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Local Council planning refresher 2023

National, Local and Neighbourhood Planning Policy

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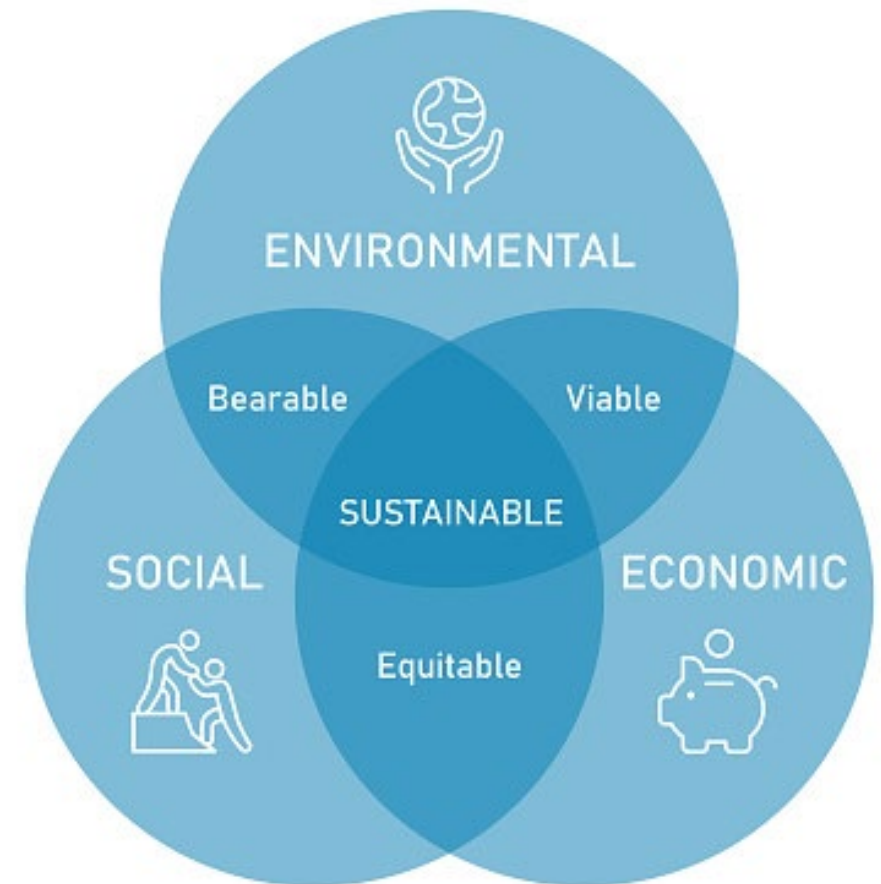
An Introduction to Planning Policy – National Picture

Agenda for this session:

- National Planning Policy Context
- What is the Development Plan, and the Local Plan process?
- Changes to the Planning System
- Targets and Tests to be aware of...

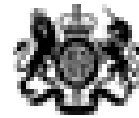
Planning in England is 'Plan-led'

- National Planning Policy
 - National Planning Policy Framework
 - National policy statements and guidance
 - Gypsy and Traveller Policy
- Local Development Plan
 - Cornwall Local Plan and Site Allocation
 - Climate Emergency DPD
 - Minerals Plan
 - Community Infrastructure Levy
- Neighbourhood Plans



National Policy

- Government policy direction as announced, set out in Ministerial Notes, etc.
- Planning Legislation and Regulation
- National Planning Policy Framework
- National Planning Practice Guidance
- Case Law/Appeal Decisions
- Non- Planning Legislation
- Other Guidance



Department for Levelling Up,
Housing & Communities

National Planning Policy Framework

Provides high level national guidance on all aspects of planning process and policy:

- Presumption in Favour of sustainable development ...
- Sets out the process for producing a Local Plan and requirements under key policy areas such as housing, employment, environment.
- Includes 5 Year Land Supply, Housing Delivery Test and housing need
- Requires Local Authorities to 'significantly boost the supply of land for housing.

Will be updated following a recent consultation on changes



Department for Levelling Up,
Housing & Communities

National Planning Policy Framework

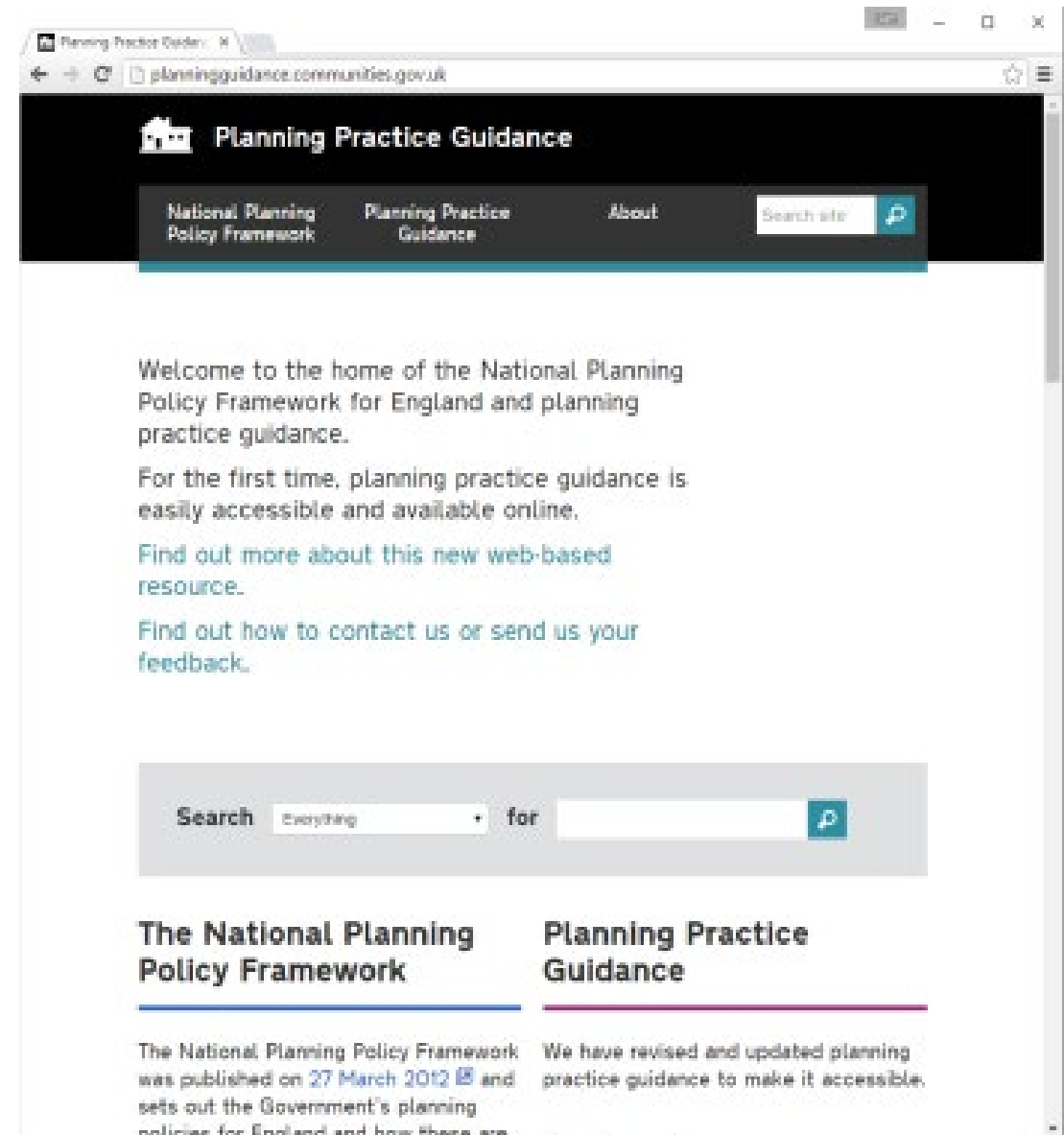


National Planning Practice Guidance

An online resource, setting out great detail information on how to apply NPPF guidance to plan making and decision making

Includes matters such as the standard methodology for the calculation of local housing need, and the process for creating Local Plans

Large resource which is referred to by Inspectors, and which can be updated at very short notice!



What is the Development Plan?

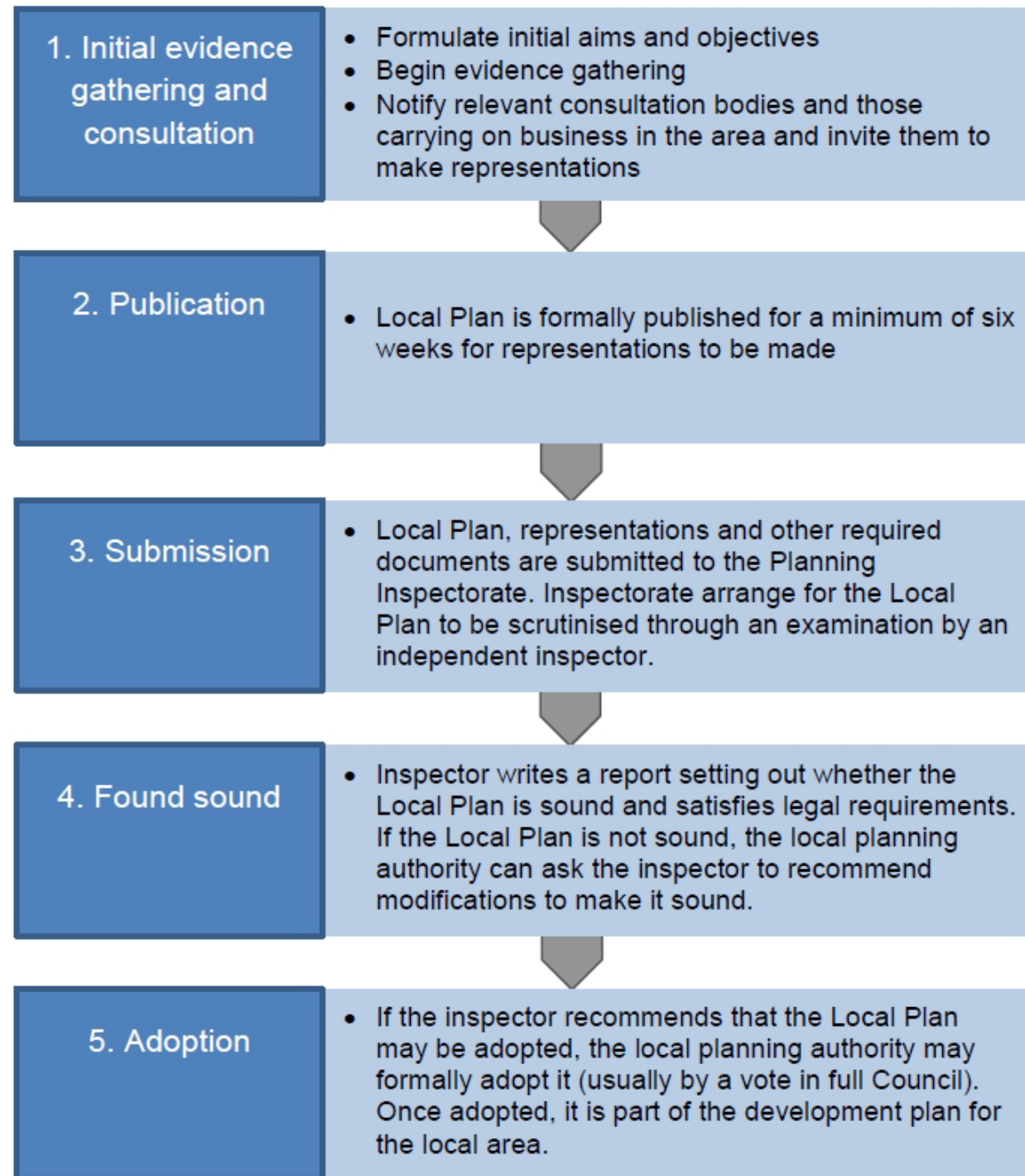
“The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. It is essential that plans are in place and kept up to date.”

National Planning Practice Guidance – Gov.uk

How do we Produce a Local Plan (current system)?

The process for producing a Local Plan is tightly controlled by legislation and statutory regulations. Every Local Plan has to pass through these stages in order to meet the statutory requirements.

Following this process is the only way to change policies in the development plan.



Change is Coming....A New Planning System

- “Levelling Up and Regeneration Bill” published in May 2022, setting out changes to the planning system, including significant changes to planning policy, the form of Local Plans, and the process for creating them:
- Slimmer, digital plans with fewer local policies
- National planning policies (prospectus published December 2022).
- 30 month preparation period (including Examination)
- Supported by a new Infrastructure Levy
- New system likely to be in place by November 2024 but preparation work needed sooner

Levelling Up & Regeneration Bill – main elements

- Strengthens the plan-led system
- EIA and SEA replaced by ‘Environmental Outcomes Reports’
- Each Authority must have a Design Code
- S.106 and CIL replaced by new ‘Infrastructure Fund’
- Enforcement powers reinforced and increased planning fees
- Each Authority must have an Infrastructure Delivery Plan
- Neighbourhood Plans retained and new Neighbourhood Priorities Statements introduced

Recent LURB consultations

- Technical consultations on the detail of the Infrastructure Levy and changes to compulsory purchase compensation.
- A consultation on the new system of Environmental Outcomes Reports
- Proposals for changes to planning fees
- A 'prospectus' for the new National Planning Policy Framework (NPPF), and National Development Management Policy – a further formal consultation on policies will follow soon)
- Short-term lettings use class proposals

Targets and Tests

5 Year Land Supply: Planning Commitments vs Local Plan Target (introduced in first NPPF)

The Housing Delivery Test (introduced by government in 2018)

Housing Trajectory: The Forward Plan of sites expected to come forward throughout the Local Plan period.

Local Plan Objectively Assessed Need: 2,625 dpa (homes to be built every year between 2010 and 2030)

Local Housing Need using the Government's Standard Methodology: 2,820 dpa



Targets and Tests

Conclusion of all of these tests: Cornwall is on track to deliver against the Government's key tests, so we can apply our Local Plan policies to development proposals with full weight.



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An Introduction to Planning Policy – Local Planning Policy

Agenda for this session:

- The Development Plan in Cornwall
 - The Cornwall Local Plan
 - The Climate Emergency DPD
 - The Site Allocations DPD
 - Neighbourhood Development Plans in Cornwall
 - Minerals Safeguarding DPD
 - Guidance – SPDs, CPOANs and CIL
- The Local Plan Review

The Development Plan in Cornwall

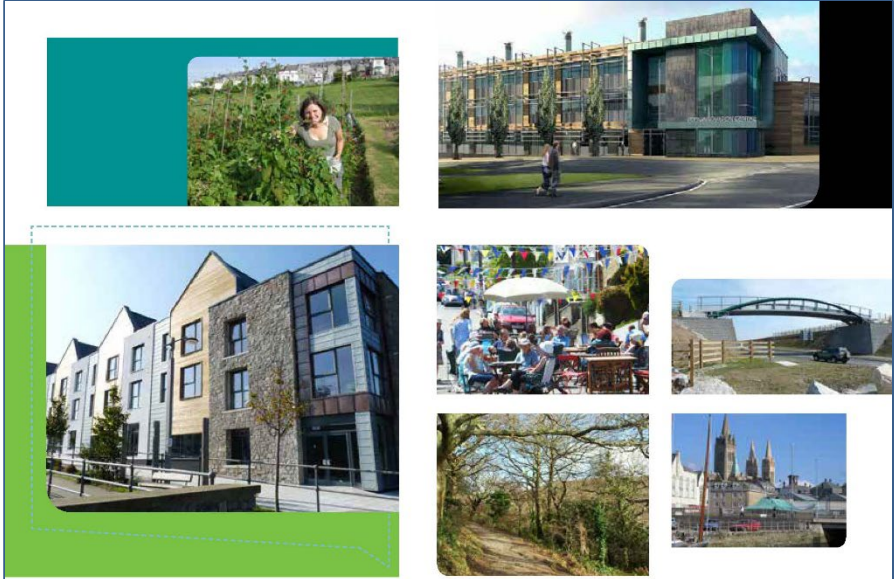
The Development Plan in Cornwall is split into several parts:

- **The Cornwall Local Plan – Strategic Policies** (adopted November 2016)
 - Sets out the high level policies and strategy guiding development in Cornwall – including the requirements for new homes, employment, infrastructure and protection of the environment. Covers up to 2030.
- **The Climate Emergency Development Plan Document**
 - Sets out additional policies to the Local plan to help address climate change, including energy efficiency standards and renewables
- **The Site Allocations Development Plan Document (DPD)** (adopted 2019)
 - Sets out detailed strategies and sites for development (Site allocations)
- **Minerals Safeguarding DPD** – adopted 2018.
 - Protects land needed for mineral extraction from inappropriate development
- **Neighbourhood Plans.**

The Cornwall Local Plan – Strategic Policies

The Cornwall Local Plan contains the high level strategy for development in Cornwall – including targets, broad strategy for where development should take place, as well as more general policies covering:

- Business and Tourism
- Housing, inc affordable housing and housing mix
- Design
- Low carbon and renewable energy
- Environment, green infrastructure
- Minerals, waste and development standards




Planning for
Cornwall's future

Cornwall Local Plan

Strategic Policies 2010 - 2030

Towl leel Kernow
Policis Stratejiek 2010 - 2030

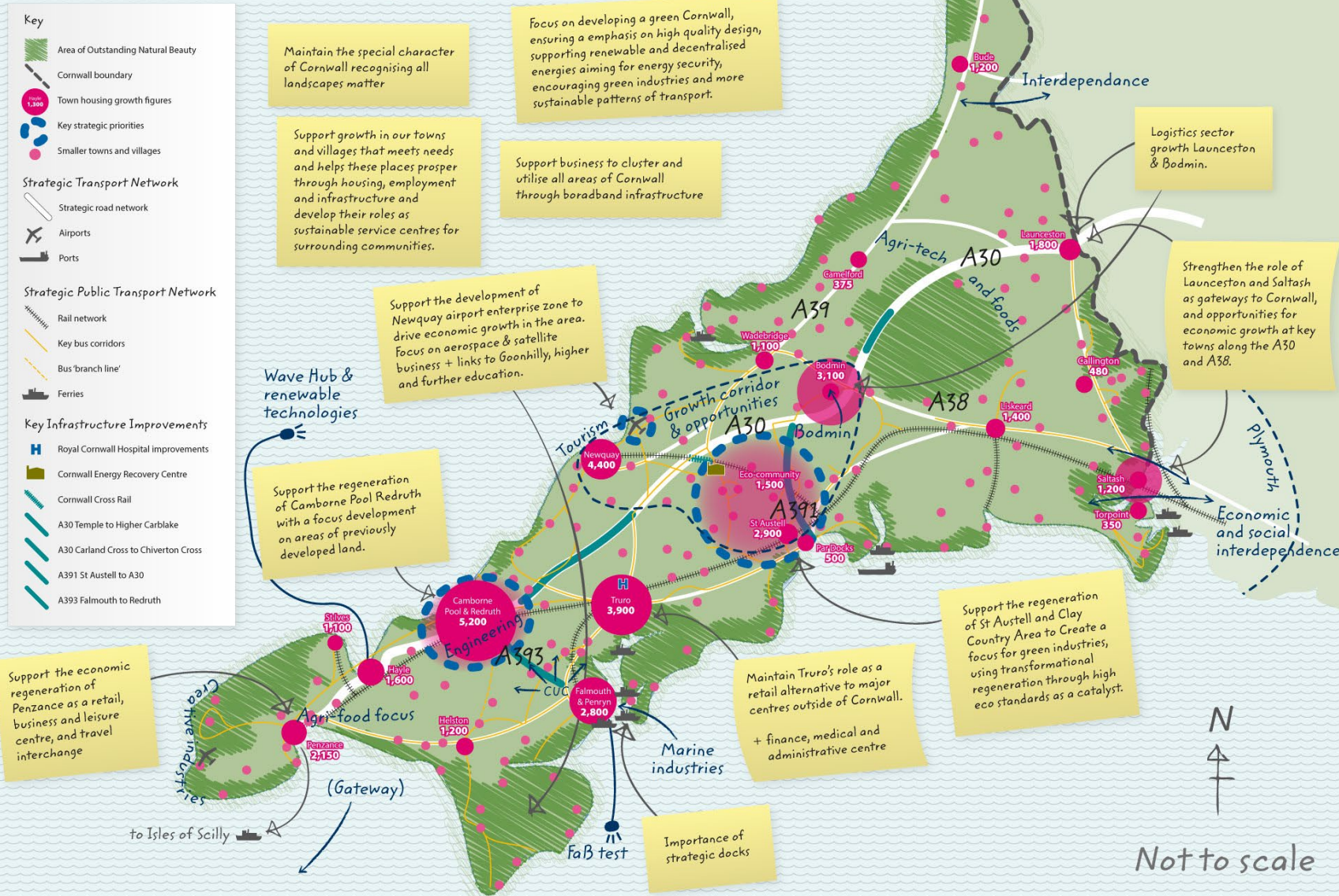
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The Cornwall Local Plan – Strategic Policies

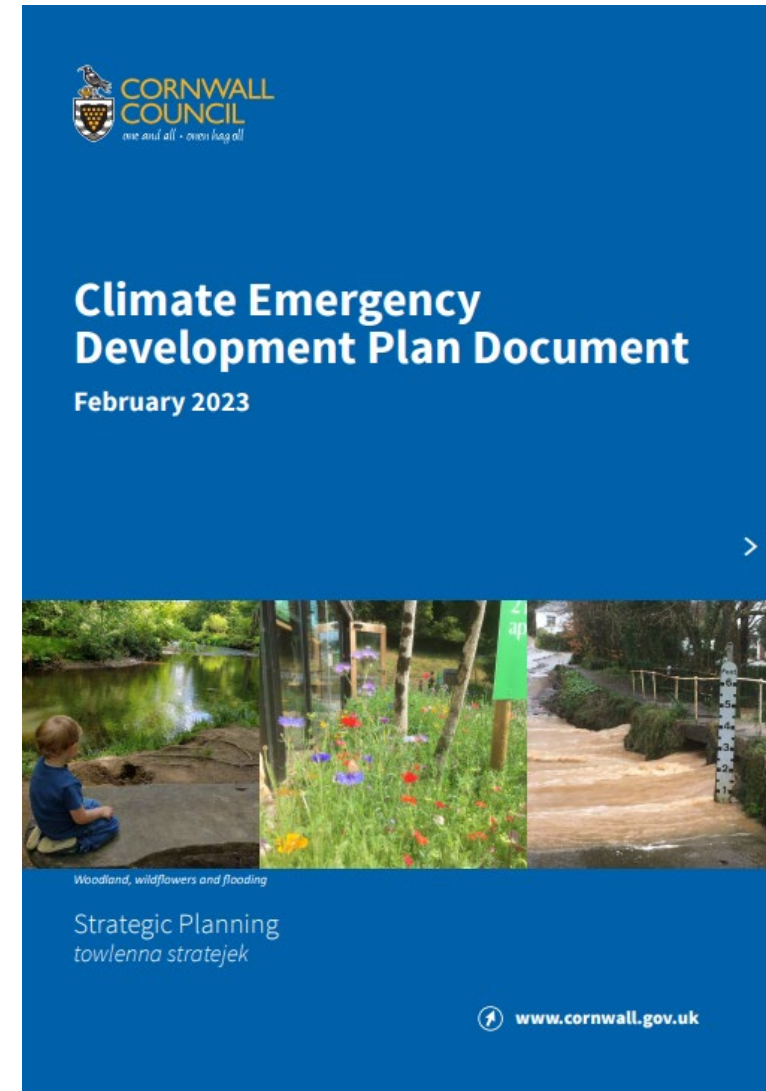
Cornwall Local Plan – Key Diagram



Climate Emergency Development Plan Document

The DPD is a part of the Council's Climate Change Actions. It contains policies that expand the Local Plan policies, as well as introducing new policies, including energy efficiency, biodiversity net gain, low impact living and areas suitable for renewables.

The DPD was adopted on 21st February 2023 and is accompanied by dedicated guidance to help decision makers.



Site Allocations Development Plan Document



www.cornwall.gov.uk

Site Allocations are policies setting out sites for development – including housing, employment, infrastructure and community facilities.

The DPD sets out these allocations within a wider strategy for Cornwall's towns – unless the town chose to identify their own strategy in a Neighbourhood Plan

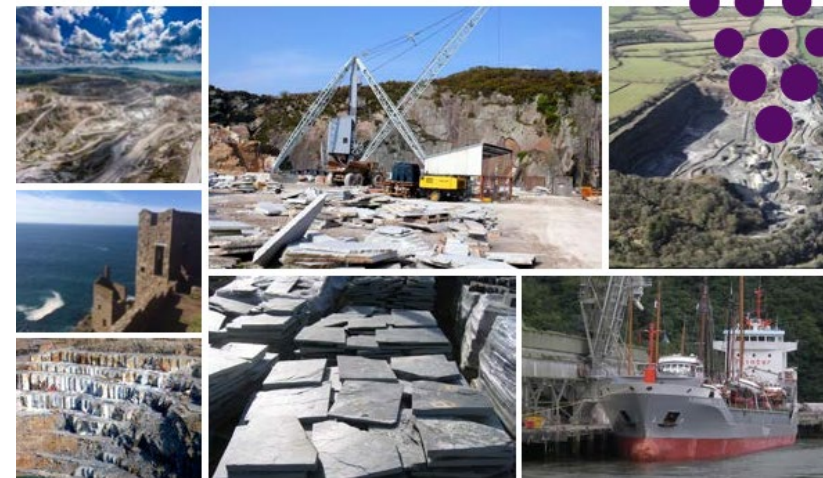
Minerals Safeguarding Development Plan Document

Sets out locations safeguarded for minerals extraction, and other policies used to determine applications for minerals extraction.



Minerals Safeguarding Development Plan Document

December 2018

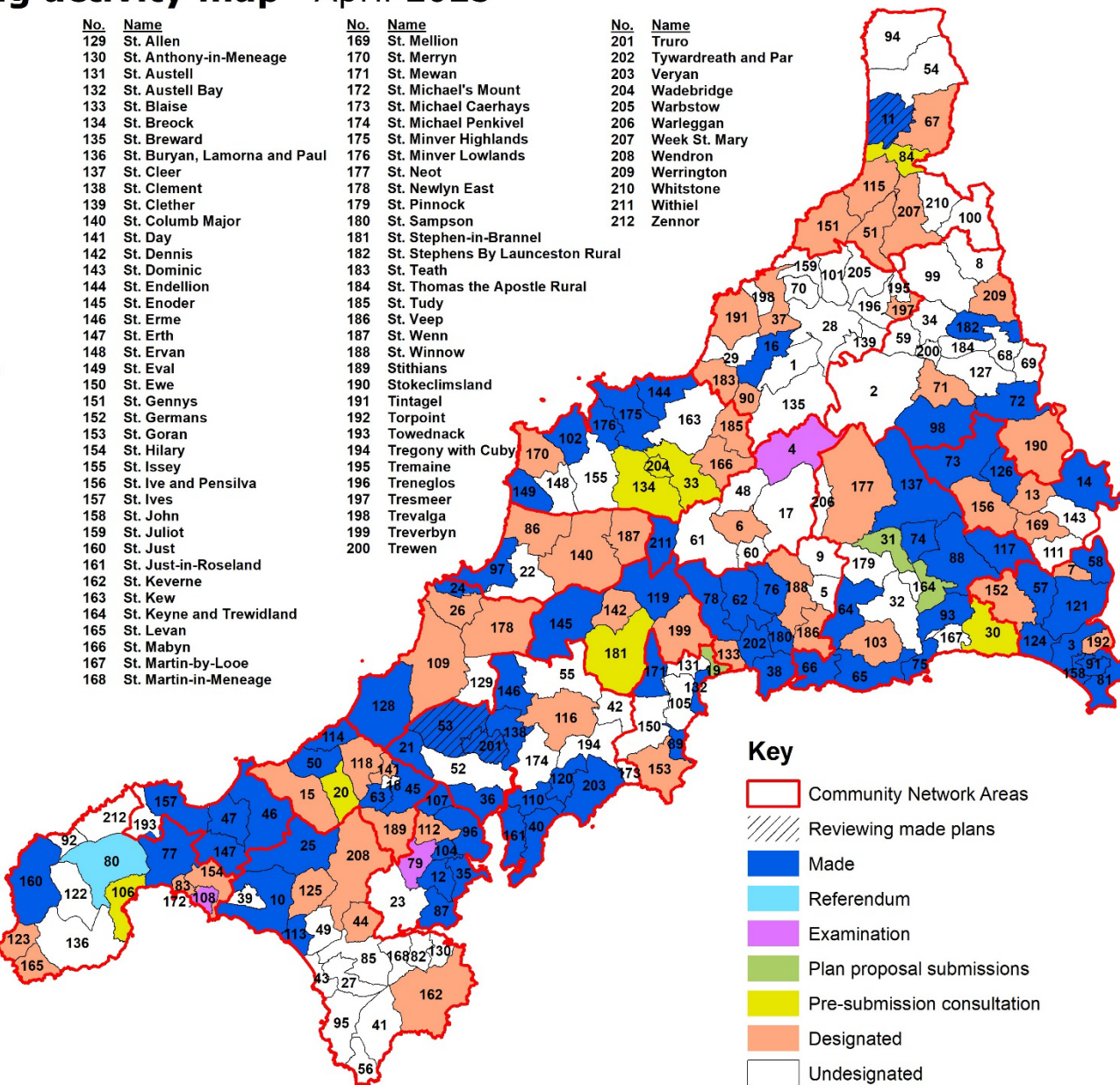


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Neighbourhood Development Plans

Neighbourhood planning activity map April 2023

No.	Name	No.	Name
1	Advent	65	Lansallos
2	Altarnun	66	Lanteglos
3	Antony	67	Launcells
4	Blisland	68	Launceston
5	Bocconnoc	69	Lawhitton Rural
6	Bodmin	70	Lesnewth
7	Botusfleming	71	Lewannick
8	Boyton	72	Lezant
9	Braddock	73	Linkinhorne
10	Breage	74	Liskeard
11	Bude-Stratton	75	Looe
12	Budock	76	Lostwithiel
13	Callington	77	Ludgvan
14	Calstock	78	Luxulyan
15	Camborne	79	Mabe
16	Camelford	80	Madron
17	Cardinham	81	Maker-with-Rame
18	Carharrack	82	Manaccan
19	Carlyon	83	Marazion
20	Carn Brea	84	Marhamchurch
21	Chacewater	85	Mawgan-in-Meneage
22	Colan	86	Mawgan-in-Pydar
23	Constantine	87	Mawnan
24	Cranstock	88	Menheniot
25	Crowan	89	Mevagissey
26	Cubert	90	Michaelstow
27	Cury	91	Millbrook
28	Davidstow	92	Morvah
29	Delabole	93	Morval
30	Deviack	94	Morwenstow
31	Dobwalls	95	Mullion
32	Duloe	96	Mylor
33	Egloskerry	97	Newquay
34	Egloskerry	98	North Hill
35	Falmouth	99	North Petherwin
36	Feock	100	North Tamerton
37	Forrabury and Minster	101	Otterham
38	Fowey	102	Padstow
39	Germoe	103	Pelynt
40	Gerrans	104	Penryn
41	Grade-Ruan	105	Pentewan Valley
42	Grampound with Creed	106	Penzance
43	Gunwalloe	107	Perranarworthal
44	Gweek	108	Perranuthnoe
45	Gwennap	109	Perranzabuloe
46	Gwinear-Gwithian	110	Philleigh
47	Hayle	111	Pillaton
48	Helland	112	Ponsanooth
49	Helston	113	Portleven
50	Illogan	114	Portreath
51	Jacobstow	115	Poundstock
52	Kea	116	Probus
53	Kenwyn	117	Quethiock
54	Kilhampton	118	Redruth
55	Ladock	119	Roche
56	Landewednack	120	Ruanlanihorne
57	Landrake with St. Erney	121	Saltash
58	Landulph	122	Sancreed
59	Laneast	123	Sennen
60	Lanhydrock	124	Sheviack
61	Lanivet	125	Sithney
62	Lanlivery	126	South Hill
63	Lanner	127	South Petherwin
64	Lanreath	128	St. Agnes



No.	Name
129	St. Allen
130	St. Anthony-in-Meneage
131	St. Austell
132	St. Austell Bay
133	St. Blaise
134	St. Breock
135	St. Breward
136	St. Buryan, Lamorna and Paul
137	St. Cleer
138	St. Clement
139	St. Clether
140	St. Columb Major
141	St. Day
142	St. Dennis
143	St. Dominic
144	St. Endellion
145	St. Enoder
146	St. Erme
147	St. Erth
148	St. Ervan
149	St. Eval
150	St. Ewe
151	St. Gennys
152	St. Germans
153	St. Goran
154	St. Hilary
155	St. Issey
156	St. Ive and Pensilva
157	St. Ives
158	St. John
159	St. Juliot
160	St. Just
161	St. Just-in-Roseland
162	St. Keverne
163	St. Kew
164	St. Keyne and Trewidland
165	St. Levan
166	St. Mabyn
167	St. Martin-by-Looe
168	St. Martin-in-Meneage
169	St. Mellion
170	St. Merryn
171	St. Mewan
172	St. Michael's Mount
173	St. Michael Caerhays
174	St. Michael Penkivel
175	St. Minver Highlands
176	St. Minver Lowlands
177	St. Neot
178	St. Newlyn East
179	St. Pinnock
180	St. Sampson
181	St. Stephen-in-Brannel
182	St. Stephens By Launceston Rural
183	St. Teath
184	St. Thomas the Apostle Rural
185	St. Tudy
186	St. Veep
187	St. Wenn
188	St. Winnow
189	Stithians
190	Stokeclimland
191	Tintagel
192	Torpoint
193	Towednack
194	Tregony with Cuby
195	Tremaine
196	Treneglos
197	Tresmeer
198	Trevalga
199	Treverbyn
200	Trewen
201	Truro
202	Tywardreath and Par
203	Veryan
204	Wadebridge
205	Warbstow
206	Warleggan
207	Week St. Mary
208	Wendron
209	Werrington
210	Whitstone
211	Withiel
212	Zennor

Key

- Community Network Areas
- Reviewing made plans
- Made
- Referendum
- Examination
- Plan proposal submissions
- Pre-submission consultation
- Designated
- Undesignated

Guidance

Supplementary Planning Documents

Chief Planning Officer Advice Notes

Development Briefs

Community Infrastructure Levy

Chief Planning Officer's Advice Note:
Extra Care Housing and Enhanced Sheltered Accommodation (updated January 2021)

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Housing

Supplementary Planning Document

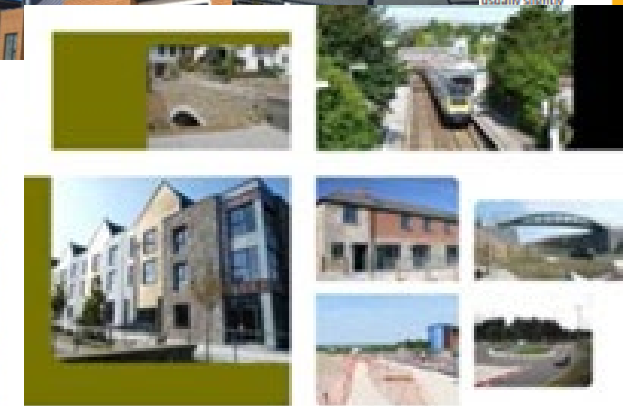
February 2020



Cornwall and West Devon Mining Landscape World Heritage Site

Supplementary Planning Document

May 2017



Community **Infrastructure Levy**

Draft Charging Schedule
CONSULTATION DOCUMENT

June 2017

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Local Plan Review

“Review of local development documents

10A.—(1) A local planning authority must review a local development document within the following time periods—

(a) in respect of a local plan, the review must be completed every five years, starting from the date of adoption of the local plan, in accordance with section 23 of the Act (adoption of local development documents);

(b) in respect of a statement of community involvement, the review must be completed every five years, starting from the date of adoption of the statement of community involvement, in accordance with section 23 of the Act.”.

The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017



Local Plan Review

- Our Cornwall Local Plan was adopted in November 2016 – more than 5 years ago.
- Government regulations say that we must have **reviewed** the Local Plan within 5 years of its adoption date, and if that review finds that the Local Plan is out of date in any way, we must **update** the plan by taking it through a new plan process.
- **We have concluded that a review is not needed and confirmed at Cabinet in November 2021.** The LP policies will continue to be applied with full weight for another 5 years – meaning that we will not need to look again at housing need and requirements.

Local Plan Review

- Changes to the planning system mean that we won't have time to develop a new plan under the old system
- Early work to understand Cornwall's challenges and broad opportunities will be taking place over 2023 and 2024 in readiness for a new system
- A new local plan will be formally started soon after November 2024 (once we are allowed to start)
- Early work will engage with councillors, communities and stakeholders to consider issues and opportunities based around providing affordable homes, tackling the climate and ecological emergencies, recovering from the pandemic and helping people meet their own needs where they live.



Thank you / Meur ras

If you have any questions or comments

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