an adjournment of the Inquiry. There will be no presentation of evidence or discussion about the merits of the proposal during the site visit. As well as entering the site, the Inspector will walk along Tregony Road into the centre of the village, and visit the junction of Tregony Road and the A390. He is also willing to visit The Garage, as requested by Mr Grigg, and Parkengear Farm as requested by Mr and Mrs Musgrove.