

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 Mevagissey 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.

MPNDP= Mevagissey Parish Neighbourhood Development Plan CC = Cornwall Council

Section modified in the Mevagissey Neighbourhood Plan. Section/Policy	Modification Recommendation	FPNDP Consideration/ justification
Policy EE1 – Support for fishing and marine industries	<p>Modify from –</p> <p><i>Maintaining a thriving fishing industry featured as a key issue in the residents' survey</i></p> <p><i>- second only to conserving the character of the village, its old buildings and the harbour.</i></p> <p><i>The following developments will be supported in suitable locations appropriate to commercial maritime activities and where there is no conflict with other policies in this plan:</i></p> <ol style="list-style-type: none"> <i>1. Developments which support the fishing industry in Mevagissey</i> <i>2. Developments which sustain or enhance other maritime industries</i> 	MPNDP agrees to the recommendation and the Consultation Statement has been updated.

Harbour Development

Development to provide for or enhance the provision of cranes, slipways, breakwaters, etc. will be supported provided such developments conform to policies elsewhere in this document.

Developments which provide for new harbour gates, marinas, tidal power, or other major infrastructure will be sympathetically assessed for suitability according to the following criteria:

- a) that they do not harm the fishing industry or the viability of the harbour*
- b) that they can be sensitively designed and installed so as to preserve or enhance the traditional environment of the harbour and Conservation Area*
- c) that they are unlikely to lead to a major detrimental transformation in the character of the village or its environment*

Proposals for non-port/harbour related development in existing port/harbour areas, or in areas identified for future port/harbour related use will only be permitted where there is no present or foreseeable future need to retain land for port/harbour related use.

to –

Maintaining a thriving fishing industry featured as a key issue in the residents' survey - second only to

conserving the character of the village, its old buildings and the harbour. The following developments will be supported in suitable locations appropriate to commercial maritime activities and where there is no conflict with other policies in this plan. Proposals for development within the AONB must be in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall AONB Management Plan. Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.

- 1. Developments which support the fishing industry in Mevagissey*
- 2. Developments which sustain or enhance other maritime industries*

Harbour Development

Development to provide for or enhance the provision of cranes, slipways, breakwaters, etc. will be supported provided such developments conform to policies elsewhere in this document.

Developments which provide for new harbour gates, marinas, tidal power, or other major infrastructure will be sympathetically assessed for suitability according to the following criteria:

- a) that they do not harm the fishing industry or the viability of the harbour*

	<p><i>b) that they can be sensitively designed and installed so as to preserve or enhance the traditional environment of the harbour and Conservation Area</i></p> <p><i>c) that they are unlikely to lead to a major detrimental transformation in the character of the village or its environment</i></p> <p><i>Proposals for non-port/harbour related development in existing port/harbour areas, or in areas identified for future port/harbour related use will only be permitted where there is no present or foreseeable future need to retain land for port/harbour related use.</i></p>	
<p>Policy EE2 – Development to support existing agricultural businesses</p>	<p>Modify from –</p> <p><i>Development to support existing agricultural businesses within the AONB will be permitted where such proposals show how they support:</i></p> <ol style="list-style-type: none"> <i>1. the productivity of the land</i> <i>2. economic viability for farming, including equipment storage, livestock holding areas and arable material storage</i> <i>3. the mixed use of buildings</i> <i>4. The effective management and storage of farm waste and recycling to minimise odours</i> <i>5. Noise minimisation measures where appropriate</i> <p>to –</p>	

	<p><i>Development to support existing agricultural businesses within the AONB will be permitted where such proposals demonstrate how they are in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall AONB Management Plan and where it supports:</i></p> <ol style="list-style-type: none"> <i>1. the productivity of the land</i> <i>2. economic viability for farming, including equipment storage, livestock holding areas and arable material storage</i> <i>3. the mixed use of buildings</i> <i>4. The effective management and storage of farm waste and recycling to minimise odours</i> <i>5. Noise minimisation measures where appropriate</i> <p><i>Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.</i></p>	
<p>Policy EE3 – Agricultural Diversification</p>	<p>Modify from –</p> <p><i>Proposals for farm diversification on sites within existing farm holdings will be supported where</i></p> <ol style="list-style-type: none"> <i>1. Existing buildings are reused where possible</i> <i>2. New buildings are sensitively sited within or adjacent to existing farm buildings unless operationally necessary to be sited elsewhere</i> <i>3. New building design should reflect the design and scale of existing buildings and respect landscape</i> 	

	<p style="text-align: center;"><i>features</i></p> <p>to –</p> <p><i>Where planning permission is required proposals for farm diversification within existing farm holdings will be supported where such proposals demonstrate how they are in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall AONB Management Plan and where:</i></p> <ol style="list-style-type: none"> <i>1. Existing buildings are reused where possible</i> <i>2. New buildings are sensitively sited within or adjacent to existing farm buildings unless operationally necessary to be sited elsewhere</i> <i>3. New building design reflects the design and scale of existing buildings and respect landscape features.</i> <p><i>Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.</i></p>	
<p>Policy EE4 – Development to support Tourism and facilities</p>	<p>Modify from –</p> <p><i>Developments which enhance the historic built environment and encourage tourism and leisure activities related to the built, natural or maritime environments will be supported where they</i></p> <ul style="list-style-type: none"> <i>• Provide for sensitive building design</i> <i>• Use signage that does not detract from the</i> 	

historic environment

- *Do not significantly increase car traffic into Mevagissey*
- *Support the provision of visitor accommodation and restaurants*
- *Retain or enhance existing shops and attractions*
- *Enhance or improve the scope of tourist interest*

to –

Developments which enhance the historic built environment and encourage tourism and leisure activities related to the built, natural or maritime environments will be supported where such proposals demonstrate how they are in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall AONB Management Plan and where they:

- *Provide for sensitive building design*
- *Use signage that does not detract from the historic environment*
- *Demonstrate how any increase in car traffic into Mevagissey will be managed*
- *Support the provision of visitor accommodation and restaurants*
- *Retain or enhance existing shops and attractions*
- *Enhance or improve the scope of tourist interest*

Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public

	<p><i>interest as set out in national policy.</i></p>	
<p>Policy HC1 – Conservation Area</p>	<p>Modify from –</p> <ol style="list-style-type: none"> <i>1. Development in Conservation Areas will be permitted where it preserves or enhances the historic character and appearance.</i> <i>2. Demolition or partial demolition of buildings in a Conservation Area will only be permitted where a building is beyond repair or it would not harm the character or appearance of the area. In all such cases, acceptable proposals for replacement including any potential disruption during the process must be approved before demolition.</i> <i>3. Replacement buildings should reproduce the appearance of the previous building unless the new design can be shown to be an enhancement or improvement.</i> <i>4. Change of Use of existing retail and commercial premises within the Conservation Area will not be permitted unless their continued use is demonstrated to be economically unsustainable.</i> <p>to –</p> <p><i>Development in Conservation Areas will be supported where it preserves or enhances the historic character and appearance and complies with National Policy and Policy 24 of the Cornwall Local Plan</i></p>	

<p>Policy HC2 – Areas of Special Character</p>	<p>Modify from -</p> <p><i>The areas are indicated in Annex 1 and defined as Areas of Special Character. Criteria for definition can be found in Annex 7. Development in these areas will be permitted where proposals do not change the character of the area; infill development is unlikely to be acceptable.</i></p> <p><i>Development proposals will be supported where they</i></p> <ul style="list-style-type: none"><i>do not intrude into the setting of any prominent building or significant landmark;</i><i>do not adversely affect the spatial relationship between buildings;</i><i>do not substantially enlarge upon an existing building so as to disrupt its setting within the site</i><i>do not adversely affect the landscape or setting of the area.</i> <p>to -</p> <p><i>These areas are indicated in Annex 1 and defined as Areas of Special Character. Criteria for definition can be found in Annex 7. Where development requires planning permission, development in these areas will be supported where proposals respect the character of the area; infill development is unlikely to be acceptable.</i></p> <p><i>Where development requires planning permission proposals will be supported where they demonstrate how the proposals:</i></p> <ul style="list-style-type: none"><i>respect the setting of any prominent building or significant landmark;</i>	
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	<ul style="list-style-type: none"> • <i>respect the spatial relationship between buildings;</i> • <i>respect the building to plot ratio on an existing site</i> • <i>respect the landscape or setting of the area.</i> 	
Policy HC3 – Arts and Culture	<p>Modify from -</p> <ol style="list-style-type: none"> 1. <i>Where development affects any existing permanent or temporary performance space, the performance space must be maintained.</i> 2. <i>Planning applications for change of use or other developments which preserve performance and exhibition space in Jubilee Hall, MAC and St Andrews United Church will be supported.</i> <p>to -</p> <ol style="list-style-type: none"> 1. <i>Development proposals affecting existing permanent or temporary performance space, should where possible, retain the performance space or make alternative provision on or near the existing site.</i> 2. <i>Planning applications for change of use or other developments which preserve performance and exhibition space in Jubilee Hall, MAC and St Andrews United Church will be supported.</i> 	
Policy HO1 – Open Market Homes for Principal Residence	<p>Modify from -</p> <p><i>Principal Residence Requirement</i></p> <p><i>Due to the impact upon the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes)</i></p>	

new open market housing will only be supported where there is a restriction to ensure its occupancy as a Principal Residence.

Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.

Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home.

The condition or obligation on new open market homes will require that they are occupied by the owner or their tenants as their primary (principal) residence. Owners of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition, and be willing to provide this proof if/when Cornwall Council requests this information. Proof of Principal Residence is via verifiable evidence including (but not limited to) residents being registered on the local electoral register, being registered for and attending local services (such as healthcare, schools), having bank statements, tax assessments, pension or benefit statements being delivered or vehicles registered to this address).

Further details are presented in Annex 8.

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Principal Residence Requirement

Due to the impact upon the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes) new open market housing, other than replacement dwellings will only be supported where there is a restriction to ensure its occupancy as a Principal Residence.

Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes, other than replacement dwellings will not be supported at any time.

Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home.

The condition or obligation on new open market homes will require that they are occupied by the owner or their tenants as their primary (principal) residence. Owners of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition, and be willing to provide this proof if/when Cornwall Council requests this information. Proof of Principal Residence is via verifiable evidence including (but not limited to) residents being registered on the local electoral register, being registered for and attending local services (such as healthcare, schools), having bank statements, tax assessments, pension or

	<p><i>benefit statements being delivered or vehicles registered to this address).</i></p> <p><i>Further details are presented in Annex 8 (as revised).</i></p>	
<p>Policy HO2 – Exception Sites - Affordable homes for Local People</p>	<p>Modify from –</p> <p><i>Any proposals for dwellings outside the development will be classed as an exception to Policy HO1, and should comprise 100% Affordable Housing only for local people meeting the Cornwall Council affordability criteria. Exceptions may be made where a development can be shown to be unviable without some proportion of open market homes.</i></p> <p><i>Policy 8 in the Cornwall Local Plan sets out criteria for developers to contribute to affordable housing and Policy 9 has specific criteria for the allocation of homes.</i></p> <p>to –</p> <p><i>Any proposals for dwellings, other than replacement dwellings outside the development boundary of Mevagissey and Portmellon will be classed as an exception to Policy HO1, and should comprise 100% Affordable Housing only for local people meeting the Cornwall Council affordability criteria. Exceptions may be made where a development can be shown to be unviable without some proportion of open market homes.</i></p> <p><i>Policy 8 in the Cornwall Local Plan sets out criteria for developers to contribute to affordable housing and Policy 9 has specific criteria for the allocation of homes.</i></p>	

<p>Policy HO3 – Development envelope</p>	<p>Rename the policy tile from –</p> <p><i>Development envelope</i></p> <p>To –</p> <p><i>Development boundary</i></p>	
<p>Policy D1 – Design and Context</p>	<p>Modify from –</p> <p><i>Development proposals will be supported where they (1) harmonise with their surroundings.</i></p> <ul style="list-style-type: none"> <i>A. do not protrude above prominent ridges or skylines.</i> <i>B. are designed to take account of changes in level or slope.</i> <i>C. do not expand out of any natural valley or depression which confines present development – see development envelope in Annex 1.</i> <i>D. do not intrude into prominent views into, out of or across any town, village or areas of countryside.</i> <i>E. do not intrude into the setting of any prominent building or significant landmark.</i> <p><i>Exceptions may be allowed where conformity is impossible for operational reasons and no alternative locations for the development exist.</i></p> <p><i>(2) Create an interesting, attractive environment by:</i></p> <ul style="list-style-type: none"> <i>A. Ensuring that new buildings are sympathetic to the existing built environment (i.e. respect the character and identity of their surroundings</i> 	

through their design and materials) and/or provide architectural merit.

B. Provide for adequate landscaping which adds to or retains existing trees, hedgerows, woods and other natural features. Where possible, landscaping for major developments should be undertaken prior to, or at the same time as construction work or in the first planting season following completion.

Landscaping, particularly in open countryside, should be an integral part of a development and should reflect the balance of indigenous species and features in the surrounding area and on the site already.

On all new residential development, planning applications should demonstrate that suitable recreational facilities are easily accessible or provision is made within the site an area of open space including suitable children's play areas and equipment where necessary to meet the needs of the residents.

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Subject to other policies in the plan and where such proposals demonstrate how they are in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall AONB Management Plan, development proposals will be supported where they:

- harmonise with their surroundings.*
- do not protrude above prominent ridges or*

skylines as identified in annex 1.

- *are designed to take account of changes in level or slope.*
- *do not expand out of any natural valley or depression which confines present development – see development boundary in Annex 1.*
- *do not intrude into prominent views into, out of or across any town, village or areas of countryside within the plan area.*
- *respect the setting of any prominent building or significant landmark.*

Exceptions may be allowed where conformity is impossible for operational reasons and no alternative locations for the development exist.

And create an interesting, attractive environment by:

- *Ensuring that new buildings are sympathetic to the existing built environment (i.e. respect the character and identity of their surroundings through their design and materials) and/or provide architectural merit.*
- *Provide for adequate landscaping which adds to or retains existing trees, hedgerows, woods and other natural features. Where possible, landscaping for major developments should be undertaken prior to, or at the same time as construction work or in the first planting season following completion.*
- *Integrating landscape proposals which reflect the balance of indigenous species and features in the surrounding area and on the site already.*

	<p><i>Where appropriate to the scale of the application new residential development, planning applications should demonstrate that suitable recreational facilities are easily accessible or provision is made within the site an area of open space including suitable children's play areas and equipment where necessary to meet the needs of the residents.</i></p> <p><i>Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.</i></p>	
<p>Policy D2 – Accessible Design</p>	<p>Modify from –</p> <p><i>Proposals for housing to meet special needs including homes for the elderly, nursing homes, mental care homes and other needs will be supported where they meet the following criteria:</i></p> <ol style="list-style-type: none"> <i>1. The proposals comply with the requirements of Lifetime Homes or Building Regulations</i> <i>2. The site is easily accessible and within easy walking distance of public transport and other town or village amenities</i> <i>3. There is safe access for car parking, ambulances and adequate space for parking, turning and delivery.</i> <i>4. The proposal is sensitive to the character and density of the surrounding area</i> <i>5. Proposals for new footpaths and countryside access facilities as well as improvements to existing facilities will be supported where it can be</i> 	

	<p><i>demonstrated that consideration has been given to making the facility accessible for disabled people.</i></p> <p>to –</p> <p><i>Proposals for housing to meet special needs including homes for the elderly, nursing homes, mental health care homes and other needs will be supported where they meet the following criteria:</i></p> <ol style="list-style-type: none"> <i>1. The site is easily accessible and within easy walking distance of public transport and other town or village amenities</i> <i>2. There is safe access for car parking, ambulances and adequate space for parking, turning and delivery.</i> <i>3. The proposal is sensitive to the character and density of the surrounding area</i> <i>4. Proposals for new footpaths and countryside access facilities as well as improvements to existing facilities will be supported where it can be demonstrated that consideration has been given to making the facility accessible for disabled people.</i> 	
<p>Policy D5 – Design Checklist for all Development</p>	<p>Modify from –</p> <p><i>A detailed Design and Access Statement (DAS) is requested for all major development proposals and for all development within the conservation area. New developments will be required to:</i></p> <p><i>(1) Harmonise with their surroundings.</i></p> <p><i>A. Not protrude above prominent ridges or skylines.</i></p>	

- B. Take account of changes in level or slope.*
- C. Not expand out of any natural valley or depression which confines present development.*
- D. Not intrude into prominent views into, out of or across any town, village or areas of countryside.*
- E. Not intrude into the setting of any prominent building or significant landmark.*
- F. Not harming the setting or character.*

Exceptions to (A) and (D) above will be allowed where conformity is impossible for operational reasons and no alternative locations for the development exist.

(2) Create an interesting, attractive environment by:

- A. Ensuring that new buildings exhibit designs that are sympathetic to the existing built environment (i.e. respect the character and identity of their surroundings through their design and materials) and/or provide architectural merit.*
- B. Providing for adequate landscaping which adds and/or retains as many as possible existing trees, hedgerows and woods and other natural features which contribute to the character of the area as possible.*

Where possible, landscaping for major developments should be undertaken prior to, at the same time as construction work or in the first planting season following completion.

Landscaping, particularly in open countryside, should be an integral part of a development rather than a

decorative afterthought. Landscaping features should reflect the balance of species and features in the surrounding area and on the site already, and should concentrate on indigenous trees, shrubs and other plants.

(3)Ensure sustainable energy usage.

- A. Provide for micro energy generation.*
- B. Aspire to zero carbon standards.*

Where a DAS is not required, smaller development proposals should submit a statement setting out how the proposal provides benefits to the local community. In particular, the statement should comment on the following criteria (where appropriate):

Context and character; architectural and design quality; historic character; energy generation and conservation; impact on the AONB; connection with the countryside; quality for pedestrians, cyclists and the physically disadvantaged; development density and build quality; car parking and road access; landscaping and access to open and green space; occupier controlled access to fibre, copper and other home office services; environmental footprint.

All proposals should show that the development will not result in any significant changes to noise levels and ambient light.

The Parish Council reserves the right to require an individual design review on any development application. Such reviews should be carried out by an appropriately

qualified independent body and conducted within the design review guidelines established by RIBA or CABI. The Plan acknowledges existing policy guidance in the National Planning Policy Framework (NPPF) and the current Cornwall Local Plan.

to –

Applications should be supported by adequate information and detail to assess the impact of the proposal and subject to the scale of the application and the requirements of Cornwall Council include information on how they create an interesting, attractive environment by:

- Ensuring that new buildings exhibit designs that are sympathetic to the existing built environment (i.e. respect the character and identity of their surroundings through their design and materials) and/or provide architectural merit.*
- Providing for adequate landscaping which adds and/or retains as many as possible existing trees, hedgerows and woods and other natural features which contribute to the character of the area as possible.*
- include provision for sustainable energy usage including micro energy generation and aspire to zero carbon standards*
- show that the development will not result in any significant changes to noise levels and ambient light.*

Where a Design and Access Statement is not required,

	<p><i>smaller development proposals are encouraged to submit a statement setting out how the proposal provides benefits to the local community. In particular, the statement should comment on the following criteria (where appropriate):</i></p> <p><i>Context and character; architectural and design quality; historic character; energy generation and conservation; impact on the AONB; connection with the countryside; quality for pedestrians, cyclists and the physically disadvantaged; development density and build quality; car parking and road access; landscaping and access to open and green space; occupier controlled access to fibre, copper and other home office services; environmental footprint.</i></p> <p><i>The Parish Council may request an individual design review on any development application. Where appropriate such reviews should be carried out by an appropriately qualified independent body and conducted within the design review guidelines established by RIBA or CABE. The Plan acknowledges existing policy guidance in the National Planning Policy Framework (NPPF) and the current Cornwall Local Plan.</i></p>	
<p>Policy D6 – Sustainable Energy Usage</p>	<p>Modify from –</p> <ol style="list-style-type: none"> <i>1. The use of microgeneration and other micro energy generation in domestic and commercial building design is encouraged</i> <i>2. All new development should include high levels of insulation, energy monitoring and other energy saving measures. Developers must show in their</i> 	

	<p><i>checklist how their proposals promote energy conservation.</i></p> <ol style="list-style-type: none"><i>3. The incorporation of facilities for charging plugin and other ultralow emission vehicles is supported</i><i>4. Large scale wind and solar developments within the AONB are not supported.</i><i>5. New development should use a layout and disposition of buildings to maximise passive solar gain.</i><i>6. Where appropriate, the use of the landscape and the most efficient density of buildings to create shelter is encouraged.</i> <p>to –</p> <ol style="list-style-type: none"><i>1. The use of micro solar generation and other micro energy generation in domestic and commercial building design is encouraged</i><i>2. All new development should include high levels of insulation, energy monitoring and other energy saving measures. Developers must show in their checklist how their proposals promote energy conservation.</i><i>3. The incorporation of facilities for charging plugin and other ultralow emission vehicles is supported</i><i>4. Large scale wind and solar developments within the AONB are not supported.</i><i>5. New development should use a layout and disposition of buildings to maximise passive solar gain.</i><i>6. Where appropriate, the use of the landscape and the most efficient density of buildings to create</i>	
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	<p><i>shelter is encouraged.</i></p>	
<p>Policy EG1 – Coastal and Landscape Protection</p>	<p>Modify from –</p> <p><i>Proposals for development, including tourism uses, will be permitted where they have demonstrated that they meet the objectives of the Cornwall Area of Outstanding Natural Beauty Management Plan, namely to:</i></p> <ul style="list-style-type: none"> • <i>conserve and enhance the diverse landscape and special qualities of the AONB;</i> • <i>use materials and be of a scale and design that has appropriate regard to the character, sensitivity and capacity of the protected landscape;</i> • <i>be appropriately sited to avoid damage (individually or cumulatively) to the natural beauty, character and special qualities of the AONB, especially avoiding the undeveloped coast and elevated locations such as ridgelines.</i> <p><i>Hedgerows must be protected and retained.</i></p> <p>to –</p> <p><i>Proposals for development, including tourism uses, will be supported where they have demonstrated that they are in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall AONB Management Plan and:</i></p>	

	<ul style="list-style-type: none"> • <i>are appropriately sited to avoid damage (individually or cumulatively) to the natural beauty, character and special qualities of the AONB, especially avoiding the undeveloped coast and elevated locations such as ridgelines.</i> • <i>use materials and be of a scale and design that has appropriate regard to the character, sensitivity and capacity of the protected landscape;</i> <p><i>Where possible, hedgerows must be protected and retained.</i></p> <p><i>Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.</i></p>	
<p>Policy EG2 – Potential Flood Risk</p>	<p>Modify from -</p> <ul style="list-style-type: none"> • <i>Development should manage water courses and prevent flooding. Consider support for upstream barriers to mitigate flooding extent. Since flood prevention is considered important, new developments should ensure the following:</i> • <i>Proposals for development in areas at risk from flooding, including intensification of existing developments and land raising, will not be permitted if the storage capacity of the floodplain will be reduced or natural flows of water impeded.</i> • <i>Planning permission will not be granted for new development or redevelopment of existing areas if such development would result in flooding to</i> 	

	<p><i>areas downstream due to additional surface water runoff, river channel instability or damage to ecological habitats.</i></p> <ul style="list-style-type: none">• <i>Developments should include permeable surfaces (e.g. for paths, hardstanding, driveways, etc.) where possible to allow for water absorption and to mitigate runoff.</i>• <i>Proposals for new sea and river defences should seek to make use of soft engineering techniques[NP92] (Ref. UK-CHM).</i>• <i>Proposals for development which will harm sea and river defences or have adverse consequences for offsite coastal loss and deposition will not be permitted.</i> <p>to –</p> <p><i>Where necessary and in accordance with existing policy a Flood Risk Assessment should be submitted.</i></p> <p><i>For all development where relevant and feasible, applicants are encouraged to consider the management of water, managing water courses and prevent flooding, including considering support for upstream barriers to mitigate flooding extent. Since flood prevention is considered important, new developments should ensure the following:</i></p> <ul style="list-style-type: none">• <i>Developments should include permeable surfaces (e.g. for paths, hardstanding, driveways, etc.) where possible to allow for water absorption and to mitigate runoff.</i>• <i>Where possible proposals for new sea and river</i>	
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	<p><i>defences should seek to make use of soft engineering techniques[NP92] (Ref. UK-CHM).</i></p>	
<p>Policy EG3 – Landscape Features</p>	<p>Modify from -</p> <p><i>All development proposals must include a statement which shows that the development will not cause undue harm to the landscape. Where the development does have impacts on the landscape, planning conditions may be imposed to conserve and manage landscape features.</i></p> <ol style="list-style-type: none"> <i>1. Development proposals within Areas of Great Scientific Value and Conservation Corridors will be required to pay particular regard to the conservation of such features.</i> <i>2. Proposals for Community Woodlands or proposals which incorporate Community Woodlands will be permitted, where there is no conflict with other policies for the countryside and the proposed habitat is appropriate to the landscape and habitats of the area concerned.</i> <p>to -</p> <p><i>All development proposals, where appropriate to the size and scale of the proposal should include an assessment of the impact of the proposal on the landscape. Where the development does have impacts on the landscape, planning conditions may be imposed to conserve and manage landscape features.</i></p> <ol style="list-style-type: none"> <i>1. Development proposals within Areas of Great Landscape Value and Conservation Corridors will</i> 	

	<p><i>be required to pay particular regard to the conservation of such features.</i></p> <p><i>2. Proposals for Community Woodlands or proposals which incorporate Community Woodlands will be supported, where there is no conflict with other policies for the countryside and the proposed habitat is appropriate to the landscape and habitats of the area concerned.</i></p>	
<p>Policy EG4 – Open Spaces</p>	<p>Modify from –</p> <p><i>Built development on land which has been identified as Community Green or Open Space will be resisted unless it is small in scale and improves functionality or is incidental to the use of the land as green or open space. The following sites (as identified in Annex 1) are designated as Community Green Spaces:</i></p> <ul style="list-style-type: none"> <i>• Portmellon Paddock,</i> <i>• Cliff Park (locally known as Hitler's Walk)</i> <i>• The Battery</i> <i>• Pentillie Recreation Ground</i> <i>• Pentillie Way</i> <i>• Playing field (MAC)</i> <i>• Recreation ground (Fire station)</i> <i>• Garden area opposite the above recreation ground</i> <p><i>Proposals for development which would result in a loss of public and private playing fields, and ancillary facilities and/or public access to such fields for informal use will not be permitted unless suitable alternative playing fields or facilities are made available in the immediate vicinity, or that there is no existing or proven future need for the</i></p>	

playing fields or facilities.

Proposals to develop on existing open green spaces and footpaths, bridleways and byways will not be supported except where the proposed development is for recreation purposes or where suitable replacement space or links are made available in the immediate vicinity. See also Annex 9.

to –

The following spaces have been designated as Local Green Spaces (as identified in Annex 1) as described in paragraph 76 of the National Planning Policy Framework:

- *Portmellon Paddock,*
- *Cliff Park (locally known as Hitler's Walk)*
- *The Battery*
- *Pentillie Recreation Ground*
- *Pentillie Way*
- *Playing field (MAC)*
- *Recreation ground (Fire station)*
- *Garden area opposite the above recreation ground*

Proposals for development on land which has been identified as Local Green Spaces will be resisted unless it is small in scale and improves functionality or is incidental to the use of the land as green or open space or in very special circumstances.

Proposals for development which would result in a loss of public and private playing fields, and ancillary facilities and/or public access to such fields for informal use will

	<p><i>not be permitted unless suitable alternative playing fields or facilities are made available in the immediate vicinity, or that there is no existing or proven future need for the playing fields or facilities.</i></p> <p><i>Proposals to develop on existing open green spaces and footpaths, bridleways and byways will not be supported except where the proposed development is for recreation purposes or where suitable replacement space or links are made available in the immediate vicinity. See also Annex 9.</i></p>	
<p>Policy EG5 – Coast and Seascape</p>	<p>Modify from -</p> <ul style="list-style-type: none"> a) <i>Development on coastal boundary land to support offshore developments will only be permitted where such developments enhance the year round use of the harbour, provide for sustainable public access, marine conservation or tide/wave energy generation.</i> b) <i>Proposals must satisfy policies covering conservation and enhancement of the AONB, biodiversity and geology, and, where consistent with these aims, enhance the established fishing industry, public access, enjoyment and appreciation of the coastal zone.</i> c) <i>Use of coastal land to support permanent offshore anchorages, mineral, gas or oil extraction platforms, seaweed farms for food, pharmaceuticals, biofuels, etc., and other structures will be permitted only where they do not conflict with (a) above.</i> 	

	<p>to –</p> <p><i>Development on coastal boundary land to support offshore developments will only be supported where such developments enhance the year round use of the harbour, provide for sustainable public access, marine conservation or tide/wave energy generation and where proposals:</i></p> <ul style="list-style-type: none"> <i>a) demonstrate how they are in accordance with the great weight afforded to their landscape and scenic beauty in national policy and the aims and objectives of the Cornwall AONB Management Plan. Major development in the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.</i> <i>b) satisfy policies covering conservation, biodiversity and geology, and, where consistent with these aims, enhance the established fishing industry, public access, enjoyment and appreciation of the coastal zone.</i> <p><i>Use of coastal land to support permanent offshore anchorages, mineral, gas or oil extraction platforms, seaweed farms for food, pharmaceuticals, biofuels, etc., and other structures will be permitted only where they do not conflict with (a) and (b) above.</i></p>	
<p>Policy CA1 – Development for recreation</p>	<p>Modify from -</p> <ul style="list-style-type: none"> <i>1. Proposals to use school facilities for wider</i> 	

	<p><i>community uses, or develop Dual use facilities on school sites will be encouraged.</i></p> <ol style="list-style-type: none"> <i>2. Proposals which involve the loss of existing built recreation facilities and arts and cultural facilities will not be permitted where this would reduce the level of service locally.</i> <i>3. Proposals for new built sports and recreation facilities and arts and cultural facilities will be permitted where a deficiency has been identified and where the development is easily accessible to the residents of Mevagissey and Portmellon</i> <p>to –</p> <ol style="list-style-type: none"> <i>1. Proposals which involve the loss of existing built recreation facilities and arts and cultural facilities will not be supported where this would reduce the level of service locally unless it can be demonstrated that they are unviable.</i> <i>2. Proposals for new built sports and recreation facilities and arts and cultural facilities will be supported where a deficiency has been identified and where the development is easily accessible to the residents of Mevagissey and Portmellon</i> 	
<p>Policy CA2 – Change of Use within the Conservation Area</p>	<p>Modify from (or delete) –</p> <p><i>Development proposals which would change the usage of buildings within the Conservation Area, causing the closure of local shops and services will not be permitted where harm would be caused to the level of service locally, unless their continued use is demonstrated to be</i></p>	

	<p><i>economically unsustainable.</i></p> <p>to –</p> <p><i>In conformity with Cornwall Local Plan Policy 4 part 4, within the Conservation Area community facilities and village shops should, wherever possible, be retained and new ones supported. Loss of provision will only be acceptable where the proposal shows:</i></p> <ul style="list-style-type: none"> <i>a) no need for the facility or service;</i> <i>b) it is not viable; or</i> <i>c) adequate facilities or services exist or the service can be re- provided in locations that are similarly accessible by walking, cycling or public transport.</i> 	
<p>Policy CA3 – Traffic</p>	<p>Modify from –</p> <ol style="list-style-type: none"> <i>1. Development will only be permitted where it can demonstrate and ensure that the additional traffic generated can gain access to and be accommodated on the road.</i> <i>2. All major developments sites should incorporate appropriate traffic calming measures into their design or layout.</i> <i>3. Contributions towards traffic calming measures on the existing related highway network will be sought where new developments would otherwise create unacceptable traffic conditions.</i> <p><i>In addition, plans should provide and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. therefore,</i></p>	

developments should be located and designed where practical to:

- *accommodate the efficient delivery of goods and supplies.*
- *Give priority to pedestrian and cycle movements, and have access to high*
- *quality public transport facilities.*
- *Create safe and secure layouts which minimise conflict between traffic and cyclists or pedestrians, avoiding street clutter.*
- *Consider the needs of elderly people with disabilities by all modes of transport.*

to –

Proposals for development should be supported by an assessment of traffic impact appropriate to the size and scale of the proposed development to enable an accurate assessment of the impact of the proposal to be made and include mitigation measures if necessary

Major developments sites should incorporate appropriate traffic calming measures into their design or layout.

In addition, proposals should provide and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Where possible developments should be located and where practical designed to:

- *Accommodate the efficient delivery of goods and supplies.*

	<ul style="list-style-type: none">• <i>Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.</i>• <i>Create safe and secure layouts which minimise conflict between traffic and cyclists or pedestrians, avoiding street clutter.</i>• <i>Consider the needs of elderly people with disabilities by all modes of transport.</i>	
Policy CA4 – Schools	This is not a policy and should be relocated to a different section of the plan.	