

# PADSTOW TOWN COUNCIL

Station House  
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Padstow  
Cornwall  
PL28 8DA

Kathy Pemberton Town Clerk  
Town Clerk  
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11 September 2020

**TO: PLANNING COMMITTEE**

Councillors: K Freeman (Chairman), M Evans, R Higman, J O'Keefe,  
Mrs A E Symons and Mrs T Walter

Dear Member

I hereby give you notice that a meeting of the **Planning Committee** will be held \*remotely on **Tuesday 13 October 2020 at 6.30 pm** for the purpose of considering and resolving upon the business to be transacted at the meeting as set out thereunder.

Yours faithfully

K E Pemberton

Kathy Pemberton  
Town Clerk

**Please note start time for this meeting**

*\*Due to the current regulations in response to COVID-19 this will be a virtual meeting. If you wish to view the meeting or speak in the public participation section [NB: this is only on agenda items], please contact the Town Clerk by email to [enquiries@padstow-tc.gov.uk](mailto:enquiries@padstow-tc.gov.uk) or by phone on 01841 532 296, so you may leave a message and be contacted by a member of our team*

## A G E N D A

Public & Press are invited to attend.

1. To receive **apologies for absence**
2. **To receive announcements (if any):** For information only
3. To receive **declarations of interest** relating to items on the agenda in accordance with Padstow Town Council's code of conduct.
4. **Public participation:** to receive submissions from members of the public relating to items on the agenda, in accordance with the Council's code of conduct & standing orders.
5. **To agree the minutes** of the meetings held on **Tuesday 8 September 2020.** (Pg's 1-4)
6. **Planning**
  - i. **To advise of Cornwall Council planning decisions:**
    - a) **PA20/03626 Waters Edge Office North Quay Padstow Cornwall - (Pg 5)**  
Installation of an air conditioning unit on the west elevation

**APPROVED**

- b) **PA20/05599 5 Porthilly View Padstow PL28 8DH** – Amendment to approved scheme PA20/00099: Kitchen extension enlarged by 1m.

**APPROVED**

- c) **PA20/05681 Tremaryns Dennis Lane Padstow Cornwall PL28 8DP** – Demolition of dilapidated rear addition along with bay window. Erection of replacement rear single storey extension, front single storey extension, construction of first floor addition and first floor roof terrace with associated building works.

**APPROVED**

- ii. The Town Council are consulted on planning applications as listed below. (pg 5-7)  
The Committee is asked to **consider the applications and agree a response to the Planning Authority (Cornwall Council)**.

The applications and their plans can be viewed on the Online Planning Register at [www.cornwall.gov.uk](http://www.cornwall.gov.uk)

- a) **PA20/06068 Gulland House, Upper Dobbin Lane, Trevone, Padstow** – amended plans and description - Construction of garage with storage above.
- b) **PA20/07449 Caravan Creekview Creddis Farm High lanes Wadebridge** – Replacement of static caravan with permanent dwelling.
- c) **PA20/08059 15 Treverbyn Road Padstow PL28 8DW** – Demolition of existing garage and flat roof extension, proposed extensions and alterations with inclusion of a first floor balcony.
- d) **PA20/08078 1 Netherton Road Padstow PL28 8EG** – Extending the existing lobby to the side of the property to create a downstairs cloakroom with toilet, shower and basin.
- e) **PA20/08157 20 Rainyfields Padstow PL28 8EZ** – Proposed side/rear extension to the South and West, side extension to the North and internal alterations to form additional habitable accommodation and open plan living space.

**7. To note update on Planning Inspectorate applications.**

- i. Applications that the Town Council has been notified is moving to Planning inspectorate decision (pg 8-11)

- a) **PA20/01087 Land West of 29 Grenville Road Padstow Cornwall PL28 8EX** - Proposed new house.

- ii. Applications that have received a decision from the Planning Inspectorate.

- a) **PA19/05600 Treravel House, A389 Between Greenlane And Padstow Road, Padstow PL28 8LB** - Retrospective application for the siting of 6 static caravans for seasonal workers accommodation.

**Appeal Dismissed**

**8. To give consideration to:**

- a) **Planning for the Future Government Consultation**
- b) **Attendance to Cornwall Councils next Planning Conference, 21 October**

(pg 12-19)

**9. To note date of next meeting: Tuesday 10 November 2020 at 6.30pm**

## PADSTOW TOWN COUNCIL

### Minutes of the Planning Committee meeting held remotely on Tuesday 8 September 2020 commencing at 6.30 pm

**Present:** Councillors K Freeman (Chairman), M Evans, R Higman, J O'Keefe, Mrs A E Symons and Mrs T Walter

**In attendance:** Mrs K Pemberton (Town Clerk), Mrs T Trestain (Support Officer and Minute Taker) and 5 members of the public (part)

**P2020/17**      **Apologies:** There were no apologies for absence.

**P2020/18**      **Announcements:** There were no announcements.

**P2020/19**      **Declarations of Interest:** Councillor Mrs T Walter declared an interest in agenda item 6 ii b) PA20/06068 Gulland House Upper Dobbin Lane Trevone.

**P2020/20**      **Public Participation:** 5 members of the public attended the meeting. 3 member of the public representing Waters Edge spoke in support of agenda item 6 ii a) PA20/03626 Waters Edge Office North Quay Padstow, comment was made that this was a minor application, and that Cornwall Council's Environmental Health Officer was satisfied with the same. They were available should any questions come up whilst the application was being considered during the meeting.

Another member of public spoke in support regarding agenda item 6ii f) PA20/06670 Land East of The Old Barn Trevethern Farm, comments included:

- The dwelling would be a family 'forever' home.
- That the plans had been carefully considered with the neighbours and other consultees and they have lowered the height from the original plans but have made it a little wider.
- They are hoping to use local granite and clad in wood to have a natural effect, for a sustainable building with a traditional barn building appearance.

The last member of public spoke in objection to agenda item 6ii b) PA20/06068 Gulland House Upper Dobbin Lane Trevone. Comment was made that the pervious application PA13/02461 did not raise concerns, however the new plans were 2 metres higher and the siting of the building had moved by 8 metres. What was a single storey application had changed to a two storey and bulky application. Further comment was made that work had yet to commence.

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**P2020/21**

**RESOLVED** that the **minutes** of the meeting held on **Tuesday 11 August 2020** be signed as a true record.

**P2020/22**

**Planning**

**i. The following Cornwall Council planning decisions were noted:**

- a) PA19/10769 29 High Street Padstow PL28 8BB –**  
Construction of dormer window to rear roof slope and single storey rear extension. **APPROVED**
- b) PA19/10770 29 High Street Padstow PL28 8BB –**  
Listed building consent for construction of dormer window to rear roof slope and single storey rear extension, internal alterations to ground, first and attic floors including alterations to the attic staircase. **APPROVED**
- c) PA20/04431 Beacon Cottage Crugmeer Padstow Cornwall PL28 8HN -** Porch, rear extensions and small lean-to log store. **APPROVED**
- d) PA20/04612 Land West of Trelether Dennis Lane Padstow Cornwall PL28 8DP –** Construction of an agricultural storage shed. **APPROVED**
- e) PA20/05500 PA20/05500 Prideaux Place Tregirls Lane Padstow PL28 8DP -** Fell 2 Sycamore trees to prevent damage to the nearby listed wall. **WITHDRAWN**  
Outline approval PA17/08592 (access, appearance, landscaping, layout and scale) **APPROVED**

**ii. RESOLVED to make the following planning application responses to the Planning Authority (Cornwall Council):**

- a) PA20/03626 Waters Edge Office North Quay Padstow Cornwall PL28 8AF –** Amended plans/description - The installation of 2 air conditioning units and a shelf above them on the west elevation of Waters Edge.  
**SUPPORTED Subject to Cornwall Council being satisfied with noise level.**

Councillor Mrs T Walter left the meeting

- b) PA20/06068 Gulland House Upper Dobbin Lane Trevone Padstow –** Revised design including reduction of ridge height and footprint of previously approved boat store of PA13/02461  
**Padstow Town Council Unable to Comment at this stage as clarification is required on siting compared to original approved plan, as understand work has yet to commence – this should be investigated by Cornwall Council further. Comment was made that it does not wish it to used as residential accommodation.**

Councillor Mrs T Walter re-joined the meeting

- c) PA20/06321 Kingsley House Trevone Road Trevone Padstow** – Conversion of ground floor shop area to form additional living accommodation including reconfiguration of entrance and general alterations.

Councillor R Higman left the meeting part way through discussion of Kingsley House along with 4 members of public. He was not present for the decision on this application.

**SUPPORTED request that post box be retained in same place.**

Councillor R Higman returned during discussions on 6 Moyle Road.

- d) PA20/06450 6 Moyle Road Padstow Cornwall PL28 8DG** – Proposed rear extension, new front porch extension, front balcony and internal alterations.  
**NOT SUPPORTED i) two storey application in a single storey development; ii) over looking issues; and iii) extension out of character with existing bungalow.**

- e) PA20/06585 Padstow Harbour Hotel (formerly The Metropole) Station Road, Padstow PL28 8DB** – Alterations and extensions to hotel to create new spa facility, external terracing, additional bedrooms and reconfigured car parking plus the addition of up to 10 new residential units on existing swimming pool suite without compliance with conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of Application Number PA19/05442 dated 3rd January 2020  
**SUPPORTED**

- f) PA20/06670 Land East of The Old Barn Trevethern Farm Padstow PL28 8LE-** Construction of replacement dwelling house and associated development (revised design following approval of application ref: PA11/03182)  
**SUPPORTED**

Last member of public left the meeting

**P2020/24**

**Cornwall Council Draft Marine and Estuarine European Sites Supplementary Planning Document Consultation:**  
It was noted that further consultation would be available as per the agenda report.

3

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**RESOLVED** not to comment at this stage of the consultation.

**P2020/25**

**Planning Information**

- i) The **Planning Reform** information was noted.
- ii) **Planning Conferences 2020** were discussed and it was noted as per the agenda report that 2 places and 1 reserve had been provisionally held for the meeting taking place on 22 September.

**RESOLVED** that should a Councillor be able to attend to contact the office and either the Town Clerk and/or Council Support Officer attend, should commitments allow.

- iii) **Planning for the Future Government Consultation:** It was noted that the Planning Conference included a discussion on this Government Consultation and therefore anyone attending to feed back to the next Planning Committee meeting. The Town Clerk asked if Committee would like to consult all Councillors.

**RESOLVED that** all Town Councillors be advised of this consultation and their comments sought by 1 October 2020 in order that officers can pull together a report for Planning Committee to consider at their next meeting.

**P2020/26**

**Date of Next Meeting:** Tuesday 13 October 2020 at 6.30pm.

Meeting closed at 19.21 pm

**PADSTOW TOWN COUNCIL - PLANNING COMMITTEE: 13 October 2020**

**Agenda item 6i: To advise of Cornwall Council planning decisions**

- a) **PA20/03626 Waters Edge Office North Quay Padstow Cornwall** - The Installation of 2 air conditioning units and a shelf above them on the west elevation of Waters Edge  
Padstow Town Council = **SUPPORTED Subject to Cornwall Council being satisfied with noise level**  
Cornwall Council = **APPROVED**
- b) **PA20/05599 5 Prothilly View Padstow PL28 8DH** – Amendment to approved scheme PA20/00099: kitchen extension enlarged by 1m.  
Padstow Town Council = **SUPPORTED**  
Cornwall Council = **APPROVED**
- c) **PA20/05681 Tremartyns Dennis Lane Padstow PL28 8DP** – Demolition of dilapidated rear addition along with bay window. Erection of replacement rear single storey extension, front single storey extension, construction of first floor addition and first floor roof terrace with associated building works.  
Padstow Town Council = **SUPPORTED**  
Cornwall Council = **APPROVED**

**Agenda item 6ii: Applications to consider**

A number of the applications being discussed on this occasion are amendments of previous applications or been discussed in some form before. Therefore, the Support Officer has included information below for the Committee regarding Padstow Town Council's earlier comments, to help them consider the changes.

Support Officer will send another report to Councillors regarding comments gathered on each application on the day of the meeting. Councillors are reminded that they can check comments that have been submitted to Cornwall Council the Online Planning Register at [www.cornwall.gov.uk](http://www.cornwall.gov.uk)

- a) **PA20/06068– Gulland House Upper Dobbin Lane Trevone Padstow** – amended plans and description – Construction of garage with storage above

This application was discussed in Septembers Planning Committee meeting and Padstow Town Council commented: **Padstow Town Council Unable to Comment at this stage as clarification is required on siting compared to original approved plan, as understand work has yet to commence – this should be investigated by Cornwall Council further. Comment was made that it does not wish it to used as residential accommodation.**

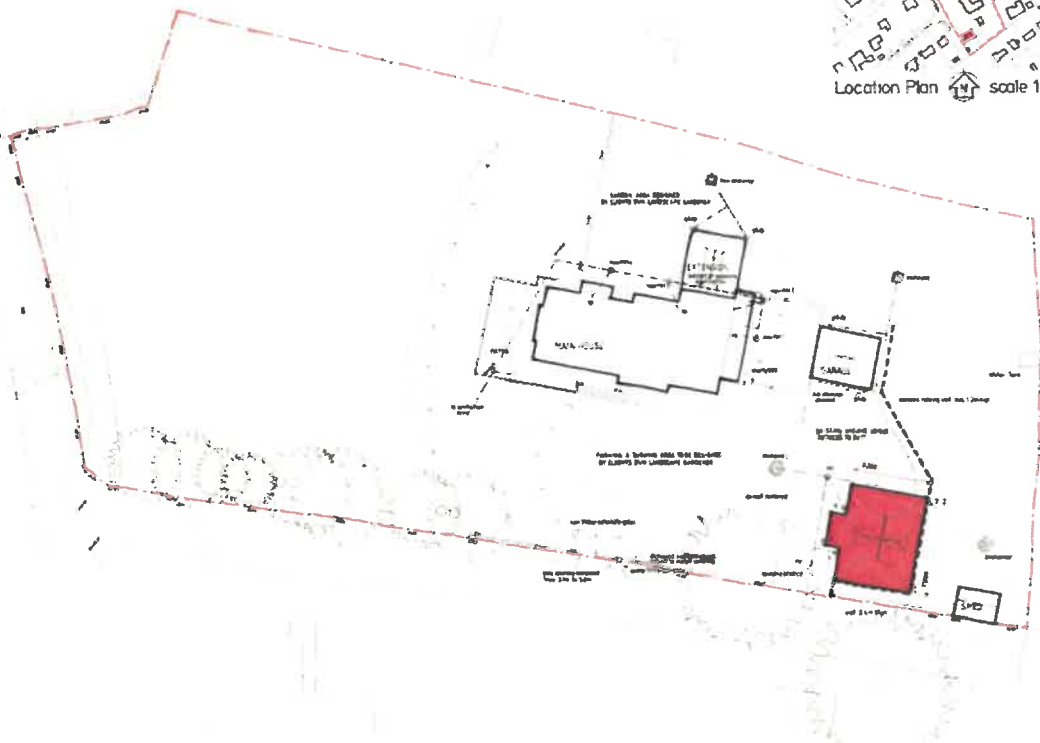
The Planning Officer has re-consulted the Council and has said 'The amendments are obscure glazing to the rear windows (south east elevation), hipping of the roof and change to the description to more accurately reflect the development, removing the reference to the previous approval which I think was causing some confusion.'

The old proposal description was: Revised design including reduction of ridge height and footprint of previously approved boat store PA13/02461. Therefore, the Planning Officer has said '**please assess this as a new application and not a revision to the previous application.** The siting of the garage is in a similar location to the previous application, but closer to the existing garage building and further from the boundary. If the Parish Councillors want to see the change the previous application can be viewed on the website.'

Below is the PA13/02461 plan with Padstow Town Council SUPPORTED and Cornwall Council APPROVED with condition 'The building shall not be used at any time as an additional or separate unit of accommodation.'



GENERAL NOTES  
 1. The site is shown in red on the plan.  
 2. The site is shown in red on the plan.  
 3. The site is shown in red on the plan.  
 4. The site is shown in red on the plan.  
 5. The site is shown in red on the plan.  
 6. The site is shown in red on the plan.  
 7. The site is shown in red on the plan.  
 8. The site is shown in red on the plan.  
 9. The site is shown in red on the plan.  
 10. The site is shown in red on the plan.



PLANNING SHEET 1 of 2  
 Mr & Mrs C. Taylor  
 Garden House  
 Truro, Cornwall, TR9 8BA  
 Proposed Boat Store

PROPOSED  
 Site & Location Plans

1041

**Peter Scott**  
 ARCHITECTS



- b) **PA20/07449 Caravan Creekview Creddis Farm High Lanes Wadebridge** – Replacement of static caravan with permanent dwelling.

Support Officer noticed a previous application for this site- PA17/11565 Caravan Creekview Creddis Farm Access to Creddis High Lanes Wadebridge - Replacement of static caravan with permanent dwelling. PA17/11565 Padstow Town Council Supported and Cornwall Council Approved.

When Support Officer contacted the Planning Officer 23.09.20 reply was 'The proposal seems to be a re-submission and on face value I cannot see any significant changes'

Support Officer has noted in the design and access statement it says:  
In January 2017 planning approval was granted to replace the caravan with a detached two-storey house (PA17/11565). Since then the applicant, Nancy Rundle, has progressed matters. Unfortunately however, construction work is unlikely to start on site before that consent expires. This application is for renewal of the previous approval, with no changes to the design.'

Applications

- c) **PA20/08059 15 Treverbyn Road Padstow**  
d) **PA20/08078 1 Netherton Road Padstow**  
e) **PA20/08157 20 Rainy field Padstow**

Support Officer cannot see that these have been discussed before.

## **PADSTOW TOWN COUNCIL -PLANNING COMMITTEE: 13 OCTOBER 2020**

**Agenda Item 7i)** Applications that the Town Council has been notified is moving to Planning inspectorate decision

- a) **PA20/01087 Land West of 29 Grenville Road Padstow Cornwall PL28 8EX** - Proposed new house.

Cornwall Council notified PTC that an appeal has been lodged for the above case and that it was moving to the Planning Inspectorate to make a decision. The notification provided the deadline of 7<sup>th</sup> October if PTC wished to make further comment, or modify/withdraw previous representation. As this deadline was before this meeting (13.10.20) the Planning Committee Chairman looked at the case and as per the email sent to all Planning Committee members (which was supported) a letter was drafted and sent.

**Agenda Item 7ii)** Applications that have received a decision from the Planning Inspectorate.

- a) **PA19/05600 Treravel House, A389 Between Greenlane And Padstow Road, Padstow PL28 8LB** - Retrospective application for the siting of 6 static caravans for seasonal workers accommodation.

**Appeal Dismissed**

Support Officer has contacted Planning Appeals and was informed that an enforcement case had been set up for this case and was temporarily closed while waiting for the outcome of this application and subsequent appeal. Now a decision has been made the case will go back to the Planning Enforcement Team to investigate.

The Planning Inspectorate decision is appended (appendix 1)



## Appeal Decision

Site visit made on 22 July 2020

by **Matthew Jones BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 September 2020

**Appeal Ref: APP/D0840/W/20/3250402**

**Treravel House, A389 Between Greenlane And Padstow Road, Padstow  
PL28 8LB**

- 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 Adrian Treglowan of House Management Group (HMG) against the decision of Cornwall Council.
- The application Ref PA19/05600, dated 17 June 2019, was refused by notice dated 16 October 2019.
- The development proposed is described as '*Retrospective application for the siting of 6 static caravans for seasonal workers accommodation.*

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. I have used the description of development given on the Council's decision notice as it accurately describes the appeal proposal.
3. I observed at my visit that the 6 static caravans shown on the proposed site plan are in location. I assessed the appeal on this basis.

### Main Issues

4. The main issues are:
  - the suitability of the site for the proposal, having regard to local and national policy for the location of housing; and,
  - the effect of the proposal on the character and appearance of the area, with particular regard to the Cornwall Area of Outstanding Natural Beauty (AONB).

### Reasons

#### *Suitability of the site*

5. The appeal site comprises 6 static caravans, enclosed by walling and hedges, adjoining and accessed through the grounds of Treravel House, within open countryside. The A389 bounds the site to the west, connecting it to Padstow around 1.2km to the north. A little along the A389 to the north is Padstow Holiday Park, near to which is a bus stop with services to Padstow, and access to two Public Rights of Way (the PROWs) which also connect to the town.
6. Policy 7 of the Cornwall Local Plan: Strategic Policies Document 2010–2030 (adopted 2016) (the CLP) restricts new housing in the open countryside to that which fulfils one of given special circumstances. Of potential application to this

proposal are circumstances 4 and 5. They respectively relate to temporary accommodation for workers to support rural businesses where there is an essential need for a presence on the holding, or full time rural occupation workers where there is evidence of an essential business need for the occupier to live in that specific location. Paragraph 79 of the National Planning Policy Framework (the Framework) adopts a similar approach and restricts housing in the countryside to certain situations, including an essential need for a rural worker to live permanently at or near their place of work in the countryside.

7. Occupants of the caravans have typically been seasonal workers on short term letting arrangements who have been employed by businesses operating within the urban confines of Padstow, not in association with Treravel House or its immediate rural environs. Given that circumstances 4 and 5 of Policy 7 are predicated on rural workers having an essential requirement to live at a specific rural business, the scheme would conflict with the policy. The emphasis placed by the Framework on the permanence of the worker and the rurality of the business location also precludes its support for the appeal scheme.
8. Policy 27 of the CLP requires schemes to provide safe and suitable access to the site for all people and minimise car travel. Getting to Padstow via the PROWs or the bus stop necessitates transit along a section of the A389. The speed of passing vehicles and the absence of street lighting or footpaths leads this to be an unsafe and inhospitable environment for those on foot. Cycling may not be an option for all residents. The PROWs are not properly surfaced, are without lighting, and are not dependable routes into the town. It is likely, in the circumstances, that residents would see it as necessary to travel by car to their places of employment. For these reasons, the scheme conflicts with Policy 27. It also finds no support under Policy 21 of the CLP, which encourages the reuse of land provided that the proposal is sustainably located.
9. I therefore conclude on this issue that the site is not suitable for the proposal, having regard to local and national policy for the location of housing. The proposal would conflict with Policies 1, 2, 7, 21 and 27 of the CLP and the Framework in this regard.

#### *Character and appearance*

10. The site is within the AONB, a landscape designation which enjoys the highest status of protection in relation to conserving and enhancing its landscape and scenic beauty. The AONB landscape surrounding the site is rural, with open fields interspersed with farmsteads and isolated dwellings. The tourism industry is also present however, most notably at the large-scale Padstow Holiday Park, which offers glimpsed views of numerous mobile homes.
11. The appeal site and its caravans are well screened from view from the A389 by the substantial hedgerow which separates the site from the carriageway. If the caravans within the site are glimpsed, they are read against the immediate backdrop of the built form at Treravel House and within influence of Padstow Holiday Park. Given such, the proposal does not materially harm the landscape or scenic beauty of the AONB at this point.
12. I therefore conclude on this issue that the proposal has an acceptable effect on the character and appearance of the area, with particular regard to the AONB. It accords with the landscape aims of Policy 23 of the CLP and the Framework and the guidance within the Cornwall AONB Management Plan 2016 - 2021.

### **Planning Balance**

13. Planning law and the Framework require proposals to be determined against the development plan unless material considerations indicate otherwise. The scheme fails to provide safe and suitable access or minimise car travel and conflicts with development plan policy for the location of housing, thereby undermining the Council's plan-led approach, contrary to Paragraph 15 of the Framework. This brings the proposal into conflict with the development plan when read as a whole.
14. The proposal contributes towards meeting a need for short-term low-cost rental accommodation, generated by businesses which operate in Padstow. The housing challenges facing Padstow, with particular regard to open market and affordable housing for purchase, have been clearly quantified by the appellant. However, given the comparative absence of data in regard to the rental market, the stated difficulties in finding the proposed form of seasonal and sometimes very short-term tenure have not been substantively evidenced. Moreover, the possibility of housing seasonal workers in other ways, such as at their respective places of employment, has not been sufficiently explored.
15. Given these circumstances, the social and economic benefits of the proposal attract limited weight. They are not considerations which justify the setting aside of development plan policy for the location of housing.

### **Conclusion**

16. For the reasons outlined above and taking all matters raised into account, I conclude that the appeal should be dismissed.

*Matthew Jones*

INSPECTOR

## **PADSTOW TOWN COUNCIL - PLANNING COMMITTEE: 13 October 2020**

### **Agenda item 8 a) Planning for the Future Government Consultation**

#### **1. Background information**

- 1.1 As Committee will recall this item was on Septembers Planning Committee agenda and members were provided the consultation paper (should members require another copy please contact the office). The resolution from September meeting was to advise all Town Councillors of the consultation and comments be sought by 1 October 2020. It was also noted that CC Planning Conference 22 September included a discussion on this Government Consultation.
- 1.2 The consultation closes on 29 October. Responses can be made in writing to email: [planningforthefuture@communities.gov.uk](mailto:planningforthefuture@communities.gov.uk)

#### **2. Councillors input and CC Planning Conference Update**

- 2.1 Councillor Saunders contacted the office by 1 October updating that he was still looking at the document but mentioned that PTC should include a section about the fundamental need to protect the AONB and land affecting the AONB.
- 2.2 Support Officer attending the Planning Conference on 22 September They broke the plan down into 3 'pillars'
- Planning for the development – to simplify and speed up plan-making and planning decisions
  - Planning for beautiful and sustainable places – design and master planning given greater importance
  - Planning for infrastructure – new national set levy replacing current s106 and CIL
- Appendix 1 provides of few slides from the conference regarding further details on each pillar above.
- 2.3 Some of the main points noted from the conference were:
- It will be a 30 month process end to end
  - Planning decision must be made within statutory time periods
  - Increase national control of planning policies, housing numbers and standards
  - Local plan will classify land, allocate sites and set out only sites specific design requirements
  - Automatic outline permission granted to allocated sites in growth areas
  - Prior approval process for specified development types in renewal areas
  - Greater digitisation of plans (all online) and interactive mapping for proposals.
  - Design and master planning given increase importance. Model design codes through new national approach.
  - Reduction in the number of environment assessments undertaken. One step environmental assessment process to replace existing regimes.
  - S106 and CIL replaced by new 'Infrastructure Fund'
  - Role of NDP's remain important but the exact role unclear in the paper.

- Climate change has little detailed reference

2.4 At the time of the Planning conference CC had not discussed this consultation at their Council meeting and therefore could not provide us with what their response would entail. They did mention that a lot more detail was required on several sections. Comments from other Town and Parish Councils attending was of great concern that planning was being taken more nationally and might mean the Cornwall would become overdeveloped without local needs and comments being taken into account.

### **3. Cornwall Councils motion at Full Council 22 September**

3.1 Support Officer has investigated and found the Cornwall Council had a motion put forward at their September Full Council meeting opposing the proposed changes to the planning system.

Appended is the motion paper (appendix 2)

The motion was passed with 63 votes for, 3 against and 30 abstaining.

3.2 Point 11 of the motion paper states '11. The Cornwall Association of Local Councils (CALC) and all local councils in Cornwall are advised of Cornwall Council's deep opposition to the Government's proposals'. Therefore, PTC should see further communication on this soon.

### **4. Decision**

4.1 Does Committee feel that a response to the consultation should follow the motion paper put to CC Council meeting on 22 September, does Committee agree with points 7, 8 & 9 of the motion paper?

4.2 Would Committee like to delegate the response to the Town Clerk in consultation with the Chairman?

## Appendix 1

### Pillar one – Planning for the development

Local Plan prepared to identify three classifications of land:

- **Growth** - land identified for substantial development (could be new settlements, urban extensions or areas for redevelopment). Automatically granted outline planning permission upon adoption of the Local Plan.
- **Renewal** - land within existing built up areas for small scale development (could be infill development or development in town centres or rural areas). A statutory presumption in favour of development granted for specific, suitable uses in these areas as well as PD for certain building types and uses.
- **Protected** – areas of environmental or cultural character for more stringent development controls, such as AONB, Conservation Areas, Local Wildlife Sites, areas of flood risk or important green spaces and including countryside. A planning application required for development in these areas.

### Pillar two – Planning for beautiful and sustainable places

- Design and master planning given greater importance
- Creation of a body to support local design codes and a 'chief officer for design' in each local authority
- Fast-track planning approval process for sites which accord with local design codes and masterplans
- Quicker environmental assessment process, more use of national data and fewer site-specific surveys (detail subject to consultation in Autumn)
- Listed Buildings and Conservation Act to be reviewed separately
- Climate change – net zero by 2050 - Reviewing and implementing the Future Homes standard and setting national standards through Building Regulations

### Pillar three – planning for infrastructure and connected places

- S.106 and Community Infrastructure Levy to be replaced with a single infrastructure levy to charge a nationally-set rate based on fixed proportion of development value above a threshold
- Infrastructure Levy should deliver affordable housing provision
- Extended scope for Infrastructure Levy to capture changes of use through permitted development rights
- More freedom for local authorities over how they spend the Infrastructure Levy and authorities could borrow against the levy fund
- Develop a comprehensive resource and skills strategy for the planning sector
- Strengthen enforcement powers and sanctions



**MOTIONS TO COUNCIL  
22 September 2020**

Title of Motion	Cornwall Council Opposition to Proposed Changes to the Planning System
Proposer	Malcolm Brown
Seconder	Dick Cole
Supporters (a minimum of three are required)	Councillors Batters, Bull, G Brown, Eddy, Ekinsmyth, Foot, Hannaford, Heyward, James, Kenny, Jenkin, Kirkham, Long, Luke, Kenny, C Martin, J Martin, Olivier, Rand, Rogerson, Rule.
Recommendation for Council to vote on	<p>This Council notes that:</p> <ol style="list-style-type: none"> <li>1. The Government has published the "Planning for the Future" White Paper and an associated document that would bring forward some more immediate changes to the planning system.</li> <li>2. The proposals would completely alter the planning system in Cornwall.</li> <li>3. The Royal Institute for British Architects has called the proposals "shameful" and added they "will do almost nothing to guarantee delivery of affordable, well designed and sustainable homes". The RIBA has also said that the proposals could lead to the next generation of slum housing.</li> <li>4. The changes are opposed by the all-party Local Government Association.</li> <li>5. The issue of land banking is not addressed in the White Paper, even though research by the Local Government Association has demonstrated that there are existing planning permissions for more than one million dwellings across the UK that have not yet been started.</li> </ol> <p>This Council believes that:</p> <ol style="list-style-type: none"> <li>6. For all its imperfections, the traditional planning system administered by local authorities allows for significant local democratic input into future development and gives local people a say in planning proposals that affect them.</li> </ol> <p>This Council resolves that:</p>

7. The unitary authority raises strong objections to the proposed changes in the White Paper and linked consultation document, which should include the following:

- An objection to the further centralisation of the planning process, which would undermine the work of Cornwall Council and town and Parish councils, and severely weaken the Cornwall Local Plan and Neighbourhood Plans. The changes would also reduce the ability of residents to make meaningful representations on proposals for new housing and other developments in their areas.
- An objection to the "standard method for establishing housing requirement figures," which has been described by some Councils as a "mutant algorithm." The changes would increase Cornwall's 20-year housing target to an extremely unsustainable 81,000 properties – up from the present target of 52,500.
- An objection to the zoning of land, which would allow certain developments to happen without the need for a formal planning application. The changes would risk unregulated sprawl and unsustainable developments – pressures to which many settlements in Cornwall are highly vulnerable.
- An objection to the proposal that a new Local Plan must be completed to a central government template within a 30-month timetable. The changes would reduce the ability of the unitary authority to prepare planning policies best suited to Cornwall.
- An objection that affordable housing would no longer be sought on sites (not deemed designated rural areas) of up to 40 or 50 new properties. The changes would diminish seriously the amount of social rent and affordable housing built in Cornwall and do nothing to tackle the issues associated with second homes and empty properties.
- An objection to the extension of "permission in principle" to larger housing developments, which would further undermine the openness of the planning system.

This Council also resolves to:

8. Raise concerns about the end of Section 106 legal agreements and the introduction of an Infrastructure Levy

	<p>which could make it more difficult to ensure the delivery of social rent / affordable homes and other community benefits.</p> <p>9. Raise concerns that the UK Government is failing to address the issue of "land banking."</p> <p>This Council further resolves that:</p> <p>10. The final content of the consultation responses from Cornwall Council / Cabinet Member be discussed with all political groups and the supporters of this motion.</p> <p>11. The Cornwall Association of Local Councils (CALC) and all local councils in Cornwall are advised of Cornwall Council's deep opposition to the Government's proposals.</p> <p>12. Cornwall Council writes to and lobbies Cornwall's Members of Parliament urging them to oppose the Government's proposals and to seek their withdrawal, and to circulate their replies to all members of the Council.</p>
<p>Context for the motion (i.e. why is the motion being submitted – what is the proposer aiming to achieve)</p>	<p>Council officers are presently preparing detailed responses to the consultations and we understand that Members will be asked to feed in their comments at one or more informal briefing sessions.</p> <p>However, this motion, if agreed, will give a steer to officers about key elements of the content of the consultation responses. It would also give democratic legitimacy to the response that will be submitted by the Cabinet Member.</p> <p>It is also timely because responses to the consultations have to be submitted in October.</p> <p>The White Paper consultation (which closes on 29 October) can be viewed at:  <a href="https://www.gov.uk/government/news/launch-of-planning-for-the-future-consultation-to-reform-the-planning-system">https://www.gov.uk/government/news/launch-of-planning-for-the-future-consultation-to-reform-the-planning-system</a></p> <p>The second consultation (which closes on 1 October) can be viewed at: <a href="http://www.gov.uk/government/consultations/change-s-to-the-current-planning-system">www.gov.uk/government/consultations/change-s-to-the-current-planning-system</a></p>
<p>Does the motion*:-</p>	
<p>(i) have potential financial implications for</p>	<p>There are no financial implications for the motion, as council officers are already preparing detailed responses to the consultations.</p>

<p>the Council – if so, advise what these might be</p>	
<p>(ii) have potential legal/constitutional implications for the Council – if so, advise what these might be</p>	<p>There are no legal or constitutional implications for the Council.</p>
<p>(iii) require further background information to enable the Council to make a decision and/or require detailed consideration – if so, advise what might be required</p>	<p>It may be necessary for officers to produce a small briefing document to confirm the likely impact of the proposed planning changes referenced in the motion but work on briefings for Members and responses to the consultations are already ongoing.</p>

\*Should any/all of (i)-(iii) apply it is likely that the constitutional provision of referring the motion to the relevant Committee will apply.

**Agenda item 8 b) Attendance to Cornwall Councils next Planning Conference, 21 October**

CC next virtual Planning Conference is being held on Wednesday 21 October starting at 10.00 am.

This session will include:

- Planning Portfolio Holder's news with Tim Dwelly CC
- An Introduction to Building Control and the draft Building Safety Bill with Peter Keam, Principal Development Officer
- Pre-application discussions - the Benefits, with Chantal McLennan, Principal Development Officer
- Trees and development with Matthew Odgers-Brown, Forestry Team Leader and James Gregory, Forestry Officer
- Q&A session

This will be via Microsoft Teams and will start at 10.00 am and end by 12.50 pm.

Local Councils are invited to nominate 2 delegates, spaces are limited and will be booked on a first-come, first-served basis – therefore the Support Officer has already provisional booked 2 places.

Would 2 Committee members wish to attend?

Support Officer is available to attend, as one place, if required.