



Redruth Civic Centre, Alma Place, Redruth, Cornwall TR15 2AT

Tel No: 01209-210038 e-mail: admin@redruth-tc.gov.uk

Town Mayor: Cllr M J Brown

Town Clerk: P B Bennett

See Distribution

Our Reference:

RTC/420/3/Mtg

Date:

9th February 2022

Dear Councillor

Meeting of the Planning Committee – Monday 14th February 2022

You are summoned to attend a meeting of the Redruth Town Council Planning Committee to be held at Redruth Civic Centre, Alma Place on Monday 14th February 2022. Proceedings will commence promptly at 7pm.

The Agenda and associated papers are enclosed for your reference and information.

Although the Covid-19 guidelines have now been relaxed, we request that Members do not attend the Council building before 6:50 p.m. Entry to the building will be through the main access doors to the Library and we ask that you continue to wear a face covering, unless exempt, and sanitise hands on entry. At the conclusion of the meeting members are asked to vacate the building promptly through the external door in the Langman Room to Alma Place.

Yours sincerely

Peter Bennett
Town Clerk

Enclosure:

1. Agenda and associated documentation

Distribution:

Cllr S Barnes
Cllr H Biscoe
Cllr Mrs A Biscoe
Cllr A Bishop
Cllr M Brown
Cllr Mrs B Ellenbroek
Cllr L Collins
Cllr W Tremayne

For Information:

All other Councillors
Cornwall Council Members
Press & Public

REDRUTH TOWN COUNCIL
PLANNING COMMITTEE MEETING – Monday 14th February 2022

AGENDA

PART I – PUBLIC SESSION

1. To receive apologies for absence
2. Members to declare any disclosable pecuniary interests or non-registerable interests (including details thereof) in respect of any item(s) on this Agenda
3. *To suspend Standing Orders to allow the public to speak*
4. To allow the public to put questions to the Council on any matters relating to this Agenda
5. *To reinstate Standing Orders*
6. To consider the planning applications [See Planning Schedule attached]
7. To confirm minutes of the following meetings:
 - 7.1 Meeting of the Planning Committee held on 17th January 2022
 - 7.2 Interim Meeting of the Planning Committee held on 31st January 2022
8. Clerk's Report
9. To receive correspondence:
 - 9.1 Decision Notice Schedule
 - 9.2 Licensed Premises Schedule
 - 9.3 Cornwall Council – Highways Scheme
 - 9.4 Cornwall Council – Planning News for Local Councils and Agents, Winter 21/22
 - 9.5 Cornwall Council – Neighbourhood Planning E-Bulletin, January 2022
 - 9.6 Cubert Parish Council – Discrimination in Affordable Housing Allocation Definitions
 - 9.7 Cubert Parish Council – Lack of Enforcement, Failure to Collect s106 Funding
 - 9.8 Lanteglos-by-Fowey Parish Council – Cornwall's Housing Crisis

REDRUTH TOWN COUNCIL PLANNING COMMITTEE

SUBMISSIONS FOR: Monday 14th February 2022

LIST 1 (FOR APPROVAL EN-BLOC)

Ser No	Planning App No (All PA22/ unless otherwise stated)	Details	Ward	Reply
1	00408	1 Cardrew Industrial Estate, Cardrew Way External elevation works for narrow windows to be replaced with new taller windows to match existing design and finish, louvred grilles to be installed to external façade for ventilation in various locations, finish to match existing cladding For Nancy Ashburn, Watson Marlow Penventon Park Hotel, West End	Redruth Central, Carharrack & St Day	Supported
2	00576	Works to trees subject to a Tree Preservation Order (TPO) as set out in the attached tree survey reports For Mr Mark Pascoe, Penventon Park Hotel Ltd	North	Supported
3	00679	8 Fairfield Single storey rear extension For Mr Bevin Stone	South	Supported
4	00489	4 Coach Lane Replacement two storey side extension and a single storey rear extension For Mr & Mrs Woodger	South	Supported
5	00811	Woodlands, 6 Trevingey Road Works to trees in a conservation area (CA), works include fell leylandii tree For Mr Humphrey Henry	South	Supported
6	00863	7 South Park Bedroom Extension For Mr & Mrs Remeziene	South	Supported
7	00921	27 Blights Row 'Proposed extension at ground floor level to existing garage and extension over garage to provide ancillary accommodation' with variation of conditions 2 and 3 of decision PA18/11019 dated 28/02/2019 For Mr Tim Schofield	North	Supported

LIST 2

Ser No	Planning App No (All PA21/ unless otherwise stated)	Details	Ward	Reply
8	00566 (Cllr A Biscoe)	Basset Road Farm, Bassett Road Proposed extensions For Mr & Mrs Pearce	North	
9	00684 (Cllr H Biscoe)	The Beeches, 8 West Park Erection of a dwelling For Mr D Scarr	North	
10	00478 (Cllr Barnes)	Land adj to Treetops, Trevingey Parc Proposed 2no. dwellings, subsequent to outline permission PA17/08453 For J Stanforth, Stanforth and Wicks	South	
11	12763 (PA21) (Cllr Tremayne)	Gethsemane, Church Lane Removal of single storey extension from the North East elevation to be replaced by a single storey extension. Removal of shed, creation of two summerhouses on the grounds. Internal and external alterations including the installation of conservation roof windows For Mr & Mrs A Moore	South	
12	12764 (PA21) (Cllr Tremayne)	Gethsemane, Church Lane Listed building consent: Removal of single storey extension from the North East elevation to be replaced by a single storey extension. Removal of shed, creation of two summerhouses on the grounds. Internal and external alterations including the installation of conservation roof windows For Mr & Mrs A Moore	South	



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Town Mayor: Cllr M Brown

Town Clerk: P B Bennett

Minutes of a Meeting of the Redruth Town Council Planning Committee held at Redruth Civic Centre, Alma Place, Redruth on Monday 17th January 2022

Present: Cllr H Biscoe
Cllr S Barnes
Cllr A Biscoe
Cllr A Bishop
Cllr M Brown
Cllr L Collins
Cllr B Ellenbroek

Chairman

In attendance: Ms A Hunt
Cllr I Thomas
Mr D Moyle
Mr E Hassett

Operations & Facilities Officer

Local Resident
Planning Agent

One other local resident also attended

PART I – PUBLIC SESSION

1446.1 To receive apologies for absence

Apologies were received from Cllr Tremayne (family commitments).

1446.2 Members to declare any disclosable pecuniary interests or non-registerable interests (including details thereof) in respect of any item(s) on this Agenda.

None were declared.

1446.3 To suspend Standing Orders to allow the public to speak

1446.3.1 Unanimously RESOLVED to suspend Standing Orders to allow the public to speak [Proposed Cllr Ellenbroek; Seconded Cllr Collins].

1446.4 To allow the public to put questions to the Council on any matters relating to this Agenda

Mr Moyle spoke as the applicant in relation to PA21/11130 and asked the Committee to defer consideration of that application until its next meeting. He advised that there were a number of comments on the portal raising concerns which he wished to address and that, although further information had been submitted, the Case Officer was currently on leave. Mr Moyle asked that Councillors wait until they were in possession of all the facts before their decision was taken.

Mr Hassett spoke as the agent in relation to an application which had yet to be submitted. He stated that an application had previously been submitted under reference PA21/01230, which the Town Council had supported. That application had been withdrawn due to land ownership issues and a number of complaints, but Mr Hassett stated that these had now been addressed. The proposals were for a single dwelling to provide ancillary

accommodation for a relative. Mr Hassett advised that he was attending the meeting to give the Committee an idea of what would be proposed and pre-empt any concerns. Cllr Biscoe thanked Mr Hassett for his attendance and advised that the Committee would look at the application once it had been formally consulted and was in possession of all the facts. Mr Hassett left the meeting at this point.

1446.5 To reinstate Standing Orders

1446.5.1 Unanimously RESOLVED to reinstate Standing Orders [Proposed Cllr Brown; Seconded Cllr A Biscoe]

1446.6 To consider the planning applications

1446.6.1 The planning applications were dealt with in accordance with the attached Annex A to these minutes.

1446.7 To confirm the minutes of the following meetings:

1446.7.1 *Meeting of the Planning Committee held on 13th December 2021*

RESOLVED by Majority to confirm the minutes of the Meeting of the Planning Committee held on 13th December 2021 as a true and accurate record of proceedings [Proposed Cllr Brown; Seconded Cllr A Biscoe]. Cllr Bishop abstained as he had not been present at the meeting.

1446.8 Clerk's Report

A report had been circulated prior to the meeting. Cllr Barnes would liaise with Cllr Collins and the Highways Manager to find a mutually acceptable date for a meeting in relation to parking concerns at Bellevue.

1446.9 To receive correspondence

1446.9.1 *Decision Notice Schedule*

The schedule was noted.

1446.9.2 *Licensed Premises Schedule*

The schedule was noted.

1446.9.3 *Cornwall Council – Public Consultation: Hackney Carriage & Private Hire Vehicle, Operator & Driver Licensing Policy*

The correspondence was noted.

1446.9.4 *Cornwall Council – Appeal Notification, PA20/11276, Former Unit H, Bartles Industrial Estate, North Street*

The correspondence was noted.

Chairman

REDRUTH TOWN COUNCIL – PLANNING SCHEDULE**ANNEX A**

All references for PA21/ unless otherwise stated

Meeting: 17th January 2022

REF NO	CC REF	SITE	PROPOSAL	DECISION
LIST 1 Unanimously RESOLVED that Recommendations on List 1 are supported en bloc. [Proposed Cllr Brown, Seconded Cllr Barnes]				
1	11873	79 Albany Road	Replacement of worn pebble dash on rear and side aspect (South West and South East) with smooth render in a cream colour. Repair or replace existing cream coloured render on side (South East) elevation as appropriate (also with cream coloured render) and replace rusted cast iron soil pipe on South East elevation with a plastic pipe	Supported
2	11503	Unit 4, Jon Davey Drive, Treleigh Industrial Estate	Erection of industrial building ancillary to existing industrial premises	Supported
3	11937	River Barns, Old Portreath Road, Bridge	Change of use of agricultural barn to E Use Class. Part retrospective	Supported
4	11899	Chy Lowen, North Country	Replacement of rear extensions and alterations at Chy Lowen	Supported
5	12583	Pennoweth Primary School, Drump Road	Non-material amendment with respect to decision PA21/02667 dated 06.07.2021 for amendments to the parking layout and amendments to the hard landscaping around the building's entrance	Supported

6	12388	The Caravan, Orion North	Minor amendments to previously approved application for construction of three dwellings and associated works (PA21/04294 and PA20/02515/PREAPP)	Supported
7	11593	6 St Stephens Crescent, Treleigh	Erection of a dwelling	Supported
8	12510	Higher Laity Farm, Old Portreath Road	Proposed two storey extension	Supported
9	06829	Land North East of North Country Garage, North Country	Proposed one bedroom dwelling	Supported
10	12689	Land South of Westcliffe, Basset Street	Construction of terrace of 5 single storey garages, pair of garages and 2 electric vehicle charging points	Supported
12	12576	6 Boscoppa Close, Mount Ambrose	Proposed replacement garage to include room in the roof and side extension	Supported
13	12277	92 Albany Road	Rear single storey extension and associated works	Supported
14	10379	Land East of Chapel Farm Cottage, Bassett Road, North Country	Demolition of barn and construction of two dwellings	Supported

LIST 2

REF NO	CC REF	SITE	PROPOSAL	DECISION
11	12068	The Warren, Buller Hill, Buller Downs	Retrospective planning application for a residential caravan and portable building and change of use	RESOLVED by Majority not to support the application on the grounds that the development: (i) is not in keeping with the surrounding area; (ii) is outside the settlement boundary and (iii) represents sporadic development in open countryside [Proposed Cllr Barnes; Seconded Cllr Brown] Cllr Ellenbroek abstained
15	11130	Rear of 20 North Street	Conversion and change of use of domestic garage into a residential premises	Unanimously RESOLVED to defer consideration of the application until the next meeting of the Redruth Town Council Planning Committee on 31st January, to enable the Committee to be in possession of the full facts of the matter prior to making its decision [Proposed Cllr Barnes; Seconded Cllr Brown] Mr Moyle left the meeting following this item

16	02425	Land East of Tolgus Vean Farmhouse, Tolgus	Outline planning permission with all matters reserved: proposed mixed use development of residential (up to 60+ dwellings) and Commercial/Business/Service	Unanimously RESOLVED to support the application [Proposed Cllr H Biscoe; Seconded Cllr Brown]
17	11383	2 Alma Place	Conversion, extension and associated works to retail, office and storage building to form individual retail unit and 5no. Studio Flats, Communal Spaces and 1no. Staff Bedroom	RESOLVED by Majority to support the application [Proposed Cllr Collins; Seconded Cllr Ellenbroek] Cllr Barnes voted against
18	11447	Bartles Industrial Estate, North Street	Construction of commercial development	Unanimously RESOLVED not to support the application on the grounds of concern over loss of amenity and loss of light to the surrounding properties [Proposed Cllr Brown; Seconded Cllr Mrs Biscoe]



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Town Mayor: Cllr M Brown

Town Clerk: P B Bennett

Minutes of an Interim Meeting of the Redruth Town Council Planning Committee held at Redruth Civic Centre, Alma Place, Redruth on Monday 31st January 2022

Present: Cllr W Tremayne
Cllr S Barnes
Cllr M Brown
Cllr L Collins
Cllr B Ellenbroek

Chairman

In attendance: Ms A Hunt
Ms C Coomber
Cllr I Thomas
Mr D Moyle

Operations & Facilities Officer
Administration Assistant

Local Resident

PART I – PUBLIC SESSION

1449.1 To receive apologies for absence

Apologies were received from Cllrs Biscoe, Mrs Biscoe and Bishop (other commitments).

1449.2 Members to declare any disclosable pecuniary interests or non-registerable interests (including details thereof) in respect of any item(s) on this Agenda.

None were declared.

1449.3 To suspend Standing Order to allow the public to speak

1449.3.1 Unanimously RESOLVED to suspend Standing Orders to allow the public to speak.
[Proposed Cllr Brown; Seconded Cllr Barnes]

1449.4 To allow the public to put questions to the Council on any matters relating to this Agenda.

Mr Moyle spoke as the applicant in relation to PA21/11130. He advised that further information had been sent to his Planning Caseworker, but the portal had not yet been updated. He referenced the original planning application for the property in 2010, which stipulated that it was not to be used other than for purposes ancillary to the residential use of 20 North Street, to ensure that it was not used unlawfully as a separate unit of accommodation on a site where dwellings would not normally be permitted. A precedent was cited by Mr Moyle in relation to other properties, which had since been converted into dwellings in the local area. Cllr Barnes asked whether the property would be for sale or rent and was advised that it would be for sale. Cllr Tremayne enquired as to whether the neighbouring property at 21a North Street referred to by Mr Moyle was a residential or commercial premises. It was confirmed to be commercial. Cllr Ellenbroek referenced concerns raised by the Neighbourhood Plan in relation to the building of dwellings in the gardens of existing properties. Mr Moyle responded that he had spoken to Cornwall Council Planning, and they confirmed that this would not be applicable in this case.

1449.5 To reinstate Standing Orders

1449.5.1 Unanimously RESOLVED to reinstate Standing Orders [Proposed Cllr Brown; Seconded Cllr Barnes]

1449.6 To consider the planning applications

1449.6.1 The planning applications were dealt with in accordance with the attached Annex A to these minutes.

1449.7 To receive correspondence

1449.7.1 *Cormac – Consultation: Camborne, Pool, Illogan and Redruth Community Network Panel TRO Year 3*

The correspondence was noted.

1449.7.2 *Cornwall Council – Appeal Notification, PA21/04082, Land East of Plen An Merther, Radnor Road, Radnor*

The correspondence was noted.

1449.7.3 *Portreath Parish Council – Planning relevant to the parish of Portreath*

Cllr Ellenbroek would continue discussions with Cornwall Cllr Crabtree regarding the connection between flooding issues at Portreath and in Redruth.

1449.7.3.1 Unanimously RESOLVED to acknowledge Portreath Parish Council's letter and concerns, and to state that Redruth Town Council would advise if consulted on an application in which they felt Portreath would have an interest [Proposed Cllr Barnes; Seconded Cllr Brown].

Chairman

REDRUTH TOWN COUNCIL – PLANNING SCHEDULE**ANNEX A**

All references for PA22/ unless otherwise stated

Meeting: 31st January 2022

REF NO	CC REF	SITE	PROPOSAL	DECISION
LIST 1 Unanimously RESOLVED that Recommendations on List 1 are supported en bloc. [Proposed Cllr Brown, Seconded Cllr Collins]				
1	12484 (PA21)	44A Treskerby	Two storey front extension to existing detached dwelling	Supported
2	00007	Globe Vale Caravan Park, Coast To Coast, Forge	Construction of single storey agricultural type building on a concrete base, to be used as a workshop, storage and equestrian use	Supported
4	00468	24 Treliske Road, Roseland Gardens	Fibre cement cedar cladding approved, natural cedar cladding to be used instead	Supported
5	00475	Wheal Prussia Dry, Wheal Prussia, Treleigh	Dormer extension and balcony	Supported

6	08107 (PA21)	1 Redruth Foyer, Alma Place	Replacement windows	No Comment
7	08108 (PA21)	1 Redruth Foyer, Alma Place	Listed Building Consent: Replacement windows	No Comment
8	00159	Woodlands, 6 Trevingey Road	Works to trees in a tree preservation order (TPO), works to include: T1 (Sycamore) – crown reduce by 1.5m; T2 (Sycamore) – fell; and T3 (Sycamore) – crown reduce of less than 0.5m to give shape, it will then be lightly pruned on a 4 yearly basis	Supported

LIST 2

REF NO	CC REF	SITE	PROPOSAL	DECISION
9	11130 (PA21)	Rear of 20 North Street	Conversion and change of use of domestic garage into a residential premises	RESOLVED by Majority to support the application [Proposed Cllr Brown; Seconded Cllr Barnes] Cllr Ellenbroek voted against; Cllr Tremayne abstained
10	12647 (PA21)	Redruth Tennis Club, Trevingey Road	Erection of nine floodlights without compliance with Condition 2 of decision notice W2/PA07/01894/F dated 14 January 2008	Unanimously RESOLVED to support the application [Proposed Cllr Barnes; Seconded Cllr Brown]

11	12649 (PA21)	Whitehall, 13 Clinton Road	Refurbishment and loft conversion to create 9 no. apartments. Part retrospective	<p>Unanimously RESOLVED to support the application in principle, but to express concerns in relation to parking of vehicles and request further information as to how the applicant intends to provide parking for all future residents of the property.</p> <p>[Proposed Cllr Brown; Seconded Cllr Barnes]</p>
3	00365	85 Falmouth Road	Removal of existing boundary wall and creation of off road parking for 1 vehicle and electric car charge point	<p>RESOLVED by Majority not to support the application on the grounds that it would: (i) set a precedent for the creation of off road parking on that particular stretch of Falmouth Road; (ii) that the site is on a main pedestrian route to and from school and vehicles crossing the pavement would pose a safety risk; (iii) the danger of attempting to join oncoming traffic at that point of the road and (iv) the impact on other traffic on a main and busy thoroughfare.</p> <p>[Proposed Cllr Barnes; Seconded Cllr Brown] Cllr Ellenbroek abstained.</p>

Redruth Town Council
Clerk's Report – Planning Committee
Meeting Date: 14th February 2022

Ser No	Item	Action	Response
1446.8	Parking concerns at Bellevue	Cllr Barnes to liaise with Cllr Collins and the Highways Manager to find a mutually acceptable date for a meeting	Update from Cllr Barnes
1449.7.3	Planning relevant to the parish of Portreath	Unanimously RESOLVED to acknowledge Portreath Parish Council's letter and concerns, and to state that Redruth Town Council would advise if consulted on an application in which it felt Portreath would have an interest	Response sent and thanks received from Portreath Parish Council

Planning Committee

Meeting 14th February 2022

Decision Notice Schedule

All references for PA21 unless otherwise stated

RTC REF	CC REF	SITE	PROPOSAL	RTC DECISION	CC DECISION
1443.3.1.5	11351	Little Acre, 1 Knights Way, Mount Ambrose	Demolition of side conservatory. Erection of side extension to create dining room and utility	Unanimously RESOLVED to support the application	Approved
1420.3.1.3	05330	4B Mount Ambrose	Retention of existing canopy over car wash bays and advertisement boards	Unanimously RESOLVED to support the application	Approved
1420.3.1.2	05331	4B Mount Ambrose	Advertisement consent for retention of existing advertising boards	Unanimously RESOLVED to support the application	Approved
1420.3.1.7 1446.6.1.9	06829	Land North East of North Country Garage	Proposed one bedroom dwelling	Unanimously RESOLVED to support the application Unanimously RESOLVED to support the application	Approved
1425.3.1.2	07090	6 Bond Street	Conversion of existing retail unit to 2no. flats and replacement of existing semi-derelict workshop to 2no. flats	Unanimously RESOLVED not to support the application on the grounds that the proposals: (i) represent the loss of retail space in the centre of a row of shops in a prime retail area and (ii) are out of keeping with the surrounding conservation area	Approved

1446.6.1.4	11899	Chy Lowen, North Country	Replacement of rear extensions and alterations at Chy Lowen	Unanimously RESOLVED to support the application	Approved
1420.3.1.1	05596	18 Plain An Gwarry	Retention of one ground floor apartment and completion of first floor Juliet balcony	Unanimously RESOLVED to support the application	Approved
1440.3.1.1 1446.6.1.17	11383	2 Alma Place	Conversion, extension and associated works to retail, office and storage building to form individual retail unit and 5no. Studio Flats, 3no. 1 Bed Flats, Communal Spaces and 1no. Staff Bedroom	RESOLVED by Majority not to support the application on the grounds of concerns over the loss of historical shop frontage in a conservation area and at a main entrance gateway to the town. There are also concerns over the ambiguity of the plans, particularly in relation to the Station Road side of the building RESOLVED by Majority to support the application	Approved
1446.6.1.5	12583	Pennoweth Primary School, Drump Road	Non-material amendment with respect to decision PA21/02667 dated 06.07.2021 for amendments to the parking layout and amendments to the hard landscaping around the building's entrance	Unanimously RESOLVED to support the application	Approved
1443.3.1.8	10830	33 Fore Street	Conversion and alterations to form two ground floor business units and two first and second floor flats including external staircase and refuse/cycle storage and associated works	Unanimously RESOLVED to support the application	Approved
1446.6.1.2	11503	Unit 4, Jon Davey Drive, Treleigh Industrial Estate	Retention of industrial building ancillary to existing industrial premises (Use Class B8 – Storage and distribution)	Unanimously RESOLVED to support the application	Approved

1443.3.1.13	10846	Land South of Gwel An Mor, Sandy Lane	Retention and completion of engineering operations including construction of levelled terraces, formation of track, installation of soakaway and electricity and water connections. Change of use of part of agricultural land to Use Class B8 storage and stationing of shipping container	RESOLVED by Majority not to support the application on the grounds that the site has been, and is being, overdeveloped for its suggested intended use. Redruth Town Council has concerns as to future development of the site	Withdrawn
1443.3.1.9	11573	33 Fore Street	Listed building consent for conversion and alterations to form two ground floor business units and two first and second floor flats including external staircase and refuse/cycle storage and associated works	Unanimously RESOLVED to support the application	Approved
1446.6.1.1	11873	79 Albany Road	Replacement of worn pebble dash on rear and side aspect (South West and South East) with smooth render in a cream colour. Repair or replace existing cream coloured render on side (South East) elevation as appropriate (also with cream coloured render) and replace rusted cast iron soil pipe on South East elevation with a plastic pipe	Unanimously RESOLVED to support the application	Approved
1446.6.1.12	12576	6 Boscoppa Close, Mount Ambrose	Proposed replacement garage to include room in the roof and side extension	Unanimously RESOLVED to support the application	Approved

TPO / TCA Apps - an application for works to trees within a Conservation Area. The Officers have decided not to place a Tree Preservation Order on the tree and therefore the works can be carried out.

CAADs, PIPs and LUs - Certificate of Appropriate Alternative Development, Permission in Principle and Lawful Use applications

REDRUTH TOWN COUNCIL PLANNING COMMITTEE
LICENSED PREMISES SUBMISSIONS FOR:

Monday 14th February 2022

Ser No	License No <i>(All L122/ unless otherwise stated)</i>	Details
NIL		

From: Cllr Stephen Barnes [REDACTED]
Sent: 20 January 2022 20:07
To: Peter Bennett (Town Clerk)

From: Charlotte Caldwell [REDACTED]
Sent: 20 January 2022 18:28
To: Cllr Barbara Ellenbroek [REDACTED]; Cllr Connor Donnithorne [REDACTED]; Cllr Peter Perry [REDACTED]; Cllr Stephen Barnes [REDACTED]; Cllr Philip Desmonde [REDACTED]; Cllr Sally Weedon [REDACTED]; Cllr Dave Crabtree [REDACTED]; Cllr Paul White [REDACTED]; Cllr John Thomas [REDACTED]; Cllr John Morgan [REDACTED]
Subject: Highways Scheme

Information Classification: CONTROLLED

Dear Councillors

Following recent discussions, please find below an email you could send to your parishes and town councils, if you wish to. I know some of you may have already spoken to them about it, or you may wish to communicate it some other way. If you would like me to send it on your behalf, I'm happy to do that. The deadline for Expressions of Interest is **Monday 21 February 2022**, and therefore please return to the Highways Manager and myself. I also need **your** expressions of interest by that date, if they are different to those submitted by parishes. Thank you. Let me know!

Thanks
Charlotte

"Dear Clerks and Councillors

The Community Network Highways scheme has allocated significant funding for small scale highways improvements in the CPIR & Mining Villages Community Network over the past 4 years. This scheme is being revised and relaunched from April 2022 for another 3 years, and the CPIR & Mining Villages Community Network has £114,660 to invest per year. Please see attached Guidance Note for details of the new scheme. To improve the efficiency of the programme, the process of approving schemes has been revised to ensure delivery can take place in the financial year they are agreed. This means schemes have to be prioritised by our Community Network by our meeting in April (date to be confirmed), so that myself and the other Divisional Members can submit final recommendations for approval to the Portfolio Holder for Transport. Expressions of Interest (using the attached form) must be submitted to your Cornwall Councillor, Highways Manager and Community Link officer by Monday 21st February 2022.

It is important that parishes consider the amount of money available per electoral division, and only submit 1 or 2 Expressions of Interest at the most, and in priority order.

Please contact Charlotte Caldwell, Community Link Officer, if you have any queries about this programme, or your Cornwall Councillor if there are schemes you wish to propose."

Charlotte Caldwell

Community Link Officer – [REDACTED]

Charlotte Caldwell

Community Link Officer for Camborne, Pool, Illogan, Redruth & the Mining Villages
(Carharrack, Chacewater, Gwennap, Lanner, Portreath, St Day, Stithians)

Localism

Communities Service

Neighbourhoods Directorate

Cornwall Council

Tel: [REDACTED]

www.cornwall.gov.uk



@CPIR_CN



CambornePoolIlloganRedruthCN

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Guidance Note

Community Networks Highways Scheme

Programme Guidance Note –

1. Introduction

- 1.1. In 2018 Cornwall Council committed to [Strengthening Community Networks](#) by giving Community Network Panels (CNPs) an annual Community Network Highways Budget for a term of 4 years.
- 1.2. The Portfolio Holder for Transport has reviewed this programme and this updated guidance sets out an annual budget split equally between Cornwall Councillors for allocation to the Network Areas dependent upon the number of Councillors in an area. At present, this continued programme, which is funded from Government Local Transport Plan Funding, is intended to run until March 2025; this is on the basis that the Council has received a provisional 3-year funding settlement from Government.
- 1.3. This Guidance Note should be read in conjunction with the Local Transport Plan (LTP).

2. Background

- 2.1. The CNPs are the local key point of contact for engagement and consultation in delivery of major capital transport schemes in or affecting their Community Network Area (CNA) and whilst they can still influence such schemes this revised budget enables CNPs to target investment for their local smaller highway improvement schemes: the **Community Networks Highways Scheme (CNHS)**.
- 2.2. The CNHS has successfully committed to deliver over 500 schemes to help local communities either by providing better access or to increase safety of the highway. The current round of funding ends in March 2022.
- 2.3. Many schemes coming through this process were attempts to control inappropriate parking or speed. These require Traffic Regulation Orders (TROs) for yellow lines or speed limits. Such a workload has meant that the current commitment from Cormac is to have all schemes either delivered or ready to deliver by March 2022 and completed by the end April*.

Note: *Timescales are subject to unforeseen circumstances that could have an impact on the delivery programme such as adverse weather or substantial objection at the scheme consultation stage.

3. Proposed CNP Funding

3.1. A further round of funding has been allocated to continue this local programme. This has been updated to provide greater fairness between CNP's and to significantly improve the efficiency of the programme.

3.2. Key principles are:

3.2.1. **Community Networks Highways Budget:** A new annual amount of £1.05m per annum is to be allocated from the Integrated Transport Block of the Local Transport Plan budget of £4.137m per annum.

3.2.2. **Budget Distribution:** The previous four-year programme allocated funding equally between the CNA's (£50,000 each), with £50,000 in reserve for potential overspends, on an annual basis. The budget will now be split equally between Members and allocated to the Community Network Areas (CNAs) dependent upon the number of Members in a CNA. See table 1 below for the funding allocation from April 2022.

Table 1 CNA Funding Distribution

CNP		Member no.s	Allocation
1	Bodmin	3	£34,398
2	Bude	3	£34,398
3	CPIR	10	£114,660
4	Camelford	2	£22,932
5	Caradon	3	£34,398
6	China Clay	4	£45,864
7	Cornwall Gateway	5	£57,330
8	Falmouth & Penryn	7	£80,262
9	Hayle & St. Ives	4*	£45,864
10	Helston & South Kerrier	5	£57,330
11	Launceston	3	£34,398
12	Liskeard and Looe	5*	£57,330
13	Newquay & St. Columb	5	£57,330
14	St. Agnes Perranporth	3	£34,398
15	St.Austell & Mevagissey	5*	£57,330
16	St. Blazey, Fowey & Lostwithiel	3*	£34,398
17	Truro & The Roseland	8*	£91,728
18	Wadebridge and Padstow	3*	£34,398
19	West Penwith	6*	£68,796
X	Portfolio		£52,458
		87	£1,050,000

* some
share a CNP

3.3. A common CNP TRO: To ensure the whole scheme costs are captured it is intended that all Traffic Regulation Order costs would be attributed to the CNP schemes. This change will ensure that the whole scheme cost is understood. The premise that there is one TRO per CNA per financial year would still be recommended to the CNP to avoid additional costs.

3.4. Timeline Protocols: To ensure this round of schemes is delivered as effectively as possible, firm deadlines throughout the commissioning process and programme efficiencies are required. A particular challenge is ensuring the TRO procedural and delivery timescales are as streamlined as possible. As such individual schemes that emerge as significantly controversial and cannot be resolved within the time scales allocated for inclusion would, in consultation with the Portfolio Holder(s) for Transport and Neighbourhoods, be allocated to the following years to ensure that they do not hold up the overall programme of work. The deadlines and timescales are as follows:

- 2022/23 Schemes –Final recommendations must be submitted for approval to the Portfolio Holder by April 2022. This means that EOIs will need to be submitted and reviewed by the CNP and Members before this date. The full process is set out below (Section 4).
- 2023/24 & 2024/25 - Schemes must be submitted as soon as possible, and no later than March 2023. Panels are encouraged to discuss and prioritise their proposed schemes as far in advance as possible.

3.5. Expressions of Interest: The CNPs will be tasked to provide a list of nominations through an Expression of Interest form. These forms should reflect the issue affecting the community not the potential solution. Technical advice will be available from Cormac's Highways Managers, supported by Cormac's Engineering Design Group (EDG), about potential solutions which reflect the concepts of the LTP and resolve the issues communicated.

3.6. Scheme Commitment: Each CNP will then consider and come to a collective view on which schemes are their priorities. The CNP's views will then be considered by the CNA's Divisional Members, who will make a final recommendation to the Portfolio Holder for Transport. The CNP and members would be responsible for identifying the inclusion of any available additional supplementary funding (e.g., match- funding from local Parish and Town Councils or S106 funding), with appropriate support and advice from officers

3.7. Roll Over: If a CNP wishes to roll forward the funding into the next financial year to fund a larger project this must be approved by the Portfolio Holder in line with the new protocol.

3.8. Monitoring: Monthly monitoring reports are to be provided to CNP's on the progress of approved schemes, from formal consultation to scheme completion.

3.9. Programme of Enactment: It is proposed that the new programme would run in parallel to the duration of the Integrated Transport Block funding, which is three years from April 2022.

4. Process

Stage 1: Review

4.1 Each Member will ask the local councils in their part of the CNP to provide them with a list of proposed local highways issues. They will provide these to the Member by way of the Expression of Interest form. The Member may submit their own proposals if they wish. The CNP and Member (supported by the Highway Manager and Community Link Officer) will then consider them to create a proposed programme of highway improvements for their area, the

aim of which will be to benefit all. To be eligible for funding, schemes must support highway improvements that meet the revised 2022 Cornwall Transport Plan Vision *'Transport in Cornwall will be excellent and carbon neutral. Our transport system will connect people, communities, businesses and services in a way that enhances quality of life, is reliable, efficient, safe, healthy and inclusive. People will choose to travel in ways that will have a low impact upon the environment and other people'*.

4.2 Schemes should include proposals to deliver against one or more of the six goals of The Cornwall Transport Plan listed below:

1. **Tackle Climate Change** - Respond to the challenges of climate change by ensuring we have a resilient, carbon neutral transport network, and we support communities to live locally.

This is the overarching goal of the Cornwall Transport Plan and schemes that support modal shift to walking, cycling and public transport, reducing the need to travel or switching to electric or cleaner fuels will be given high priority.

2. **Support economic prosperity** by improving sustainable transport links for business and access to employment, education and training.

Suitable schemes include those that improve sustainable transport access to shops and business activities and to contribute to local events or facilities. This can be for customers or deliveries e.g., cargo bikes.

Respect and enhance our beautiful natural and historic environment through the way in which we travel and deliver transport.

Suitable schemes include those that improve access to the environment for more people, especially those who currently have limited access e.g., children, people with disabilities.

3. **Support healthy active lifestyles and wellbeing** by providing the right facilities and environment for walking and cycling to become the natural choice for local trips

Suitable schemes include those that deliver a town and village street scene that respects our Cornwall heritage and culture, provides a safe, accessible, and attractive place for residents whilst substantially reducing environmental harm from vehicle operations including air pollution. Improvements to make walking and cycling easier will also be supported.

4. **Support community and road safety** - Ensure our communities are safer and more enjoyable places to live by reducing the negative impacts of transport.

Suitable schemes include those that reduce speeds or traffic volumes or reduce anti-social behaviour and the fear of crime whilst travelling.

5. **Provide equal opportunities for everyone**, regardless of age, postcode, income level or ability; to access the services they need and to have a say on transport solutions in their communities.

Suitable schemes include those which particularly benefit people with limited transport options due to geography, disability, age or affordability.

Extent: Improvements to any part of the highway network would qualify (i.e., A, B, C and U class roads).

4.3 It is recommended that should a CNA require a Traffic Regulation Order as part of their schemes then they only carry out one TRO consultation per financial year to avoid additional costs.

4.4 Gateways

4.4.1 Where viable, seeking to enhance the “Healthy” and “Living Streets” concept for Town and Village Streets should be a priority.

4.4.2 For example, provide gateway features that demonstrate to vehicle users they are entering a safe street environment and that pedestrian and cyclists are the principal, entitled users.

4.4.3 The design of the gateways is important. Not a simple utilitarian Highway sign, but a feature that incorporates urban and landscaping design, reflecting where possible local heritage.

5. Stage 2: Prioritise and Recommend

5.1. The Highways Managers will review the expression of interest forms from the CNPs alongside the Members. The annual quantity of schemes needs to be manageable, therefore expression of interest forms should be because of prioritisation at a Parish and CNA level. The Highways Managers will prepare a schedule setting out brief comments on the listed schemes, covering issues including estimated cost, deliverability, match with the Cornwall LTP objectives, policy, strategy, legal or other implications.

5.2. The schedule will indicate if the listed schemes have any relationship with any existing or planned schemes (within the LTP programme or arising from Section 106 funding or other funding streams) and if there is any potential to link schemes together and/or bring them forward early.

5.3. A schedule will be presented to each CNP by the Members for prioritisation. CNPs will discuss the schedule and conduct consultations with Town & Parish Councils in their CNP as they deem appropriate (e.g., during the meetings and/or by correspondence as necessary). Highways Managers will attend CNPs to provide technical advice and answer questions (this should be linked to the regular Highways visits to CNPs).

5.4. CNPs should use the criteria from the Cornwall Transport Plan to assist them with the prioritisation process.

5.5. Each CNP working with their Members will then consider which schemes should be progressed as their top priorities, within the available funding, to be taken to full design and formal consultation stage. When the CNP has considered its priorities and come to a collective view on this, it should make a recommendation to the CNP’s Divisional Members. The Divisional Members will then consider the CNP’s views and submit a final recommendation to the Portfolio Holder.

5.6. Funding Sources:

5.6.1. The Community Network Highway Budget for the CNA. A CNP may carry forward funds for more costly or contentious schemes in later years but at the Portfolio Holder’s discretion.

5.6.2. Additional funding identified in S106 or larger LTP schemes

5.6.3. Match-funding. CNPs and members may invite Town & Parish Councils to consider if they wish to offer match-funding to a scheme within their Parish.

6. Stage 3: Evaluation and Approval

6.1. The CLO will prepare a draft report for each CNA, setting out the CNP's and Members' recommendations. This report will include a completed project brief for each scheme, together with the Highway Manager's evaluation and comments. The project brief will include brief reasons setting out the business case for the proposal in question.

6.2. The report will then be submitted to the Head of the Highways Service and the Portfolio Holder for Transport for approval in accordance with Cornwall Council's approved procedures for decision-making. The Portfolio Holder's decision will be recorded in writing and published in accordance with Cornwall Council's usual procedures, including the reasons for approving or declining the recommendations. The CNP and Members will be informed of the outcome as soon as possible after the Portfolio Holder's decision is made.

6.3. A deadline will be in place for these reports and briefs to be issued to the Portfolio Holder. Any report or brief issued after this date will automatically enter part of the next year's round of schemes and be delayed by 12 months. It will be at the Portfolio Holder's discretion whether the budget is carried forward.

7. Stage 4: Design, Consultation and Delivery

7.1. The project briefs for each scheme will be used to commission Cormac to design, consult and deliver each scheme, depending upon the size and scale of the scheme this may include preparation of a Comprehensive Impact Assessment. CNPs will be consulted on design and cost changes that may arise. The more accurate the brief at conception stage the quicker the scheme can be progressed.

7.2. Consultations

7.2.1. The level of consultation would be dependent upon the impact the scheme may have on the highway network. Those requiring a Traffic Regulation Order will have to follow the agreed statutory process. However, with the Member and CNP both being aware of the agreed proposals at the outset this should shorten the time frame for the informal consultation and before formal consultation commences.

7.2.2. Schemes will vary in complexity and as such their consultation phase may vary in length. It is therefore intended that clear timelines are agreed for each scheme upon commission and where these timelines are affected by increased complexity at consultation stage this is to be made clear as soon as possible to the Member and CNP.

7.2.3. For efficiency, approved schemes will be in one package for the TRO procedures. This will enable a faster on-site delivery.

7.2.4. Where a scheme within a TRO package increases in complexity causing delay, so as not to prejudice the package delivery in a timely manner, the Portfolio Holder for Transport will mitigate these circumstances by moving such schemes into the following year's list of schemes.

8. Stage 5: Monitoring and Review

- 8.1. A monitoring report will be submitted to CNPs each month setting out progress from formal consultation to scheme completion. This will be linked to regular 6 monthly visits of Highways Managers to CNP's.
- 8.2. An annual summary document will be published at the end of each financial year setting out how the CNP has contributed to each of the objectives set out in 4.2.

9. Notes:

- 9.1. CNP's and Members are encouraged to reach a consensus view at all stages where they are involved. CLOs should continue to ensure that, where a vote is required at CNPs on the Highways Scheme, voting procedures are clear with one vote per parish and per Cornwall Councillor as the standard approach. The Divisional Members would come to their final recommendation by taking a vote between themselves, where there is not unanimous agreement.
- 9.2. This note and particularly any timescales are for guidance only. The deadlines introduced for this round of CNP funding are to ensure that resource issues within Cormac can be planned to avoid, as far as possible, foreseeable time delays. Phasing over three years is therefore proposed. Early delivery of briefs (within the timescale protocol) would also significantly assist the delivery teams in programming the specialist resources available to these tasks and for this to occur, the protocol on timelines for the procedures will apply.
- 9.3. Enforcement can only commence once the necessary lines and signs are in place. If the area of new restriction falls into an existing priority enforcement route, it will be included in regular patrols by Civil Enforcement Officers. However, if the restrictions are in a location that are patrolled on an ad-hoc basis or in an area that does not have visits, it is very unlikely the area would receive regular patrols at present.

Cornwall Council Community Network Highways Scheme Expression of Interest Form



Notes

To help us process your Expression of Interest, please:

- Read the Community Network Highways Scheme guidance carefully
- Complete the form as fully as you can and return to your Cornwall Councillor, and copy in your Highways Manager and Community Link Officer
- Let us know if you have any questions before sending in your application

Section A: Contact details

1. Name/position of person submitting this proposal	
2. Contact email	
3. Contact telephone number	

Section B: Scheme outline

1. Location	
Schemes should include proposals to deliver against one or more of the six goals of The Cornwall Transport Plan: www.cornwall.gov.uk/connectingcornwall	
2. What is the LTP objective you are trying to achieve?	
3. What is the problem? What local outcome you are aiming to achieve?	
4. How have you identified this problem? Let us know of any evidence available, including community representations or if the problem has been looked at previously any feasibility studies or similar.	
5. Why is this a priority for the parish council?	
6. Is there any additional funding available to support this scheme? If so, how much and from what source?	

7. Area of benefit – schemes which benefit a larger area of the Community Network are encouraged	
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Declaration

I declare that the information supplied in this form is true to the best of my knowledge and that, if I am submitting this proposal on behalf of a town or parish council, or another organisation I have their consent to do so.

Signature:	Date:
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Name (Please Print):

Privacy Notice: This information is being collected by Cornwall Council. The Chief Executive is the Council's Data Controller. Any information provided may be retained on computer or in manual files in accordance with the Council's policy for the retention of information. This information will be used for processing your expression of interest. It may also be used for related council purposes, including for regulatory functions and investigating fraud. It will not be disclosed to any third party except where the council specifically contracts for data processing support. The information may be used for statistical or research purposes, which will be de-personalised where appropriate.

Please return to your Cornwall Councillor and copy in your Highways Manager, Community Link Officer.



Planning news for local councils and agents

Welcome to the Winter 21/22 edition of the Local Councils and Agents newsletter

As a Local Planning Authority, we're still mostly working remotely. Various factors are keeping our workloads high though the validation backlog has reduced. Information on our working practices, such as Planning Committee arrangements, and more information can be found by searching for a topic on our [website](#). Latest updates are also posted on our [What's new in Planning?](#) page.

Content: Please use the index to take you straight to that item:

[Chief Officer Note – Special Accommodation for emergency homeless/move on housing](#)

[Climate Emergency Development Plan Document](#) to be submitted for Examination

[Cornwall Design Guide – December 2021](#)

[Cornwall Design Review Panel](#)

[Developer Contributions](#) – Infrastructure Update 20/21, new instalment policy and CIL Fund update

[Development Management update](#) from Hayley Jewels, Head of DM

[European Sites Mitigation Supplementary Planning Document](#) – completing Appropriate Assessments

[Investing in Nature survey](#)

[Local Council Planning Training](#)

[Neighbourhood Planning latest news](#)

[Never miss Planning News again](#)

[Revisions and amendments](#)

[River Camel phosphates and nutrient neutrality](#) – Temporary pause on planning applications

[Useful info](#) and [links](#) to webpages

[Validation Team update](#) included [changes to submissions](#) and [commenting](#)

[West Penwith International Dark Sky Park](#)

Development Management update from Hayley Jewels, Head of DM

I would like to start on a positive note by providing the great news that our validation times have reduced considerably to 4 working days, down from 26 last August. This is a great achievement in the circumstances and whilst January is generally a bit quieter for new submissions, it puts us in a very good position for the Spring. However, that does mean that the applications which were previously held up at validation are now with our planning officers for determination, resulting in very high caseloads for those officers. Therefore, it is the case that the pressure has now moved from one team to another. We are currently determining approximately 78% of applications in time, which is dipping slightly, and we are now heavily reliant on extensions of times. We are doing our utmost to address the backlog of work and are very appreciative of the support of agents in agreeing to extensions of times and in understanding the pressures that we are currently facing.

Unfortunately the planning service is not exempt from the budget pressures faced by the wider Council, and in that respect, we have had to contribute to overall staff reductions. This means that over the coming months we will sadly say goodbye to some members of staff and I am conscious of the additional pressure that will arise. To help mitigate the impact, we are making changes to some processes to manage the demand on our additional paid-for services that we offer. This will enable us to devote our time to the main planning application, pre-application and enforcement workload. A programme of work continues on a number of digital programmes to achieve efficiencies in process and we will provide further updates next time. Please do read the validation update below for more information on how we are maximising existing digital opportunities.

I am confident that we will adapt to these changes but I anticipate the transition over the next few months will be challenging. As a team we remain committed to doing our very best for the applicants and the communities of Cornwall, and we ask that you please do bear with us during this difficult time. Thank you.

River Camel phosphates and nutrient neutrality

In April last year the Council was notified by Natural England that the area was at risk from adverse effects due to excessive phosphates and that further development could exacerbate this unless mitigation measures were put in place.

Cornwall Council is legally required to assess the potential impacts of projects and plans on internationally important sites, which include the River Camel Special Area of Conservation (SAC). With that in mind, the Council placed a temporary pause on planning approvals for the area.

Progress in the last quarter included the launch of our phosphate budget calculator and guidance to accompany it, and an update on discharging planning conditions. This has allowed progress to be made on some applications.

The next step is to identify potential solutions and our consultants are working through this at the moment. More information will be published on our webpages:

- [Temporary pause on development in the River Camel Special Area of Conservation - Cornwall Council](#)
- [Types of development and applications affected - Cornwall Council](#)
- [Considering an application in the River Camel catchment area - Cornwall Council](#)



- [River Camel phosphate management strategy - Stakeholder workshops - Cornwall Council](#)
- [Nutrient neutrality in Cornwall](#) which includes:
 - The calculator and tutorial video
 - Updated mapping link
 - Guidance and flowchart to help applicants and developers progress their proposals.

We are updating these pages regularly so please keep a look out for latest news.

Climate Emergency Development Plan Document (DPD)

The Climate Emergency Development Planning Document was submitted for Examination on 8th November to coincide with World Town Planning Day.

An Independent Inspector has now been appointed and has confirmed that he will consider the document over the next few weeks and will then set out a schedule for the examination in public process.

The schedule, when available will be published alongside the draft submission documents and evidence on the [Climate Emergency DPD webpage](#).

The DPD is a key action in Cornwall's Climate Change Action Plan. Sitting alongside the Local Plan it strengthens planning policies that will help to address Climate Change in Cornwall

The policies are aimed at supporting renewable energy, nature recovery, regeneration of our town and village centres and making Cornwall more resilient to issues such as coastal change and flooding. They set challenging standards for energy efficiency in housing and development and bring green travel choices and active travel to the forefront.

If you would like more information, please email: climateemergencydpd@cornwall.gov.uk

Developer Contributions update

Infrastructure Funding Statement

The Infrastructure Funding Statement (IFS) is an annually produced report which sets out information about developer contributions received and spent in the previous financial year.

The [IFS for 2020/21](#) sets out how much Community Infrastructure Levy (CIL) and s106 money has been collected, allocated to projects, spent and is held by Cornwall Council up to 31 March 2021. Some of the headline figures from 2020/21 activity include:

- £11.4m in s106 developer contributions collected – an increase of 130% on what was collected in the previous year.
- The value of new s106 agreements entered into during 2020/21 totalled £5.4m – this is around the same level as the previous year.
- £1.03m in CIL payments collected – an increase of 38% of the previous year.
- £250k of CIL was passed to Town and Parish Councils as Neighbourhood CIL payments (including payments to zone 5 parishes) – this is an increase of 275% on the previous year. The sharp increase from last year is due to the timing of when



these payments are passed to parishes - there can be up to a 6-month delay between Cornwall Council receiving the payment and passing it on to the local Council, and CIL payments to zone 5 parishes are transferred up front on commencement of the development, rather than spread over a number of instalments.

- £4.6m of s106 money was spent on infrastructure (a slight 11.5% increase on s106 spend in the previous year), with a further £6.8m being allocated to specific infrastructure projects (to be spent at a future date).

Two projects that have had CIL and s106 money spent on them are a new accessible pathway to the Kowel Gwenen community building at the Newquay Community Orchard which was supported by the CIL Fund, and Bolenna Park in Perranporth supported with s106 Public Open Space contributions.



The South Kerrier Alliance and National Trust just published a news release on another of the CIL funded projects and Planning gets a positive mention! Read on for news on the [Penrose Bridleway link from Porthleven through the Penrose Estate](#).

For more information on what developer contributions have been spent on, visit [CIL and s106 story map](#).

New CIL Instalment Policy from 1 February

We are introducing a revised CIL Instalment Policy which will be applied to any CIL liable permission which commences on or after 1 February 2022. The new policy requires the first instalment to be paid sooner after commencement in order to help us tackle incidents of non-payment early on in the development, thereby reducing the likelihood of enforcement cases having to be passed to our legal team and the time and cost associated with this. The new policy can be viewed at www.cornwall.gov.uk/cil.

CIL Fund Update

We are currently working on when to launch the next round of CIL Funding. There will be an Expression of Interest stage included this time in order to ensure that only suitable projects need submit a full funding application. Further updates will be published at www.cornwall.gov.uk/cil.



Neighbourhood Planning in Cornwall

The Planning Policy team has recently taken on responsibility for the neighbourhood planning function. This means that the neighbourhood plan process may be dealt with by different people. The team is currently looking at the support that groups need and how we can make the process continue to work efficiently. All queries relating to Neighbourhood Planning should continue to be sent to the Neighbourhood planning email box (neighbourhoodplanning@cornwall.gov.uk) which will be monitored regularly.

As pandemic restrictions have eased we find ourselves dealing with a number of requests and enquiries. We are also dealing with a number of plan submissions, examinations, referendums and other stages. If you think you have any outstanding queries or requests that have not been dealt with, please send us an email with the details so that we can make sure that it is being picked up.

Surgeries

We are all familiar with online working now and to help make the neighbourhood planning as efficient as it can be, we will generally be providing one to one support for groups virtually. The team will be setting up regular online 'surgeries' which will be available once a month (or more often if there is more demand); groups will be able to book a 45 minute time slot on MS 'Teams' to discuss any issues that they are having with their plan, or for officers to provide general advice. Slots are bookable on a first come, first served basis by emailing neighbourhoodplanning@cornwall.gov.uk. The date of our first surgery will be 7th February; slots are available on the hour from 10am to 4pm – please let us know your preferred time and we will do our best to accommodate you. To ensure that we effectively use the time, we will ask you to complete a short proforma, setting out the key issues that you want to discuss. This will allow for any preparation or research required before the meeting.

Support and Guidance

Over the course of the next couple of months, we'll be reviewing the neighbourhood planning guidance that is available on the Cornwall Council website to make sure that it is up to date and to simplify and enhance the information that is available. The web pages will also be amended to ensure it is easier to find the things that you need.

eBulletin

The neighbourhood planning ebulletin has been relaunched and published on our [Planning News](#) webpage. It has details of all the latest neighbourhood planning activity, including plans at referendum, examination etc. If you'd like to receive a copy of this, please email neighbourhoodplanning@cornwall.gov.uk to be added to the mailing list.

Cornwall Design Guide launched December 2021

Our newly adopted [Cornwall Design Guide](#) has been published on the Council's website. It can now be used in decision making and replaces the previous design guides that have been in use for some time. The separate streetscape design guide has been merged into the design guide to reduce the number of separate documents in use. It follows the same format and categories as the national Design Guide and the recently published National Design Code. It provides an opportunity for the development of local design codes as and when they are required.



The Design Guide supports:

- the Cornwall Local Plan and
- the Climate Emergency Development Plan Document and
- policy in Connecting Cornwall: 2030 Local Transport Plan.

Whilst the design guide was adopted for use in December 2021, it is intended for use as a 'living document'. It will be updated from time to time as required to address national and local changes. A further update may be required when design coding is addressed for Cornwall.

A revised Chief Planning Officer Advice Notice will be issued to refer to the design guide and any additional areas of focus required in its use. Chief Planning Officer advice notes are published on our [Planning Policy Guidance](#) webpage.

If there are any questions on the design guide, please contact localplans@cornwall.gov.uk

Cornwall Design Review Panel

The Cornwall Design Review Panel provides a vital forum and is an informed and bespoke service focussed on 'our place', in order to support those leading projects to navigate the optimum way forwards within the complicated landscape of design policy and practice. Design review represents a shared and collaborative endeavour bringing together promoters/agents, the LPA, independent practitioners and local elected members (as observers).

We will be launching a survey in the coming months to seek your feedback on the current provision and ideas on how it might be improved.

Please keep a look out for our special newsletter on the CDRP offer coming out mid-February.

European Sites Mitigation SPD – help with completing Appropriate Assessments

The [European Sites Mitigation Supplementary Planning Document](#) (SPD) includes templates for the Habitats Regulations Assessment (both screening and appropriate assessments) in appendix 2.

These should be completed for all applications where additional development (for example housing, student housing and tourist accommodation) is proposed within the Zone of Influence of a Special Area of Conservation and where recreational disturbance is the only impact. There are different templates for each of the Special Areas of Conservation. The following link provides guidance on the completion of HRA Appropriate Assessment Forms:

[Guidance on completion of Appropriate Assessment Templates \(cornwall.gov.uk\)](#)



New Chief Officer Note on Specialist Accommodation for emergency homeless

A new Chief Officer Note on Specialist Accommodation for emergency homeless or move on housing has been published on the Cornwall Council website.

This note provides guidance on the use of modular self-contained units to meet the needs of highly vulnerable people to enable them to make the transition from homelessness to a permanent tenancy. The Council recognises that there is an urgency to meet these housing needs and the note is intended to provide advice on internal space standards, outdoor spaces, parking and the future management of the units.

You can find this new guidance with our other published Chief Officer Notes on our website: [Planning Policy Guidance - Cornwall Council](#)

West Penwith International Dark Sky Park



(Photo: Stargazing at Lanyon Quoit by Su Bayfield)

Following a community-led effort supported by Cornwall Council, the West Penwith section of the Cornwall AONB has been designated an International Dark Sky Park by the International Dark-Sky Association. This designation is a material consideration in the determination of planning applications. A planning condition will be placed on relevant new development to limit light pollution from associated external lighting. Cornwall-wide guidance on lighting is included in the [Cornwall Design Guide](#). Advice for Neighbourhood Planning Groups and other community groups is also available as part of the [Neighbourhood Planning Toolkit](#).



Planning Agents Forums 2022

Our first Planning Agents Forum this year will be held on Thurs 17 March from 09:00-12:30, and will include an update from the River Camel phosphates project team and consultants. The programme for the morning will include:

- Development Management update:
 - Area Planning Teams
 - Permitted Development Rights changes
 - Submission changes, validation, tips to avoid invalid submissions, S73s
- Policy update:
 - Future planning changes
 - Prosperous Cornwall 2050
 - Climate Emergency DPD
 - Cornwall Design Guide – December 2021 and updated Chief Officer Note
 - Neighbourhood Planning: new arrangements and design coding
 - European Sites Mitigation SPD – appropriate assessments
- River Camel phosphates update and workshop with our consultants, Royal HaskoningDHV

More details will be published on our [Planning Agents Forums](#) webpage nearer the date, and invites sent direct to our subscriber list for agents events.

If you are a planning agent submitting regular applications to Cornwall Council and you wish to know more or subscribe for notifications, please email positiveplanning@cornwall.gov.uk in the first instance.

Local Council Planning training

We will add details of next training sessions for local councils to our [Local Council Planning Conferences](#) page on Cornwall Council's website.

Modular training videos

You can find modular training videos for local councils on the [Local Council Planning Conferences](#) webpage. Our next video to be added will be Enforcement and Compliance next month.

Planning Induction training videos

Planning Induction training presentations and Q&As are on the website at [Local councils - Cornwall Council](#)

Day in the life of a planning application

[Day in the Life of a planning application](#), the online training resource developed by the Cornwall Planning Partnership has been updated to help display/function on some mobile devices.



Validation Team update

Success! Following the agents workshop in October last year, we are seeing a decrease in the number of invalid applications on submission, there is still work to be done but it is encouraging that we are not having to double-handle so many applications on receipt.

There are less applications now being frontscreened by officers which has helped speed up the validation process for certain application types (Discharge of conditions, Householder applications and Listed Building Consents). The team have worked hard at clearing the backlog and we are currently working at **4 working days** for validation and the planning enquiries inbox is being dealt with daily. This is a brilliant achievement and has put Development Support in a good position for the usual influx of applications received within February/March.

Changes to the way planning applications are submitted

From the 1st April 2022 planning applications which can be submitted via the Planning Portal (www.planningportal.co.uk) will no longer be accepted by email. Pre-applications and Do I Need Planning Permission submissions will continue to be accepted via email along with any other application types which cannot be submitted via the Planning Portal. Application types which are not available for submission via the planning portal can be viewed here:

[Consent types not available through the online system Planning Portal](#)

This change will only affect a small number of customers because over 77% of applications are currently submitted via the Planning Portal.

However, it is essential that we maximise the opportunities for digital working and automate our processes as much as possible to enable us to provide an efficient and timely service. Applications submitted via email often have no fee included, with incorrect document formats/sizes. This takes a considerable amount of officer time to manually create the record and add the documents to the back office system.

Advantages in submitting applications via the Planning Portal include:

- the ability to pay the fee at the time of submission
- the mandatory fields to complete on the planning portal significantly reduce the risk of the application being invalid on receipt
- the document repository and workflow tool for customers can be used as a management tool for agents
- the planning portal system is fully integrated with our back office system meaning documents are added straight away

As a result the applications are registered and validated much quicker for customers and agents, helping to get to a quicker planning decision.

It is hoped customers will understand and co-operate with this change which helps us provide a more streamlined and efficient service and will continue to improve validation times.

The Planning Portal have offered to hold a workshop for Agents who currently don't use the Planning Portal for their submissions and invitations will go out in the next few weeks.



Revisions and amendments

A refused non material amendment application will not receive a refund. The development must be undertaken with the approved plans on the original application. Or you may wish to apply for a revised planning application. If the revised application is made within 12 months of the original permission, it would not usually attract a new fee. The Planning Practice Guidance sets out the type of application which can enjoy a “free go”. The conditions and requirements to be eligible are set out in the [‘when are applications eligible for a free go’](#) document.

Please keep an eye on our webpage for any updates: [Revisions and amendments to planning applications - Cornwall Council](#)

Changes to the way comments on applications are submitted

From the 1st April 2022 public comments on planning applications submitted via email will no longer be accepted and customers will be asked to submit comments electronically via the online planning register <https://planning.cornwall.gov.uk/online-applications>.

Again, it is essential that we maximise the opportunities for digital working and automate processes as much as possible to enable us to provide an efficient and timely service. Comments submitted via email can be delayed for up to 7 days as they need to be manually entered onto the application. This means a delay in the comments appearing on the website and being visible for the planning office, and there is a risk that they are received too late to be considered.

The benefit of submitting comments via the website’s online planning register include:

- Comments are immediately added into the back office system and automatically uploaded to the website
- The comments are immediately available for the planning officer to view and consider
- There is no delay in receiving comments due to staff absence

Meaning that the risk of comments being delayed such that they are not considered as part of the application is removed.

Customers can also use the online register to track the progress of the application they have commented on and they can be alerted of the decision if they ‘track’ the application. Further information on how to track an application can be found here [Online planning register - Cornwall Council](#)

Investing in Nature survey

In case you’ve not had the chance to complete this short survey by the Nature Recovery Team, please use this link to [Let’s Talk Investing in Nature](#) to give your input on issues and barriers to inform the Council’s habitat bank project.

You can contact the project team at grow-nature@cornwall.gov.uk



Never miss Planning News again ...

If you would like to receive notifications and a link to these newsletters when they are published, please contact us at positiveplanning@cornwall.gov.uk.

Useful links

Quick links to pages on our website you may find useful:

[Contact us](#) including the latest map for the area planning teams

[Online Planning Register](#)

[Planning Agents Area](#)

[Planning Agents Forums](#)

[Planning Committees](#) – link to main Committees webpage

[Neighbourhood Development Plans](#)

[Day in the Life of a planning application](#)

[Role of Local Councils in Planning](#)

[Local Council Planning Conferences](#)

[Cornwall Planning Partnership](#) including guidance for local councils on:

- guiding principles for early stage pre-app discussions with developers
- working together protocol for Cornwall Council, local councils and developers on pre-application discussions
- guiding principles for post-decision community engagement

[Planning Enforcement](#) (including the latest [quarterly activity reports](#))

We're always looking for ways to improve our communications with you so if you have any feedback on this newsletter, we'd love to hear it. Please send any comments to positiveplanning@cornwall.gov.uk

January 2022

<https://www.cornwall.gov.uk>





Neighbourhood Planning

Update January 2022

Welcome to our relaunched Neighbourhood Planning e-bulletin in January 2022

Neighbourhood Planning Team

The Planning Policy team has recently taken on responsibility for the neighbourhood planning function. This means that your neighbourhood plan process may be dealt with by different people. The team is currently looking at the support that groups need and how we can make the process continue to work efficiently. All queries relating to Neighbourhood Planning should continue to be sent to the Neighbourhood planning email box (neighbourhoodplanning@cornwall.gov.uk) which will be monitored regularly.

As pandemic restrictions have eased we find ourselves dealing with an increasing number of requests and enquiries. We are also dealing with a number of plan submissions, examinations, referendums and other stages. If you think you have any outstanding queries or requests that have not been dealt with, please send us an email with the details so that we can make sure that it is being picked up.

Surgeries

We are all familiar with online working now and to help make the neighbourhood planning as efficient as it can be we will generally be providing one to one support for groups virtually. The team will be setting up regular online 'surgeries' which will be available once a month (or more often if there is more demand); groups will be able to book a 45 minute time slot on MS 'Teams' to discuss any issues that they are having with their plan, or for officers to provide general advice. Slots are bookable on a first come, first served basis by emailing neighbourhoodplanning@cornwall.gov.uk. The date of our first surgery will be Monday 7 February 2022 – please let us know your preferred time and we will do our best to accommodate you. To ensure that we effectively use the time, we will ask you to complete a short proforma, setting out the



key issues that you want to discuss. This will allow for any preparation or research required before the meeting.

Support and Guidance

Over the course of the next couple of months, we'll be reviewing the neighbourhood planning guidance that is available on the Cornwall Council website to make sure that it is up to date and to simplify and enhance the information that is available. The web pages will also be amended to ensure it is easier to find the things that you need. An update will be provided through this e-bulletin.

Government Legislation

Government White Paper – Planning for the Future

We are still waiting for the Government to publish their response to consultation on reforms to the planning system. No date for publication is available but we expect it to be published later this year. Our current advice to NDP groups who might be considering revising their approved NDPs is to carefully assess the need and generally wait until we know what changes the reforms will bring. An update will be provided as soon as the nature of any changes is known.

Designations

From the 1st October 2016, local authorities no longer need to publish designation applications and consult people who live, work or carry out business in the area as long as the application is in conformity with the parish boundary as set out in the Neighbourhood Planning Regulations 2012/16 5A (3).

Cornwall Council will continue to consult statutory organisations when designation applications are submitted. A report will be collated providing initial information and guidance from these organisations to support town or parish councils during the early stages of developing their Neighbourhood Plan.

No further designation applications submitted.

Strategic Environmental Assessment Screening (SEA):

Blisland Parish NDP, Botus Fleming Parish NDP, Callington Parish NDP, Madron Parish NDP and Perranzabuloe Parish NDP were submitted for screening.

Pre-Submission Consultation:

Madron Parish NDP Regulation 14 Consultation will run from 10/1/22 – 21/2/22.

Plan Proposals Statutory Consultation:

Perranarworthal Parish NDP consultation runs from 30 November 2021 – 8 February 2022.

The consultations have been adapted and extended to adapt to Covid-19 restrictions.

137

Town and Parish Councils submitted Designation Applications

134

Designated Areas

This includes 5 cluster Neighbourhood Plans where two or more parishes are working together.

74

Pre-Submission Consultations held
St Eval, Quethiock, Roseland Peninsula, St Ives, Truro and Kenwyn, St Cleer, Bude-Stratton, St Minver Parishes, Rame Peninsula, Roche, Mevagissey, Gwinear-Gwithian, Feock, Withiel, North Hill, South Hill, St Erth, Liskeard, Falmouth, Lanlivery, Lanreath, St Mewan, Crantock, Hayle, Landrake and St Erney, Newquay, Lanner, Wadebridge with Egloshayle and St Breock, Illogan, Lostwithiel, Luxulyan, Polperro and Lansallos, St Agnes, Landulph, St Stephen by Launceston, Gwennap, Crowan, Chacewater, St Erme, Fowey, St Enoder, Looe, Ludgvan, Lezant, St Clement, St Endellion, Camelford, Saltash, Lanteglos by Fowey, Calstock, Deviock, Porthleven, Budock, Penryn, St Sampson, Menheniot, Tywardreath and Par, Linkinhorne, St Austell Bay, Mylor, Mawnan, Perranuthnoe, St Just-in-Penwith, Portreath, St Wenn, Carlyon, Dobwalls, Trewidland, Madron, Breage, Padstow, Perranarworthal, Torpoint, Morval

Examination:

Breage Parish NDP is at Examination. The Examiner is Deborah McCann.

Mawnan Parish NDP is at Examination. The Examiner is Liz Beth

Portreath Parish NDP is at Examination. The Examiner is Liz Beth.

Mylor Parish NDP is at Examination. The Examiner is Liz Beth.

St Wenn Parish NDP is at Examination. The Examiner is Deborah McCann.

Padstow Parish NDP is at Examination. The Examiner is Deborah McCann.

Referendum:

Linkinhorne Parish NDP referendum was held on 13 January 2022,

St Just Parish NDP referendum was held on 13 January 2022.

Calstock Parish NDP referendum was held on 20 January 2022.

Camelford Parish NDP referendum will be held on 3 March 2022.

The post examination modified plans are published and the Ministry of Housing, Communities and Local Government has updated [planning guidance](#) to indicate that neighbourhood plans awaiting referendums can be given significant weight in decision-making.

67

Plan Proposals Submitted

St Eval, Quethiock, Roseland Peninsula, St Ives, Truro and Kenwyn, St Minver Parishes, Bude-Stratton, Roche, Rame Peninsula, Gwinear-Gwithian, North Hill, South Hill, Lanreath, Feock, Mevagissey, St Erth, Withiel, Liskeard, St Mewan, Crantock, Hayle, Lanlivery, Landrake with St Erney, Newquay, Lanner, Polperro and Lansallos, Illogan, Lostwithiel, St Agnes, Chacewater, Luxulyan, Landulph, Crowan, St Stephen by Launceston, Fowey, Gwennap, St Erme, St Enoder, Lezant, Ludgvan, Falmouth, St Clement, Camelford, St Cleer, St Endellion, Lanteglos by Fowey, Budock, Penryn, Calstock, Tywardreath and Par, Porthleven, Menheniot, St Sampson, Linkinhorne, Saltash, Looe, St Just in Penwith, Perranarworthal, Breage, Mawnan, Mylor, Padstow, Perranarworthal, Portreath, St Austell Bay, St Just in Penwith, Morval

59

Examinations held

St Eval, Quethiock, Roseland Peninsula, St Ives, Truro and Kenwyn, St Minver Parishes, Roche, Bude-Stratton, Rame Peninsula, Gwinear – Gwithian, North Hill, Lanreath, South Hill, Feock, Withiel, St Mewan, Mevagissey, Crantock, Hayle, St Erth, Liskeard, Landrake with St Erney, Lanlivery, Polperro and Lansallos, Lanner, Lostwithiel, Illogan, Newquay, Landulph, St Agnes, Luxulyan, Crowan, Chacewater, St Erme, St Stephen by

Made Neighbourhood Plans:

Lanteglos by Fowey Parish NDP is made and the implementation date is 13 January 2022.

Porthleven Parish NDP is made and the implementation date is 13 January 2022.

Neighbourhood Planning web links

[Neighbourhood Planning in Cornwall](#)
[Preparing a Neighbourhood Plan](#)
[Toolkit and guide notes](#)

Toolkit and Guidance Notes

We have a number of [guidance notes](#) and templates available on the toolkit.

Useful web links

[Neighbourhood Planning \(Locality\) website](#)
[My Community website](#)
[The Neighbourhood Planning Bill](#)
[Cornwall Local Plan](#)
[Neighbourhood Planning Roadmap Guide](#)
[Neighbourhood Planning Regulations](#)
[National Planning Policy Framework](#)
[Cornwall Community Network Areas](#)

Launceston, Gwennap, Fowey, St Enoder, Lezant, Ludgvan, St Clement, Falmouth, Camelford, St Cleer, St Endellion, Lanteglos by Fowey, Budock, Penryn, Tywardreath and Par, Calstock, Linkinhorne, Looe, Ludgvan, Menheniot, Porthleven, Saltash, St Austell Bay, St Just in Penwith, St Sampson

53

Referendums held

St Eval, Quethiock, Roseland Peninsula, St Ives, Truro & Kenwyn, St Minver Parishes, Roche, Bude-stratton, Rame Peninsula, Gwinear-Gwithian, Lanreath, North Hill, South Hill, Feock, Withiel, St Mewan, Mevagissey, Crantock, Hayle, St Erth, Liskeard, Landrake with St Erney, Lanlivery, Polperro & Lansallos, Lanner, Landulph, Luxulyan, St Agnes, Crowan, St Erme, Chacewater, St Stephen by Launceston, Lezant, Gwennap, Fowey, Linkinhorne, St Just, Budock, Calstock, Illogan, Lanteglos by Fowey, Lostwithiel, Ludgvan, Newquay, Penryn, Porthleven, St Austell Bay, St Cleer, St Clement, St Endellion, St Enoder, St Sampson, Tywardreath and Par

50

Made Plans

St Eval, Quethiock, Roseland Peninsula, St Ives, Truro and Kenwyn, Bude – Stratton, Rame Peninsula, Roche, St Minver Parishes, Gwinear-Gwithian, North Hill, South Hill, Lanreath, Feock, Withiel, St Mewan, Crantock, Hayle, St Erth, Mevagissey, Liskeard, Landrake with St Erney, Lanlivery, Polperro & Lansallos,

Lostwithiel, Lanner, Newquay, Illogan, Landulph, Luxulyan, St Agnes, Crowan, St Erme, Chacewater, St Stephen by Launceston, Fowey, Lezant, Gwennap, Budock, Lanteglos by Fowey, Ludgvan, Penryn, Porthleven, St Austell Bay, St Cleer, St Clement, St Endellion, St Enoder, St Sampson, Tywardreath and Par

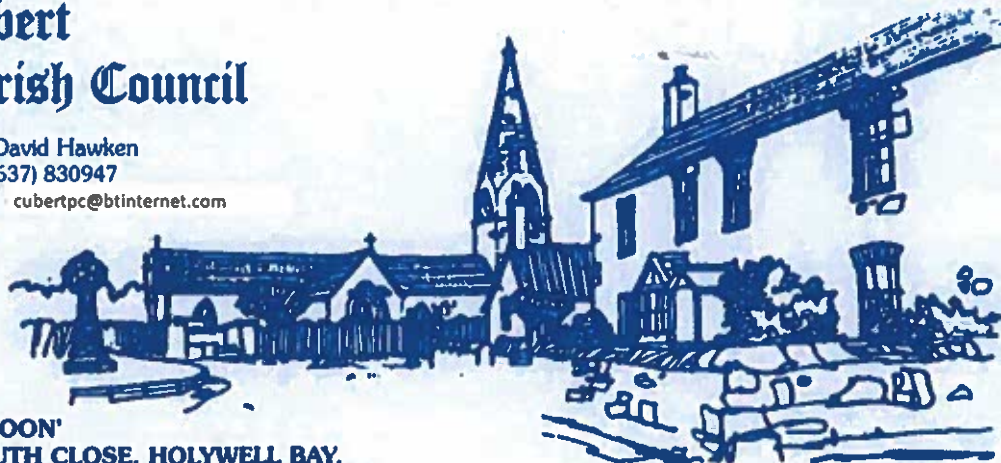
For more information or if you would like to contact us please email the [Neighbourhood Planning Team](#).

Neighbourhood planning - Cornwall Council
www.cornwall.gov.uk

Cubert Parish Council

Clerk: David Hawken
Tel: (01637) 830947
E-mail: cubertpc@btinternet.com

'PENGOON'
TREGUTH CLOSE, HOLYWELL BAY,
Nr. NEWQUAY, CORNWALL TR8 5DD



1st February 2022

All Cornwall Town and Parish Councils

Discrimination in Affordable Housing allocation definitions **Crantock, Cubert, and St Newlyn East Parishes**

Reference: Letter to all Councils 23rd November 2020
Letter to all Councils 23rd January 2021

Dear Councillor/Clerk,

You may recall from our previous letters that the three parish councils of St Newlyn East, Cubert, and Crantock, were concerned that incorrect processes were taking place regarding Section 106 deeds for affordable housing cascades in our area.

All twelve Section 106 deeds for affordable housing sites in our three parishes (245 affordable houses) name Colan Parish and/or Newquay Town as a Secondary Parish, yet none of the four Section 106 deeds for Colan Parish (335 affordable Houses) name any of our three parishes in return. Colan and Newquay families can apply for our housing before all non-bordering parishes/towns, but the families in our three parishes are not given the same status.

For two years, the three parish councils have been asking Cornwall Council for their reasons why these four Colan cascades differ from all other Cornwall affordable housing cascades in the last ten years. The parish councils have asked for examples of any similar cascade in Cornwall to the unique Colan cascades.

The parish councils have been asking for details via Public Questions at Cabinet meetings as well as Public Questions at Full Council meeting, with the answers going from rambling deflection to downright inaccurate and false statement. The latest being at Full Council on 30th November 2021, where the Council denied any unique cascade, and pointed towards an addition to the Housing Supplementary Planning

Document (SDP). The SDP is a publicly consulted document, and the amendment would seem to be an unannounced addition, without public or parish/town consultation, designed to specifically counter the three parish councils concerns. No example was given of this unique cascade from Section 106 deeds of the 7000+ affordable houses that have been granted permission in the last ten years.

We now seem to have a Unitary Authority that is unwilling to provide adequate answers at Public Questions, making false statements, and when pressed, is prepared to make alterations to Publicly Consulted Documents (SDP) just to cover their embarrassment. Rather reminiscent of current Westminster situation, except that the policies have not only been ignored, but additions have been made to those policies in order to cover tracks.

Attached please find a letter sent to all Cornwall Councillors earlier this week, providing those Cornwall Councillors with specific details of this awful trail of false statement and deflection.

The three parish councils provide this letter and attachments to all the Cornwall Councils as a warning and example of what is happening at County Hall when small communities raise valid concerns at Public Questions. All rather shameful.

Yours Sincerely,

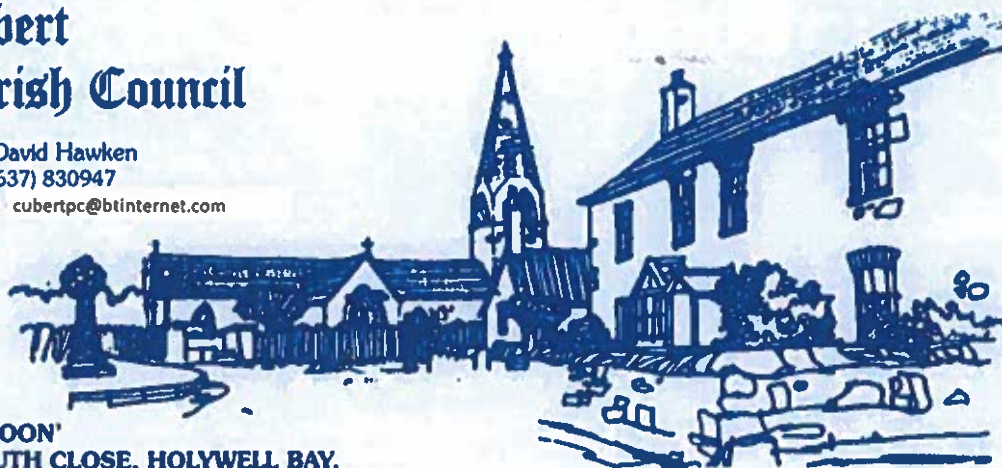
Alan Percy BEM,
Chairman,
Cubert Parish Council,
Acting on behalf, and in accord with, all three parish councils

Copy to:
Adrian Harvey CC
Crantock, St Newlyn East, and Cubert Parish Councils

Cubert Parish Council

Clerk: David Hawken
Tel: (01637) 830947
E-mail: cubertpc@btinternet.com

'PENGOON'
TREGUTH CLOSE, HOLYWELL BAY,
Nr. NEWQUAY, CORNWALL TR8 5DD



31st January 2022

All Cornwall Councillors
Cornwall Council

Failure to reply accurately – Discrimination in affordable housing allocation

Reference: Tri-Parish Council letter 12th December 2020
Tri-Parish Council letter 19th March 2021
Tri-Parish Council letter 27th November 2021

Dear Councillor,

Please accept our apologies for raising this matter. We still do not seem to be receiving correct, or accurate, replies from Your Authority.

When questioning Cornwall Council and Cabinet on the source of the unique affordable housing cascades in our local area, we have received a distinct lack of detail regarding the source document(s) for the extraordinary cascades. Earlier Public Questions at both Cabinet and Full Council meeting have been replied to inaccurately, or with incorrect statement, at odds to the truth.

All 245 affordable houses in our parishes are offered to Colan Parish and Newquay Town "In need" families as a secondary parish cascade, yet none of the 335+ affordable homes in Colan Parish is offered via secondary parish to our "In need" families in return. The latest four Colan Section 106 cascades are unique from all other Section 106 cascades, for many thousands of affordable houses throughout Cornwall, over the last ten years. Discriminatory practice by any standard.

It is worth repeating, these four Colan Section 106 affordable housing cascades are unique from all others in Cornwall. This has been denied time and again by Your Authority. The three parish council have provided lists of every affordable housing cascades in the Cornwall parishes over the past ten years, none of which mirror

these unique Colan cascades, yet no example of any of these unique cascades, anywhere else in Cornwall, has been produced by Your Authority.

You may recall that the three parishes made a Public Question to Full Council on 30th November 2021:

COLAN AFFORDABLE HOUSING CASCADES

CC/71 A public question had been received from Mr A Percy

"The Section 106 primary and secondary parish cascade definitions for affordable planning permissions in Colan Parish uniquely differ from all other cascade definitions in Cornwall, to the disadvantage of neighbouring parish in need families. Why are the Colan affordable housing cascades different from all other cascades in Cornwall?"

The response by the Portfolio Holder for Housing and Planning was:-

"We do not agree that the Section 106 primary and secondary parish cascade definitions for affordable housing planning permissions in Colan Parish are uniquely different. Following the previous question to Full Council from Mr Percy on this matter in February this year, we have sought to provide clarity on the affordable housing cascades used throughout Cornwall. This is set out in the Affordable Housing cascade process in a note which was published on our website in April 2021."

You will note that no example any such cascade was provided by Your Authority in reply, just the bald statement that the Authority did not agree with the parishes.

You will also note that an addition to the Housing Supplementary Planning Document (SPD) has been made by Your Authority in response (to counter?) the parishes concerns. Did anyone know of a public consultation on this change? (I.e. having failed to provide clarity on the cascades used, or the source document of the cascades used, requested by the parishes over the last two years, Your Authority has amended the publicly consulted Housing SPD to include this unique cascade).

How awful is that? Rather than admit to the failure to follow the publicly consulted cascades used by all other Section 106 deeds in the rest of Cornwall, Your Authority decides to publish (on the quiet) a change to the publicly consulted and approved Housing SPD, just because they couldn't find themselves able to answer the valid concerns of three parish council. Is there no shame to be found at County?

Currently, at Westminster, we have questions being asked whether those with positions of power are following their own policies and rules. Whereas, here in Cornwall when asked why Your Authority is not following its own public rules and policies, it just add a change to their policies, by stealth, to cover their shame.

Apart from the numerous requests to Cornwall Council officers, a Public Question was put to the Cabinet on 10th February 2021:

"In recent planning briefing papers to Cabinet members, why was it stated that the unique Section 106 affordable housing cascades for the latest Colan Parish housing estates were from the Restormel, and Cornwall Local Plans, Affordable Housing, and Allocations DPD, when no such cascades exist in those documents?"

The reply given by Cllr Mitchell (Portfolio Holder at the time) was:

“The approach that the Council and its predecessors took to the drafting of Section 106 agreements for affordable housing cascades followed the policies set out in their respective Local Plans supplemented with advice set out in other relevant planning and housing guidance, alongside agreed Section 106 templates. All councils approach this differently in accordance with their policies and priorities”.

You will note that there is no detail of which document provided the unique cascades, and may care to note that the Section 106s for these unique cascades were signed after the publication of the Cornwall Local Plan of 2016, and many, many, years after the Restormel Plan (Colan), and the birth of Cornwall Council.

Following the failure to identify the defining document, an article was placed in the 10th March Newquay Voice, the reply from Cornwall Council being:

“Where a site is situated within a rural parish but will provide for the housing needs of the adjoining urban settlement, Cornwall Council uses the ‘cascade’ approach for urban areas”.

You will note again, that there is no detail of where this County wide unique ‘cascade’ is to be found. You can be assured that the four documents initially quoted by Cornwall Council in their Cabinet Briefing Paper (Restormel, and Cornwall Local Plans, Affordable Housing, and Allocations DPD) have been closely examined, page by page, paragraph by paragraph, and no trace of the unique cascades has been found.

Again, following the incorrect statements made at both Cabinet Public Questions and in the Newquay Voice, a Public Question was put to Full Council on 23rd March 2021:

In which specific chapter and paragraph, of a publicly consulted document, can the affordable housing cascades for the four Colan Parish sites, as stated in the Cornwall Council replies to public questions at the 10 February Cabinet meeting and Newquay Voice article of 10 March, be found?

The reply given by Full Council was:

“As advised previously, there is a suite of documents that establish the Council’s approach to affordable housing cascades. There is no specific document that sets this out for Colan Parish nor would we expect to provide a detailed parish by parish approach”. (The full reply rambles on, and is attached to this letter, for brevity).

You will observe, the short reply does not answer the question, and the further rambling of the full reply continues to dodge the question.

The true fact is:

That all Section 106 affordable housing cascades for the whole county follow the same formula, except for these four Colan Parish cascades. (A list of planning permissions for affordable housing in Cornwall is provided, attached with this letter).

There is therefore no other deviance from the publicly consulted cascade formula elsewhere in Cornwall (as was laid out in the publicly consulted Housing Supplementary Planning Document (SDP)), and the three parish councils are at a loss as to why these particular Section 106 cascades should have been defined differently to the rest of Cornwall.

Three of the Section 106 Deed definitions are jointly signed by both Cornwall Council officers, and one particular large developer, and contact/reply from the agent for that developer would suggest that authorship of the unique cascades lies with Legal Services of Cornwall Council. (Legal Services have earlier indicated that they do not wish contact on the matter from the parish councils).

Obviously, the parish councils cannot allow the situation to remain unchallenged. Non-factual and deflectionary statements should not be made at Public Questions, fair and consistent treatment for all communities in Cornwall should be expected from Your Unitary Authority, and it is disappointing to see the motto of "onen hag oll" tarnished by such poor service.

The parish councils are left with the quandary of what further public question, or questions, should be made at the next Full Cornwall Council meeting. Some valid questions are obvious:

Why did the Authority state that the Colan Section 106 cascades were not unique, without providing any example from the 100s of planning permissions of the past ten years?

Why did the Authority decide to change a publicly consulted SPD rather than to make the simple amendments to the Section 106's to bring these cascades in line with the rest of Cornwall?

Were the guidelines on changing publicly consulted documents without further public consultation/scrutiny followed? Was there any attempt to bring the changes to the public attention? Was any notice of the changes to the SDP document given to the city, town, and parish councils?

Why did the Authority state that the unique cascades were to be found in the historic documents of the Restormel, and Cornwall Local Plans, Affordable Housing, and Allocations DPD, when no such cascades exist in those documents? And yet, when questioned in public at Cabinet on 10th February 2021, no answer was provided other than the deflectionary statement of "All councils approach this differently in accordance with their policies and priorities". The use of the word POLICIES being a particular poor taste joke in this case.

Why, when again asked for the specific publicly consulted document wherein these unique cascades can be found, the reply was that there is a "suite" of documents that establish the Council's approach (no document names this time!) in the same, by now usual, deflectionary and rambling manner we have come to expect?

Why oh why, when provided with details of all affordable housing cascades in Cornwall over the last ten years, does Your Authority continue to deny such uniqueness exists?

Perhaps the questions should now be whether the Members are content for Their Authority to provide incorrect (dishonest?) or deflective answers to public questions.

Perhaps the questions should now be whether the Members are happy for public questions to be answered by altering publicly consulted documents, rather than provide simple and meaningful answers to the valid questions.

The Parish Councils should be able to expect that, after two years of asking, the full reasons why these unique Colan cascades have been allowed in clear discrimination against the most "In Need" families of the parishes of Crantock, Cubert, and St Newlyn East. Just what does the Authority have to hide?

Yours Sincerely,

Alan Percy BEM,
Chairman,
Cubert Parish Council,
Acting on behalf, and in accord with, all three parish councils
Crantock Parish Council
St Newlyn East Parish Council
Cubert Parish Council

Annex A

List of neighbouring parishes to city and towns within Cornwall, with Smallscale Major Dwellings planning applications (as defined in the Cornwall Council planning portal) which contain valid Affordable housing Section 106 Deeds.

The list concentrates on 24 towns, with 95 surrounding parishes, with 114 affordable housing planning applications, and with the total open market and affordable houses totalling 6981 dwellings.

The list contains duplicate details of four parishes where the individual parish borders more than one town. Carn Brea Parish and Illogan Parish (Camborne and Redruth), Ludgvan Parish (St Ives and Penzance) and Colan Parish (Newquay and St Columb Major). The parishes and houses therein are only counted once in the above totals.

It should be noted that only one Section 106 Deed (Kenwyn PA17/10876 – 29 houses) include both the parish and town/city as Primary Parish, and that this Kenwyn site is the only one of eight Kenwyn sites that includes both parish and town. All 7 other Kenwyn Section 106 Deeds define the Primary Parish as the smaller parish only, with the Secondary Parishes being the surrounding parishes. The Budock Parish and the Egoshayle Parish site(s) of PA16/06414, PA17/05689 & PA16/07913 straddle the parish/town boundary, and the qualifying parish becomes both parish and town.

As far as can be ascertained, the Secondary Parish lists include all bordering and neighbouring parishes.

Compare this with the four Colan Parish applications that define the Primary Parish as Colan Parish and/or the Secondary Parish as Newquay Town, and leave the neighbouring parishes of Crantock, Cubert, and St Newlyn East out of the Secondary Parish definitions.

Newquay:

Crantock Parish:

PA15/03202 – 30 houses

Secondary Parishes, Colan & Cubert.

PA15/11981 – 59 houses

Primary Parish Crantock

Secondary Parishes Colan, St N East & Perranzabuloe.

PA17/09559 – 22 houses

Secondary Parishes, Colan & Cubert.

Cubert Parish:

PA11/04974 – 29 houses

Secondary Parishes, Colan, Crantock, St N East & Perranzabuloe.

PA15/07114 – 133 houses

Primary Parish Cubert and Perranzabuloe (joint border)

Secondary Parishes, Colan, Crantock, St Newlyn East, St Agnes.

PA17/01847 – 11 houses

Secondary Parishes Colan, Crantock, St Newlyn East, Perranzabuloe, & Newquay

Town.

PA18/08384 – 30 houses

Primary Parish Cubert

Secondary Parishes, Colan, Crantock, St Newlyn East, Perranzabuloe, & Newquay Town

St Newlyn East Parish:

C1/PA18/1648/09/M – 40 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, St Erme, Ladock, Perranzabuloe, St Enoder, St Allen

PA13/06295 – 39 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, St Erme, Ladock, Perranzabuloe, St Enoder, St Allen

PA18/02182 – 37 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, St Erme, Ladock, Perranzabuloe, St Enoder, At Allen

PA18/09371 – 26 houses

Primary Parish St Newlyn East and St Enoder (joint border)

Secondary Parishes, Colan, Cubert, Ladock, St Stephen-in-Brannel, St Denis, Roche, St Columb Major, Perranzabuloe, St Allen, St Erme

PA18/04713 – 17 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, Crantock, St Erme, Ladock, Perranzabuloe, St Enoder, St Allen

Colan Parish:

PA15/02994 – 350 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA16/12055 – 140 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA14/04743 – 455 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA11/06679 – 46 houses

Primary Parish Colan

Secondary Parish Newquay Town.

Bodmin:

Lanivet Parish:

PA18/08619 - 19 houses

Primary Parish Lanivet

Secondary Parishes, Helland, Egloshayle, St Briock, Withiel, Roche, Luxulian, Lanlivery, Lanhydrock

Helland Parish – None

Lanhydrock Parish – None

Cardinham Parish - None

Bude:

Marhamchurch Parish:

PA15/09444 – 20 houses

Primary Parish Marhamchurch

Secondary Parishes, Launcells, Bude-Stratton, Whitstone, Week St Mary,

Poundstock

Launcells Parish – None

Kilkhampton Parish:

PA12/01814 – 14 houses

Primary Parish Kilkhampton

Secondary Parishes, Launcells, Jacobstow, Bude-Stratton, Marhamchurch, Morwestow, North Tamerton, Poundstock, St Gennys, Week St Mary, Whitstone

PA18/00079 – 9 houses

Primary Parish Kilkhampton, Morwenstow, Launcells, Bude-Stratton

Secondary Parish none

PA18/06225 – 34 houses

Primary Parish Kilkhampton

Secondary Parishes, Launcells, Jacobstow, Bude-Stratton, Marhamchurch, Morwestow, North Tamerton, Poundstock, St Gennys, Week St Mary, Whitstone

Callington:

St Ive Parish:

PA11/06497 – 18 houses

Primary Parish St Ive

Secondary Parishes, St Cleer, Linkinhorne, South Hill, Callington, St Mellion, Quenthiock, Menheniot

PA18/08162 – 18 houses

Primary Parish St Ive

Secondary Parishes, St Cleer, Linkinhorne, South Hill, Callington, St Mellion, Quenthiock, Menheniot

St Mellion Parish – None

St Dominick Parish:

PA18/10557 – 14 houses

Primary Parish St Dominick

Secondary Parishes, Calstock, Callington, St Mellion, Pillaton

South Hill Parish – None

Calstock Parish:

PA12/01368 - 155 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

PA13/10801 - 49 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

PA15/05651 - 25 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

PA17/09575 – 33 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

Stoke Climsland Parish - None

Camborne:

Gwinear-Gwithian Parish:

PA15/00989 – 32 houses

Primary Parish Gwinear-Gwithian

Secondary Parishes, Crowan, St Erth

Crowan Parish:

PA16/03065 – 19 houses

Primary Parish Crowan

Secondary Parishes, Breage, Sithney, Camborne, Gwinear-Gwithian, St Erth

PA18/02020 – 24 houses
Primary Parish Crowan
Secondary Parishes, Breage, Sithney, Camborne, Gwinear-Gwithian, St Erth
Wendron Parish:
PA16/02296 – 16 houses
Primary Parish Wendron
Secondary Parishes, Stithians, Crowan, Sithney, Gweek, Constantine
Carn Brea Parish:
PA17/00537 – 32 houses
Primary Parish Carn Brea
Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth
PA18/05083 – 12 houses
Primary Parish Carn Brea
Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth
Illogan Parish:
PA13/10823 – 69 houses
Primary Parish Illogan
Secondary Parishes, Portreath, Carn Brea, Camborne, Redruth

Camelford:
St Teath Parish:
PA14/01868 – 12 houses
Primary Parish St Teath
Secondary Parishes, Tintagel, Michaelstow, St Tudy, St Kew, St Endellion
PA17/02529 – 23 houses
Primary Parish St Teath
Secondary Parishes, Tintagel, Michaelstow, St Tudy, St Kew, St Endellion
Michaelstow Parish – None
Advent Parish – None
Davidstow Parish – None
Forrabury and Minster Parish – None

Falmouth/Penryn:
Mabe Parish:
PA12/09580 – 90 houses
Primary Parish Mabe
Secondary Parishes, Stithians, St Gluvius, Penryn, Budock, Constantine
PA18/04092 – 27 houses
Primary Parish Mabe
Secondary Parishes, Stithians, St Gluvius, Penryn, Budock, Constantine
PA19/03269 – 30 houses
Primary Parish Mabe
Secondary Parishes, Stithians, St Gluvius, Penryn, Budock, Constantine
St Gluvias Parish – None
Mylor Parish:
PA12/09979 – 30 houses
Primary Parish Mylor
Secondary Parishes, St Gluvias, St Just-in-Roseland, Perranarworthal, Penryn, Falmouth, Feock
PA18/08493 – 18 houses
Primary Parish Mylor
Secondary Parish not determined
Budock Parish:
PA16/06414 – 150 houses
Part of site(s) lie within both Budock and Penryn

Qualifying parish Budock or Penryn
PA18/02967 – 37 houses
Primary Parish Budock
Secondary Parishes, Mawnan, Mabe, Penryn

Fowey:

Twywardreath and Par Parish:
PA14/11998 – 16 houses
Primary Parish Twywardreath and Par
Secondary Parishes, Fowey, St Sampson, Lanlivery, Luxulyan, St Blaise
St Sampson – None
Lanteglos:
E2/08/02125 – 15 houses
Primary Parish Lanteglos
Secondary Parishes, St Veep, Lansallos, Lanteglos

Helston:

Porthleven Parish:
PA13/04905 – 60 houses
Primary Parish Porthleven
Secondary Parishes, Breage, Sithney, Helston, Gunwalloe
Gunwalloe – None
Mawgan-in-Meneage – None
Wendron Parish:
PA16/02296 16 houses
Primary Parish Wendron
Secondary Parishes, Stithians, Crowan, Sithney, Gweek, Constantine
Sithney Parish:
PA14/05546 – 20 houses
Primary Parish Sithney
Secondary Parishes, Breage, Porthleven, Wendron, Crowan

Launceston:

South Petherwin Parish:
E1/2005/01896 – 14 houses
Primary Parish South Petherwin
Secondary Parishes, Lawhitton, St Thomas, Launceston, Lezant, Lewannick
Lawhitton Rural Parish – None
St Stephen by Launceston Parish - None

Liskeard:

Dobwalls and Trewidland Parish:
PA13/07745 – 20 houses
Primary Parish Dobwalls and Trewidland
Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St
Keyne, St Pinnock
PA14/06050 – 62 houses
Primary Parish Dobwalls and Trewidland
Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St
Keyne, St Pinnock
PA14/07521 – 11 houses
Primary Parish Dobwalls and Trewidland
Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St
Keyne, St Pinnock
PA15/02426 – 50 houses

Primary Parish Dobwalls and Trewidland
Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St
Keyne, St Pinnock
PA15/09526 – 62 houses
Primary Parish Dobwalls and Trewidland
Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St
Keyne, St Pinnock
Menheniot Parish – None
St Cleer Parish:
PA12/11940 – 30 houses
Primary Parish St Cleer
Secondary Parishes, Altarnum, North Hill, Linkinhorne, St Ive, Menheniot, Dobwalls,
St Neot, Liskeard
PA16/01027 – 15 houses
Primary Parish St Cleer
Secondary Parishes, Altarnum, North Hill, Linkinhorne, St Ive, Menheniot, Dobwalls,
St Neot, Liskeard
PA18/02930 – 26 houses
Primary Parish St Cleer
Secondary Parishes, Altarnum, North Hill, Linkinhorne, St Ive, Menheniot, Dobwalls,
St Neot, Liskeard

Looe:
Morval Parish:
PA10/08525 – 20 houses
Primary Parish Morval
Secondary Parishes, St Martin-by-Looe, Looe, Duloe, Dobwalls, Menheniot, Deviock,
St Germans
PA17/11847 – 19 houses
Primary Parish Morval
Secondary Parishes, St Martin-by-Looe, Looe, Duloe, Dobwalls, Menheniot, Deviock,
St Germans
St Martin-by-Looe Parish - None
Duloe Parish:
PA15/06859 – 18 houses
Primary Parish Duloe
Secondary Parishes, Lanreath, St Pinnock, Dobwalls, St Keyne, Morval, Looe,
Lansallos, Pelynt
Lansallos Parish:
PA12/01949 – 18 houses
Primary Parish Lansallos
Secondary Parishes, Lanreath, Looe, Pelynt, St Veep, Lanteglos, Duloe

Lostwithiel:
Lanhydrock Parish – None
Lanlivery Parish – None
St Sampson Parish – None
St Winnow Parish – None

Mevagissey:
St Goran Parish:
PA14/04066 – 15 houses
Primary Parish St Goran
Secondary Parishes, Mevagissey, St Michaels Carhays, St Ewe
Pentewan Valley Parish – None

St Ewe Parish - None

Padstow:

St Issey Parish:

PA12/03118 – 14 houses

Primary Parish St Issey

Secondary Parishes, St Minver Lowlands, Padstow, St Breock, St Wenn, St Merryn

St Ervan - None

St Merryn Parish:

PA11/09682 – 28 houses

Qualifying Parish St Merryn

Secodary Parishes, Padstow, St Ervan, St Eval

St Minver Lowlands Parish:

PA16/03215 – 22 houses

Primary Parish St Minver Lowlands and Highlands

Secondary Parishes, St Endellion, Egoshayle, St Teath, St Kew

PA16/07502 – 20 houses

Primary Parish St Minver Lowlands

Secondary Parishes, St Minver Highlands, St Issey, St Breock

Penzance:

Ludgvan Parish:

PA10/03078 – 16 houses

Primary Parish Ludgvan

Secondary Parishes, St Erth, St Ives, St Hilary, Marazion, Penzance, Madron, Towednack

PA12/02257 – 14 houses

Primary Parish Ludgvan

Secondary Parishes, St Erth, St Ives, St Hilary, Marazion, Penzance, Madron, Towednack

Paul Parish - None

Madron Parish:

PA16/03653 – 24 houses

Primary Parish Madron

Secondary Parishes, Morvah, Zennor, Towednack, Ludgvan, Sancredd, Paul, St Just

Redruth:

Portreath Parish:

PA11/01245 – 40 houses

Primary Parish Portreath

Secondary Parishes, St Agnes, Illogan, Redruth

PA14/12100 – 39 houses

Primary Parish Portreath

Secondary Parishes, St Agnes, Illogan

Illogan Parish:

PA13/10823 – 69 houses

Primary Parish Illogan

Secondary Parishes, Portreath, Carn Brea, Camborne, Redruth

Carn Brea:

PA17/00537 – 32 houses

Primary Parish Carn Brea

Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth

PA18/05083 – 12 houses

Primary Parish Carn Brea

Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth

Lanner Parish:

PA09/01042 – 25 houses

Primary Parish Lanner

Secondary Parishes, Gwennap, Carharrick, Carn Brea, Redruth, St Day, Stithians, Wendron

PA12/10386 – 25 houses

Primary Parish Lanner

Secondary Parishes, Gwennap, Carharrick, Carn Brea, Redruth, St Day, Stithians, Wendron

St Day Parish:

PA07/01331 – 19 houses

Primary Parish St Day

Secondary Parishes, Carharrick, Lanner, Redruth

PA15/11820 – 28 houses

Primary Parish St Day

Secondary Parishes, Gwennap, Chacewater, Carharrick, Lanner, St Agnes

Chacewater Parish:

PA17/04405 – 10 houses

Primary Parish Chacewater, St Agnes

Secondary Parishes, Portreath, St Day, Redruth, Kea, Gwennap, Kenwyn, Perranzabuloe

St Agnes Parish:

PA12/05138 – 74 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath, St Day, Redruth

PA14/01062 – 20 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA14/07885 – 24 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA14/10618 – 10 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA14/11478 – 22 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA17/01534 – 36 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

Saltash:

Antony Parish – None

Shevioc Parish – None

Landrake with Erney Parish – None

Botus Fleming Parish – None

Landulph Parish - None

St Austell:

St Austell Bay Parish:

PA11/05090 – 47 houses

Primary Parish – Specific roads in Charlestown

Secondary Parishes, St Austell Bay, St Austell, Carlyon

Pentewan Valley Parish - None

Carlyon Parish:

PA18/10255 – 10 houses

Primary Parish Carlyon

Secondary Parish St Austell

PA13/09195 – 190 houses

Primary Parish Carlyon

Secondary Parish St Austell

Treverbryn Parish:

PA13/02336 – 12 houses

Primary Parish Treverbryn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon, St Blaise, Luxulian

PA14/12186 – 1500 houses

Primary Parish Treverbryn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon, St Blaise, Luxulian

PA15/04796 – 20 houses

Primary Parish Treverbryn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon, St Blaise, Luxulian

PA15/02510 – 34 houses

Primary Parish Treverbryn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon, St Blaise, Luxulian

St Mewan Parish:

PA15/08809 – 18 houses

Primary Parish St Mewan

Secondary Parishes, St Stephen-in-Brannel, Grampound-with-Creed, St Ewe, Pentewan Valley, St Austell, Treverbryn

St Blaise Parish:

PA16/04955 – 103 houses

Primary Parish St Blaise

Secondary Parishes, Tywardreath and Par, Carlyon, Treverbryn, Luxulyon

St Columb Major:

St Enoder Parish:

PA14/00882 – 20 houses

Primary Parish St Enoder

Secondary Parishes, Colan, St Columb Major, St Newlyn East, Ladock, St Dennis, Roche, St Stephen in Brannel

PA14/09266 – 16 houses

Primary Parish St Enoder

Secondary Parishes, Colan, St Columb Major, St Newlyn East, Ladock, St Dennis, Roche, St Stephen in Brannel

PA14/10417 – 28 houses

Primary Parish St Enoder

Secondary Parishes, Colan, St Columb Major, St Newlyn East, Ladock, St Dennis, Roche, St Stephen in Brannel

PA18/09371 – 26 houses

Primary Parish St Enoder and St Newlyn East (joint border)

Secondary Parishes, Colan, St Columb Major, Ladock, St Dennis, Roche, St Stephen in Brannel, Cubert, Perranzabuloe, St Allen, St Erme

Mawgan in Pydar – None

St Dennis – None

St Wenn – None

St Issey Parish:

PA12/03118 – 14 houses

Primary Parish St Issey

Secondary Parishes, St Minver Lowlands, Padstow, St Breock, St Wenn, St Merryn

Roche Parish:

PA12/11962 – 22 houses

Primary Parish Roche

Secondary Parishes, St Columb Major, St Dennis, St Enoder, St Wenn, Withiel, Lanivet, Luxulian, Treverbyn, St Stephen in Brannel

Colan Parish:

PA15/02994 – 350 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA16/12055 – 140 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA14/04743 – 455 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA11/06679 – 46 houses

Primary Parish Colan

Secondary Parish Newquay Town.

St Ives:

Ludgvan Parish:

PA10/03078 – 16 houses

Primary Parish Ludgvan

Secondary Parishes, St Erth, St Ives, St Hilary, Marazion, Penzance, Madron, Towednack

Towednack Parish - None

Hayle Parish:

W1/10-0311 – 22 houses

Qualifying Parish Hayle

PA14/06410 – 12 houses

Qualifying Parish Hayle

PA15/03787 – 148 houses

Qualifying Parish Hayle

PA16/05999 – Unknown number of houses

Qualifying Parish Hayle

Torpoint:

Antony Parish – None

St John Parish – None

Millbrook Parish – None

Maker-with-Rame Parish - None

Truro:

St Clement Parish:

C1/PA29/1869/M – 16 houses

Primary Parish St Clement

Secondary Parish undetermined

Kenwyn Parish:

PA14/07266 – 23 houses

Primary Parish Kenwyn

Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St

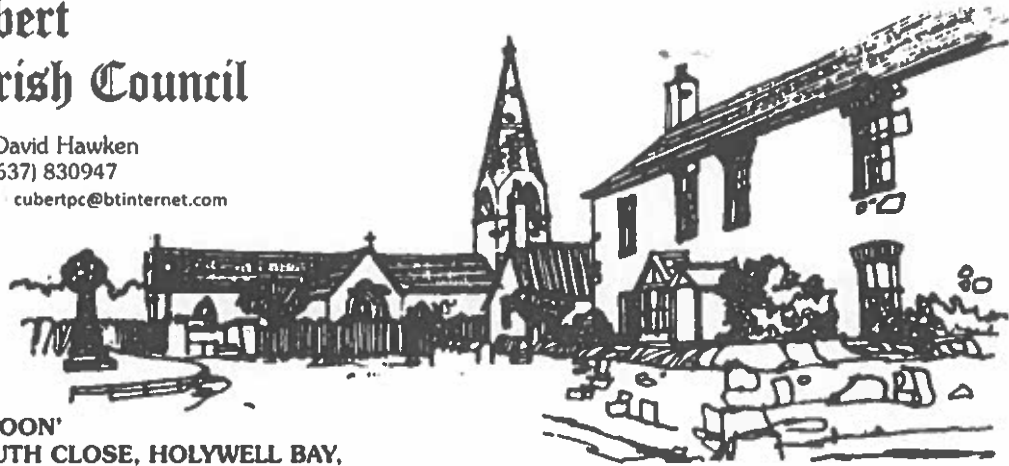
Clement
 PA14/11470 – 114 houses
 Primary Parish Kenwyn
 Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St Clement
 PA15/00442 – 28 houses
 Primary Parish Kenwyn
 Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St Clement
 PA16/03032 – 32 houses
 Primary Parish Kenwyn
 Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St Clement
 PA16/05258 – 17 houses
 Primary Parish Kenwyn
 Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St Clement
 PA17/10876 – 29 houses
 Primary Parish Kenwyn and Truro
 Secondary Parishes, Kea, Chacewater, St Agnes, Perranzabuloe, St Allen, St Clement
 PA18/11989 – 10 houses
 Primary Parish Kenwyn
 Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St Clement
 PA14/00703 – 515 houses
 Primary Parish Kenwyn
 Secondary Parish Truro
 Kea Parish:
 PA14/06247 – 28 houses
 Primary Parish Kea
 Secondary Parishes, Kenwyn, Feock, St Clement, Chacewater, Gwennap, Perranarworthal, St Michael Penkevill, Philleigh
 PA18/08339 – 21 houses
 Primary Parish Kea
 Secondary Parishes, Kenwyn, Feock, Truro, St Clement, Chacewater, Gwennap, Perranarworthal

Wadebridge:

Egoshayle Parish:
 PA17/05689 – 204 houses
 PA16/07913 – 95 houses on Appeal
 Primary Parish Egoshayle, Wadebridge
 Location straddles Egoshayle/Wadebridge border Inside A389 ring road
 Secondary Parishes - All parishes with a boundary to the primary parish
 St Breock Parish:
 PA12/01665 – 48 houses
 Primary Parish St Breock
 Secondary Parishes, Egoshayle, Wadebridge, Withiel, Lanivet, St Issey, St Wenn

Cubert Parish Council

Clerk: David Hawken
Tel: (01637) 830947
E-mail: cubertpc@btinternet.com



'PENGOON'
TREGUTH CLOSE, HOLYWELL BAY,
Nr. NEWQUAY, CORNWALL TR8 5DD

2nd February 2022

All Cornwall Town and Parish Councils

**Lack of enforcement, failure to collect Section 106 funding, lack of reply
11 house Rural Exception Site – PA17/01847 & PA18/03744 Holywell Road
Cubert**

Reference: Letter to Louise Wood, Service Director Planning and
Sustainable Development 20th November 2021
Letter to all Councils 1st February 2022

Dear Councillor/Clerk,

You may recall our letter of 1st February in which we highlight the lack of honest reply from Cornwall Council regarding affordable housing cascades in our local area.

We have a similar example of lack of reply and action by the Local Planning Authority. Please find attached letter to Louise Wood (referenced above), which has yet to be answered.

In that letter you will see details of:

1. Loss of education contribution (twice).
2. Loss of Economic Viability Assessment for a Rural Exception Site.
3. Failure to supply a public Viability Assessment for an ongoing public consultation.
4. Multiple occasion where the £10,000 purchase limit per plot on Rural Exception Sites has been breached (spectacularly), and that additional cost leading to loss of affordable housing.
5. Failure to ensure that developer offers made in Outline design & Access statements (£2500) are included in subsequent planning permissions.
6. Failure to protect historic Cornish hedging.
7. Loss of Open Space and Special Area of Conservation Section 106

- contributions (£9215 & £3630) which should have been received prior to any building work or occupation in 2020.
8. Failure to protect and prevent the sale of open space area(s) by developers once planning permission has been granted.
 9. Failure to enforce a Refusal Decision following an enforcement breach to lay block paving rather than asphalt on estate roads.
 10. Loss of affordable housing off-site contribution (£46,000) due to negligence.

Your Council might agree that the list of errors and concern is quite large for just one small Rural Exception, in one small parish, but if the concerns raised by the handling of this one site is typical throughout Cornwall, then we have serious collective problems.

You may note, that our letter to Louise Wood in November has not been answered. Concerns raised by our local Cornwall Councillor direct to the officers have also produced no reply to our letter(s).

Our parish council obviously regrets the loss of opportunity to gain legal Section 106 Deed contributions for our school, play areas, Conservation areas, and off-site affordable housing, through a collection of awful Local Planning Authority failures. The parish council also regrets the failure of the Enforcement Authority to prevent enforcement breaches and loss/sale of public open space(s).

But perhaps most worrying of all, for all town and parish councils, is the failure to provide a Financial Viability Assessment for public scrutiny during, or even after, a public and parish consultation period for an Affordable Housing Rural Exception Site.

The Local Planning Authority is supposed to publish Viability Assessments for public scrutiny. They are the most obvious and important document which are used to determine the percentage and quantity of affordable housing on any site.

The parish councils in our area spent six months of Freedom of Information requests, to Cornwall Council, asking for half a dozen Viability Assessments for our local Rural Exception Sites. Five of those viability assessments were eventually passed to the parish councils following complaint by the parishes to the Information Commissioners Offices. One of the requested assessments was deemed "lost" by the Local Planning Authority. (The one highlighted above).

Are we the only parishes in Cornwall to fall foul of such poor standards by the Local Planning Authority? Perhaps it is just one or two developers that are to blame (all nine of the sites highlighted in our two letters have either been obtained by or built out by the same developer).

Is this problem endemic throughout Cornwall? It would be nice to receive an honest reply from Cornwall Council.

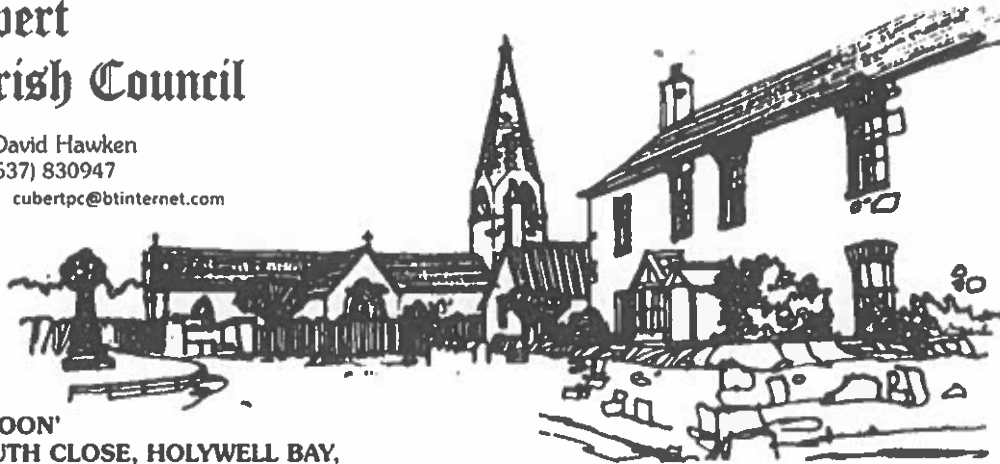
Yours Sincerely,

Alan Percy BEM,
Chairman,
Cubert Parish Council,

Copy to:
Adrian Harvey CC

Cubert Parish Council

Clerk: David Hawken
Tel: (01637) 830947
E-mail: cubertpc@btinternet.com



'PENGOON'
TREGUTH CLOSE, HOLYWELL BAY,
Nr. NEWQUAY, CORNWALL TR8 5DD

20th November 2021

Louise Wood
Service Director Planning and Sustainable Development
Cornwall Council

Lack of enforcement, failure to collect Section 106 funding, lack of reply
11 house Rural Exception Site – PA17/01847 & PA18/03744 Holywell Road Cubert

Reference: Numerous items of correspondence and newspaper reports following on from the meeting held at Pydar House with Louise Wood, affordable housing and planning officers, Portfolio Holder, and Cubert Parish Councillors, of 3rd May 2019.

Dear Ms Wood,

Your offices may recall the various letters and e-mails regarding multiple cases of enforcement and planning officer failure issues at Penhale View Cubert.

Those enforcement and failure concerns include:

1. Loss of education contribution (no contribution raised in Section 106 despite there being five open market houses on site, with a full school register at Cubert Primary School – currently 204 pupils within seven classes).
2. "Lost" Economic Viability Assessment, the public document that determines the viability of the Site, which in turn determines and provides reason for the inclusion of open market properties onto an affordable led scheme. (The current site has the absolute minimum numbers of affordable houses (six) for an eleven house Policy 9 Rural Exception Site, and the land take for the five large open market houses greatly exceeds the stated Policy 9 limit of no more than 50% land take).

The eleven house site was granted final permission in April 2019 as a Rural Exception Site, and you will know that, through government direction, such sites are

expected to be purchased for development at no more than £10,000 per plot, with the viability of the site assessed on the £10,000 per plot maximum figure.

The eleven house site was purchased by the developers for £360,000 rather than the allowable £110,000, and the absence of the public Economic Viability assessment means that no public scrutiny can be used on the development.

i.e. There is no accountable document held by your offices to show why such magnanimous allowance should have been provided in both open market house share and generous land take to this developer, by your offices.

3. The failure to safeguard within the Section 106 deed, the developers public Design & Access Statement promise of £2,500 fencing funds between the site and the community owned Queen Elizabeth II Youth Park.
4. Protection of the historic Cubert tithe map Cornish hedges surrounding the site has been ignored, provision of a new Cornish hedge to protect the western end landscaped open space has not been built, and the replacement of historic Tithe Map Cornish hedging taken down for temporary access has been replaced by a mud bank.
5. Section 106 obligations included in the permission (£9,215 for play equipment, £3,630 for conservation at Penhale Sands SAC) have still not been paid, when they should have been paid prior to the occupation of the houses in 2020.
6. The open scrub land to the west of the site, meant to lessen the harm to views from the Penhale Sands SAC, should have been placed in a management company, but has been bulldozed, filled to within 12 inches of the top of the surrounding Cornish hedges, and sold on to a new owner as part of the open market housing, further increasing the oversupply of land take above the 50% maximum.
7. A recent pre-application for this "protected" open scrub land at the west of the site has now been received by your Authority, and received comment accordingly. The new owner has also approached the Cubert Neighbourhood Steering Group requesting inclusion of this protected land within the Cubert settlement boundary to allow for a four bedroom house (which would mean a sixth large open market house on the Rural Exception site).
8. The granted plans for the internal roads of the site, show a porous block paving surface. These roads were laid with asphalt, and when questioned through enforcement, the developers submitted a retrospective planning application to lay asphalt, which was then Refused. Yet the asphalt remains, and the block paving has yet to arrive.

Your offices will be aware that the failures on this site follow on from another site built out by the same developer in Cubert (9 house Open Market Chynoweth View Wesley Road site), where no education or open spaces contribution were determined, and the original £46,000 off-site affordable housing contribution was "Lost" by the failure of your offices to secure the contribution within a subsequent planning amendment. (You may recall the incident, and your speedy letter to all Cornwall Councillors to explain the issue, believing that the Parish Council was most likely to write to all Councillors, independantly). Very odd.

Your offices will be aware that the failures on this site also follow on from the debacle at the two sites in Crantock Parish (also applied for by this developer), whereby a "Phase Two" development was granted permission outside of the new Crantock Neighbourhood Plan. You will recall that both developer and your office/Authority sided against Crantock Parish Council in civil action regarding the granting of that "Phase Two" issue, and you may recall your detailed publication to all town and parish councils in defence of your office's actions thereafter.

Your offices will be aware that the failures on this site also follow on from a Tri-parish concern regarding the Section 106 affordable housing cascades jointly signed by this developer and your Authority on hundreds of affordable houses in neighbouring Colan Parish, where hundreds of affordable houses are not provided as Secondary housing to the immediate neighbouring parishes, yet the hundreds of affordable affordable housing within the three parishes of Cubert, Crantock, and St Newlyn East, are defined as Secondary housing to the parish of Colan. You will be aware that no other affordable housing cascade in Cornwall treats the neighbouring parishes in such a manner. You will also be aware that there is no published and/or publicly consulted document that conforms to this unique cascade system. Very odd, and suspicious.

Throughout the whole saga, the Parish Council has pressed for answers to the divergence from Cornwall Council policies and the planning permission, and are at a loss as to how the multiple failures on the site have continued to occur with this particular developer.

An explanation and action please. Or do we have to spend the next three and a half years in a monthly cycle, sending details to all elected members during this current administrative period, asking for the same?

Yours Sincerely,

Alan Percy BEM,
Chairman,
Cubert Parish Council,

Copy to:
Adrian Harvey CC

Addendum:

Your offices will know that Cubert currently has a reserved matters Rural Exception Site application at Wesley Road Cubert awaiting decision for the same developer. The application is for 30 houses, only 15 being affordable. Apart from providing the absolute minimum requirement for the site under Policy 9 ruling, all of the affordable housing is significantly smaller in size than any of the 15 open market houses, and the overall land take for the open market housing is far greater than that of the affordable housing. The affordable housing mix within the site in no way mirrors the actual Homechoice housing need for the parish. There is no Affordable Housing Team report, and there is no Economic Viability Assessment to judge the

appropriateness of the minimum 50% affordable housing and the excessive open market land take, despite the application being many months on the planning portal.

Cubert is currently developing a Neighbourhood Development Plan (public exhibition held on 13th November 2021). The parish is in need of services to accommodate the extra housing that has been, and is anticipated to come its way. None of the recent planning permissions seem to have addressed the service requirements for the parish. Indeed, there seems to be a concerted attempt to thwart the supply of services to the parish (lack of, or loss of, education, open space, affordable housing contributions), meanwhile forcing through the maximum open market housing on Rural Exception Sites and elsewhere, rather than the full entitlement of affordable housing, both on and off-site.

Cubert Parish is a small parish of 1250 residents. The Parish Council has strived to maintain the services required within the parish, often with no help from the Planning Authority. The Parish Council has newly refurbished play equipment in both its younger children and youth park areas, has fresh services to its allotments, is one of only seven Cornwall Councils that cleans its own streets with litter picking and rubbish collection, cleans its own beach, and has a thriving village hall.

The Parish Council is even granting much needed precept funds and reserves to the Cornwall Council owned Cubert Primary School, to provide solar panels to the school building(s).

It is believed that Cubert was the only council in Cornwall to provide a full COVID 19 holiday for 2021/22, with a 0% precept, in order to help the poorest in our community.

Meanwhile, failures and continual loss of Section 106 contribution opportunities and funds by Cornwall Council Unitary Authority restrict our ability to provide proper services, and bring shock and disappointment to our community.

The Parish Council is currently seeking to install a young child cycle training track in one of our play areas, and the missing Section 106 open space contribution would go some way to cover that cost. The Parish Council is looking to install a full disabled child swing within its young child play area, and again the missing Section 106 open space contribution would go some way to cover the cost.

The Parish Council is looking to upgrade its public toilets to the provision of a fully functional disabled toilet, but is having to divert funds away to pay for the cycle track, disabled swing, and other items that should have been covered by the missing Section 106 contributions.

CORNWALL'S HOUSING CRISIS

All over Cornwall, a roof over one's head, the most basic of human needs, is increasingly difficult to find. Those in a position to change things need to be prompted to take the necessary action.

Please consider this housing manifesto at your next meeting. If you agree with it (feel free to amend it to your taste) please notify your local Member of Parliament and all 87 Cornwall Council elected representatives.

BACKGROUND

Lanteglos-by-Fowey Parish Council's September meeting was asked to consider Bude-Stratton Town Council's response to Cornwall's housing crisis. We supported Bude-Stratton and produced this manifesto.

1. **Increase social housing and affordable homes in Cornwall** - to enable local people to remain in Cornwall and ensure we keep thriving Cornish communities.
 - 1.1. **Stop Right to Buy in Cornwall.** This policy has created an acute shortage of publicly-owned (and therefore accountable, well-maintained and affordable) homes for local people. It has funnelled in-need people into the arms of landlords, where there is no security of tenure and little control over the protection of vulnerable tenants. Within the main town of our parish, Polruan, some 28% of social housing stock has been lost through right to buy and some 10% of this are now second homes! One of our residents has recently been uprooted after 35 years in the village and moved 25 miles away. This has caused significant stress and mental health issues. The definition of housing need has evolved in line with the shortage of housing to the point where cases previously classified as dire need are now considered to be tolerable by the housing authority.
 - 1.2. Situations such as this can no longer be tolerated. Cornwall Council must end Right to Buy to send a strong signal to the people of Cornwall that it has the interests of the people it represents at heart. It is no longer acceptable for elected members to say only Parliament can end Right to Buy. That may be true but Cornwall Council has a choice between backing the people of Cornwall (and winning the support of the people of Cornwall) and accepting the dictat of remote politicians.
 - 1.3. **End Bedroom Tax.** This cruel policy, derived from the sale of council houses, meant remaining stock was at a premium so council tenants with extra bedrooms were stigmatised and penalised. The comments in 1.1 above apply to those within Cornwall Council who will say Bedroom Tax can only be ended by national government.
 - 1.4. **Increase affordable housing stock for purchase** - selling new properties to local residents only (a clear definition of 'local resident' is required throughout Cornwall to ensure homes are fairly allocated)
 - 1.5. **Increase the stock of social housing.** Cornwall Council has significant financial resources, and given the severe need for social housing, could use its financial weight to build publicly-owned, publicly-controlled social housing for rent. Using its own well-trained, well-paid, well-motivated workforce to design and build these homes, Cornwall Council could become a motive force for economic regeneration in the county.
 - 1.6. **Cornwall Council should end its partnerships with developers.** Current county council policy is fundamentally flawed in that hundreds of millions of pounds of public money is given to private developers for Cornwall to fulfil its house-building commitment. Developers' pursuit of profit, at the expense of meeting local need, is at least partly-

responsible for the current dire shortage of decent, affordable, publicly-owned housing for rent.

- 1.7. **Requisition empty or underused properties** to house residents in desperate need. There are current and historical precedents for such action.

2. **Reduce second home ownership and holiday rentals.**

In our Parish, some 50% of homes are owned by people whose main residence is outside Cornwall. Many of these houses remain empty for significant periods, affecting the vitality of our communities. At the same time, there is a significant shortage of housing stock for local people. We are at risk of our local communities dying out.

- 2.1. **Make it less attractive to own second homes** - increase council tax levies, put in planning constraint, introduce caps on numbers of second homes in key areas,
- 2.2. **Make it less attractive buy holiday rentals** - increase business rates and ensure council tax is being paid if properties are not being fully rented etc
- 2.3. **Make it more attractive to rent to long term tenants** – grants or subsidies by the council toward council rentals, incentives to private landlords etc

3. **Put People First and improve the quality of life for tenants**

- 3.1. **Bring back secure tenancies for all housing under Cornwall Council control.** It is unacceptable that tenants live in a permanent state of anxiety about eviction. S.21, no fault, evictions need to be ended. It may be said that Cornwall Council cannot intervene in the relationship between landlord and tenant and the courts. Surely with the political will, Cornwall Council could create a climate whereby landlords who evict tenants without just cause, are penalised. Cornwall Council could declare that no S.21 eviction can take place unless there is suitable, local, alternative accommodation available.
- 3.2. **Set up rent tribunals throughout Cornwall.** This will ensure that rents reflect local incomes.
- 3.3. **Set up a register of private landlords.** This will serve to protect tenants somewhat protected from unscrupulous landlords. The register could, for instance, record whether a landlord is DBS-checked, if they have applied for S.21 evictions and if so, how many etc.
- 3.4. **Change the definition of affordability.** "Affordability" should be linked to local incomes rather than local house prices.
- 3.5. **Close the house transfer register to people with no Cornwall connection.**

Lanteglos-by-Fowey Parish Council feels strongly that the above actions are urgently needed. We commend these actions to every town and parish council in Cornwall and ask that these bodies endorse the actions (or something similar) and press Cornwall's MPs and all 87 Cornwall councillors to adopt the same.

Please reply to clerk@lanteglosbyfowey.org.uk