AGENDA 159



EMAIL



F/02/22

Milly Southworth

From:

Alan Percy <alan.percy@mypostoffice.co.uk>

Sent:

01 February 2022 20:23

To:

clerk@stteathparishcouncil.gov.uk; clerk@stwenn.co.uk; kevin@treciga.force9.co.uk;

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parishclerk@stokeclimslandparish.org; clerk@tintagelparishcouncil.gov.uk;

clerk@torpointtowncouncil.gov.uk

Subject:

Discrimination in Affordable Housing allocation definitions

Attachments:

Cornwall Councillors January 2022.docx; City and town neighbouring parish list May

2020.docx; Parish and towns February 2022.docx

Dear Councillor/Clerk,

please forgive this addition to your inbox.

The parish councils of Crantock, Cubert, and St Newlyn East, have been trying to redress some discriminatory practises being carried out by Cornwall Council.

We have written previously to your council with details, and we now provide the latest developments as an update. Please therefore find attached, a letter to all councils, a letter to all County Councillors, and a list of affordable housing cascades within Cornwall over the last ten years.

Yours sincerely,

Alan Percy, Chairman,

Cubert Parish Council



31st January 2022

All Cornwall Councillors
Cornwall Council

Failure to reply accurately - Discrimination in affordable housing allocation

Reference:

Tri-Parish Council letter 12th December 2020

Tri-Parish Council letter 19th March 2021 Tri-Parish Council letter 27th November 2021

Dear Councillor,

Please accept our apologies for raising this matter. We still do not seem to be receiving correct, or accurate, replies from Your Authority.

When questioning Cornwall Council and Cabinet on the source of the unique affordable housing cascades in our local area, we have received a distinct lack of detail regarding the source document(s) for the extraordinary cascades. Earlier Public Questions at both Cabinet and Full Council meeting have been replied to inaccurately, or with incorrect statement, at odds to the truth.

All 245 affordable houses in our parishes are offered to Colan Parish and Newquay Town "In need" families as a secondary parish cascade, yet none of the 335+ affordable homes in Colan Parish is offered via secondary parish to our "In need" families in return. The latest four Colan Section 106 cascades are unique from all other Section 106 cascades, for many thousands of affordable houses throughout Cornwall, over the last ten years. Discriminatory practice by any standard.

It is worth repeating, these four Colan Section 106 affordable housing cascades are unique from all others in Cornwall. This has been denied time and again by Your Authority. The three parish council have provided lists of every affordable housing cascades in the Cornwall parishes over the past ten years, none of which mirror

these unique Colan cascades, yet no example of any of these unique cascades, anywhere else in Cornwall, has been produced by Your Authority.

You may recall that the three parishes made a Public Question to Full Council on 30th November 2021:

COLAN AFFORDABLE HOUSING CASCADES

CC/71 A public question had been received from Mr A Percy "The Section 106 primary and secondary parish cascade definitions for affordable planning permissions in Colan Parish uniquely differ from all other cascade definitions in Cornwall, to the disadvantage of neighbouring parish in need families. Why are the Colan affordable housing cascades different from all other cascades in Cornwall?"

The response by the Portfolio Holder for Housing and Planning was:"We do not agree that the Section 106 primary and secondary parish cascade
definitions for affordable housing planning permissions in Colan Parish are
uniquely different. Following the previous question to Full Council from Mr
Percy on this matter in February this year, we have sought to provide clarity
on the affordable housing cascades used throughout Cornwall. This is set out
in the Affordable Housing cascade process in a note which was published on
our website in April 2021."

You will note that no example any such cascade was provided by Your Authority in reply, just the bald statement that the Authority did not agree with the parishes.

You will also note that an addition to the Housing Supplementary Planning Document (SPD) has been made by Your Authority in response (to counter?) the parishes concerns. Did anyone know of a public consultation on this change? (I.e. having failed to provide clarity on the cascades used, or the source document of the cascades used, requested by the parishes over the last two years, Your Authority has amended the publicly consulted Housing SPD to include this unique cascade).

How awful is that? Rather than admit to the failure to follow the publicly consulted cascades used by all other Section 106 deeds in the rest of Cornwall, Your Authority decides to publish (on the quiet) a change to the publicly consulted and approved Housing SPD, just because they couldn't find themselves able to answer the valid concerns of three parish council. Is there no shame to be found at County?

Currently, at Westminster, we have questions being asked whether those with positions of power are following their own policies and rules. Whereas, here in Cornwall when asked why Your Authority is not following its own public rules and policies, it just add a change to their policies, by stealth, to cover their shame.

Apart from the numerous requests to Cornwall Council officers, a Public Question was put to the Cabinet on 10th February 2021:

"In recent planning briefing papers to Cabinet members, why was it stated that the unique Section 106 affordable housing cascades for the latest Colan Parish housing estates were from the Restormel, and Cornwall Local Plans, Affordable Housing, and Allocations DPD, when no such cascades exist in those documents?"

The reply given by Cllr Mitchell (Portfolio Holder at the time) was:

"The approach that the Council and its predecessors took to the drafting of Section 106 agreements for affordable housing cascades followed the policies set out in their respective Local Plans supplemented with advice set out in other relevant planning and housing guidance, alongside agreed Section 106 templates. All councils approach this differently in accordance with their policies and priorities".

You will note that there is no detail of which document provided the unique cascades, and may care to note that the Section 106s for these unique cascades were signed after the publication of the Cornwall Local Plan of 2016, and many, many, years after the Restormel Plan (Colan), and the birth of Cornwall Council.

Following the failure to identify the defining document, an article was placed in the 10th March Newquay Voice, the reply from Cornwall Council being:

"Where a site is situated within a rural parish but will provide for the housing needs of the adjoining urban settlement, Cornwall Council uses the 'cascade' approach for urban areas".

You will note again, that there is no detail of where this County wide unique 'cascade' is to be found. You can be assured that the four documents initially quoted by Cornwall Council in their Cabinet Briefing Paper (Restormel, and Cornwall Local Plans, Affordable Housing, and Allocations DPD) have been closely examined, page by page, paragraph by paragraph, and no trace of the unique cascades has been found.

Again, following the incorrect statements made at both Cabinet Public Questions and in the Newquay Voice, a Public Question was put to Full Council on 23rd March 2021:

In which specific chapter and paragraph, of a publicly consulted document, can the affordable housing cascades for the four Colan Parish sites, as stated in the Cornwall Council replies to public questions at the 10 February Cabinet meeting and Newquay Voice article of 10 March, be found?

The reply given by Full Council was:

"As advised previously, there is a suite of documents that establish the Council's approach to affordable housing cascades. There is no specific document that sets this out for Colan Parish nor would we expect to provide a detailed parish by parish approach". (The full reply rambles on, and is attached to this letter, for brevity).

You will observe, the short reply does not answer the question, and the further rambling of the full reply continues to dodge the question.

The true fact is:

That all Section 106 affordable housing cascades for the whole county follow the same formula, except for these four Colan Parish cascades. (A list of planning permissions for affordable housing in Cornwall is provided, attached with this letter).

There is therefore no other deviance from the publicly consulted cascade formula elsewhere in Cornwall (as was laid out in the publicly consulted Housing Supplementary Planning Document (SDP)), and the three parish councils are at a loss as to why these particular Section 106 cascades should have been defined differently to the rest of Cornwall.

Three of the Section 106 Deed definitions are jointly signed by both Cornwall Council officers, and one particular large developer, and contact/reply from the agent for that developer would suggest that authorship of the unique cascades lies with Legal Services of Cornwall Council. (Legal Services have earlier indicated that they do not wish contact on the matter from the parish councils).

Obviously, the parish councils cannot allow the situation to remain unchallenged. Non-factual and deflective statements should not be made at Public Questions, fair and consistent treatment for all communities in Cornwall should be expected from Your Unitary Authority, and it is disappointing to see the motto of "onen hag oll" tarnished by such poor service.

The parish councils are left with the quandary of what further public question, or questions, should be made at the next Full Cornwall Council meeting. Some valid questions are obvious:

Why did the Authority state that the Colan Section 106 cascades were not unique, without providing any example from the 100s of planning permissions of the past ten years?

Why did the Authority decide to change a publicly consulted SPD rather than to make the simple amendments to the Section 106's to bring these cascades in line with the rest of Cornwall?

Were the guidelines on changing publicly consulted documents without further public consultation/scrutiny followed? Was there any attempt to bring the changes to the public attention? Was any notice of the changes to the SDP document given to the city, town, and parish councils?

Why did the Authority state that the unique cascades were to be found in the historic documents of the Restormel, and Cornwall Local Plans, Affordable Housing, and Allocations DPD, when no such cascades exist in those documents? And yet, when questioned in public at Cabinet on 10th February 2021, no answer was provided other than the deflecting statement of "All councils approach this differently in accordance with their policies and priorities". The use of the word POLICIES being a particular poor taste joke in this case.

Why, when again asked for the specific publicly consulted document wherein these unique cascades can be found, the reply was that there is a "suite" of documents that establish the Council's approach (no document names this time!) in the same, by now usual, deflective and rambling manner we have come to expect?

Why oh why, when provided with details of all affordable housing cascades in Cornwall over the last ten years, does Your Authority continue to deny such uniqueness exists?

Perhaps the questions should now be whether the Members are content for Their Authority to provide incorrect (dishonest?) or deflective answers to public questions.

Perhaps the questions should now be whether the Members are happy for public questions to be answered by altering publicly consulted documents, rather than provide simple and meaningful answers to the valid questions.

The Parish Councils should be able to expect that, after two years of asking, the full reasons why these unique Colan cascades have been allowed in clear discrimination against the most "In Need" families of the parishes of Crantock, Cubert, and St Newlyn East. Just what does the Authority have to hide?

Yours Sincerely,

Alan Percy BEM,
Chairman,
Cubert Parish Council,
Acting on behalf, and in accord with, all three parish councils
Crantock Parish Council
St Newlyn East Parish Council
Cubert Parish Council

Annex A

List of neighbouring parishes to city and towns within Cornwall, with Smallscale Major Dwellings planning applications (as defined in the Cornwall Council planning portal) which contain valid Affordable housing Section 106 Deeds.

The list concentrates on 24 towns, with 95 surrounding parishes, with 114 affordable housing planning applications, and with the total open market and affordable houses totalling 6981 dwellings.

The list contains duplicate details of four parishes where the individual parish borders more than one town. Carn Brea Parish and Illogan Parish (Camborne and Redruth), Ludgvan Parish (St Ives and Penzance) and Colan Parish (Newquay and St Columb Major). The parishes and houses therein are only counted once in the above totals.

It should be noted that only one Section 106 Deed (Kenwyn PA17/10876 – 29 houses) include both the parish and town/city as Primary Parish, and that this Kenwyn site is the only one of eight Kenwyn sites that includes both parish and town. All 7 other Kenwyn Section 106 Deeds define the Primary Parish as the smaller parish only, with the Secondary Parishes being the surrounding parishes. The Budock Parish and the Egoshayle Parish site(s) of PA16/06414, PA17/05689 & PA16/07913 straddle the parish/town boundary, and the qualifying parish becomes both parish and town.

As far as can be ascertained, the Secondary Parish lists include all bordering and neighbouring parishes.

Compare this with the four Colan Parish applications that define the Primary Parish as Colan Parish and/or the Secondary Parish as Newquay Town, and leave the neighbouring parishes of Crantock, Cubert, and St Newlyn East out of the Secondary Parish definitions.

Newquay:

Crantock Parish:

PA15/03202 - 30 houses

Secondary Parishes, Colan & Cubert.

PA15/11981 - 59 houses

Primary Parish Crantock

Secondary Parishes Colan, St N East & Perranzabuloe.

PA17/09559 - 22 houses

Secondary Parishes, Colan & Cubert.

Cubert Parish:

PA11/04974 - 29 houses

Secondary Parishes, Colan, Crantock, St N East & Perranzabuloe.

PA15/07114 - 133 houses

Primary Parish Cubert and Perranzabuloe (joint border)

Secondary Parishes, Colan, Crantock, St Newlyn East, St Agnes.

PA17/01847 - 11 houses

Secondary Parishes Colan, Crantock, St Newlyn East, Perranzabuloe, & Newquay

Town.

PA18/08384 - 30 houses

Primary Parish Cubert

Secondary Parishes, Colan, Crantock, St Newlyn East, Perranzabuloe, & Newquay Town

St Newlyn East Parish:

C1/PA18/1648/09/M - 40 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, St Erme, Ladock, Perranzabuloe, St Enoder, St Allen

PA13/06295 - 39 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, St Erme, Ladock, Perranzabuloe, St Enoder, St Allen

PA18/02182 - 37 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, St Erme, Ladock, Perranzabuloe, St Enoder, At Allen

PA18/09371 - 26 houses

Primary Parish St Newlyn East and St Enoder (joint border)

Secondary Parishes, Colan, Cubert, Ladock, St Stephen-in-Brannel, St Denis,

Roche, St Columb Major, Perranzabuloe, St Allen, St Erme

PA18/04713 - 17 houses

Primary Parish St Newlyn East

Secondary Parishes, Colan, Cubert, Crantock, St Erme, Ladock, Perranzabuloe, St

Enoder, St Allen

Colan Parish:

PA15/02994 - 350 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA16/12055 - 140 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA14/04743 - 455 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA11/06679 - 46 houses

Primary Parish Colan

Secondary Parish Newquay Town.

Bodmin:

Lanivet Parish:

PA18/08619 - 19 houses

Primary Parish Lanivet

Secondary Parishes, Helland, Egloshayle, St Briock, Withiel, Roche, Luxulian,

Lanlivery, Lanhydrock

Helland Parish - None

Lanhydrock Parish - None

Cardinham Parish - None

Bude:

Marhamchurch Parish:

PA15/09444 - 20 houses

Primary Parish Marhamchurch

Secondary Parishes, Launcells, Bude-Stratton, Whitstone, Week St Mary,

Poundstock

Launcells Parish - None

Kilkhampton Parish:

PA12/01814 - 14 houses

Primary Parish Kilkhampton

Secondary Parishes, Launcells, Jacobstow, Bude-Stratton, Marhamchurch,

Morwestow, North Tamerton, Poundstock, St Gennys, Week St Mary, Whitstone

PA18/00079 - 9 houses

Primary Parish Kilkhampton, Morwenstow, Launcells, Bude-Stratton

Secondary Parish none

PA18/06225 - 34 houses

Primary Parish Kilkhampton

Secondary Parishes, Launcells, Jacobstow, Bude-Stratton, Marhamchurch,

Morwestow, North Tamerton, Poundstock, St Gennys, Week St Mary, Whitstone

Callington:

St Ive Parish:

PA11/06497 - 18 houses

Primary Parish St Ive

Secondary Parishes, St Cleer, Linkinhome, South Hill, Callington, St Mellion,

Quenthiock, Menheniot

PA18/08162 - 18 houses

Primary Parish St Ive

Secondary Parishes, St Cleer, Linkinhome, South Hill, Callington, St Mellion,

Quenthiock, Menheniot

St Mellion Parish - None

St Dominick Parish:

PA18/10557 - 14 houses

Primary Parish St Dominick

Secondary Parishes, Calstock, Callington, St Mellion, Pillaton

South Hill Parish - None

Calstock Parish:

PA12/01368 - 155 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

PA13/10801 - 49 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

PA15/05651 - 25 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

PA17/09575 - 33 houses

Primary Parish Calstock

Secondary Parishes, St Dominick, Callington, Stoke Climsland

Stoke Climsland Parish - None

Camborne:

Gwinear-Gwithian Parish:

PA15/00989 - 32 houses

Primary Parish Gwinear-Gwithian

Secondary Parishes, Crowan, St Erth

Crowan Parish:

PA16/03065 - 19 houses

Primary Parish Crowan

Secondary Parishes, Breage, Sithney, Camborne, Gwinear-Gwithian, St Erth

PA18/02020 - 24 houses

Primary Parish Crowan

Secondary Parishes, Breage, Sithney, Camborne, Gwinear-Gwithian, St Erth

Wendron Parish:

PA16/02296 - 16 houses

Primary Parish Wendron

Secondary Parishes, Stithians, Crowan, Sithney, Gweek, Constantine

Carn Brea Parish:

PA17/00537 - 32 houses

Primary Parish Carn Brea

Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth

PA18/05083 - 12 houses

Primary Parish Carn Brea

Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth

Illogan Parish:

PA13/10823 - 69 houses

Primary Parish Illogan

Secondary Parishes, Portreath, Carn Brea, Camborne, Redruth

Camelford:

St Teath Parish:

PA14/01868 - 12 houses

Primary Parish St Teath

Secondary Parishes, Tintagel, Michaelstow, St Tudy, St Kew, St Endellion

PA17/02529 - 23 houses

Primary Parish St Teath

Secondary Parishes, Tintagel, Michaelstow, St Tudy, St Kew, St Endellion

Michaelstow Parish - None

Advent Parish - None

Davidstow Parish - None

Forrabury and Minster Parish - None

Falmouth/Penryn:

Mabe Parish:

PA12/09580 - 90 houses

Primary Parish Mabe

Secondary Parishes, Stithians, St Gluvius, Penryn, Budock, Constantine

PA18/04092 - 27 houses

Primary Parish Mabe

Secondary Parishes, Stithians, St Gluvius, Penryn, Budock, Constantine

PA19/03269 - 30 houses

Primary Parish Mabe

Secondary Parishes, Stithians, St Gluvius, Penryn, Budock, Constantine

St Gluvias Parish - None

Mylor Parish:

PA12/09979 - 30 houses

Primary Parish Mylor

Secondary Parishes, St Gluvias, St Just-in-Roseland, Perranarworthal, Penryn,

Falmouth, Feock

PA18/08493 - 18 houses

Primary Parish Mylor

Secondary Parish not determined

Budock Parish:

PA16/06414 - 150 houses

Part of site(s) lie within both Budock and Penryn

Qualifying parish Budock or Penryn

PA18/02967 - 37 houses

Primary Parish Budock

Secondary Parishes, Mawnan, Mabe, Penryn

Fowey:

Twywardreath and Par Parish:

PA14/11998 - 16 houses

Primary Parish Twywardreath and Par

Secondary Parishes, Fowey, St Sampson, Lanlivery, Luxulyan, St Blaise

St Sampson - None

Lanteglos:

E2/08/02125 - 15 houses

Primary Parish Lanteglos

Secondary Parishes, St Veep, Lansallos, Lanteglos

Helston:

Porthlevan Parish:

PA13/04905 - 60 houses

Primary Parish Porthlevan

Secondary Parishes, Breage, Sithney, Helston, Gunwalloe

Gunwalloe - None

Mawgan-in-Meneage - None

Wendron Parish:

PA16/02296 16 houses

Primary Parish Wendron

Secondary Parishes, Stithians, Crowan, Sithney, Gweek, Constantine

Sithney Parish:

PA14/05546 - 20 houses

Primary Parish Sithney

Secondary Parishes, Breage, Porthlevan, Wendron, Crowan

Launceston:

South Petherwin Parish:

E1/2005/01896 - 14 houses

Primary Parish South Petherwin

Secondary Parishes, Lawhitton, St Thomas, Launceston, Lezant, Lewannick

Lawhitton Rural Parish - None

St Stephen by Launceston Parish - None

Liskeard:

Dobwalls and Trewidland Parish:

PA13/07745 - 20 houses

Primary Parish Dobwalls and Trewidland

Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St

Keyne, St Pinnock

PA14/06050 - 62 houses

Primary Parish Dobwalls and Trewidland

Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St

Keyne, St Pinnock

PA14/07521 - 11 houses

Primary Parish Dobwalls and Trewidland

Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St

Keyne, St Pinnock

PA15/02426 - 50 houses

Primary Parish Dobwalls and Trewidland

Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St

Keyne, St Pinnock

PA15/09526 - 62 houses

Primary Parish Dobwalls and Trewidland

Secondary Parishes, St Neot, St Cleer, Liskeard, Menheniot, Morval, Duloe, St

Keyne, St Pinnock

Menheniot Parish - None

St Cleer Parish:

PA12/11940 - 30 houses

Primary Parish St Cleer

Secondary Parishes, Altarnum, North Hill, Linkinhorne, St Ive, Menheniot, Dobwalls,

St Neot, Liskeard

PA16/01027 - 15 houses

Primary Parish St Cleer

Secondary Parishes, Altarnum, North Hill, Linkinhorne, St Ive, Menheniot, Dobwalls,

St Neot, Liskeard

PA18/02930 - 26 houses

Primary Parish St Cleer

Secondary Parishes, Altarnum, North Hill, Linkinhorne, St Ive, Menheniot, Dobwalls,

St Neot, Liskeard

Looe:

Morval Parish:

PA10/08525 - 20 houses

Primary Parish Morval

Secondary Parishes, St Martin-by-Looe, Looe, Duloe, Dobwalls, Menheniot, Deviock,

St Germans

PA17/11847 - 19 houses

Primary Parish Morval

Secondary Parishes, St Martin-by-Looe, Looe, Duloe, Dobwalls, Menheniot, Deviock,

St Germans

St Martin-by-Looe Parish - None

Duloe Parish:

PA15/06859 - 18 houses

Primary Parish Duloe

Secondary Parishes, Lanreath, St Pinnock, Dobwalls, St Keyne, Morval, Looe,

Lansallos, Pelynt

Lansallos Parish:

PA12/01949 - 18 houses

Primary Parish Lansallos

Secondary Parishes, Lanreath, Looe, Pelynt, St Veep, Lanteglos, Duloe

Lostwithiel:

Lanhydrock Parish - None

Lanlivery Parish - None

St Sampson Parish - None

St Winnow Parish - None

Mevagissey:

St Goran Parish:

PA14/04066 - 15 houses

Primary Parish St Goran

Secondary Parishes, Mevagissey, St Michaels Carhays, St Ewe

Pentewan Valley Parish - None

St Ewe Parish - None

Padstow:

St Issey Parish:

PA12/03118 - 14 houses

Primary Parish St Issey

Secondary Parishes, St Minver Lowlands, Padstow, St Breock, St Wenn, St Merryn

St Ervan - None

St Merryn Parish:

PA11/09682 - 28 houses

Qualifying Parish St Merryn

Secodary Parishes, Padstow, St Ervan, St Eval

St Minver Lowlands Parish:

PA16/03215 - 22 houses

Primary Parish St Minver Lowlands and Highlands

Secondary Parishes, St Endellion, Egoshayle, St Teath, St Kew

PA16/07502 - 20 houses

Primary Parish St Minver Lowlands

Secondary Parishes, St Minver Highlands, St Issey, St Breock

Penzance:

Ludgvan Parish:

PA10/03078 - 16 houses

Primary Parish Ludgvan

Secondary Parishes, St Erth, St Ives, St Hilary, Marazion, Penzance, Madron,

Towednack

PA12/02257 - 14 houses

Primary Parish Ludgvan

Secondary Parishes, St Erth, St Ives, St Hilary, Marazion, Penzance, Madron,

Towednack

Paul Parish - None

Madron Parish:

PA16/03653 - 24 houses

Primary Parish Madron

Secondary Parishes, Morvah, Zennor, Towednack, Ludgvan, Sancredd, Paul, St Just

Redruth:

Portreath Parish:

PA11/01245 - 40 houses

Primary Parish Portreath

Secondary Parishes, St Agnes, Illogan, Redruth

PA14/12100 - 39 houses

Primary Parish Portreath

Secondary Parishes, St Agnes, Illogan

Illogan Parish:

PA13/10823 - 69 houses

Primary Parish Illogan

Secondary Parishes, Portreath, Carn Brea, Camborne, Redruth

Carn Brea:

PA17/00537 - 32 houses

Primary Parish Carn Brea

Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth

PA18/05083 - 12 houses

Primary Parish Carn Brea

Secondary Parishes, Illogan, Lanner, Wendron, Camborne, Redruth

Lanner Parish:

PA09/01042 - 25 houses

Primary Parish Lanner

Secondary Parishes, Gwennap, Carharrick, Carn Brea, Redruth, St Day, Stithians,

Wendron

PA12/10386 - 25 houses

Primary Parish Lanner

Secondary Parishes, Gwennap, Carharrick, Carn Brea, Redruth, St Day, Stithians,

Wendron

St Day Parish:

PA07/01331 - 19 houses

Primary Parish St Day

Secondary Parishes, Carharrick, Lanner, Redruth

PA15/11820 - 28 houses

Primary Parish St Day

Secondary Parishes, Gwennap, Chacewater, Carharrick, Lanner, St Agnes

Chacewater Parish:

PA17/04405 - 10 houses

Primary Parish Chacewater, St Agnes

Secondary Parishes, Portreath, St Day, Redruth, Kea, Gwennap, Kenwyn,

Perranzabuloe

St Agnes Parish:

PA12/05138 - 74 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath, St Day,

Redruth

PA14/01062 - 20 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA14/07885 - 24 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA14/10618 - 10 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA14/11478 - 22 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

PA17/01534 - 36 houses

Primary Parish St Agnes

Secondary Parishes, Perranzabuloe, Kenwyn, Chacewater, Portreath

Saltash:

Antony Parish - None

Sheviock Parish - None

Landrake with Erney Parish - None

Botus Fleming Parish - None

Landulph Parish - None

St Austell:

St Austell Bay Parish:

PA11/05090 - 47 houses

Primary Parish - Specific roads in Charlestown

Secondary Parishes, St Austell Bay, St Austell, Carlyon

Pentewan Valley Parish - None

Carlyon Parish:

PA18/10255 - 10 houses

Primary Parish Carlyon

Secondary Parish St Austell

PA13/09195 - 190 houses

Primary Parish Carlyon

Secondary Parish St Austell

Treverbyn Parish:

PA13/02336 - 12 houses

Primary Parish Treverbyn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon,

St Blaise, Luxulian

PA14/12186 - 1500 houses

Primary Parish Treverbyn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon,

St Blaise, Luxulian

PA15/04796 - 20 houses

Primary Parish Treverbyn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon,

St Blaise, Luxulian

PA15/02510 - 34 houses

Primary Parish Treverbyn

Secondary Parishes, Roche, St Stephen-in-Brannel, St Mewan, St Austell, Carlyon,

St Blaise, Luxulian

St Mewan Parish:

PA15/08809 - 18 houses

Primary Parish St Mewan

Secondary Parishes, St Stephen-in-Brannel, Grampound-with-Creed, St Ewe,

Pentewan Valley, St Austell, Treverbyn

St Blaise Parish:

PA16/04955 - 103 houses

Primary Parish St Blaise

Secondary Parishes, Tywardreath and Par, Carlyon, Treverbyn, Luxulyon

St Columb Major:

St Enoder Parish:

PA14/00882 - 20 houses

Primary Parish St Enoder

Secondary Parishes, Colan, St Columb Major, St Newlyn East, Ladock, St Dennis,

Roche, St Stephen in Brannel

PA14/09266 - 16 houses

Primary Parish St Enoder

Secondary Parishes, Colan, St Columb Major, St Newlyn East, Ladock, St Dennis,

Roche, St Stephen in Brannel

PA14/10417 - 28 houses

Primary Parish St Enoder

Secondary Parishes, Colan, St Columb Major, St Newlyn East, Ladock, St Dennis,

Roche, St Stephen in Brannel

PA18/09371 - 26 houses

Primary Parish St Enoder and St Newlyn East (joint border)

Secondary Parishes, Colan, St Columb Major, Ladock, St Dennis, Roche, St Stephen

in Brannel, Cubert, Perranzabuloe, St Allen, St Erme

Mawgan in Pydar - None

St Dennis - None

St Wenn - None

St Issey Parish:

PA12/03118 - 14 houses

Primary Parish St Issey

Secondary Parishes, St Minver Lowlands, Padstow, St Breock, St Wenn, St Merryn

Roche Parish:

PA12/11962 - 22 houses

Primary Parish Roche

Secondary Parishes, St Columb Major, St Dennis, St Enoder, St Wenn, Withiel,

Lanivet, Luxulian, Treverbyn, St Stephen in Brannel

Colan Parish:

PA15/02994 - 350 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA16/12055 - 140 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA14/04743 - 455 houses

Primary Parish Colan

Secondary Parish Newquay Town.

PA11/06679 - 46 houses

Primary Parish Colan

Secondary Parish Newquay Town.

St Ives:

Ludgvan Parish:

PA10/03078 - 16 houses

Primary Parish Ludgvan

Secondary Parishes, St Erth, St Ives, St Hilary, Marazion, Penzance, Madron,

Towednack

Towednack Parish - None

Hayle Parish:

W1/10-0311 - 22 houses

Qualifying Parish Hayle

PA14/06410 - 12 houses

Qualifying Parish Hayle

PA15/03787 – 148 houses

Qualifying Parish Hayle

PA16/05999 – Unknown number of houses

Qualifying Parish Hayle

Torpoint:

Antony Parish - None

St John Parish - None

Millbrook Parish - None

Maker-with-Rame Parish - None

Truro:

St Clement Parish:

C1/PA29/1869/M - 16 houses

Primary Parish St Clement

Secondary Parish undetermined

Kenwyn Parish:

PA14/07266 - 23 houses

Primary Parish Kenwyn

Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St

Clement

PA14/11470 - 114 houses

Primary Parish Kenwyn

Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St

Clement

PA15/00442 - 28 houses

Primary Parish Kenwyn

Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St

Clement

PA16/03032 - 32 houses

Primary Parish Kenwyn

Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St

Clement

PA16/05258 - 17 houses

Primary Parish Kenwyn

Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St

Clement

PA17/10876 - 29 houses

Primary Parish Kenwyn and Truro

Secondary Parishes, Kea, Chacewater, St Agnes, Perranzabuloe, St Allen, St

Clement

PA18/11989 - 10 houses

Primary Parish Kenwyn

Secondary Parishes, Kea, Chacewater, Truro, St Agnes, Perranzabuloe, St Allen, St

Clement

PA14/00703 - 515 houses

Primary Parish Kenwyn

Secondary Parish Truro

Kea Parish:

PA14/06247 - 28 houses

Primary Parish Kea

Secondary Parishes, Kenwyn, Feock, St Clement, Chacewater, Gwennap,

Perranarworthal, St Michael Penkevill, Philleigh

PA18/08339 - 21 houses

Primary Parish Kea

Secondary Parishes, Kenwyn, Feock, Truro, St Clement, Chacewater, Gwennap,

Perranarworthal

Wadebridge:

Egoshayle Parish:

PA17/05689 - 204 houses

PA16/07913 - 95 houses on Appeal

Primary Parish Egoshayle, Wadebridge

Location straddles Egoshayle/Wadebridge border Inside A389 ring road

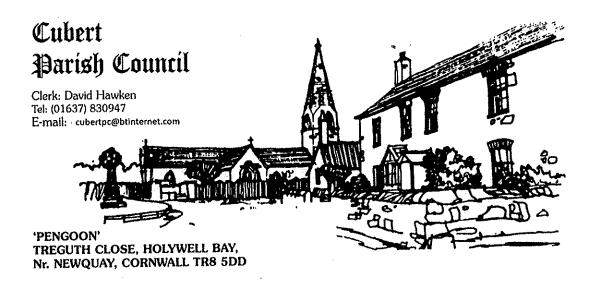
Secondary Parishes - All parishes with a boundary to the primary parish

St Breock Parish:

PA12/01665 - 48 houses

Primary Parish St Breock

Secondary Parishes, Egoshayle, Wadebridge, Withiel, Lanivet, St Issey, St Wenn



1st February 2022

All Cornwall Town and Parish Councils

<u>Discrimination in Affordable Housing allocation definitions</u> Crantock, Cubert, and St Newlyn East Parishes

Reference:

Letter to all Councils 23rd November 2020 Letter to all Councils 23rd January 2021

Dear Councillor/Clerk,

You may recall from our previous letters that the three parish councils of St Newlyn East, Cubert, and Crantock, were concerned that incorrect processes were taking place regarding Section 106 deeds for affordable housing cascades in our area.

All twelve Section 106 deeds for affordable housing sites in our three parishes (245 affordable houses) name Colan Parish and/or Newquay Town as a Secondary Parish, yet none of the four Section 106 deeds for Colan Parish (335 affordable Houses) name any of our three parishes in return. Colan and Newquay families can apply for our housing before all non-bordering parishes/towns, but the families in our three parishes are not given the same status.

For two years, the three parish councils have been asking Cornwall Council for their reasons why these four Colan cascades differ from all other Cornwall affordable housing cascades in the last ten years. The parish councils have asked for examples of any similar cascade in Cornwall to the unique Colan cascades.

The parish councils have been asking for details via Public Questions at Cabinet meetings as well as Public Questions at Full Council meeting, with the answers going from rambling deflection to downright inaccurate and false statement. The latest being at Full Council on 30th November 2021, where the Council denied any unique cascade, and pointed towards an addition to the Housing Supplementary Planning

Document (SDP). The SDP is a publicly consulted document, and the amendment would seem to be an unannounced addition, without public or parish/town consultation, designed to specifically counter the three parish councils concerns. No example was given of this unique cascade from Section 106 deeds of the 7000+ affordable houses that have been granted permission in the last ten years.

We now seem to have a Unitary Authority that is unwilling to provide adequate answers at Public Questions, making false statements, and when pressed, is prepared to make alterations to Publicly Consulted Documents (SDP) just to cover their embarrassment. Rather reminiscent of current Westminster situation, except that the policies have not only been ignored, but additions have been made to those policies in order to cover tracks.

Attached please find a letter sent to all Cornwall Councillors earlier this week, providing those Cornwall Councillors with specific details of this awful trail of false statement and deflection.

The three parish councils provide this letter and attachments to all the Cornwall Councils as a warning and example of what is happening at County Hall when small communities raise valid concerns at Public Questions. All rather shameful.

Yours Sincerely,

Alan Percy BEM, Chairman, Cubert Parish Council, Acting on behalf, and in accord with, all three parish councils

Copy to:
Adrian Harvey CC
Crantock, St Newlyn East, and Cubert Parish Councils

Milly Southworth

1 2nd Letter + EMAL &

From:

Alan Percy <alan.percy@mypostoffice.co.uk>

Sent:

02 February 2022 11:44

To:

clerk@stteathparishcouncil.gov.uk; clerk@stwenn.co.uk; kevin@treciga.force9.co.uk;

sttudypc@gmail.com; stveeppc@gmail.com; t.hoskin@btinternet.com;

stwinnowpc@btinternet.com; stithianspc@aol.com;

parishclerk@stokeclimslandparish.org; clerk@tintagelparishcouncil.gov.uk;

clerk@torpointtowncouncil.gov.uk

Subject:

Lack of enforcement, failure to collect Section 106 funding, lack of reply

Attachments: Louise Wood November 2021.docx; Parish and towns Feb 2022.docx

My apologies. Both attachments!

Dear Councillor/Clerk,

Yesterday You will have received a letter from the three parishes (Crantock, Cubert, and St Newlyn East) regarding affordable housing cascades in our area.

Please find attached, a second letter highlighting concerns surrounding just one small Rural Exception Site in Cubert Parish which, if those concerns are reflected elsewhere in the County, rather than just this one unlucky parish, should be of serious concern to all town and parish councils.

Please accept our apologies again, for filling inboxes, the Parish Council feel that such examples of failure should be brought to light with other councils, in case other councils themselves fall foul of such cavalier attitude by the Local Planning Authority.

Yours Sincerely,

Alan Percy, Chairman, Cubert Parish Council



20th November 2021

Louise Wood Service Director Planning and Sustainable Development Cornwall Council

<u>Lack of enforcement, failure to collect Section 106 funding, lack of reply</u>
11 house Rural Exception Site – PA17/01847 & PA18/03744 Holywell Road Cubert

Reference:

Numerous items of correspondence and newspaper reports following on from the meeting held at Pydar House with Louise Wood, affordable housing and planning officers, Portfolio Holder, and Cubert Parish Councillors, of 3rd May 2019.

Dear Ms Wood,

Your offices may recall the various letters and e-mails regarding multiple cases of enforcement and planning officer failure issues at Penhale View Cubert.

Those enforcement and failure concerns include:

- 1. Loss of education contribution (no contribution raised in Section 106 despite there being five open market houses on site, with a full school register at Cubert Primary School currently 204 pupils within seven classes).
- 2. "Lost" Economic Viability Assessment, the public document that determines the viability of the Site, which in turn determines and provides reason for the inclusion of open market properties onto an affordable led scheme. (The current site has the absolute minimum numbers of affordable houses (six) for an eleven house Policy 9 Rural Exception Site, and the land take for the five large open market houses greatly exceeds the stated Policy 9 limit of no more than 50% land take).

The eleven house site was granted final permission in April 2019 as a Rural Exception Site, and you will know that, through government direction, such sites are

expected to be purchased for development at no more than £10,000 per plot, with the viability of the site assessed on the £10,000 per plot maximum figure.

The eleven house site was purchased by the developers for £360,000 rather than the allowable £110,000, and the absence of the public Economic Viability assessment means that no public scrutiny can be used on the development.

- i.e. There is no accountable document held by your offices to show why such magnaminous allowance should have been provided in both open market house share and generous land take to this developer, by your offices.
- 3. The failure to safeguard within the Section 106 deed, the developers public Design & Access Statement promise of £2,500 fencing funds between the site and the community owned Queen Elizabeth II Youth Park.
- 4. Protection of the historic Cubert tithe map Cornish hedges surrounding the site has been ignored, provision of a new Cornish hedge to protect the western end landscaped open space has not been built, and the replacement of historic Tithe Map Cornish hedging taken down for temporary access has been replaced by a mud bank.
- 5. Section 106 obligations included in the permission (£9,215 for play equipment, £3,630 for conservation at Penhale Sands SAC) have still not been paid, when they should have been paid prior to the occupation of the houses in 2020.
- 6. The open scrub land to the west of the site, meant to lessen the harm to views from the Penhale Sands SAC, should have been placed in a management company, but has been bulldozed, filled to within 12inches of the top of the surrounding Cornish hedges, and sold on to a new owner as part of the open market housing, further increasing the oversupply of land take above the 50% maximum.
- 7. A recent pre-application for this "protected" open scrub land at the west of the site has now been received by your Authority, and received comment accordingly. The new owner has also approached the Cubert Neighbourhood Steering Group requesting inclusion of this protected land within the Cubert settlement boundary to allow for a four bedroom house (which would mean a sixth large open market house on the Rural Exception site).
- 8. The granted plans for the internal roads of the site, show a porous block paving surface. These roads were laid with asphalt, and when questioned through enforcement, the developers submitted a retrospective planning application to lay asphalt, which was then Refused. Yet the asphalt remains, and the block paving has yet to arrive.

Your offices will be aware that the failures on this site follow on from another site built out by the same developer in Cubert (9 house Open Market Chynoweth View Wesley Road site), where no education or open spaces contribution were determined, and the original £46,000 off-site affordable housing contribution was "Lost" by the failure of your offices to secure the contribution within a subsequent planning amendment. (You may recall the incident, and your speedy letter to all Cornwall Councillors to explain the issue, believing that the Parish Council was most likely to write to all Councillors, independantly). Very odd.

Your offices will be aware that the failures on this site also follow on from the debacle at the two sites in Crantock Parish (also applied for by this developer), whereby a "Phase Two" development was granted permission outside of the new Crantock Neighbourhood Plan. You will recall that both developer and your office/Authority sided against Crantock Parish Council in civil action regarding the granting of that "Phase Two" issue, and you may recall your detailled publication to all town and parish councils in defence of your office's actions thereafter.

Your offices will be aware that the failures on this site also follow on from a Tri-parish concern regarding the Section 106 affordable housing cascades jointly signed by this developer and your Authority on hundreds of affordable houses in neighbouring Colan Parish, where hundreds of affordable houses are not provided as Secondary housing to the immediate neighbouring parishes, yet the hundreds of affordable affordable housing within the three parishes of Cubert, Crantock, and St Newlyn East, are defined as Secondary housing to the parish of Colan. You will be aware that no other affordable housing cascade in Cornwall treats the neighbouring parishes in such a manner. You will also be aware that there is no published and/or publicly consulted document that conforms to this unique cascade system. Very odd, and suspicious.

Throughout the whole saga, the Parish Council has pressed for answers to the divergence from Cornwall Council policies and the planning permission, and are at a loss as to how the multiple failures on the site have continued to occur with this particular developer.

An explanation and action please. Or do we have to spend the next three and a half years in a monthly cycle, sending details to all elected members during this current administrative period, asking for the same?

Yours Sincerely,

Alan Percy BEM, Chairman, Cubert Parish Council,

Copy to: Adrian Harvey CC

Addendum:

Your offices will know that Cubert currently has a reserved matters Rural Exception Site application at Wesley Road Cubert awaiting decision for the same developer. The application is for 30 houses, only 15 being affordable. Apart from providing the absolute minimum requirement for the site under Policy 9 ruling, all of the affordable housing is significantly smaller in size than any of the 15 open market houses, and the overall land take for the open market housing is far greater than that of the affordable housing. The affordable housing mix within the site in no way mirrors the actual Homechoice housing need for the parish. There is no Affordable Housing Team report, and there is no Economic Viability Assessment to judge the

appropriateness of the minimum 50% affordable housing and the excessive open market land take, despite the application being many months on the planning portal.

Cubert is currently developing a Neighbourhood Development Plan (public exhibition held on 13th November 2021). The parish is in need of services to accommodate the extra housing that has been, and is anticipated to come its way. None of the recent planning permissions seem to have addressed the service requirements for the parish. Indeed, there seems to be a concerted attempt to thwart the supply of services to the parish (lack of, or loss of, education, open space, affordable housing contributions), meanwhile forcing through the maximum open market housing on Rural Exception Sites and elsewhere, rather than the full entitlement of affordable housing, both on and off-site.

Cubert Parish is a small parish of 1250 residents. The Parish Council has strived to maintain the services required within the parish, often with no help from the Planning Authority. The Parish Council has newly refurbished play equipment in both its younger children and youth park areas, has fresh services to its allotments, is one of only seven Cornwall Councils that cleans its own streets with litter picking and rubbish collection, cleans its own beach, and has a thriving village hall.

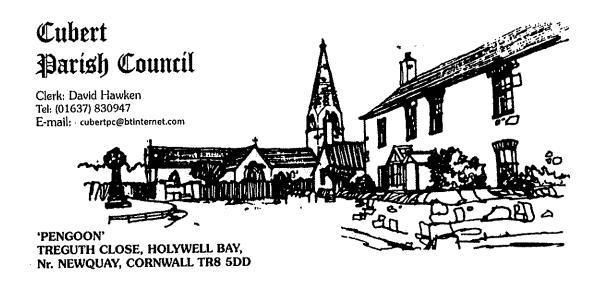
The Parish Council is even granting much needed precept funds and reserves to the Cornwall Council owned Cubert Primary School, to provide solar panels to the school building(s).

It is believed that Cubert was the only council in Cornwall to provide a full COVID 19 holiday for 2021/22, with a 0% precept, in order to help the poorest in our community.

Meanwhile, failures and continual loss of Section 106 contribution opportunities and funds by Cornwall Council Unitary Authority restrict our ability to provide proper services, and bring shock and disappointment to our community.

The Parish Council is currently seeking to install a young child cycle training track in one of our play areas, and the missing Section 106 open space contribution would go some way to cover that cost. The Parish Council is looking to install a full disabled child swing within its young child play area, and again the missing Section 106 open space contribution would go some way to cover the cost.

The Parish Council is looking to upgrade its public toilets to the provision of a fully functional disabled toilet, but is having to divert funds away to pay for the cycle track, disabled swing, and other items that should have been covered by the missing Section 106 contributions.



2nd February 2022

All Cornwall Town and Parish Councils

<u>Lack of enforcement, failure to collect Section 106 funding, lack of reply 11 house Rural Exception Site – PA17/01847 & PA18/03744 Holywell Road Cubert</u>

Reference:

Letter to Louise Wood, Service Director Planning and

Sustainable Development 20th November 2021

Letter to all Councils 1st February 2022

Dear Councillor/Clerk,

You may recall our letter of 1st February in which we highlight the lack of honest reply from Cornwall Council regarding affordable housing cascades in our local area.

We have a similar example of lack of reply and action by the Local Planning Authority. Please find attached letter to Louise Wood (referenced above), which has yet to be answered.

In that letter you will see details of:

- 1. Loss of education contribution (twice).
- Loss of Economic Viability Assessment for a Rural Exception Site.
- 3. Failure to supply a public Viability Assessment for an ongoing public consultation.
- 4. Multiple occasion where the £10,000 purchase limit per plot on Rural Exception Sites has been breached (spectacularly), and that additional cost leading to loss of affordable housing.
- 5. Failure to ensure that developer offers made in Outline design & Access statements (£2500) are included in subsequent planning permissions.
- 6. Failure to protect historic Cornish hedging.
- 7. Loss of Open Space and Special Area of Conservation Section 106

contributions (£9215 & £3630) which should have been received prior to any building work or occupation in 2020.

8. Failure to protect and prevent the sale of open space area(s) by developers once planning permission has been granted.

9. Failure to enforce a Refusal Decision following an enforcement breach to lay block paving rather than asphalt on estate roads.

10. Loss of affordable housing off-site contribution (£46,000) due to negligence.

Your Council might agree that the list of errors and concern is quite large for just one small Rural Exception, in one small parish, but if the concerns raised by the handling of this one site is typical throughout Cornwall, then we have serious collective problems.

You may note, that our letter to Louise Wood in November has not been answered. Concerns raised by our local Cornwall Councillor direct to the officers have also produced no reply to our letter(s).

Our parish council obviously regrets the loss of opportunity to gain legal Section 106 Deed contributions for our school, play areas, Conservation areas, and off-site affordable housing, through a collection of awful Local Planning Authority failures. The parish council also regrets the failure of the Enforcement Authority to prevent enforcement breaches and loss/sale of public open space(s).

But perhaps most worrying of all, for all town and parish councils, is the failure to provide a Financial Viability Assessment for public scrutiny during, or even after, a public and parish consultation period for an Affordable Housing Rural Exception Site.

The Local Planning Authority is supposed to publish Viability Assessments for public scrutiny. They are the most obvious and important document which are used to determine the percentage and quantity of affordable housing on any site.

The parish councils in our area spent six months of Freedom of Information requests, to Cornwall Council, asking for half a dozen Viability Assessments for our local Rural Exception Sites. Five of those viability assessments were eventually passed to the parish councils following complaint by the parishes to the Information Commissioners Offices. One of the requested assessments was deemed "lost" by the Local Planning Authority. (The one highlighted above).

Are we the only parishes in Cornwall to fall foul of such poor standards by the Local Planning Authority? Perhaps it is just one or two developers that are to blame (all nine of the sites highlighted in our two letters have either been obtained by or built out by the same developer).

Is this problem endemic throughout Cornwall? It would be nice to receive an honest reply from Cornwall Council.

Yours Sincerely,

Alan Percy BEM, Chairman, Cubert Parish Council,

Copy to: Adrian Harvey CC