

Planning Agents Forum 8 February 2018

Dolcoath, Camborne



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1 Introduction and Welcome (Phil Mason – Service Director, Planning and Sustainable Development)

DE welcomed delegates to the forum and handed over to PM. Key messages to note included:

- Local Plan adopted in 2016 as the strategic framework for planning for Cornwall together with the Neighbourhood Development Plans (NDPs)
- Investment in employment is implicit with investment in housing
- We aim to deliver more homes that residents need – Right Homes in the Right Places
- It's important to make the right decision – is it right for the community and the environment in that location? We should be saying 'yes' if it's in accordance with the Cornwall Local Plan and the NDPs which have the support of the community. We should be seeking ways to support developments that the community wants us to bring forward.
- We can interpret policy wording to deliver development in a creative way
- We're encouraging opportunities for small self-build sites around settlements
- Local Plan has to be reviewed within five years: mini review to be commenced later this year. Full review to be done within 3-4 years in the next Administration with the intention of the plan period running to 2045.
- One question being considered is whether to look at new villages; we are talking to Government in respect of creating places
- The Local Plan is not intended to put a line around everything but provide an opportunity and now's the time to look forward to plan for future needs.

Q to PM: How do we define what is the Right House? What evidence?

A: It should be evidence-based, and what the community needs. Find out what that is for that area – look at affordability, self-build opportunities and other different opportunities to get into housing, quality. Quality means different things to different people. We're still not getting it right everywhere. DE: The Member workshop on Design last week was the best attended ever. PM: There's a place for medium and small builders as we have been too reliant on larger ones with the standardised products.

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2 Development Management update (David Edmondson, Strategic Development Manager)

DE's presentation is available on the [Planning Agents area](#) webpage and included updates on performance and communications. DE asked for feedback on how we could do anything differently. Other main points included:

- The experience of going to Committee should be the same across Cornwall; the Chairs/Vice-Chairs meet at Informal Planning and Development Improvement Group to consider Committee issues such as consistency. ALL invited to send any questions or feedback to DE. *Agents*
- 92% of all applications approved in the second quarter of 2017; largest number of applications determined in the country last quarter
- **Liskeard/Looe Area team trial** – ALL to send any views on how it's going to DE. Trial continuing. *Agents*
- **Policy update** – CIL and Minerals DPD Examinations are complete; Allocations DPD Examination starts on 27.2.18. CIL/Minerals Examiner comments are expected in April/May. Chief Officer Notes published as aids to interpreting policy. Monitoring reports published on self-build and custom housebuilding.
- **Statement of Community Involvement** – public consultation now closed; some additions to be made regarding post-decision community engagement
- **Design Guide review** – new draft being progressed, to be web-based and include case studies and be simpler to use. DE asked ALL to get involved when it is available for public consultation later this year. *Agents*

Comments/Questions:

C: Discussion regarding difficulty in getting a mortgage for self-build. DE to consider any lobbying that Cornwall Council could do. Noted there are some loans available eg from the Homes and Communities Agency, but it is more difficult at an individual level. Infrastructure investment is ridiculously hard. The Cornwall Community Land Trust include some self-builds in their programme.

C: There is funding available from the National Custom and Self-Build Association (NaCSBA) but it is a complex model. NaCSBA announced a task force who are setting up a Right to Build commission for independent advice. DE would like to find out more from RB for other events including the Local Council conferences. NaCSBA 'Right to Build' event to be held on 8.3.18 at Westpoint.

Q: Several consultancies are dealing with self-build. How do we work with the parish councils?

A: Could use the Local Council conferences or the Planning Partnership

Q: Will NDPs be reviewed?

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A: We are telling NDP groups to keep an eye on the Local Plan and build in flexibility. Once the scope of the Local Plan review is known, then we can advise NDPs and review the made plans accordingly.

Q: How do we define and get evidence to determine a Right Home in the Right Place without going to appeal? How do we come up with a matrix to get through the barriers/scoring mechanisms?

A: Allocations DPD sites, NDPs, community support. If the community supports your scheme, we can interpret the Local Plan to give support to your proposal.

Q: What does community support mean?

A: It's how to get those people engaged who don't normally get involved in the planning process. Parish level support is very important. The Area Team trial has shown that communication is vital. There have been no decisions made contrary to the views of the local councils since the trial period began – through talking more with the parishes.

3 Neighbourhood Planning update (Sarah Furley – Group Leader) – SF's presentation is available on the Planning Agents area webpage. Main points to note included:

- The NDP activity map is available on the [NDP webpages](#)
- A further 10-15 plans are expected to be 'made' this year
- If parishes wish to use information from their NDPs in consultation responses to applications, they are asked to make sure those plans/that information is published.
- SF advised agents to also look at the NDP groups individual websites as there is a large amount of information online
- Agents were asked to always refer to an NDP if there is one available
- A briefing note on the weight of NDPs at different stages is available on the website
- NDPs at Examination are not tested on deliverability and viability
- **Appeals** – principal residence conditions are being supported by the Planning Inspectorate. They are largely going in favour of the clear messages contained in NDPs. However they are also taking the character of the area into account eg Roseland decision on larger replacement dwelling.

Q: If the NDP Examination Inspector is so light and relies on parish councils, how did the Roseland NDP get approved? Is the Roseland NDP going to be reversed?

A: It was before a shift from pre- to post-Local Plan. Pre-Local Plan some NDPs wanted to bring in policies from the old local plans. Hopefully NDPs will be less prescriptive in future. SF also explained the appointment process for NDP Exam Inspectors and noted that they do vary. The Roseland NDP group have not approached Cornwall Council regarding a review but the recent appeal decisions would be a reason to open discussions. There is funding available

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to review a NDP. DE/PP to consider a 'reality check' workshop to tackle these issues proactively.

DE/PP

Q:A small number of parishes are being told if no NDP in place, then they could have development imposed on them? Can your team do anything across all parishes?

A: Do not agree there is no protection, it is not as open as the perception is. In the early days, we did a lot of training but now the NDP team still has a presence at the Local Council conferences etc. Most information is available online rather than the NDP team going out and pointing out the important information. The area where there is nothing going on NDP-wise is really quite small. Some parishes are very small. Alternative solutions are suggested if suitable and for very small or very rural areas.

Q:There is a perception that lack of NDP leads to thoughts that any development is OK – the Panel stated that if the NDP wasn't voted in, it would be a "free for all"? Panel are misleading the public.

A:Agree – need to consider this message

Q:Is the St Ives NDP being reviewed?

A:It is being discussed by the St Ives group – it is up to them to instigate proposed changes or carry on as is. One current issue that has been highlighted in the St Ives plan is the parking policy.

Q:If you know there are NDP areas where allocation sites could be identified then a level of support to encourage them to take that leap of faith is vital

A:If a NDP is allocating sites, an extra £6,000 funding to engage consultants is available. Cornwall Council offer a core level of support to all groups but some have more issues. ALL to send any suggestions for more guidance notes topics to the NDP team at neighbourhoodplanning@cornwall.gov.uk

Agents

Q:There is an issue with how NDPs present things – agents should get involved.

A:The NDP team also encourage all to get involved.

C:I am involved in the Saltash NDP – it's a lot of work but is mostly retired people who get involved, hard to reach all people. I encourage all agents to take part and also keep local businesses up-to-date.

Q:Every situation is different; varied positivity – how do you bridge across that? Looking at quality was difficult – found it hard to focus on things other than numbers, eg quality or design.

A:There are different ways to help, eg landscape character assessment and other step-by-step assessment guidance to assist with building policies. Design is also a message at the next Local Council conference. Self-build and Community Land Trusts are also a driver for getting a different type of person into the NDP group.

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4 **Community Engagement (David Edmondson)** – DE's presentation is available on the Planning Agents area webpage. Key points to note include:

- **Pre-application Community Engagement** – Discussion around PACE Forums held to date; varying turn-out (from 3 to 170). Agents who provided feedback following a Forum agreed it provided clear messages on the views of the local community, and gave a variety of views. A review is underway of the process to make any changes and improvements identified. The Planning Aid guide "Good Practice Guide to public engagement in development schemes" sets out the different stages of engagement. New technology and social media are new tools for engaging with local residents. Agents comments will be collated – the Forum is just one tool that is open for agents to use.

Comments/Questions

C: Formal seating arrangement is more like a public meeting and can be confrontational. Other options are less formal with note-takers circulating around information boards.

A: Noted. A structured event such as the formal PACE Forum gives a chance for the Planning Committee members to hear the community views. The organisation worked well for recent Forums with very high attendance.

C: Agree with the principle of PACE but we build most support pre-PACE. We need to think how to get true forms of community engagement, we have to work out how to invite all people to be part of a whole place-thinking approach. PACE Forums could be good but we need to concentrate on pre-PACE stage. Lack of involvement by parishes is a throwback from concerns regarding pre-determination.

C: Having done own events with parishes, there will always be the organised group that will not allow fair debate. The cost is huge – getting consultants involved etc, so explaining a low turnout to clients is hard. Viability is a real issue and if we're spending huge amounts on pre-consultation, it has an impact, especially if often up against an organised group.

C: I recently attended one on a Saturday morning which gave their proposals but showed none of their plans. There were circular tables with blank paper and they invited people to engage with architects – what do you want to say, what don't you like etc, we will come back and show you what we've included.

C: I'm not telling clients to go down the formal route. It needs to be managed in a better way.

A: The option of a facilitated Forum was offered because feedback showed that parishes and residents were not engaging in the pre-app process

C: When it's positive, it can be very positive on clarifying what the

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issues are but not when going out and asking for issues. It is wrong to abandon solutions offered by the public. You really need several goes at community engagement.

C: It comes back to the Development Plan, we need to get parishes to work better with agents and the Council.

A: The PACE Forum process now includes the opportunity for the NDP group or parish to be involved/give more context.

C: Will soon have the opportunity to engage using 3D fly-throughs of places using VR. An online community has been set up in the far south-west of Cornwall for those who are interested in using these sorts of engagement tools.

C: Am impressed by 3D scanning – is a brilliant tool but we need to make sure that the scales are correct.

[Update: Issues raised by agents were added to the Lessons Learnt actions and will be reflected in changes to the Council's PACE process/guidance in the coming months]

- **Post-decision Community Engagement** – Proposals are being considered for ongoing community engagement required through Planning conditions or Section 106 Clauses. This could be by:
 - Dedicated webpage to specific developments
 - Glossy newsletter, community updates
 - Pro-actively offer open days on site to explain progress, next phases, etc
 - Offer attendance at Local Council meetings
 - Allocate dedicated site contact pointDevelopers need to keep dialogue going on-site during construction. It was noted that case officers should be putting on fewer conditions.

Comments/Questions

C: Would like to know how to capture "Ok, we didn't know it would look like that". Can that be captured and fed into the next pre-app as feedback from actual communities on completed developments?

Q: Could this go into a NDP – feedback would be useful, eg routes to be used during construction periods etc.

A: Yes that would be interesting but it would not be possible for every scheme in a plan area. It would not have a policy but could have a project as part of a NDP.

Q: Before and after visuals are a powerful tool – could there be an online resource with some successful examples on how close they have come out to the 'before' visual, and get people used to the language used. I've heard messages that people are happier once it's there. Some of those examples of successful ones would be useful.

A: ND invited agents to send in examples of post development quality assessments of successful schemes for CC to collate and publicise

Agents

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as this would be very useful.

Q: This will need a degree of common sense; our world does end at decision stage. If it continues, it does make it work really well however. It does go with whoever develops the site?

A: Yes, it would go with the land

Q: How would conditions etc work?

A: It was used recently on the Eco-community decision where a planning condition was imposed on this very large site.

C: It would be logical to tie into the Construction and Traffic Management Plan.

A: Agree but can get criticised that these aren't enforced

Q: There is a danger that any condition is 'tokenistic' if one email to a parish will discharge it?

A: We would be tougher than that in discharging the condition. The Planning Partnership are open to using informal ways of dialogue.

Q: Need to watch the size of development – could it apply if over a certain size?

A: Agree but even on a single dwelling house there could be an issue needing speaking with neighbours etc.

5 General updates and Questions and Answers

- **Agents workshops** – Class Q process is currently be reviewed. Any suggestions for future workshops please?

Agents

- **Certificates of Lawfulness** – HJ asked it be noted that it is not for case officers to say what information is needed, whatever evidence is available should be submitted.

Agents

Q: It is really refreshing to hear that self-build is being looked at again. When you go to a parish meeting, there is so much objection to development. It seems obvious but would self-build be considered as a criteria for affordable housing?

A: Yes, a paper is being produced. Self-build could be affordable, can use a cross-subsidy scheme. It's ambitious to include in NDPs but the Affordable Housing SPD will offer some further guidance. The self-build target for the Council is significant so we could consider doing some events.

C: There is a need for more awareness – you can apply for custom or self-build – is a tick-box on the planning application form.

C: In a workshop environment – suggest 'accelerating self-build/custom-build at a larger scale'. Need to find a solution in Cornwall.

C: Need to exercise caution in attracting people too far in advance as the run-up to when you can make a start is a long one and may fall away. The self-build register can have a large turnover.

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Conclusion

- DE thanked everyone for attending and confirmed that CPD certificates were available for the morning, requests for any feedback will be sent out after the event.

The Forum was attended by 58 agents. These notes and presentations from the event will be available on the Planning Agents' webpage at the below web address:

<http://www.cornwall.gov.uk/environment-and-planning/planning/planning-agents-area/>

Further information on the Cornwall Planning Partnership and the guiding principles for parishes, agents and Cornwall Council to work together on pre-apps at:

<http://www.cornwall.gov.uk/environment-and-planning/planning/local-councils/planning-partnership-meetings/>

Abbreviations for presenters referred to in the above notes are:

PM – Phil Mason, ND – Nigel Doyle, DE – David Edmondson, SF – Sarah Furley, HJ – Hayley Jewels

[Please note that this event counts as 3.5 hours CPD.]