

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 Ludgvan 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.

LNDP= Ludgvan Parish Neighbourhood Development Plan

| Section modified in the Ludgvan Parish Neighbourhood Plan. Section/Policy | Modification Recommendation | Consideration/ justification |
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| Policy LUD1 – Protecting the Natural Environment | At the end of the first sentence delete “may be supported” At the end of the second sentence change “may” to “will” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD3 – Public Rights of Way | Delete “and bridleways” Replace “protected” with mitigation is put in to address any significant adverse impacts” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD4 – Coastal Change Management Area – delete policy | The policy is deleted. | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD5 – Heritage Assets – delete the policy but retain the section in the plan | The policy is deleted but the section can be retained in the plan, stating policy 24 of the Cornwall Local Plan will be relied upon to assess proposals which affect designated and non-designated | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |

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| | heritage assets. | |
| Policy LUD6 Local Green Space – minor amendment to policy wording | After “supported” insert “other than in exceptional circumstances” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD7 Settlement Area Boundaries – Replace map 6b | Replace map 6b Long Rock Proposed Settlement Area Boundary with version in Regulation 14 document. Map as set out in the examination report. | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD8 Development in the countryside – amend policy wording and title | Retitle the policy “Development in Other Settlements”. After “frontage,” insert “the redevelopment of previously developed land or the one to one replacement, subdivision, conversion,” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD9 Sensitive Design and Sustainable Development – amend policy wording | After “ features” insert “into non- residential development” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD10 Open Space – reword justification text and amend title | Retitle “Landscaping on Local Development Sites Reword the justification to relate to on site landscaping of development sites. The examiner did not recommend any wording so Ludgvan Parish Council and Cornwall Council have agreed the following wording: 8.31 Policy LUD8 applies this approach to all developments where the character of the area and local residents would benefit from the inclusion of amenity space and public open space landscaping within the development. Such open space provision should make appropriate use of a site’s features and outlook and be of a size and layout that will add value to the community and the local | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |

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| | <p>environment. Species native to the Penwith area and local materials should be used whenever possible.</p> <p>The wording in bold has been inserted and the wording crossed out has been deleted.</p> | |
| Policy LUD11 Local Housing Needs – amend the policy | <p>Remove the first paragraph</p> <p>Delete the rest of the policy after “rent” and insert “in accordance with the most recent assessment of the local housing need for the type, size and tenure of properties, covering the parish and the wider Penzance / Newlyn area.”</p> | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD12 Second Homes – delete the policy | Delete the policy | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD16 Community Horticulture – amend policy wording | Insert at the end “within the parish” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD17 Communications and Connectivity – amend policy wording | Delete “make adequate provision for” and replace with “provide the necessary infrastructure to allow connection to” and insert at the end “that serves the area.” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD18 Traffic Management – amend policy wording | Replace the first paragraph after “Where appropriate” with “development proposal which deliver, with the approval of the Highway Authority, traffic management measures which reduce the impact to traffic in residential areas and improve highway safety, will be supported.” | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |
| Policy LUD23 Business Development – amend policy wording | <p>In the first sentence, delete “usually”</p> <p>In a) remove “small-scale”</p> | Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation. |

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| <p>Renumbering of policies and amendment of the contents page to reflect the recommendations in the examiners report.</p> | <p>The policies have been renumbered due to some policies being deleted as recommended by the examiner and the contents page updated to reflect this.</p> | <p>Cornwall Council and Ludgvan Parish Council agree with the Examiners recommendation.</p> |
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