

Appendix 2: Schedule of Modification Recommendations

The Neighbourhood Planning (General) Regulations 2012 (as amended) requires in Regulation 18 for the local planning authority to outline what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood plan. The Regulations provide that where the Council disagrees with the Examiners report to re-consult, however this provision is not engaged in this instance for the following reason:

Having considered each of the recommendations made by in the Examiner's report and the reasons for them, the Council, with the consent of St Mewan Parish Council, has decided to accept the modifications to the draft Plan. Table 1 below outlines the alterations made to the draft Plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations and the justification for this.

SMPNDP= St Mewan Parish Neighbourhood Plan CC = Cornwall Council

Section modified in the South Hill Neighbourhood Plan. Section/Policy	Modification Recommendation	SMPNDP Consideration/ justification
Policy 1 - Housing development within settlement boundaries	<p>Delete paragraph (d).</p> <p>Modify paragraph (f) from –</p> <p><i>the provision 2 off road parking spaces are made for up to 2 bed units and the minimum of 3 off road parking spaces are made for 3+ bed units;</i></p> <p>to –</p> <p><i>where possible the provision 2 off road parking spaces for up to 2 bed units and the minimum of 3 off road parking spaces for 3+ bed units will be supported;</i></p>	SMPNDP agrees to the recommendation and the policy has been updated.

<p>Policy 2 – Rural Exception Sites.</p>	<p>Modify paragraph (d) from –</p> <p><i>2 off road parking spaces are provided up to 2 bed units and the minimum of 3 off road parking spaces are provided for 3+ bed units;</i></p> <p>to –</p> <p><i>where possible provide 2 off road parking spaces for up to 2 bed units and the minimum of 3 off road parking spaces for 3+ bed units;</i></p>	<p>SMPNDP agrees to the recommendation and the policy has been updated.</p>
<p>Policy 5 - Environment - Open Areas of Significance Polgooth</p>	<p>Modify from –</p> <p><i>Proposals for development which would result in the loss of, or have a significant adverse effect on, the open spaces identified on Appendix 3 as "Open Areas of Significance" which contribute to the character, local amenity or environmental quality of their surroundings will not be permitted.</i></p> <p>to –</p> <p><i>Proposals for development which would result in the loss of, or have an adverse effect on, the open spaces identified on Appendix 3 as "Open Areas of Significance" which contribute to the character, local amenity or environmental quality of their surroundings will not be supported.</i></p>	<p>SMPNDP agrees to the recommendation and the policy has been updated.</p>
<p>Policy 6A - Polgooth Mine</p>	<p>Modify from –</p> <p><i>Proposals for development that would directly or indirectly affect the Grade II heritage asset</i></p>	<p>SMPNDP agrees to the modification and the Policy has been modified as recommended.</p>

of Polgooth Mine will not be permitted unless they respect:

*(a) Its intrinsic architectural and historical value; (b) its design and distinct physical features; and
(c) its setting and contribution to the local scene.*

to –

Proposals for development that would directly or indirectly affect the Grade II heritage asset of Polgooth Mine must be accompanied by an assessment which describes its significance including any contribution made by its setting and the potential harm of the proposal.

Where the proposed development would lead to substantial harm to or total loss of significance consent will be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and*
- no viable use can be found in the medium term through appropriate marketing that will enable its conservation; and*
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*

	<ul style="list-style-type: none"> • <i>the harm or loss is outweighed by the benefit of bringing the site back into use.</i> 	
Policy 6B - Archaeological Potential	<p>Modify from -</p> <p><i>Proposals for development that affect archaeological remains of St Mewan Parish importance will not be permitted where it would harm:</i></p> <ul style="list-style-type: none"> • <i>the historic character of the landscape; or</i> • <i>the value, character or setting of the remains.</i> <p>to -</p> <p><i>Proposals for development that would directly or indirectly affect archaeological remains of St Mewan Parish must be accompanied by an appropriate desk based assessment and where necessary a field evaluation.</i></p>	SMPNDP agrees to the modification and the policy has been amended accordingly.
Policy 7A - Expanding existing employment premises	<p>Modify from -</p> <p><i>Development proposals for the conversion of existing buildings for employment will be permitted provided that the proposal does not have an adverse impact on the character of the building or its surroundings and this should be established through appropriate assessment.</i></p> <p><i>Proposals for the expansion of established</i></p>	SMPNDP agrees to the modification and the policy has been amended accordingly.

	<p><i>employment premises will be supported where the following criteria are met:</i></p> <ul style="list-style-type: none"><i>(a) generation of additional employment opportunities or an improvement in the efficient operation of an existing local firm;</i><i>(b) the scale of development is relevant to the employment needs of the locality; and</i><i>(c) the proposal will not harm the living environment of any surrounding residents.</i><i>(d) Consideration of the need to design out crime, disorder and anti-social behaviour to ensure ongoing community safety and cohesion.</i> <p>to –</p> <p><i>Where planning permission is required, development proposals for the conversion of existing buildings for employment will be supported provided that the proposal does not have an adverse impact on the character of the building or its surroundings and this should be established through appropriate assessment.</i></p> <p><i>Where planning permission is required proposals for the expansion of established employment premises will be supported where the following criteria are met:</i></p> <ul style="list-style-type: none"><i>(a) the scale of development is relevant to the employment needs of the locality; and</i>	
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	<p><i>(b) the proposal will not harm the residential amenity of surrounding residents.</i></p> <p><i>(c) Consideration of the need to design out crime, disorder and anti-social behaviour to ensure ongoing community safety and cohesion.</i></p>	
<p>Policy 7C - Hewas Water</p>	<p>Modify from –</p> <p><i>Proposals for the redevelopment or change of use of land or buildings at Hewas Water identified in black on Appendix 4 for employment or service trade use as identified in classes A1, A2, A3, A4, A5, B1, B2 and B8 of the Town and Country Planning (use classes) Order 1987 (as amended) to non-employment uses will not be permitted.</i></p> <p>to –</p> <p><i>Where planning permission is required proposals for the redevelopment or change of use of land or buildings at Hewas Water identified in black on Appendix 4 for employment or service trade use as identified in classes A1, A2, A3, A4, A5, B1, B2 and B8 of the Town and Country Planning (use classes) Order 1987 (as amended) to non-employment uses will not be supported unless there is no reasonable prospect of the sites identified being used for the allocated employment use in the longer term. Proposals that would result in the loss of business space must:</i></p> <ul style="list-style-type: none"> <i>• demonstrate there is no market demand</i> 	<p>SMPNDP agrees to the modification and the policy has been amended accordingly.</p>

	<p><i>through active and continued marketing for at least a period of 9 months; or</i></p> <ul style="list-style-type: none"> • <i>result in the provision of better quality employment space allowing for mixed use; or</i> • <i>be necessary to meet a clear need for community facilities; or</i> • <i>be unsuitable to continue as business use due to environmental considerations.</i> 	
Policy 8B - Infrastructure to Support Future Growth	This is not a policy and should be removed to a separate section of the plan.	SMPNDP agrees to the modification and the policy has been amended accordingly.
Policy 10 - Open spaces	<p>Modify from –</p> <p><i>Polgooth Playing Field and Recreational Area, The Goffin, Sticker Playing Field and Dog Field, Sticker Football Club, St Mewan Park, Trelowth, used by Charlestown Football Club and Trewoon Recreation Ground identified on Appendices 1, 2 and 3 are designated open spaces. Development proposals affecting these designated spaces will be permitted where:</i></p> <p><i>(a) the development would enhance the use of the playing field by providing play or sports equipment; or</i></p> <p><i>(b) the development would provide a building with community facilities such as a clubhouse or changing rooms, subject to the scale, siting and design of the proposal; and</i></p>	SMPNDP agrees to the modification and the policy has been amended accordingly.

(c) it can be shown that the area of open space affected is surplus to requirements; or

(d) the loss resulting from the development would be replaced by equivalent or better provision in a suitable location.

to –

The following open spaces (identified in Appendices 1, 2 and 3) are designated as Local Green Spaces in accordance with paragraph 77 of the National Planning Policy Framework:

- *Polgooth Playing Field and Recreational Area*
- *The Goffin*
- *Sticker Upper Playing Field and adjacent dog field*
- *Sticker Football Club*
- *Sticker Lower Playing Field*
- *St Mewan Park*
- *Trelowth, used by Charlestown Football Club and Trewoon Recreation Ground*

Development proposals affecting these designated spaces will only be supported where:

(a) the development would enhance the use of the playing field by providing play or sports equipment; or

(b) the development would provide a building

	<p><i>with community facilities such as a clubhouse or changing rooms, subject to the scale, siting and design of the proposal; and</i></p> <p><i>(c) it can be shown that the area of open space affected is surplus to requirements; or</i></p> <p><i>(d) the loss resulting from the development would be replaced by equivalent or better provision in a suitable location.</i></p>	
<p>Policy 11 - Landscape Character Areas</p>	<p>Modify the final paragraph from –</p> <p><i>Where development is proposed which will detract from or have an adverse impact on characteristics that have been identified by the community and are shown in the St Mewan Parish Local Landscape Character Assessment (found within the Evidence Report) as important to the character of the local area, it will be refused.</i></p> <p>to –</p> <p><i>Development which will detract from or have an adverse impact on characteristics that have been identified by the community and are shown in the St Mewan Parish Local Landscape Character Assessment (found within the Evidence Report) as important to the character of the local area, will not be supported.</i></p>	<p>SMPNDP agrees to the modification and the policy has been amended accordingly.</p>