

## Summary notes from Parish & NDP Steering Group meeting on the draft NDP 23.7.19

**Present:** Parish Council (PC): Cllrs Faiers, Marsden (L), Nash (I), Prasad, Toland & Whibley + clerk;  
 NDP Steering Group: T Damer (chairing), D McQuillan, P Stokes, J Holt, R Martin, D Thompson & S Sheldrake  
 Additionally: Esther Richmond & Sarah Furley (Localism Team); James Evans (NDP Planning Consultant)

### Intro & Welcome-

T Damer (TD) explained that this meeting had been called to get the two groups (parish council & NDP team) together to meet as individuals and discuss the first draft of the NDP policy proposals, as from this point on the parish council needs to be fully on-board with the Steering Groups' thinking and processes to enable the quick and easy transition of the plan to referendum. Mind needed to be given that this will be submitted by the Parish Council as a Parish Council initiative, so everyone needs to be on the same page.

Sarah Furley (SF) had already seen various drafts and working documents associated with this and, informally, it seemed Cornwall Council would be happy with this document going to SEA screening. Further comments would be provided by CC specialist officers for consideration prior to Regulation 14 consultation. The Parish Council was brought in at this stage to view the draft prior to the official consultation period, even though they have been involved in the process through attendance at Steering & Public meetings over the last couple of years as the plan took shape but these were not the smaller group meetings where the actual formation and work took place. Everyone involved in the plan to date has worked extremely hard at every level and thanks were given to anyone who has been involved in any way and at any stage.

The document being worked from was the draft SEA Version (June 2019) 1<sup>st</sup> draft of the Mawnan Parish NDP, the starting point being the notes provided by the parish council from their 10<sup>th</sup> July meeting.

Policy 1	<ul style="list-style-type: none"> <li>▪ maps of "the settlements of Mawnan Smith" are missing.</li> <li>▪ Definition of duration of "cumulative" (in living memory, ever, length of plan??)</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
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- Maps are pending and would need slotting in as appropriate.

- A cleared definition of “cumulative” was going to be included – currently it was felt that it should cover the duration on the plan (so 2019 – 2030). James Evans (JE) would emend to reflect the comments/ advice given by SF as they related to the relatively low density (2 individual homes/ 6 per development) we were talking about.

Policy 2	<ul style="list-style-type: none"> <li>• Can we say who/how local need is defined?</li> <li>• Specify single bed dwellings to fulfil local need</li> </ul>	<ul style="list-style-type: none"> <li>• Self build – how can we ensure that this is not a mechanism to get development land ... where self build get priced out once permission received and the landowner use the non-uptake to evidence a change to Market Sale?</li> </ul>
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- Local need defined by the Cornwall Housing Register and annual updates now provided. The specific worry of the PC was the use of Band D & E (who were likely to not even be offered accommodations) by developers to justify exception site development inappropriate to local need. J Holt (JH) said that the focus of the plan was to use Land Trusts to supply exception sites as they focus on the local, individual needs before building – you pretty much have named tenants from the pre-application time. This would also give a more local feel to the overall development style, being local focussed.
- Single beds partly catered to by the “extension” clause in P4. G Marsden (GM) asked about specifying 1½ beds – SF said that this might be unfeasible as planning can’t control internal layout. Covered by national Space Standards and the Cornwall Strategic Plan, which trying to overthink at parish level might be difficult; TD said there had been no active community request for this style.
- Self build – much of the plan had been done with a view to Land Trust (or similar) development, rather than large scale “big 5” projects so as to focus on specific individuals in housing need in the parish. Plots (or the opportunity for) will likely a requirement included within larger developments by Cornwall Council and how these were developed could be specified with a site specific S106 agreement.

Policy 3	<ul style="list-style-type: none"> <li>• Reference Policy 15 (in fact ALL policies should reference Policy 15 – sustainability)</li> <li>• Need to make comment on the visual impact / skyline of existing dwelling VS new dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• Definition on proportion of plot the replacement- is this effected by permitted development rights?</li> <li>• What about knock down &amp; replace with 2 – we are seeing a lot of these in the parish given the large plot sizes</li> </ul>
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- JE agreed to include an explanation at the start of the policy section saying that these are read as a whole group, rather than needing to be referenced back to each other.

Policy 4	<ul style="list-style-type: none"> <li>Define tenancy mix within site – no demarcation between social and market</li> <li>Proportion of amenity space between market &amp; social to be comparable</li> </ul>	<ul style="list-style-type: none"> <li>Has consideration been given to any 2<sup>nd</sup> or unoccupied home provision to get local homes back into circulation? Nothing as radical as St Ives NDP ...</li> </ul>
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- SF – restrictions such as St Ives 2<sup>nd</sup> homes policy have yet to provide sufficient data to see how they work. Specifying will cause an automatic drop of viability zone (for CIL and affordable housing). Rough sampling show that Helford has 40% 2<sup>nd</sup> homes; Rural Mawnan 28% and Mawnan Smith itself only 6.8% - the focus should be in it is having an (seasonal) impact or services (schools, shops, social housing need).
- (note Cornwall Council’s commitment to bring 2<sup>nd</sup> homes into circulation 24.7.19)

Policy 5	<ul style="list-style-type: none"> <li>Need to see the Settlement Character studies – easier to relate proposals to real life photos.</li> <li>Should this be referencing the LCA in any form too? If so can it be noted– as also this gives geographic visuals</li> <li>Vii. 1 needs to reference transport as well as natural resources</li> </ul>	<ul style="list-style-type: none"> <li>Viii references “crime” is there anywhere a request for construction phase security to be addressed – since this is where the most crime incidents have been taking place over recent years in the parish – on building plots</li> </ul>
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- D McQuillan (DM) explained this was a very rough document with photos & descriptions on certain features still pending.
- The checklist (which causes most PC consternation & comment) was a “help tool” not a requirement and could be more tailored if needed.
- GM worried that if appendix document(s) were adopted this would then become a legal requirement on the PC; something it would be unlikely to be able to cope with for every application coming in. The Parish Clerk the explained that it was viewed that an Appendix formed part of the officially recognised document, so was binding and she said that changing the word ‘Appendix’ to ‘Supporting Documents’ would fit better with the mindset of the PC. JE was happy to this change.

Policy 6	<ul style="list-style-type: none"> <li>The Helford River is highly significant, but there are no specific planning measures mentioned. The LCA seems to stop at the high-tide line.</li> <li>Infrastructure/ traffic impact studies required as included documents for any development over 2 houses.</li> </ul>	<ul style="list-style-type: none"> <li>Can the new Estuary Officer be an official consultee? What about HRMCG (in effect the same person!)</li> </ul>
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- The Harbourmaster is responsible for areas past high-tide and there are specific maritime regulations/ protections already in place. SF said that where a development touches on the foreshore planning permission would be needed, but the advice was that parishes do not try to re-write Policy 23 of the Cornwall Local Plan.
- More general information on 'in-advertant use' for waterfrontage / shore groups might be of use.
- Can't add statutory consultees (this is a government list) but we could ask the Estuary Officer if she would be willing to be a parish consultee on all plans that could impact the river environment. And add her to the list of consultees on the NDP at Reg14.

Policy 7	<ul style="list-style-type: none"> <li>Intro – change to 'demonstrate how they aim to protect and encourage biodiversity' rather than net gain</li> <li>iv. change from 'maintain non-designated native trees' to 'maintain trees of character' to balance the loss of characteristic trees (as non native species)</li> <li>Replacement on a 'like for like' basis in specific locations (Macrocarpus/Monterey Pines @ Helford)</li> <li>vi. relinquishing pre-approved on site open space to only happen in extreme circumstances. Not to be used as a financial tool for upping development numbers.</li> </ul>	<ul style="list-style-type: none"> <li>How will 'net gain' be shown between existing non-native species and replacement native?</li> <li>Do we have a say in S106 negotiations? Will CIL take these over completely?</li> <li>We have plenty of rural open space and would rather see open space included in planning development KEPT rather than secondary applications going in to remove it and give a financial inducement.</li> </ul>
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- JE agreed to changes as suggested by E Richmond(ER), so will now read 'demonstrate how they aim to conserve and encourage biodiversity' as it is a more dynamic statement, reflecting the natural environment more and to the change about 'trees of character'.
- SF - the revised NPPF requires 'biodiversity net gain' and Cornwall Council will provide guidance on how this will be implemented and recorded.

Policy 8	<ul style="list-style-type: none"> <li>• Need to see list</li> <li>• Needs to clarify who is going to define levels of protection &amp; police on non-designated sites?</li> </ul>	<ul style="list-style-type: none"> <li>• Is there a mechanism to add to this list post referendum?</li> <li>• Would it have to be reassessed if significant enough?</li> </ul>
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- This list came out from the public consultations and is still a work-in-progress. It would be best not to make amendments after this has been submitted (it could mean having to review the whole NDP again) but is not a definitive list of every note-worthy aspect of the parish history & geography.

Policy 9	<ul style="list-style-type: none"> <li>• We think this conflicts with aspects of P13 where community facility is not “well related to settlement”</li> </ul>	<ul style="list-style-type: none"> <li>• Not all changes to premises category go through planning and get to us ... is there a mechanism to address this?</li> <li>• C1 &amp; air B&amp;B lets?</li> <li>• Home offices (as stated business premises) or where selling from home?</li> </ul>
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- Not intended to limit farm diversification and such.
- GM asked about live/work properties – these are not encouraged and do not come up in the Cornwall Local Plan.
- Should the PC be actively looking for small industrial/ office space land to develop if there is such a need?

Policy 10	<ul style="list-style-type: none"> <li>• Need to see lists/ info.</li> <li>• Has there been landowner/ business consultation on this?</li> </ul>	<ul style="list-style-type: none"> <li>• Can Local Green Spaces be privately owned – and if so does the NDP have the right to put restrictions on them?</li> </ul>
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- A list, compiled from various consultations, is in the process of being completed. As such there has been landowner & business consultation undertaken as well (if not specific to green spaces).
- SF said not to block ourselves in by including sports fields as it may be that they could warrant future relocation (to more appropriate or better located sites) in negotiated developments.
- CT was worried that Meudon Farm, although a County Farm and probably on the list, could be developed on. This led to a discussion/ explanation on the SHLAA (Strategic Housing Land Allocation Assessment) and the 5 year land supply needed by Cornwall Council to secure the Cornwall Local Plan’s valid status. It was to be noted that although Meudon Farm shows up on the SHLAA it is not in the DPD and, through a fully formed NDP would end up limited in scale, density and design if it ever made it past the discussion stage (which was unlikely).

Policy 11	<ul style="list-style-type: none"> <li>• i change pedestrian to non- vehicular</li> <li>• ii amend to say 'Where they show improvement to...' at start as landowners often have the responsibility for upkeep of paths. Generic (green or wooden signpost) signage is supplied by Cornwall County and may incur a fee (usually to Parish)</li> <li>• iii want to up to ALL non-vehicular transport routes, not just walking</li> </ul>	<ul style="list-style-type: none"> <li>• Why no mention of non-vehicular paths/ promotion?</li> <li>• Would new paths be affected by the closing of the Definitive Map in 2020?</li> </ul>
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- JE agreed to change to non-vehicular and relate this to the rest of the policy.
- ER explained the closure of the Definitive Map (1<sup>st</sup> Jan 2026) and how it would affect only those paths NOT previously listed. It would not mean new paths specific to new developments could not be added.
- PC -the addition of the Tank Path was seen as a parish priority and was being actively discussed.

Policy 12	<ul style="list-style-type: none"> <li>• REMOVE – covered under P10</li> </ul>	<ul style="list-style-type: none"> <li>• Why target Carwinion Field and no other Trust? Field already on Sport England register.</li> </ul>
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- It was agreed to remove this policy as sufficient protections (as a Trust) were felt to already exist and that inclusion of this as a policy would put undue restrictions on the Trust, when no other specific parish spaces were being addressed.

Policy 13	<ul style="list-style-type: none"> <li>• Do we have a right to dictate to private businesses? (café/pub/doctors could all be seen as Community Services).</li> <li>• There is already a protection facility (Assets of Community Value) available – but unused in parish.</li> <li>• More village settlement based venues, given the traffic &amp; parking issues, not viable. We would like to see provision in a wider area</li> </ul>	<ul style="list-style-type: none"> <li>• How to get evidence if a venue is no longer viable ... example Bowling Club.</li> </ul>
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- Yes – we can dictate to private businesses in terms of retaining specific use classes. Need to provide full evidence proving the venue is not viable, cannot just be an arbitrary decision or solely based on finances.
- ER to provide details on Assets of Community Value for distribution

Policy 14	<ul style="list-style-type: none"> <li>Needs more clarity – who gets the CIL money; how will it be distributed/ managed; who gets to have a say on how it's spent; are there any legal restrictions</li> </ul>	<ul style="list-style-type: none"> <li>What can the community portion of CIL be used for – is it infrastructure specific too?</li> </ul>
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- SF explained CIL:  
CIL is a general tariff on building; S106 are site specific legal agreements. It makes financial planning by developers easier as they don't have lots of later stage fees to consider. Both will be running as they try to retain a degree of flexibility.  
S106 funding is for infrastructure associated to the development, without which a development could not go ahead and CIL is a general fund for the infrastructure needs that all developments generate; Highways also have a pot to bid for (thorough EOI forms at the CNP meetings) and there will hopefully be a bidding process to the County retained portion of CIL. Cornwall Council has committed to spend CIL through infrastructure projects such as: Local speed management and safety projects; Community buildings & social facilities; Economic regeneration & Local flood risk management. Individual parishes should look to spend their portion of the CIL on similar infrastructure needed to 'support the development of the area'.
- How the parish allocate and decide this will need to be considered by the PC and a basic explanation might be useful.

Policy 15	<ul style="list-style-type: none"> <li>Many home renewable systems don't need planning ...</li> </ul>	<ul style="list-style-type: none"> <li>Can we incorporate the ALL new developments (extensions, replacements, new build, self-build, business and residential) must incorporate sustainability, carbon neutrality &amp; offsetting measures up to Nationally recognised levels and that all developments should include a Carbon Footprint report</li> </ul>
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- SF – the NDP can only go up to levels as stated in current Building Standards. It can suggest more but has no powers to enforce or refuse if not met. The Energy Act revision which was supposed to tighten up sustainability & carbon neutralisation requirements did not happen as planned, but the government are reconsidering this. It was her opinion that this should be enacted 'In Law' and that trying to add at NDP level would be beyond the reasonable scope and capability of most smaller communities. It should be left to higher level Strategic policy, letting it flow down from top level policy making. As much as reasonably possible appeared to have already been incorporated with the general ethos of the draft policy document.

This concluded the discussion of the points raised by the PC

Cllr Prasad at this point requested time to question the presumption of 0 as a building number starting point and thus the validity of any planning for future homebuilding\*.

Information and explanation of this position was given not only by SF & JE but by other members of the Steering Committee, citing National Policy. It was pointed out that if the parish wished its development position to be 0 then there would be no point in doing a Neighbourhood Development Plan and that any plan with this is would fail before it even made the examination stage. Cllr Prasad reiterated his position that this decision was made subjectively and could not be backed up by referring to the information/ responses in Q1 of the July 2018 community questionnaire. He felt that this matter was not being taken seriously and that if a further or additional question was posed to the community then a zero build position would be the most likely outcome. TD said that this question was explicit in stating that how many above and beyond the rounding & infill of approximately 7 homes per year were acceptable and that space was given for public comments (only 1 response saying categorically be future development was returned).

(\*Please note this is **NOT** the position of the Parish Council, but of Cllr Prasad as an individual)

Cllr Faiers concluded the meeting by extending thanks to Sarah Furley & Esther Richmond for their attendance and input in this meeting, and a general thanks to everyone in the community who had been involved in the NDP project across the board – especially T Damer and the members of the Steering Committee.

The PC had already taken the opportunity at its meeting last week (18<sup>th</sup> July) to agree in principle the draft version of the NDP as it stood (pending changes to be discussed at this meeting) so were happy for this to be submitted for SEA review on its behalf this week.

Meeting finished at 5.25pm