

Appendix 2: Schedule of Modification Recommendations

The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017 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 Gwennap 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.

GNDP= Gwennap Neighbourhood Development Plan

Section modified in the Gwennap Neighbourhood Plan. Section/Policy	Modification Recommendation	GNDP Consideration/ justification
The Consultation Statement is to be amended and renamed.	<p>The title of the report to be amended to "Consultation Statement and Evidence Base"</p> <p>The Background information section of the report on page 6 to have clearer details on the consultation undertaken during the Reg 14 Consultation in a separate section. To include where the plan was available to view both on line and in hard copy, and the dates of the consultation.</p> <p>The Table at Appendix 4 to ensure details of the group response to comments are clearly stated and that the origin of the comment has been identified. " Trevince House" needs to be identified as a local business. The public comments do not have names against them, and explanation of where this information could be</p>	Agreed and Included

	obtained if necessary should be indicated, or the situation with regard to who made the comments, and how, be explained as far as possible. Electronic links to documents in appendices need to be effective.	
GNDP Policies	Recommend that the Policies in the Gwenap Parish NDP (GPNDP) are formatted in bold text in a boxed format, or otherwise clearly distinguished from other text of the Plan.	
Policy H1 to be amended	Policy H1 "Affordable housing shall be provided at a rate of 30% (CLP) of total yield, subject to viability, on site on qualifying infill or rounding off developments, as required by Policy 8 of the Cornwall Local Plan Strategic Policies 2016 . defined through paragraphs 1.65 – 1.68 of the CLP. The LPA is encouraged to work with CIL and S106 agreements will be negotiated, with Gwennap Parish Council, and consult with them, working alongside Cornwall Council in Negotiating teams, on qualifying developments."	Agreed and Included
Policy H4 to be amended	"Housing infill/rounding off development, as defined through paragraphs 1.65 – 1.68 of the CLP, and the conversion of existing buildings to residential use will be supported where they are small-scale, (Appendix 3) (of normally one or two dwellings, and contribute positively to local character. and , Where possible development should help to meet local housing needs and where this does not negatively impact on a current alternative use with community value . eg. need for business space. Within existing settlements the village areas infill/rounding	Agreed and Included

	development should conserve or enhance the special architectural and historic character of these settlements.”	
Policy H5 The first paragraph of policy H5 to be amended and the last paragraph to be deleted.	The first paragraph of policy H5 to be amended as follows: “ Proposals for Small-scale Affordable Housing and Gwennap Parish Council ‘Truly Affordable’ Housing developments (as defined on page 5 of this NDP) adjoining or physically well-related adjacent to the Gwennap development boundaries will be supported as under Rural Exception Schemes promoted by Policy 9 of the Cornwall Local Plan 2016 , subject to the following criteria:....” The last paragraph of policy H5 to be deleted	Agreed and Included
Policy H6 second bullet point is amended	Second bullet point of Policy H6 is amended as follows in order that legislation will regard to planning decisions is respected: “... Otherwise acceptable and well-designed new build or conversion schemes are not would, in the view of the Parish Council, be incapable of meeting this parking provision.”	Agreed and Included
Policies EJ1 – EJ4 The abbreviations are written in full.	The following abbreviations in Policy EJ1 – EJ4 are written in full: ‘WHS’ World Heritage Site ; the GNDP’ to be ‘this Plan ’ (in Policy EJ2 and all other instances of use e.g Policy RF1).	Agreed and Included
Policy EJ6 to be amended	“Excepting these identified in Policy LL1, The use of former mines and quarries for small-scale industrial use, including extraction industries, such as geothermal, lithium, or hard rock mining, and/or recreational activity and public access alongside restoration will normally be supported subject to the following criteria:	Agreed and Included

	<ul style="list-style-type: none"> • The biodiversity of the site is protected and enhanced, and the proposal would not have harmful impacts on natural or historic environment assets on and within the setting of the site, the surrounding landscape and the setting of the area or World Heritage Site. • At Wheal Maid Valley, Cusvey Common, United Downs Closed Landfill Site and St Day Raceway recreational development will be preferred to any industrial use.” 	
<p>Policies RF2 and RF3 to be deleted. Policy RF4 and subsequent Reducing Flooding policies to be renumbered</p> <p>The justification text for this suite of policies to remove reference to Policy RF2</p>	<p>Policy RF4 and subsequent Reducing Flooding policies to be renumbered.</p> <p>The justification text for this suite of policies to remove reference to Policy RF2 (the last two paragraphs on page 29 of the GNDP). The first paragraph of justification text on page 30 to remove reference to support coming from the Environment Agency and South West Water, as this support was informal and not written.</p>	Agreed and Included
<p>Policy CW1 to read as set out in examination report. Maps to be amended with ones submitted during the examination</p>	<p>“Local Green Spaces are designated at the following locations, as shown on Maps</p> <p>Frogpool Bus Stop Richard Jory Playing Field Frogpool Cemetery Carn View Green Crofthandy Village Hall grounds Cusgarne County Wildlife Site Cusgarne Pump and Pond Cusgarne School Playing Field</p>	Agreed and Included

	<p>Trehaddle Ford Gwennap Churchyard and Bridge</p> <p>Development that does not promote and improve the reasons for designation of the Local Green Space will not be supported.”</p> <p>Maps submitted during the examination to replace Map 8 of Appendix 4, be numbered appropriately and referenced in Policy CW1. The map for Trehaddle ford to be amended to exclude land to the east of the ford and lane crossing it. The map for Gwennap Bridge to be included within the Churchyard designation. The map for Trelawney Estate Green to be excluded.</p>	
A new policy CW2 to be added and other Community Well-being policies to be renumbered	<p>A new policy CW2 to be added as follows (using text from CW1):</p> <p>Policy CW2 - Proposals that would result in the loss of community facilities will not be supported unless:</p> <ul style="list-style-type: none"> • it can be demonstrated that the facilities are no longer needed or viable • it can be demonstrated that suitable alternate provision exists in the immediate area to serve the community in a similar manner • suitable alternative provision is included in the development proposal itself. 	Agreed and Included
The Table submitted with justification for designation of LGS to be inserted into the Plan.	The Table submitted with justification for designation of LGS to be inserted into the Plan at an appropriate location, with reference to Trelawney Estate Green removed. Inserted in the plan as appendix 5.	Agreed and Included
Policy GQD 1 to read as set out in the examination	Modification 11: Policy GQD 1 to read as follows: “Development Boundaries for Frogpool, Gwennap,	Agreed and Included

<p>report along with the maps</p>	<p>Cusgarne and Crofthandy are defined in this Plan as shown on Maps 2, 3, 4 and 5 in Appendix 4 respectively. Within the boundaries development that complies with other policy in the development plan will be supported. Outside of the development boundaries, any development proposal will be expected to respect and maintain the rural nature of the Parish and the World Heritage Site and comply with Policy 2, section 1, of the Cornwall Local Plan Strategic Policies 2010 - 2030.”</p> <p>The maps of the development boundaries have been amended as set out in the examination report</p>	
	<p>Justification text for Policy GQD 1, which will follow on from the GQD policies on page 35 of the Plan, is to include the Section entitled 'defining the settlement boundaries within Gwennap Parish' in the Introduction to the Plan (page 6). This requires correction of the statement that Maps 2.3 show the former settlement boundaries for Frogpool and Gwennap; in fact they show the amended boundaries relevant to this Plan. The criteria for defining the boundary given to me during this examination – with one modification – should be included in the justification as well. To read as follows:</p> <p>The development boundaries have been defined using the following criteria:</p> <ul style="list-style-type: none"> • trace the edge of the built up area, excluding roads, paths, railways and other lines of communications. • Follow physical features, such as: buildings, field boundaries or curtilages. 	<p>Agreed and Included</p>

	<ul style="list-style-type: none"> • Consider existing commenced planning permissions, recent refusals, and planning appeal decisions. • Include buildings and associated land that make up the village form. • Include new developments which may have occurred recently. • Include important amenity areas. • Facilitate an appropriate level of proportional growth within the plan period as allowed by 'rounding off' of the extent of the settlement. <p>Where the term "settlement boundary" is used in the text it will be replaced by "development boundary".</p> <p>The alteration to the boundary will require the following changes to the Maps as shown indicatively and not to scale below:</p>	
<p>Policy GQD3 to be deleted. Supporting text to explain the issues if required.</p>		<p>Agreed and Included</p>
<p>Policy GOS1 to be amended to meet the basic conditions</p>	<p>Policy GOS1 to read as follows: "Built development will not be supported on the areas of Local Green Spaces and Recreational Areas as shown in Appendix 4 Maps 8 and 9 unless the development provides is for alternative sports and recreation provision of similar or better standard, and the benefits of the development justify any loss." need for which clearly outweighs the loss. Map 9 to be provided at a scale on which the boundaries of the identified recreational areas can be seen. Trelawney Estate Green to be added as a recreational area. Policy GOS2 to be deleted. Subsequent policies to be</p>	<p>Agreed and Included</p>

	re-numbered.	
Policy GOS6 to be amended	<p>Modification 14: Policy GOS6 to be amended as follows: “Key Public Views, as identified in the Gwennap Parish Local Landscape Character Assessment, both into and out of settlements, and from rights of way, highways and vantage points will be protected from development that would cause significant adverse visual impact. Proposals to enhance such key views and improve opportunities to enjoy them as part of a development, will be encouraged.”</p>	Agreed and Included
Policy LL1 to be amended	<p>Policy LL1 to be amended as shown: “Proposals for the restoration and the implementation of aftercare proposals for former mines and quarries (see Appendix 4 Map 10) will be permitted where they deliver restoration for wildlife, biodiversity and public access and are consistent with other GNDP policies in the development plan.” In particular proposals for biodiversity restoration combined with commercial/leisure use and public access will be permitted at the Wheal Maid Valley, Cusvey Common, United Downs (Closed Landfill Site) , St Day Raceway and other sites identified on an emergent basis. Policy LL2 to be deleted and other LL policies to be re-numbered.</p>	Agreed and Included
Policy SCC1 to be deleted	Policy SCC1 to be deleted and other policies to be renumbered.	Agreed and Included