

**REDRUTH TOWN
COUNCIL**



**CONSEL AN DRE
RESRUDH**

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 November 2022

Dear Councillor

Meeting of the Planning Committee – Monday 14th November 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 November 2022. Proceedings will commence promptly at 7pm.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'PB', with a long horizontal line extending to the right.

Peter Bennett
Town Clerk

Enclosure:

1. Agenda and associated documentation

Distribution:

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

For Information:

All other Councillors
Cornwall Council Members
Press & Public

REDRUTH TOWN COUNCIL
PLANNING COMMITTEE MEETING – Monday 14th November 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 10th October 2022
 - 7.2 Interim Meeting of the Planning Committee held on 31st October 2022
8. Clerk's Report
9. To receive correspondence:
 - 9.1 Decision Notice Schedule
 - 9.2 Licensed Premises Schedule
 - 9.3 Cornwall Council – Appeal Decision, PA21/03726, Land adjacent to Wheal Prussia Dry, Treleigh, Retrospective: change of use of land for residential use and stationing of a residential caravan
 - 9.4 Cornwall Council – Planning news for local councils and agents

REDRUTH TOWN COUNCIL PLANNING COMMITTEE
SUBMISSIONS FOR: Monday 14th November 2022

LIST 1 (FOR APPROVAL EN-BLOC)

Ser No	Planning App No (All PA22/ unless otherwise stated)	Details	Ward	Reply
1	09063	<p style="text-align: center;">Shuffley Barn, Shuffley</p> <p style="text-align: center;">Proposed change of use of the existing holiday unit and the lower ground floor storage area into a self-contained dwelling together with associated works</p> <p style="text-align: center;">For Mr & Mrs Wills</p>	North	Supported
2	09065	<p style="text-align: center;">Tin Stream Cottage, Shuffley</p> <p style="text-align: center;">Proposed change of use of the existing holiday unit into a self-contained dwelling</p> <p style="text-align: center;">For Mr & Mrs Wills</p>	North	Supported

LIST 2

Ser No	Planning App No (All PA22/ unless otherwise stated)	Details	Ward	Reply
3	08383 (Cllr Collins)	<p style="text-align: center;">5 Higher Fore Street</p> <p style="text-align: center;">Conversion of flat above restaurant and installation of dormer windows to form 2 flats at first-floor and 1 flat in roof space</p> <p style="text-align: center;">For Mr Sultan Ahmed</p>	North	



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

Town Mayor: Cllr M J 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 10th October 2022

Present: Cllr H Biscoe Chairman
Cllr S Barnes
Cllr A Biscoe
Cllr M Brown
Cllr L Collins

In attendance: Ms A Hunt Operations & Facilities Officer
Cllr I Thomas

PART I – PUBLIC SESSION

1491.1 To receive apologies for absence

Apologies were received from Cllrs Tremayne (family commitments) and Craze (unwell).

1491.2 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.

1491.3 To consider the planning applications

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

1491.4 To confirm the Minutes of the following meetings:

1491.4.1 Meeting of the Planning Committee held on 8th August 2022

Unanimously RESOLVED to confirm the minutes of the Meeting of the Planning Committee held on 8th August 2022 as a true and accurate record of proceedings. [Proposed Cllr Brown; Seconded Cllr A Biscoe]

1491.4.2 Interim Meeting of the Planning Committee held on 22nd August 2022

Unanimously RESOLVED to confirm the minutes of the Interim Meeting of the Planning Committee held on 22nd August 2022 as a true and accurate record of proceedings. [Proposed Cllr Brown; Seconded Cllr Collins]

1491.4.3 Interim Meeting of the Planning Committee held on 26th September 2022

RESOLVED by Majority to confirm the minutes of the Interim Meeting of the Planning Committee held on 26th September 2022 as a true and accurate record of proceedings. [Proposed Cllr Brown; Seconded Cllr A Biscoe] Cllr Collins abstained as he had not been present at the meeting.

1491.5 To receive the Clerk's report.

A report had been circulated prior to the meeting. No response had been received from Cornwall Cllr Desmonde in relation to a site visit to examine parking concerns at Bellevue. Cllr Barnes requested that Cornwall Council be written to again. The report was noted.

1491.6 To receive correspondence

1491.6.1 *Decision Notice Schedule*

The schedule was noted.

1491.6.2 *Licensed Premises Schedule*

The Clerk advised that the Town Council had been notified of an additional application following publication of the agenda. The application was number LI22_005793 and related to Morrisons Daily, East End. It was for a minor variation including change of name, alterations to internal layout and addition of conditions. The schedule and additional application were noted.

1491.6.3 *Cornwall Council – Notice of Appeal, PA21/09927, Land South of Ashcroft, Buller Hill, Application for Permission in Principle for construction of new single storey detached dwelling*

The correspondence was noted.

1491.6.4 *Cornwall Councillor Barbara Ellenbroek – PA22/05348, 102 Southgate Street, Residential Development of 10 houses*

Councillors asked that a response be sent to the author of the original email, advising that the support expressed by the Town Council in relation to PA21/03308 was not for demolition of the property in question but rather what was proposed to be added to the site. Demolition was not a planning consideration but a matter for the owner. It was not fair to suggest that Councillors had no local knowledge when that was not what they were being asked to comment on. Redruth Town Council did not in fact support the most recent application in relation to the site on the grounds of overdevelopment and Cornwall Council remained the planning authority.

1491.6.5 *Cornwall Council – Confirmation of Tree Preservation Order, Land adjacent to Seton Business Centre, Scorrier Road*

The correspondence was noted.

1491.6.6 *Cornwall Council – Street Trading Renewal Application, LI22_005832, Mr Roger Chapman, Jon Davey Drive, Treleigh Industrial Estate*

Notification of the application had been received following publication of the agenda. The application was supported.

Chairman

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

All references for PA22/ unless otherwise stated

Meeting: Monday 10th October 2022

REF NO	CC REF	SITE	PROPOSAL	DECISION
LIST 1 Unanimously RESOLVED that Recommendations on List 1 are supported en bloc. [Proposed Cllr Barnes; Seconded Cllr Brown]				
1	06433	8 South Park Close	Construction of single storey rear extension	Supported
2	08643	Redruth Library, 2-4 Clinton Road	Listed Building Consent for proposed repair works and refurbishment of existing building including repairs and replacement windows, minor internal alterations and repairs	Supported
3	08696	115 Mount Ambrose	Demolition of substandard extension and replacement	Supported
4	08498	Land West of Orion, North Country	Construction of four dwellings and associated works	Supported
5	08571	Old Goonrawe Farm, Goonrawe, Sparnon Gate	Extension and alterations to the existing dwelling and erection of detached garage	Supported

LIST 2

6	08130	Land off Sandy Lane	Application for Outline Planning Permission with some matters reserved for the construction of five houses, along with the provision of a new access, parking and associated landscaping namely 'access only'	Unanimously RESOLVED not to support the application on the grounds: (i) that the site is outside the emerging Neighbourhood Development Plan settlement boundary; (ii) of concerns in relation to access given the speed of traffic on that stretch of road and comments submitted by Highways Development Management on 21st September 2022 and (iii) that the plans suggest an intention to enable future development behind the current proposals and further away from the road. [Proposed Cllr Collins; Seconded Cllr A Biscoe]
7	06830	Former Trengweath Hospital, Penryn Street	Redevelopment including demolition of Trengweath Hospital, erection of a 52no. bed care home, erection of 6no. dwellings for over 55s, refurbishment and extension to Trengweath House to form a specialist care facility and refurbishment of Trengweath Cottage to form staff accommodation	RESOLVED by Majority to support the application on the condition that the concerns raised by Historic England are addressed. Redruth Town Council would also like to express

				<p>concerns in relation to the safety of the proposed access and egress and the impact of additional traffic and congestion on what has been designated by Cornwall Council as an air pollution hotspot [Proposed Cllr Brown; Seconded A Biscoe] Cllr Barnes voted against.</p>
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Tel No: 01209-210038 e-mail: admin@redruth-tc.gov.uk

Town Mayor: Cllr M J Brown

Town Clerk: P B Bennett

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

Present: Cllr H Biscoe Chairman
Cllr S Barnes
Cllr A Biscoe
Cllr M Brown
Cllr L Collins
Cllr B Craze

In attendance: Ms A Hunt Operations & Facilities Officer
Ms C Coomber Administration Assistant
Cllr I Thomas
Cllr M McEvoy

PART I – PUBLIC SESSION

1493.1 To receive apologies for absence

Apologies were received from Cllr Tremayne (family commitments)

1493.2 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.

1493.3 To consider the planning applications

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

1493.4 To receive correspondence

1493.4.1 Cornwall Council – Planning Trading for Local Councils, Planning in a Changing world.

The correspondence was noted.

1493.4.2 Cornwall Council – Street Trading Renewal application LI22_005993, Mr Anthony Rollason, Paul's Lunchbox, Cardrew Industrial Estate

The correspondence was noted.

Chairman

REDRUTH TOWN COUNCIL - PLANNING SCHEDULE

ANNEX A

All references for PA22/ unless otherwise stated

Meeting: Monday 31st October 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 Mrs Biscoe]				
1	08963	Land adj. Melyn Grove, Harris Mill, Illogan	Reserved Matters application for a single dwelling (details following outline consent PA22/01137 dated 12/05/2022)	Supported
2	08704	6 Redvers Heights	Proposed replacement rear extension and internal alterations with landscaping.	Supported
3	07806	84 Roseland Gardens	Loft conversion to provide additional bedroom with en-suite bathroom. Also ground floor alterations to replace existing patio doors to garden	Supported
4	08793	Land and Building adj to The Forge, Forge, Mawla	Application for a Lawful Development Certificate for an existing use for full residential dwelling.	Supported

LIST 2

5	08886	Plot 1, Cornwall Business Park East, Hallenbeagle, Scorrier	Proposed development and operation of a refuse transfer station, materials recycling facility, covered bale storage and associated infrastructure. Together with the proposed biodiversity gain works at the former Wheal Peevor Mine site	Unanimously RESOLVED to support the application on the proviso that all appropriate regulations are adhered to in relation to odour and wind litter. Redruth Town Council also requests that the Divisional Member, Cllr Stephen Barnes, be consulted with regard to works at the former Wheal Peevor Mine site. [Proposed Cllr Biscoe; Seconded Cllr Mrs Biscoe]
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Redruth Town Council
Clerk's Report – Planning Committee
Meeting Date: 14th November 2022

Ser No	Item	Action	Response
1473.5	Parking concerns at Bellevue	Cllr Barnes requested that a site meeting with Cllr Desmonde and Adrian Drake be arranged to discuss the matter further	New portfolio holder now in post at Cornwall Council

Planning Committee

Meeting 14th November 2022

Decision Notice Schedule

All references for PA22 unless otherwise stated

RTC REF	CC REF	SITE	PROPOSAL	RTC DECISION	CC DECISION
1488.6.1.7	04569	85 Trenoweth Estate, North Country	Drop kerb and footway to Cornwall County Council specification (29m ²), take down boundary wall and excavate garden and disposal. Lay Aco drain to soakaway, hardcore garden area and tarmacadam	Unanimously RESOLVED to support the application	Approved
1488.6.1.5	07711	Little Green Acres, Tolskithy	Proposed replacement of single storey extension with two storey extension	Unanimously RESOLVED to support the application	Approved
1488.6.1.8	06695	Griselinia Fields, Old Portreath Road, Sparnon Gate	Erection of polytunnel and removal of existing wooden propagator structures	Unanimously RESOLVED to support the application	Approved
1466.3.1.7	03392	Barns West of Sinlee Farm, Little Sinns	Conversion of existing barns to form two dwellings and alterations to form garage and associated works	Unanimously RESOLVED to support the application	Approved
1480.3.1.13	06262	15 Cardrew Industrial Estate, Cardrew Way	Redevelopment of existing food processing facility including: demolition of single storey element of existing food production facility, construction of new three-storey extension with tunnel freezer at ground floor, plant equipment at first and second floor and solar PV panels on roof, installation of new dock leveller with associated amendments to yard levels, removal of existing temporary fire escape ramp to be replaced with new ramp	Unanimously RESOLVED to support the application	Approved

1480.3.1.11	06121	Finnagons Rest, Radnor Road	Construction of detached annexe to replace existing outbuildings	RESOLVED by Majority not to support the application on the grounds of the separate nature of the proposed property and concerns over the impact of additional traffic on the access road. Should permission be granted, the Town Council would like to suggest that the applicant is asked to consider a contribution towards signage, such as 'Welcome to Radnor' which may assist with traffic management, and particularly the slowing of traffic, in the area.	Approved
1485.3.1.2	06871	River Barns, Old Portreath Road, Bridge	Change of use of extension to ablutions block to a tea room and variation of condition 2 of PA21/11112	Unanimously RESOLVED to support the application but ask that Cornwall Council also send a consultation request to Portreath Parish Council, given their previous interest in development at this site	Approved
1488.7.3	08005	Laburnum House, West End	Works to trees in a conservation area (CA): To cut down tree 1 Leylandii, cut back trees 2, 4 and 5 Leylandii and cut back tree 3 Golden Conifer	Noted	Decided not to make a TPO (TCA apps)
1480.3.1.6	06321	12-19 Chapel Court, Chapel Street	Repairs to dilapidated windows	Unanimously RESOLVED to support the application	Approved

1480.3.1.7	06322	12-19 Chapel Court, Chapel Street	Listed Building Consent for repairs to dilapidated windows	Unanimously RESOLVED to support the application	Approved
1488.6.1.1	07997	113 Mount Ambrose	Single storey rear extension	Unanimously RESOLVED to support the application	Approved
1488.6.1.11	07968	4 Claremont Vean, Penders Lane	Single garage to provide parking/workshop/storage for no.4 Claremont Vean	Unanimously RESOLVED to support the application	Approved
	09013	Land at Tolgus	Submission of details to discharge Condition 6 in respect of Decision Notice PA20/02195 dated 16.10.20	Not consulted	S52/s106 and discharge of condition apps
1470.6.1.7	04211	Land to the Rear of Cornwall Engines / Cornwall Furniture Warehouse, Cardrew Industrial Estate	Development of industrial starter units	Unanimously RESOLVED to support the application on the condition that the present tree screening of the site is not removed. Redruth Town Council also wishes to express concerns in relation to the presence of contaminated soil	Approved
1488.6.1.10	08214	Primrose Villa, 65 Southgate Street	Construct a single storey rear extension to existing dwelling	Unanimously RESOLVED to support the application	Approved
1480.3.1.8	06362	Redruth School and Technology College, Tolgus Vean	Application for provision of 8no. parking spaces to replace those displaced by the proposed new two-classroom teaching block (approved PA22/04238) and a new replacement covered refuse store	Unanimously RESOLVED to support the application	Approved
1480.3.1.10	06439	3 Chapel Street	Listed building consent for the alterations required to convert the offices (Class E(c)) into a single dwellinghouse (Class C3)	Unanimously RESOLVED to support the application	Approved
1480.3.1.9	06438	3 Chapel Street	Change of use from offices (Class E(c)) to single dwellinghouse (Class C3)	Unanimously RESOLVED to support the application	Approved

	06080	Parc Vean House, Parc Vean, Coach Lane	Submission of details to discharge conditions 3 and 4 in relation to decision PA21/09090 dated 16.12.21	Not consulted	s52/s106 and discharge of condition apps
1488.6.1.3	06731	11A Green Lane	Shop extension	Unanimously RESOLVED to support the application	Approved
1488.6.1.4	07313	125 Falmouth Road	Proposed ground floor alterations and first floor extension	Unanimously RESOLVED to support the application	Approved
1488.6.1.12	07932	Land North West of Burgenstock, Trewirgie Road	Construction of a detached self-build infill dwelling	RESOLVED by Majority 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.

REDRUTH TOWN COUNCIL PLANNING COMMITTEE

LICENSED PREMISES SUBMISSIONS FOR:

Monday 14th November 2022

Ser No	License No <i>(All LI22/ unless otherwise stated)</i>	Details
NIL		



Appeal Decision

Site visit made on 19 July 2022

by **Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3 October 2022

Appeal Ref: APP/D0840/W/22/3290810

Land adjacent to 'Wheal Prussia Dry', Treleigh, REDRUTH, TR16 4BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Robert Tolley against the decision of Cornwall Council.
 - The application Ref PA21/03726, dated 7 April 2021, was refused by notice dated 16 July 2021.
 - The development proposed is for the change of use of land for residential use and stationing of a residential caravan.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The land subject to this appeal is already used for residential purposes and the caravan is on site.

Main Issues

3. The main issues are (1) whether the location is suitable for residential development, for reasons such as the level of accessibility to services and facilities; and (2) the effect of the development on the character and appearance of this area.

Reasons

Location

4. The site is to the north of the A3047 highway, which is a busy road to the northern side of Redruth in the Treleigh area. The parcel of land is set within what is mainly agricultural or paddock land with some scattered buildings and dwellings. The area of the site, to the north of the A3047 has a distinctly rural character, which is very different from that to the south of the A3047 which is much more urban and built up, with a school, public house and housing for example.
5. Policy 1 of the Cornwall Local Plan Strategic Policies (the LP) requires that development is sustainable, which includes the location of development. It requires that when considering whether a development proposal is sustainable or not, account will be taken of its location, amongst other things.
6. Although not included in the reasons for refusal I would consider that Policy 3 of the LP is relevant and is covered by the Council in its statement for this

appeal. This sets the criteria for housing outside of the identified main towns, which includes infill and/or rounding off, for example.

7. Having regard to the Chief Planning Officer's Advice Note: Infill/Rounding Off, it is my view that the land north of the A3047 is not a distinct settlement, but more of a scattered number of dwellings set in an area of countryside, which is separate from Treleigh/Redruth. It is not a well-defined group of dwellings. Being separate from the settlement it cannot be considered as rounding off of a settlement. I note that on some maps the area has been given a name (Wheal Prussia) but my 'on the ground' assessment is that this is not a settlement in itself. Furthermore, it is a large parcel of land and not set within a continuous built-up frontage, and therefore cannot be a form of infill development. The proposal therefore does not benefit from any of the criteria for housing outside the main towns, as set out within Policy 3.
8. I would regard the development as a form of housing in the countryside, and therefore Policy 7 of the LP is relevant. Although a caravan it is essentially the introduction of a permanent dwelling in the countryside that is being proposed. New dwellings in the countryside are restricted by Policy 7 and this proposal does not meet any of the exception criteria contained within this policy.
9. In terms of accessibility there appears to be very few or no facilities or services in the area of the site to the north of the A3047. There are some in the Treleigh area, such as the public house and school, but for a pedestrian to access these they would need to cross the A3047, which from my observations is a busy and fast road around the edge of Redruth, with a lack of sufficient continuous footways also. This road therefore acts as a barrier and would result in the occupants of the dwelling being very reliant on private vehicle transport due to the lack of accessibility by other forms of transport (walking or cycling).
10. There has been a development of housing approved in principle to the north of the A3047 (ref PA21/03184), but this would be connected to an existing residential street. It may also have better pedestrian/cycling connections than the site for this appeal. Though I have taken this other case into consideration there are distinct differences and it is not a direct comparison to this appeal proposal. There have also been other planning permissions in the area near the site, though I do not have all the details and circumstances of these approved developments to make a full comparison. I have considered this case on its own merits and against current adopted policies.
11. The appellant has drawn my attention to Policy 21 of the LP. The proposal would increase building density, but the policy requires this to be in locations where the site is sustainably located, taking into account access to services and facilities. I would not agree that this site is sustainably located as there is the road barrier to accessing facilities and services, and so the proposal does not benefit from support from this policy in my view.
12. The area has typically agricultural or paddock uses of land. There is no substantive evidence provided that this land at the site could not be used for agricultural or equestrian uses, or that such rural land uses would cause harmful impacts to neighbouring properties or uses.
13. Overall, the proposal is contrary to policies 1, 2 and 7 of the LP, as it is the introduction of a dwelling into the countryside in what is an unsustainable location due to the lack of accessibility for pedestrians especially. These policies

require a consideration of the location in regard to sustainability and also to restrict new development in the countryside, avoiding inappropriate development in such areas.

Character and Appearance

14. The site as developed has a formal and residential character. This differs significantly from the mostly rural landscape of this area to the north of the A3047. Indeed, it is noted that the site was likely a paddock or field previously, which would have been much more in keeping with the mostly undeveloped rural character of the area. There are some buildings and houses, but these are scattered throughout this area and the rural character of this countryside location is dominant.
15. The more formal residential use of the site has an urbanising effect on what is a substantial parcel of land, which therefore erodes the sense of rural character of this area. As such, it has a detrimental impact to the rural qualities of this countryside area.
16. There is a high fence along much of the site boundaries. This reduces the visual impact of the site development. However, there are still some partial views into the site from some points, including from higher land. There is, though, also a mitigating effect of caravans being generally low profile structures of modest size, which would have low levels of visual impact within the landscape.
17. Overall, the urbanisation of the site does erode the rural character of the area, but only to a limited degree. Nonetheless, the proposal is contrary to LP policies 2 and 23, which require that development maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important, amongst other things.
18. However, I do not conclude that there would be a particular conflict with LP Policy 13, which has regard to development standards.

Planning Balance

19. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, I am required to determine appeals in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
20. The Council state that they can demonstrate more than a sufficient housing land supply. The appellant has drawn my attention to a development at Truro which has not commenced development and suggests some doubt as to its deliverability. However, I have very little evidence of this case and the fact it has not commenced yet does not mean it will not be deliverable. From the evidence before me I am satisfied that the Council can demonstrate a sufficient housing land supply.
21. The Council has declared a housing crisis and indeed the National Planning Policy Framework requires a boost to housing developments nationally. The proposal would provide a single dwelling, which would be beneficial, but as it is only for one dwelling such benefits would be limited.
22. There would be economic benefits from the construction of the caravan (maybe as a form of self-build) and associated works, together with the financial boost from future occupiers using local businesses. The proposal could include

biodiversity enhancement and the proposal could be considered an efficient use of the site, amongst other potential benefits.

23. There are also the personal circumstances with the support needed by the wife of the appellant. Whilst I sympathise with the appellant on this issue, there is not the detailed evidence before me that caravan accommodation in this particular countryside location is required to support his wife and her health. It has not been explained with sufficient detail why an existing dwelling or a more sustainably appropriate location cannot be used to provide a suitable dwelling for the appellant's wife.

24. Overall, I give all the benefits limited weight.

25. However, the harm I have identified above and the conflict with development policies is such that it significantly and demonstrably outweighs these benefits. As such, my determination of this appeal should not be made other than in accordance with the development plan.

Conclusion

26. For the reasons given above I conclude that the appeal should be dismissed.

Mr S Rennie

INSPECTOR



Planning news for local councils and agents

Welcome to our Autumn 2022 Local Councils and Agents Planning news

This newsletter has been prepared by the Planning and Housing Service and Cornwall Local Planning Authority to bring you the latest updates on local and national planning-related issues. Information on our working practices, such as Planning Committee arrangements, and other planning information can be found by searching for a topic on our [website](#) or try our Planning chatbot.

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

[CIL payments to Local Councils](#)

[CIL Fund Round 2 update](#)

[Climate Emergency DPD –](#)

[Designing in quality from the start](#)

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

[Exciting archaeological discoveries made after geophysical survey](#)

[Infrastructure Funding Statement 2021/22](#)

[Investment Zones](#)

[Local Council Planning Training](#)

[Neighbourhood Planning ebulletin published](#)

[Never miss Planning News again](#)

[Nutrient Neutrality in Cornwall – latest news](#)

[Planning Agents Forum](#)

[Soils in Planning and Construction event](#)

[Useful info and links to webpages](#)

[Validation Team update](#)

Development Management update from Hayley Jewels, Head of Development Management

Application submissions are settling to steady levels, with a slight reduction in numbers since the summer, and we are validating over 80% of applications in less than 6 working days. We are trying to recruit to our vacant officer posts, but in the meantime we are still absorbing work from colleagues that have left the Authority which is keeping officers' workloads high. Notwithstanding that, we issue on average 1000 decisions a month with well over 80% in time and we are grateful for agents' support in agreeing to extensions of time on applications.

We are committed to continual improvement and, following a recent appeal decision which dismissed the appeal due only to the lack of a SAC contribution, we will be making the move in the New Year to requiring a S111 Agreement and payment at the point of validation. This should hopefully avoid any delays at the decision point. Further information will be provided at the Agents Forum in November.

We encourage applicants and agents to make use of our pre-application services and to engage with local councils, as this can help the application itself to progress smoothly and to a quicker decision.

Please note that there is a new validation requirement for Gypsy and traveller site applications whereby we will require the submission of a gypsy roma, heritage and other traveller's status determination form. This can be found on our website. Lastly, I would encourage all agents to regularly check the [Planning Agents Area](#) of the website which we keep updated with the latest information for agents.

Given the very unsettling current economic climate, it is hard to predict what the next few months will bring in terms of the volume of application submissions, but once again I thank you all for your support during this time, and assure you that we will do our best to work together and take opportunities for improvement where we can.

Hayley

Investment Zones

You may have heard about Investment Zones in the news, and at the time of writing this article they are still Government economic policy! The Council has taken up the Government's offer to all local authorities and has submitted an Expression of Interest (EoI) to introduce a number of Zones in Cornwall.

Investment Zones are essentially a form of Simplified Planning Zone and are areas where current planning and fiscal (tax) policy would be simplified, the aim being to accelerate economic growth in housing, commercial and infrastructure led development. Examples of how this may be achieved include: 'the removal of burdensome EU requirements which create paperwork and stall development but do not necessarily protect the environment'; focus developer contributions on essential infrastructure requirements; reduce lengthy consultation with statutory bodies; and relax key national and local policy requirements.'

You can find more information here:

- [Government guidance: Investment Zones in England](#)
- [Council submits an Expression of Interest to the Government's Investment Zone initiative - Cornwall Council](#)



Having submitted our EoI, we now await to hear from the Government in terms of a decision on our Expression of Interest and, if successful, the Council would then need to take further steps in terms of delivering more detailed plans as well as the necessary changes in the governance structures for the potential Zones. For further information on these Zones, please contact Chris Daly at positiveplanning@cornwall.gov.uk

CIL Payments to Local Councils

Local Councils will be receiving a CIL Neighbourhood payment of £683,262.37 this month – an increase of over 80% on April's payment. The amount being passed to local Councils has steadily been increasing since Cornwall Council started charging CIL in January 2019, and brings the total passed to local Councils to nearly £2m.

Made twice a year in April and October, the CIL Neighbourhood payments are made automatically to any Town or Parish Council where CIL liable development has commenced and made a CIL payment to Cornwall Council in the preceding six-month period. Local Councils receive 15% of the amount Cornwall Council receive from a development, or, where there is a fully adopted Neighbourhood Development Plan, this increases to 25%.

More information about the CIL Neighbourhood payments can be found at www.cornwall.gov.uk/cil and then select 'Town and Parish Councils' from the menu options.

CIL Fund – Round 2

In April we launched our second CIL Fund round calling for Expressions of Interest for up to £100,000 to fund infrastructure projects that will benefit children and young people.

A further £500,000 has been made available to town and parish councils, constituted community groups and not for profit organisations to bid for between £20,000 and £100,000 CIL funding to deliver local infrastructure projects.

Funding will be awarded to projects that involve delivery of infrastructure that helps to alleviate the cumulative impact of development on an area, or helps development to come forward, as well as having a children and young people focus.

We received 124 Expressions of Interest seeking £6.6m of support – considerably more than is available. Projects were assessed on their ability to meet the fund requirements, which resulted in 34 projects being invited to submit a full application.

The submission deadline for applications is 31 October. Projects will be further assessed and scored against criteria set out in the guidance that was sent to project applicants. The successful projects are expected to be announced early 2023.

Infrastructure Funding Statement 2021/22

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.

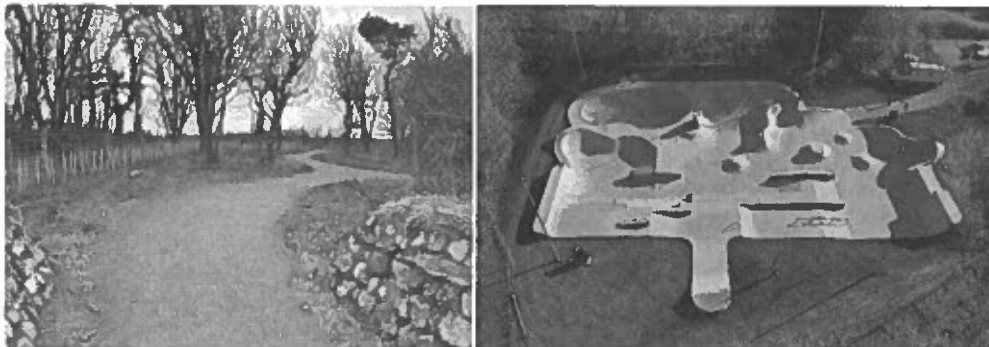


The IFS for 2021/22 is now available to view at www.cornwall.gov.uk/developercontributions.

The latest IFS 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 2022. Some of the headline figures from 2021/22 activity include:

- £3.1m in CIL payments collected – three times the amount collected in 2020/21.
- Nearly £525k of CIL was passed to Town and Parish Councils as Neighbourhood CIL payments (including payments to zone 5 parishes) – this is more than double the amount given to local Councils in 2020/21.
- The value of new s106 agreements entered into during 2021/22 totalled £4.2m, and just under £8.4m of s106 payments were received – both these figures being down by around a quarter on the previous year.
- £6.4m of s106 contributions were spent on infrastructure in 2021/22, and a further £9.7m of collected s106 money was allocated to a specific infrastructure project – both figures increasing by around 50% on the previous year.

Two of the projects supported with CIL funding during 2021/22 were the Falmouth Green Corridor project which received £43,276 of CIL funding to install a boardwalk to bridge a gap between other components of the Falmouth Green Corridor, and the South Kerrier Alliance who received £32,645 to create a fully accessible walking and cycling route between Porthleven and the existing routes with Penrose Estate (pictured on left).



In the same year £431,000 of s106 contributions were spent on expanding facilities at Launceston College, and St Ives Skate Park received £57,000 (pictured above right).

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

Neighbourhood Planning – October ebulletin published

We publish these on our [Planning news - Cornwall Council](#) webpage, and the **October 2022 edition is now available at:** [Neighbourhood Planning ebulletin October 2022 \(cornwall.gov.uk\)](#)

Update on The Climate Emergency DPD

We understand that Inspector P Griffiths BSc (Hons) BArch IHBC is currently finalising his report on the Cornwall Council Climate Emergency Development Plan Document (CEDPD). This follows Examination in Public of the document and a consultation on main



modifications (proposed changes to address issues raised) which will help to shape his final report. Copies of the main modifications responses and the Council's recommendations are available to view on the [CEDPD webpage](#)

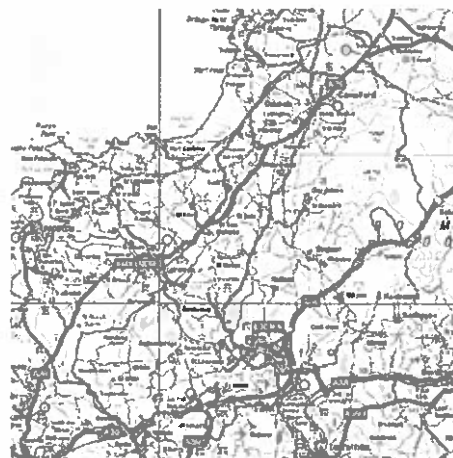
When the Inspector's decision is received, approval will be sought from Cornwall Council to adopt the Climate Emergency DPD subject to making any changes recommended by the Inspector. We anticipate that final approval to adopt will be sought at Full Council in January 2023.

When adopted, the Plan will become part of the development plan for Cornwall and will be used for making planning decisions.

Further details will be published shortly. In the meantime if you have any questions, please contact us on climateemergencydpd@cornwall.gov.uk.

River Camel phosphates and nutrient neutrality

Following concerns set out in a letter received from Natural England in April 2021, over the levels of phosphates in the River Camel Special Area of Conservation, Cornwall Council paused the determining of planning applications that may give rise to additional phosphates within the catchment area of the river. The types of development include new residential units, commercial development where overnight accommodation is provided and agricultural development where it is likely to increase in herd size. A planning application can proceed to a positive recommendation if the proposed development is able to demonstrate it is phosphate neutral or there is identified mitigation that can be secured.



Around 78% of the phosphates entering the River Camel are a result of agricultural practices; only 9% results from built development discharged through waste-water treatment works, and 8% from septic tanks. Live planning applications including around 900 new homes are currently held up by this issue (with over 2000 new homes potentially effected in the medium to long term, as identified in the Cornwall Local Plan), including a number of strategic development sites in Bodmin.

The Council appointed specialist consultants, Royal HaskoningDHV, to assist in preparing a Phosphate Management Strategy for the River Camel SAC. A Phosphate Calculator was published in October 2021, which enables developments to calculate how much phosphate their proposal would generate, and estimates the area needed for mitigation. Since the launch of the phosphate calculator, the Council has been able to progress some applications where it has been demonstrated the proposed development is phosphate neutral.

The Council is currently in the final stages of updating the original Phosphate Calculator with more robust locally specific information. This updated calculator will be published on the Council's website later in November.

In a further update the Government recently proposed legislation to strengthen requirements to reduce nutrients at source, by requiring upgrades to Wastewater Treatment Works in nutrient neutrality catchments by the year 2030. This requirement



would significantly reduce nutrient pollution from wastewater treatment works and reduce the mitigation requirements for new development connecting to them. In turn that will significantly reduce the amount of mitigation required by new developments over time.

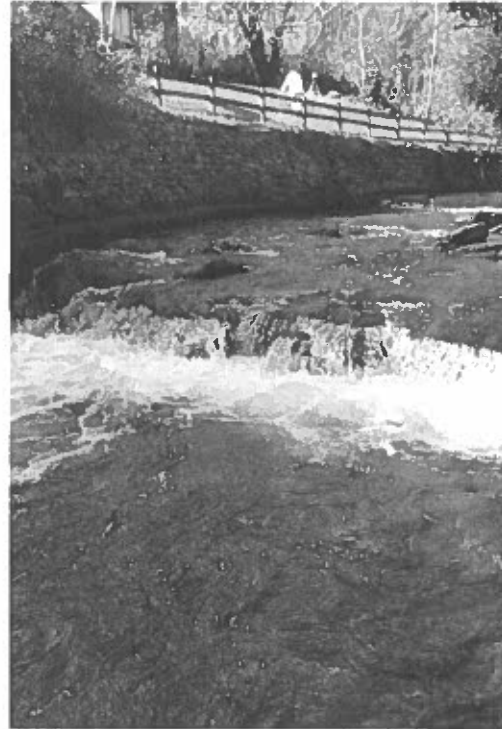
Royal Haskoning prepared a Draft River Camel Phosphate Mitigation Solutions Report, which is available on our [Nutrient neutrality in Cornwall - Cornwall Council](#) webpage. The Phosphate calculations within this report are currently being reviewed through the updated Phosphate Calculator, and information regarding this will be made available on the Council website in due course.

The Council continues to work closely with key partners including Natural England, South West Water, and the Environment Agency. Officers are also working with West Country Rivers Trust towards identifying a Phosphate Delivery Strategy. This will include advice for developers on projects they can deliver as well as strategic projects that the Council may deliver using S106 funds.

Information and further updates will be published on our webpages at regular intervals:

- [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](#)

We update content with the latest news. Please note we will soon be relaunching our nutrient neutrality information to help you get to the information you need quicker.



Planning Agents Forum – 10 November 2022

The Autumn Agents Forum for planning agents submitting planning applications in Cornwall will be held on 10 November starting at 09.00 and ending at around 12.30. We will provide Building Control, Development Management and Policy updates in the first part of the morning. After a short break, we will update on nutrient neutrality and the River Camel phosphates issue. Please note that there are 2 different joining links for Part 1 and Part 2 of the forum. This is to enable additional participants to join Part 2. The programme will include:



Part 1: 09.00-09.05 Welcome and how the sessions will be run

09.05-09.20 **Development Management update** with Hayley Jewels, Head of Development Management and Chantal McLennan, Group Leader, including:

- Validation update (Samantha Hunkin, Validation Team Leader)

09.20-10.00 **Cornwall Policy update** with Adam Birchall, Head of Planning & Housing Policy, and Rob Lacey, Planning Policy Group Leader, including:

- Local Plan review
- Climate Emergency Development Plan Document update
- Design Guide, Design Codes – how it may work in Cornwall
- Neighbourhood Planning update and the future

10.00-10.35 **Building Control update** – 2022 changes and looking to the future with Sarah Williams and Chris Stanbury, Building Control Group Leaders

10.35-10.55 **Update on proposed planning changes** with Adam Birchall, Head of Planning & Housing Policy, and Rob Lacey, Planning Policy Group Leader:

- Current proposals for changes to the planning system

10.55-11.15 **Improving the quality of Neighbourhood Plans** – your views with Rob Lacey, Planning Policy Group Leader

Break [Part 1 ends, please use Part 2 link to join River Camel update]

Part 2: 11.30-12.15 River Camel phosphates mitigation with Adam Birchall, Head of Planning and Housing Policy, and Richard Foster, South West Water – including SPD update, Q&A and help with using the updated calculator

12.15-12.30 **Question Time** with Group Leaders (Mark Broomhead, Davina Pritchard, Gavin Smith, Matthew Stephenson, Gemma Arthur)

Invites have been sent to our list of ‘agent event’ subscribers. You can find more information on our [Planning Agents Forum](#) webpage.

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 – 17 November

Cornwall Council’s next online planning training for local councils, **Planning in a changing world**, is on Thursday 17 November. Invites and joining links have been emailed separately to all Clerks and Chairs. Please share these emails with your local councillors so they can attend. If you’ve not received an email direct, then please contact us at positiveplanning@cornwall.gov.uk

Planning in a changing world: this session will cover what we know so far about proposed planning changes, what does it mean for Cornwall, plus local policy updates: Climate Emergency and Neighbourhood Planning, Design Codes and NDP news. The training will be led by Rob Lacey, Planning Policy Group Leader at Cornwall Council.

Date: 17 November 2022

Time: 15:30-17:00



Presentations from the training will be made available afterwards on Cornwall Council's [Local Council Planning Conferences](#) web page.

Single topic training videos

You can find these training videos for local councils on the [Local Council Planning Conferences](#) webpage. These are uploaded to YouTube and are available for clerks and councillors to use for themselves and for training others.

If you think of other topics, please email us at positiveplanning@cornwall.gov.uk and we will consider them.

Planning Induction training

Planning Induction training presentations and Q&As are available on the website at [Local councils - Cornwall Council](#). So if you have newly elected councillors, this page is a good place to start for the basics in planning.

Soils in Planning and Construction in the South West

Cornwall Council, as part of The Soils in Planning and Construction Task Force, is delighted to invite all planning agents to join them for the launch of the report on 'Building on soil sustainability: Principles for soils in planning and construction' in the South West.

Cornwall Council is hosting a briefing event at Sandy Park, Exeter on World Soil Day ([World Soil Day | United Nations](#)).

Date: Monday 5 December 2022

Time: 08.30–11.00

Location: Sandy Park, Sandy Park Way, Exeter, Devon EX2 7NN

This session will provide planning agents with valuable insights into the importance of soil as a critical resource and how the planning and construction sectors can make a difference to its sustainable use.

Did you know that in 2018, 29.5 million tonnes of soil from construction sites were disposed of in landfill in the UK? Only 0.6 % of this was hazardous, which means a huge amount of this vital resource is being lost during construction. Soil also is the largest store of carbon on land, storing nearly twice as much carbon as all the plants and atmosphere combined. When soil is disturbed, carbon is emitted to the atmosphere as CO₂ – this means we need to manage soils carefully so that carbon remains stored in the soil.

For more information see [Home | Soils Task Force](#).

To reserve your place and for further information please provide the following information by email to: SoilsRegionalLaunchEvent@cornwall.gov.uk

Delegate name/s:

Email:

Phone:

Organisation:

Address:



HEP Archaeologists recommend geophysical survey which reveals exciting archaeological discoveries



Archaeological excavation undertaken at the Gwel an Mor resort, Portreath has revealed evidence for successive phases of human activity spanning thousands of years, from the Early Neolithic (circa 4000 - 3500BC) to the sixth and seventh centuries AD. The buried remains of pits, settlement enclosures and field systems were uncovered in addition to the remarkable discovery of five figure-of-eight shaped kilns.

Other significant finds included fragments of prehistoric pottery, examples of worked stones and flints, and the possible remains of a possible human cremation which also preserved small fragments of a copper alloy, part of a small brooch or a dress accessory.



The archaeological potential of the site was confirmed in the assessment stage by geophysical survey and evaluation trenching, informing the need and scope for further recording as part of conditional consent.

These fantastic results will be shared publicly and further our understanding of Cornwall's history.

Photos credited to: RSK ADAS Ltd

Designing in quality from the start

Boost your chances of planning permission as well as kerb appeal by following the [Cornwall Design Guide](#) and [Chief Planning Officer's Advice Note on Good Design in Cornwall](#). This guidance is a material consideration in the determination of planning applications and supports many of our [adopted planning policies](#) as well as those in the emerging [Climate Emergency DPD](#) and the [Local Transport Plan](#). It provides a guide to the different stages of design including context appraisal, stakeholder engagement and what officers will be looking for in proposals. Building on this, new Design Codes will also be prepared at Cornwall-wide and neighbourhood levels in line with the [National Model Design Code](#).

To view the Cornwall Design Guide and related advice please see <https://www.cornwall.gov.uk/designguide>. You may also find the Homes England [Building for a Healthy Life](#) and (new!) [Streets for a Healthy Life](#) design guidance useful for larger residential-led applications.

Please contact LocalPlan@cornwall.gov.uk if you have any queries.



Planning Validation update

Over the last 6 months 80 to 90% of applications have been validated with 6 working days. This is indicative of when most applications are validated, some applications may be processed earlier or later due to case officers front screening certain application types.

New validation requirement

There is a new local validation requirement for creation of Gypsy and Traveller pitches. The guidance is as follows:

'Where development proposals relate to the creation of pitches (a pitch on a "Gypsy and Traveller" site), the application will need to be supported by the 'Gypsy Roma, Heritage and other Traveller's, Status Determination Form' and supporting evidence as to the status of the applicants and intended occupiers of the site, falling into the definition of "Gypsies and Travellers" as set out within Annex 1 of Planning policy for traveller sites.'

Validation updates - Cornwall Council

Make a planning application - Cornwall Council

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

What's new in Planning

Online Planning Register

Planning Agents Area

Planning Agents Forums

Planning Committees – link to main Committees webpage

Neighbourhood Development Plans and latest NDP ebulletins

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

October 2022

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

