

*'If we want to limit development on important green spaces, we have to remove all the obstacles that remain to development on brownfield sites'. (George Osborne, Mansion House, 2014)*

The press release by George Osborne's office on 10 July 2015 included:

*The main changes to planning law will include:*

*A new "zonal" system, as employed in many other countries, which will give automatic planning permission on all suitable brownfield sites, removing unnecessary delays to redevelopment.*

*Power for the government to intervene and have local plans drafted setting out how housing needs will be met when local authorities fail to produce them.*

This press release announced a government White Paper **'Fixing the Foundations - Creating a More Prosperous Nation'**. The White paper was published later in July 2015.

Chapter 9 of this White Paper included:

*'It is vital that local authorities use these powers to put in place local plans that set the framework for the homes and jobs local people need. The government will take further action to ensure that local authorities put local plans in place by a set deadline to be confirmed by summer recess. The government will publish league tables, setting out local authorities' progress on providing a plan for the jobs and homes needed locally. Where they are not, the **Secretary of State for Communities and Local Government will intervene for those local authorities that do not produce them, to arrange for local plans to be written**, in consultation with local people.*

*Previous studies have found that the country's planning system – where development proposals require individual planning permission and are subject to detailed and discretionary scrutiny – can create the sort of "slow, expensive and uncertain process" that reduces the appetite to build. The government is clear on the need to promote use of brownfield land, and will remove all unnecessary obstacles to its re-development, including these sorts of planning obstacles.*

*The government has already committed to legislating for statutory registers of brownfield land suitable for housing in England. The government will go further by **legislating to grant automatic permission in principle on brownfield sites identified on those registers**, subject to the approval of a limited number of technical details. On brownfield sites, this will give England a 'zonal' system, like those seen in many other countries, reducing unnecessary delay and uncertainty for brownfield development.'*

At the Falmouth Town Council Planning Committee meeting on 10th of August 2015, councillors were asked to produce a register of Brownfield Sites to be included in the Register, by 7th September 2015. This requirement stemmed from Cornwall Council.

Development on Brownfield sites is preferable to development in the Greenbelt however not all sites within towns which may be classified as Brownfield should be developed.

Local press reports indicate that the Ships and Castles site is being considered as one of these sites for inclusion on the Register.

This current process being carried out in haste raises many questions including:

#### 1. What is a Brownfield site?

One definition of Brownfield' land is 'an area of land or premises that has been previously used, but has subsequently become vacant, derelict or contaminated. This term derived from its opposite, undeveloped or 'greenfield' land.'

The National Planning Policy Framework (NPPF) published by the government in early 2015 carefully avoids the use of 'Brownfield' but instead refers to Previously Developed Land including existing buildings and associated land within the curtilage.

But the White Paper specifically requires the establishment of 'Brownfield' Land Registers

Is the government playing with semantics? One definition would exclude Ships and Castles, the other would include Ships and Castles and all the land associated with it right up to the ramparts of Pendennis Castle (land in Council ownership) and downhill to Castle Drive including all the fields and woodlands.

Which definition are the Town and County Councillors using in establishing their response to the register?

2. What are the 'planning obstacles' to be removed in the 'grant of automatic permission' as referred to in the White Paper? The setting of historic monuments such as Pendennis Castle, the Hornworks, The Ramparts, The Water Tower? The Conservation Area? Archaeology? Wildlife and Habitat? Landscape features? Native woodlands and hedges? Public Footpaths, Access and Recreation? Housing density? Building Height and Scale? A Leisure Centre regarded as a White Elephant by Councils?

3. Where does this leave Falmouth's Neighbourhood Plan and Local Plans referred to in the White Paper?

If the Register of Brownfield sites includes Ships and Castles and the Quarry Car Park and it will precede the completion and adoption of a Neighbourhood Plan, does this make much of the Neighbourhood Plan redundant? Many replies to the questionnaire must have expressed concerns over these sites and uses and not just controls over converting existing houses to student accommodation. In which case how valid has the consultation process been and how valid a subsequent Neighbourhood Plan?

Or does the adoption of a Register of Brownfield sites by Falmouth and Cornwall Councils before the Neighbourhood Plan put the cart before the horse?

4. What was the source of information that led the newspaper article in The West Briton to include Ships and Castles and the Quarry car park as possible sites for inclusion in a Brownfield Register? Has the suggestion come as part of some political agenda, or the reporter's imagination, or general rumour and speculation?

Whatever the answers to these and other questions might be, it is clear that anyone concerned over the fate of these sites must make their views known to Falmouth Town Council before the completion of the Register of Brownfield Sites on September 7th.

It may be the only opportunity to preserve Pendennis Headland's current public use, access and enjoyment. The alternative may be a gated 'castle' of high rise luxury apartments for the super rich excluding the public but visibly prominent on the skyline from all points of the compass, looking down mockingly on Falmouth and Pendennis Castle and doing nothing to solve any housing shortage.

#### Definitions from NPPF

*Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. **This excludes:** land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, **parks, recreation grounds** and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.*

**Pendennis Headland is identified as a Recreation area on Cornwall Council's Interactive map.**