

Index:

Welcome to our Winter 2024 Planning news
Introduction from Hayley Jewels, Head of Development Management
Biodiversity Net Gain
Climate Emergency Development Plan Document – Policies AL1 and SEC1
Fees and Charges update
Levelling Up and Regeneration Act and Local Plans
Refreshing our understanding of land potentially available for development - a call for sites
National Planning Policy Framework revision
New National Landscapes
Infrastructure Projects supporting children and young people to share almost £1.8m
Updated Story Map S106 – Ryan
Neighbourhood Planning Activity
Material weight of neighbourhood plans
Agents Forum news
Local Council planning news
Validation Team update
Cornwall Council Website - Multi Factor Authentication (MFA) done
Never miss Planning News again ...
Useful links

Planning news for local councils and agents

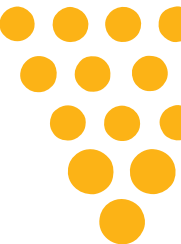
Welcome to our Winter 2024 Planning news

This newsletter has been prepared by the Planning and Housing Service and Cornwall Local Planning Authority to bring you the latest updates on local and national planning-related issues. Information on our working practices, such as Planning Committee arrangements, and other planning information can be found by searching for a topic on our [website](#) or try our Planning chatbot. Our planning advice and guidance webpages are a good place to start if you know your topic:

- [Planning advice and guidance- Cornwall Council](#)
- [General planning advice and guidance- Cornwall Council](#)

If you've any comments for feedback for the newsletter team, please contact us at positiveplanning@cornwall.gov.uk

Content: Please use the index to the left to take you straight to that item



Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Introduction from Hayley Jewels, Head of Development Management

Since the peak of activity post-Covid, we are now seeing some impact from the current economic climate. Planning application submissions have reduced and are now averaging around 900 per month. This is helping to bring workloads down which we are now starting to see as staffing across the teams is settling. Despite new validation requirements which have created many queries for the team, validation times have averaged around 6 working days which is good. National planning fees increased as of 6th December.

We are expecting more stringent performance measures coming from Government. In a speech before Christmas, Michael Gove gave some indication on what might be coming in terms of league tables for real performance (ie restricted use of extensions of times) and possibly banning them for householder applications, monitoring committee overturns and a working group to focus on delays arising from statutory consultee responses and how this could be improved. All of this means that as a Local Planning Authority we will have to be more stringent on where we use extensions of time or accept amendments to an ongoing application. We should expect more Government consultations in the coming weeks and months.

Biodiversity Net Gain

Cornwall Council have already introduced the requirement for BNG for major developments. However, from 12 February 2024, BNG will be nationally mandated for major developments, subject to confirmed exemptions. BNG for small sites will have an extended transition period and will apply from 2 April 2024.



Mandatory BNG is subject to national minimum requirements. In addition, Cornwall Council will continue to apply some local validation requirements for a BNG statement. The validation guide will be updated shortly to reflect the changes.

For more information please see: [Biodiversity net gain- GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain)

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Policy AL1 Regenerative, Low Impact Development

We have published updated guidance for this policy with additional information on how to meet the policy requirements. In addition, we have included new information on carbon statements and how to meet the requirement to provide personal and site carbon statements.

You can access the guidance on our website here: [Policy AL1 – Regenerative, Low Impact Development, Policy Guidance \(cornwall.gov.uk\)](https://www.cornwall.gov.uk/policy-al1-regenerative-low-impact-development). Please send any additional questions on policy AL1 to the planning policy team at localplan@cornwall.gov.uk



Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Policy SEC1 Energy Statements/Energy Summary Tools

An increasing number of applications of being put on hold as they do not meet the validation requirements relating to Energy Statements and the Energy Summary Tool. The [Validation Guide](#) sets out when and what is required however in particular please:

- Provide both the Energy Summary Tool and Energy Statement where developments need to adhere to policy SEC1.
- The Correct Energy Summary Tool must be completed in full and provided to us in the MS Excel format. We are unable to accept PDF's or screen shots of the tool. We are also unable to accept compliance reports instead of the completed energy tool.
- Any measures proposed in order to comply with the policy must be shown on any proposed plans for example where roof mounted solar panels are proposed these must be shown on the proposed elevation plans and any roof plans where provided.

Fees and Charges update



Updated CIL Rates for 2024

In November each year, the BCIS publish the CIL index for the following year. Not surprisingly, the index rate for 2024 has jumped, with rates increasing 7% from last year. This means CIL rates have increased by just over 19% since we introduced CIL five years ago – with the lowest per square metre rate having increased from £35 in 2019 to £41.93, and the highest per square metre rate increasing from £400 in 2019 to £479.25.

The new rates are set out in the [Annual CIL Rate Summary 2024](#) which is published on the Council's website at www.cornwall.gov.uk/CIL.

The new CIL rates have been applied to development permitted from 1 January 2024, although Reserved Matters permissions will be charged the CIL rate in the year the outline was approved.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Planning Fee Increase - Statutory Fees

The statutory planning fees increased on 6 December 2023. The [new Fees and Charges Document](#) has been published and is available on the website. This document has been updated with the increase in discretionary charges. This version applies to any requests for services received on or after 1 January 2024.

European Sites Mitigation Supplementary Planning Document

Please be aware that from 2 April 2024, an Admin Fee of £50 will be charged for residential applications where mitigation is required. This is to cover the costs incurred for the administration and monitoring of the mitigation agreement. For further details please see www.cornwall.gov.uk/europeansitespd

Levelling Up and Regeneration Act and Local Plans



Following the enactment of the Levelling Up and Regeneration Bill in October 2023 (now the LURA) we are now starting to see the steady release of proposals and details for how planning changes will be brought into force in November 2024. The changes to the plan-making system will mean that we need a new Local Plan, but will also control when we can actually start the formal process. At this time the earliest date appears to be May 2025.

In the meantime the Policy team is collecting evidence and starting conversations to understand what a new local plan will need to include and how we can build on and improve our existing plan. This includes member briefings and meeting all Community Area Partnerships over the coming months. We will gradually be planning and launching wider events and workshops to engage communities, those engaged with the planning system and development and others over the coming months. Details of further events will be published on our website and progress reports made mid-year and at the end of the year to Cabinet.

Whilst changes are coming and we have started to prepare for a new Local Plan, we are at a very early stage and the existing Cornwall Local Plan and all its documents will continue to apply until such time as we adopt a new plan. The Council will continue to use the existing Local Plan positively to ensure that we're able to meet needs for housing and employment whilst we're preparing for the next plan.

A consultation has been published on proposals for the introduction of [Street Vote Development Orders](#). These will give residents the ability to propose development on their street and, subject to the proposal meeting certain requirements, vote on whether that development should be given planning permission. The Policy team is preparing a response to the consultation.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Refreshing our understanding of land potentially available for development - a call for sites

Cornwall Council must maintain an adequate and up-to-date supply of sites that are suitable for housing, employment and other types of development.

One of the main ways in which we can assess the availability of new potential development sites is through a 'call for sites' exercise. This provides a valuable early opportunity for individuals, landowners, developers and other interested parties to submit their sites or broad locations to the Council for inclusion on a database of sites from which potential future development sites may be selected through the local plan process. Inclusion in the call for sites does not confer planning permission, but it does provide useful information where sites for specific purposes are required before the local plan review (for example affordable housing and specialist and supported housing).

The recommendation to undertake a call for sites was considered by [Cabinet in November 2023](#) alongside some thoughts about the potential scope and timetable for the next Local Plan.

The call for sites is scheduled to commence in January/February 2024 and will be an open call across a number of land uses, including for housing, employment and Biodiversity Net Gain sites. Sites can be promoted by landowners or developers but may also be nominated by individuals or parishes. Further material will be available on our website in advance of the call going live, but if you have any questions or receive enquiries from landowners or developers, please ask the team at: localplan@cornwall.gov.uk

National Planning Policy Framework revision



The [NPPF](#) was revised again on the 19th December. The changes made are not significant for Cornwall at this time, but will be taken into account when preparing the next Local Plan. Whilst there are some changes to the way some Councils measure land supply, Cornwall Council will continue to meet the test for five year land supply as evidenced in our [Annual Monitoring Report](#).

You will notice a marked increase in references to beauty in the document, which fits with the continued focus by Government on the use of design codes. We are currently exploring how a code or codes can work best in Cornwall. There is also increased support for community led development, including the addition of a definition to the annexes.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

New National Landscapes



Cornwall National Landscape

Cornwall AONB is unique, it is the only AONB that has 12 separate sections totalling almost a third of Cornwall, 958 sq. km (370 square miles). Cornwall is a beautiful part of the world, with a world-renowned coastline, a UNESCO World Heritage Site designation, and a host of natural and heritage features.

From November 2023 all Areas of Outstanding Natural Beauty (AONBs) are known as National Landscapes to reflect the importance of these protected landscapes alongside the UK's National Parks.

The Cornwall National Landscape is the new name for the Cornwall Area of Outstanding Natural Beauty and the Tamar Valley National Landscape is the new name for the Tamar Valley Area of Outstanding Beauty.

This change is endorsed by Natural England the Statutory Consultee with regard to matters within the designated landscape.

Both National Landscapes remain as Areas of Outstanding Natural Beauty insofar as all policy, legislation and guidance applies to the designated landscapes. The statutory purpose of the designated landscape “to conserve and enhance the natural beauty of the designated landscape” remains unchanged and the Cornwall AONB Management Plan 2022-2027 and Tamar Valley AONB Management Plan 2019-2024 remain valid.

Alongside this change to the name of the designated landscape, the Levelling Up and Regeneration Act (LURA) 2023, which received Royal Assent in October 2023 requires relevant authorities in England to actively ‘seek to further the purpose of conserving and enhancing the natural beauty’ of the National Landscape (AONB). This replaces the more passive ‘duty of regard’ to the purpose from Section 85 of the Countryside and Rights of Way Act.

Infrastructure Projects supporting children and young people to share almost £1.8m

Accessible play areas, skate parks and educational facilities are among the projects across Cornwall to share almost £1.8m in grants from the Community Infrastructure Levy (CIL) Fund.

The council launched the third CIL Fund round in April last year, seeking to fund infrastructure projects that benefit children and young people. Expressions of Interest were received for 55 projects. From the full applications subsequently invited, and after being assessed and scored against the published criteria, 27 projects have been awarded CIL funding of nearly £1.8m. The latest round of funding brings the total amount of CIL awarded to local infrastructure projects since the CIL Fund launched in 2020, to £3.6m. The successful CIL Fund applicants from Round 3 are listed on the Councils [CIL Fund](#) webpage.

This funding is in addition to the Neighbourhood CIL payments that are automatically made to Town and Parish Councils twice a year, where CIL payments have been received from developments in their area. The total

Index:

- Welcome to our Winter 2024 Planning news
- Introduction from Hayley Jewels, Head of Development Management
- Biodiversity Net Gain
- Climate Emergency Development Plan Document – Policies AL1 and SEC1
- Fees and Charges update
- Levelling Up and Regeneration Act and Local Plans
- Refreshing our understanding of land potentially available for development - a call for sites
- National Planning Policy Framework revision
- New National Landscapes
- Infrastructure Projects supporting children and young people to share almost £1.8m
- Updated Story Map S106 – Ryan
- Neighbourhood Planning Activity
- Material weight of neighbourhood plans
- Agents Forum news
- Local Council planning news
- Validation Team update
- Cornwall Council Website - Multi Factor Authentication (MFA) done
- Never miss Planning News again ...
- Useful links

amount of Neighbourhood CIL payments made to Town and Parish Councils, including those parishes where development is not charged CIL, currently totals in the region of £3m.

In addition to the above projects, the CIL Fund has awarded funding to 36 projects in the previous rounds. Some of the projects which completed in 2023 are listed below.

Budehaven School received funding to deliver a sustainable, temporary structure with surrounding wildlife garden within their grounds to provide much needed accommodation for pupils at risk of exclusion from class or school.

Figure 1 – Budehaven School ‘Oasis’



Bethel Park Regeneration received funding to transform the run-down Bethel Park into a fantastic play and recreational space for young people and the wider community with greater biodiversity and improved accessibility.

St Buryan Children’s playground project has provided a stimulating playground that caters for different ages and levels of ability; is a welcoming area for families to come together and supports wildlife with pollinator friendly planting.

Cubert Cycle and Climbing project saw installation of a child’s learner cycle track, an older youth’s climbing apparatus, toddlers play stands, and replacement child’s swing, in the two formal play areas within Cubert Parish.

Figure 2 – St Buryan playground



Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Figures 3 and 4 – Cubert Cycle and Climb project



Figure 5 – Mylor Multi-Use sports area



Boscastle Children’s play area saw replacement of the existing play equipment which had come to the end of its useful life, and King George V Playing Field in Mylor received funding to develop a multi-sports play area.

A full list of projects that have been awarded CIL funding in this and previous rounds, can be seen at [CIL Fund](#) and completed projects are set out on our interactive story map at [S106 and CIL mapping](#).

A fourth round of the CIL Fund will launch on Friday 1 March 2024 and this year there will be no specific focus for the type of local infrastructure projects that can come forward. Please visit our [CIL Fund](#) webpage from 1 March for more information and to download the Expression of Interest form.

Updated Story Map S106 – Ryan

Take 5 mins to have a look at the Infrastructure Team’s latest [story map](#). It provides information on:

- s106 monies received in each Parish and Community Network Area
- the planning application the receipts relate to
- the amount of s106 money spent in the area
- what it was spent on and
- photos of some of the completed projects.

The story map also provides information on the ‘Neighbourhood Portion’ of CIL that each Parish has received.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

The Neighbourhood Portion is paid based on CIL income received rather than anticipated income. The Neighbourhood Portion is paid twice a year.

Please note: we update information every three months for s106 and every six months for CIL. The story map only shows S106 balances received after 2009.

Neighbourhood Planning Activity



Have you seen our new Neighbourhood Planning Activity in Cornwall webpage?

This month we removed the Neighbourhood Development Plans Made tile on our website. This change was made because our new [neighbourhood planning activity in Cornwall](#) webpage provides:

- more information on the progress of neighbourhood plans in Cornwall
- relevant documents and
- makes it easier to track the progress of a neighbourhood plan in the online planning register.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Material weight of neighbourhood plans



Coming soon in the neighbourhood planning newsletter:

- Changes to the NPPF and implications for neighbourhood plans
- Contents of neighbourhood plans from the Levelling Up and Regeneration Act (LURA)
- Material weight of neighbourhood plans
- Regulation 14 & Regulation 15- Submitting your neighbourhood plan including a good example consultation statement, neighbourhood plan and basic conditions statement
- Making sure you record your Local Green Space appraisal in an accessible way to avoid delays in the examination
- Latest activity

Sign up to our newsletter. Email us at neighbourhoodplanning@cornwall.gov.uk for valuable information, the latest news, tips and updates on neighbourhood planning in Cornwall.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Agents Forum news

Advance notice – Agents Forum 12 March 2024



We are currently finalising the programme for our next Planning Agents Forum on 12 March 2024 and will be sending out invites shortly.

Our Part 1 programme will include the usual Development Management and Validation updates, and how recent legislation changes are affecting Building Control. The Policy Team will be providing the latest news on the preparations for a new Local Plan for Cornwall and the call for sites, as well as specific help and guidance for Biodiversity Net Gain and our Sustainable Energy and Construction policy. We're lucky to have members of the SW Mining Subsidence Forum helping with our 'Mind the gap' item that will cover planning application requirements, land contamination as well as subsidence and mining.

Part 2 will be a short update for stakeholders interested in the River Camel phosphates mitigation project and will include updates on the Local Nutrient Mitigation Fund Grant and progress with the delivery strategy.

Development Management and CIL managers will be available to answer your other questions at the end of sessions. More info will be available on our [Planning Agents Forum](#) webpage.

Events subscription renewal

An email notification has been sent this month to all Planning Agents who subscribed to our Planning Agents forums and events notification list during 2020-2022. We need to renew our list to comply with Data Protection and the GDPR legislation.

If you didn't get an email or would like to start receiving invitations and information on events for planning agents, please contact positiveplanning@cornwall.gov.uk in the first instance.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

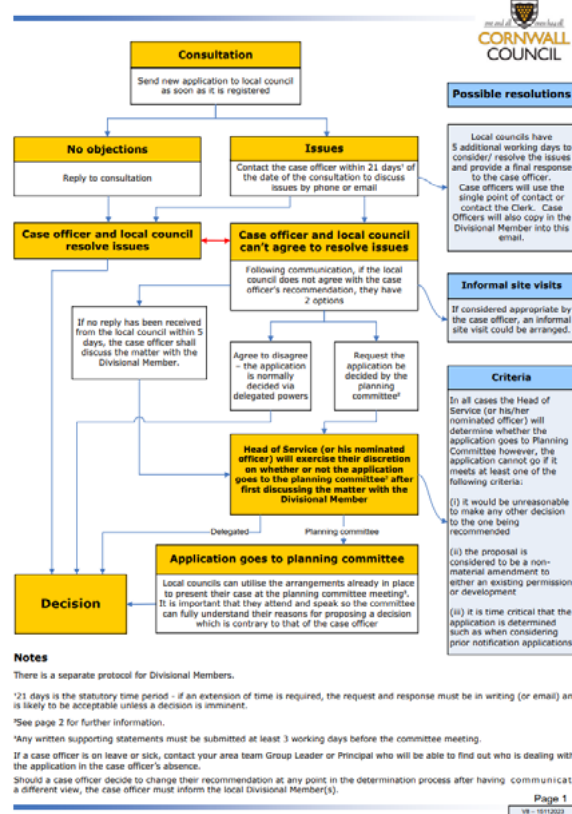
Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Local Council planning news

PROTOCOL FOR LOCAL COUNCILS



Updated Protocol for Local Councils

Cornwall Council made some minor amendments to the [Protocol for Local Councils](#) (Version 8 on its website). The protocol, also known as the 5-Day Protocol for Local Councils, sets out how local councils are involved in the planning application process. The amendments are for clarification only and do not fundamentally change the approach.

If you have any questions, please email planning@cornwall.gov.uk.

Next Local Council planning training – February

Our Winter planning event for Local Councils will be on Weds 28 February and will focus on the work that is being planned for **Preparing for a new Local Planned in Cornwall and an update on our call for sites**. We will also include an update on latest planning changes – some of which you may have read about earlier in this newsletter in the items about the Levelling Up and Regeneration Act, updated NPPF (National Planning Policy Framework) etc.

More details will be sent around to clerks and chairs for cascading to all councillors – there's no need to book, as the email invite will provide the Teams link for you to use. If you've not had an invite then please check out the webpage [Local Council Planning Training- Cornwall Council](#) or you can contact us at positiveplanning@cornwall.gov.uk

Local Council planning training

All planning training resources are now on the same training webpage: [Local Council Planning Training- Cornwall Council](#).

This includes:

- Presentations from our planning training topics for local councils 2020-2023
- Single topic training videos- You can find these training videos for local councils. These are uploaded to YouTube and are available for clerks and councillors to use for themselves and for training others on the

Index:

- Welcome to our Winter 2024 Planning news
- Introduction from Hayley Jewels, Head of Development Management
- Biodiversity Net Gain
- Climate Emergency Development Plan Document – Policies AL1 and SEC1
- Fees and Charges update
- Levelling Up and Regeneration Act and Local Plans
- Refreshing our understanding of land potentially available for development - a call for sites
- National Planning Policy Framework revision
- New National Landscapes
- Infrastructure Projects supporting children and young people to share almost £1.8m
- Updated Story Map S106 – Ryan
- Neighbourhood Planning Activity
- Material weight of neighbourhood plans
- Agents Forum news
- Local Council planning news
- Validation Team update
- Cornwall Council Website - Multi Factor Authentication (MFA) done
- Never miss Planning News again ...
- Useful links

‘More Training resources’ section on this page, such as Enforcement and Appeals videos.

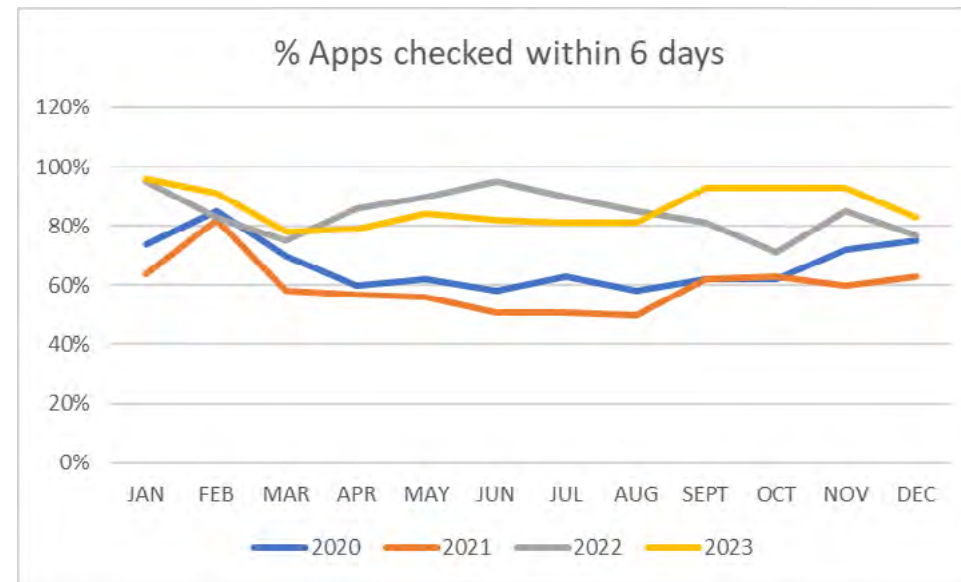
- [Day in the life of a planning application](#): online resource covering the planning process end-to-end with links to resources and CC webpages

Validation Team update

Development Support Overview of 2023

10,483 applications received 1,213 pre-apps (including Do I Needs)

The below shows that in 2023 the Validation Team was more consistent in meeting its target of checking above 80% of application within 6 working days.



Ecology Trigger List

The Ecology Trigger List was updated on 1 November 2023. The new trigger list reduced the need for surveys on applications and added clarity regarding when surveys are required. The Validation Team will accept the previous version of the trigger list where the need for a survey does not change. However please could we ask all agents to use the updated versions of the list available on our website [here](#) (scroll down to drop down menu for ecology triggers lists).

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

Useful links

Changes to Planning Fees and Removal of Free Go's

On the 6 December 2023 the Government increased the statutory Planning Fees and removed the concession whereby applicants could request a free go application.

- Applications submitted before 6 December 2023 and not determined before the said date will not benefit from a free go.
- Applications determined or withdrawn before 6 December will still benefit from a free go subject to the normal criteria.
- If the application is withdrawn the applicant has 12 months from the validation date to submit a free go, if the application was withdrawn prior to the 6 December 2023.
- If the application was refused the applicant has 12 months from the date the application was refused, if it is refused prior to 6 December 2023.
- The update does not refer to applications approved and therefore the free go no longer applies to application which are approved regardless of if it was approved prior to 6 December 2023.

On the 1 January 2024 non-statutory (discretionary) fees were increased and changes made to when applicants can request free pre-application advice on resubmitted schemes. An applicant can request a free go pre-applications if:

- Requested within 6 months of an application being withdrawn or refused; and
- Where pre-application advice was sought on the proposal within 18 months prior to submission of the application.

Both of the above criteria must be met.

Conservation Area Information

Our [online internet mapping system](#) has been updated and now contains more information regarding conservation areas. This enables our customers to find more information for example when a Conservation Area was made.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

Never miss Planning News again ...

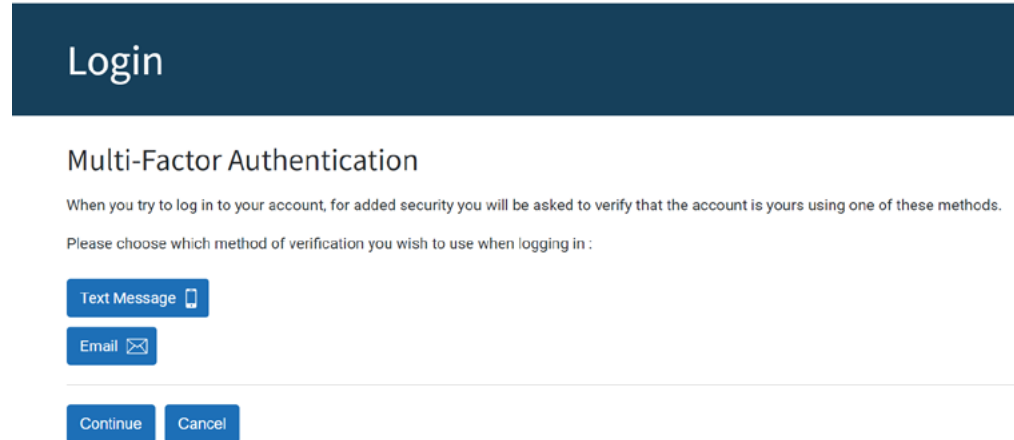
Useful links

Cornwall Council Website - Multi Factor Authentication (MFA) done

We're making your web account safer

Keeping your information safe is very important to us. On Monday 22 January, we added Multi Factor Authentication to the Cornwall Council website login. This is an important step as we add more features for you to your account page.

This means for added security, the next time you login to your account you will be asked to choose a method to verify an account is yours. You can select email or text.



The screenshot shows a dark blue header with the word "Login" in white. Below the header, the text "Multi-Factor Authentication" is displayed. A message states: "When you try to log in to your account, for added security you will be asked to verify that the account is yours using one of these methods." Below this, it says "Please choose which method of verification you wish to use when logging in:". There are two buttons: "Text Message" with a mobile phone icon and "Email" with an envelope icon. At the bottom of the selection area, there are "Continue" and "Cancel" buttons.

After selecting your method, you will be sent a code which you will need to enter to verify you own your account. This method will then be used every time you login

We have a short video to show you the process.

[Watch the video](#)

Never miss Planning News again ...

If you would like to receive notifications and a link to these newsletters when they are published, please contact us at positiveplanning@cornwall.gov.uk.

Index:

Welcome to our Winter 2024 Planning news

Introduction from Hayley Jewels, Head of Development Management

Biodiversity Net Gain

Climate Emergency Development Plan Document – Policies AL1 and SEC1

Fees and Charges update

Levelling Up and Regeneration Act and Local Plans

Refreshing our understanding of land potentially available for development - a call for sites

National Planning Policy Framework revision

New National Landscapes

Infrastructure Projects supporting children and young people to share almost £1.8m

Updated Story Map S106 – Ryan

Neighbourhood Planning Activity

Material weight of neighbourhood plans

Agents Forum news

Local Council planning news

Validation Team update

Cornwall Council Website - Multi Factor Authentication (MFA) done

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Useful links

Useful links

Quick links to pages on our website you may find useful:

[Contact us](#) including the latest map for the area planning teams

[What's new in Planning](#)

[Online Planning Register](#)

[Planning Agents Area](#)

[Planning Agents Forums](#)

[Planning Committees](#) – link to main Committees webpage

[Neighbourhood Development Plans](#)

[Day in the Life of a planning application](#)

[Role of Local Councils in Planning](#)

[Local Council Planning Training](#)

[Planning Enforcement](#) (including the latest [quarterly activity reports](#))

[Community Area Partnerships- Cornwall Council](#)

We're always looking for ways to improve our communications with you so if you have any feedback on this newsletter, we'd love to hear it. Please send any comments to positiveplanning@cornwall.gov.uk

January 2024

<https://www.cornwall.gov.uk>