

NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
		<p><i>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</i></p> <p><i>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</i></p> <p><i>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</i></p> <p><i>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</i></p> <p><i>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</i></p> <p>Paragraph 185 advises that ‘Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:</p> <p><i>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</i></p> <p><i>b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</i></p> <p><i>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</i></p> <p><i>d) opportunities to draw on the contribution made by the historic environment to the character of a place.’</i></p> <p>The purpose of policy 5 of the NDP is to reinforce and strengthen the above objectives at local level with specific regard to the design and character of Mawnan Parish. In preparing this policy, a design guide and village character assessments have been undertaken to highlight the characteristics and key features to have regard to in decision making and preparing proposals. Further, the policy encourages the use of low carbon measures and renewable technology in new development where this is possible and appropriate to context.</p>



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Policy 6: Conserving and Enhancing Valued Landscapes and Seascape	Conserving and enhancing the natural environment (paragraphs 170-183)	<p>The whole of the Parish is considered to be a valued landscape as referred to under paragraph 170 of the NPPF, with the majority of which being designated as an AONB which is safeguarded through paragraphs 170, 171 and 172 of the NPPF.</p> <p>Policy 6 of the NDP strives to ensure that future development is sensitive to the needs of this special environment and takes into account the supporting Local landscape Character Assessment and the existing AONB Management Plans that help to shape the area. The Cornwall AONB Management Plan 2016-2021 has been used as an evidence base for the protected landscape.</p>
Policy 7: Conserving and Enhancing Biodiversity through Development	Conserving and enhancing the natural environment (paragraphs 170-183)	Policy seeks to safeguard and enhance the biodiversity in the Parish in accordance with paragraph 170 d) which supports development that would result in <i>'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'</i>
Policy 8: Non-designated heritage Assets	<p>Achieving well-designed places (paragraphs 124-131)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p>The policy acknowledges and highlights the value of a number of non-designated assets in the parish in line with Section 16 of the NPPF.</p> <p>Paragraph 129 of the NPPF which explains that <i>'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'</i></p> <p>The policy also reflects the direction in paragraph 192 of the NPPF to not only take account of <i>'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'</i> but to acknowledge <i>'the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality';</i> and <i>'the desirability of new development making a positive contribution to local character and distinctiveness'</i></p>
Policy 9: Supporting a Prosperous Rural Economy in the Parish	<p>Building a strong, competitive economy (paragraphs 80-84)</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p>	Given the relatively rural location of the Parish, this policy seeks to maintain and encourage Mawnan Parish's local economy ensuring that people will have good opportunities and access to local employment, the policy also seeks to retain existing business which are valued to the community. The policy has been written in accordance with the NPPF and most specifically, paragraphs 83 and 92 as set out below:



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	<p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>Paragraph 83:</p> <p><i>'a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;</i></p> <p><i>b) the development and diversification of agricultural and other land-based rural businesses;</i></p> <p><i>c) sustainable rural tourism and leisure developments which respect the character of the countryside; and</i></p> <p><i>d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'</i></p> <p>Paragraph 92:</p> <p><i>'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</i></p> <p><i>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i></p> <p><i>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</i></p> <p><i>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</i></p> <p><i>d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and</i></p> <p><i>e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'</i></p>
<p>Policy 10: Local Green Space designations</p>	<p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Conserving and enhancing the natural</p>	<p>A number of open spaces of community value have been highlighted within this policy.</p> <p>Paragraph 99 of the NPPF explains that <i>'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local</i></p>



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	<p>environment (paragraphs 170-183)</p> <p>Conserving and enhancing the historic environment (paragraphs 184-202)</p>	<p><i>planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.'</i></p> <p>Paragraph 100 of the NPPF continues to say that. <i>'The Local Green Space designation should only be used where the green space is:</i></p> <ul style="list-style-type: none"> a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.' <p>Policy 10 of the NDP relates to land which is important to the community for special protection for historical significance and recreational value. The areas of open spaces are within reasonable proximity to the community, and the land is not considered to be required for housing or economic use given that these aspects have been established through other policies in the NDP. It is thereby concluded that this policy accords with the provisions of the paragraphs above.</p>
<p>Policy 11: Footpaths and Access</p>	<p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p>	<p>The policy seeks to deliver safe and accessible routes with specific regard Public Right of Ways in the parish as supported through paragraphs 98 and 102 of the NPPF, which states :</p> <p>Paragraph 98:</p> <p><i>'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.'</i></p> <p>Paragraph 102:</p> <p><i>'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</i></p> <ul style="list-style-type: none"> a) the potential impacts of development on transport networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in



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		<p><i>relation to the scale, location or density of development that can be accommodated;</i></p> <p><i>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</i></p> <p><i>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</i></p> <p><i>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.'</i></p>
<p>Policy 12: Safeguarding and Supporting Community Services, Facilities and Social Infrastructure</p>	<p>Promoting healthy and safe communities (paragraphs 91-101)</p>	<p>This is a specific policy that supports the retention and encourage new of community facilities, services and social infrastructure across Mawnan Parish.</p> <p>This direction is supported by paragraph 92 of the NPPF with specific regard to point c of the criteria as set out below:</p> <p><i>'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</i></p> <p><i>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</i></p> <p><i>b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;</i></p> <p><i>c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;</i></p> <p><i>d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and</i></p> <p><i>e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'</i></p>



NDP Policy	NPPF 2019	Explanation of how the policy has regard to the National Policy and Guidance
<p>Policy 13: Community Infrastructure Levy (local Element)</p>	<p>Delivering a sufficient supply of homes (paragraphs 59-79)</p> <p>Building a strong, competitive economy (paragraphs 80-84)</p> <p>Promoting healthy and safe communities (paragraphs 91-101)</p> <p>Promoting sustainable transport (paragraphs 102-111)</p> <p>Meeting the challenge of climate change, flooding and coastal change (paragraphs 148-169)</p>	<p>The specified 25% element of the Local Element of the Community Infrastructure Levy is in line with the above criteria and as set out within Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.</p> <p>The Policy aligns with the range of Sections in the NPPF which require development to provide the necessary associated infrastructure.</p>
<p>Policy 14: Renewable Energy</p>	<p>Meeting the challenge of climate change, flooding and coastal change (paragraphs 148-169)</p> <p>Conserving and enhancing the natural environment (paragraphs 170-183)</p>	<p>The policy supports appropriate energy reduction/carbon reduction and energy production technologies that are of a scale and design that do not erode the character of the landscape, heritage and coastline of Mawnan parish.</p> <p>The policy accords with paragraph 148 of the NPPF which reads <i>'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'</i> This is central to the economic, social and environmental dimensions of sustainable development, whilst acknowledging paragraph 170 of the NPPF with regard to valued landscapes.</p>

NB. A number of the sections in the NPPF are not applicable to the NDP area or do not have a directly relevant policy within the document as the relevant planning policy considerations are already considered to be adequately managed through policies in the NPPF and/ or the adopted Cornwall Local Plan.



d. The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

- 4.5 From its starting point, the NDP has been prepared with a clear understanding of the requirement for achieving sustainable development as outlined in paragraphs 1- 17 of the NPPF.
- 4.6 Table 1 on the preceding pages demonstrates how the NDP has had regard to the policies in the NPPF which deliver sustainable development. In addition, Table 2 on the subsequent pages outlines how the NDP demonstrates conformity with the Cornwall Local Plan.
- 4.7 The NDP as a result clearly contributes to achieving sustainable development by seeking to protect and enhance what is valuable to the community whilst allowing for development that contributes to supporting a strong, vibrant and healthy Parish and building a strong, responsive and competitive rural economy.
- 4.8 Thereby the NDP policies seek to achieve sustainable development by seeking jointly and simultaneously the three mutually dependent roles of sustainable development - economic, social and environmental – and the interplay between them.

e. The making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

- 4.9 The single development plan for the area is the Cornwall Local Plan (CLP). The CLP was adopted by Cornwall Council on the 22 November 2016.
- 4.10 The CLP contains the following strategic policies:

- Policy 1 Presumption in favour of sustainable development
- Policy 2 Spatial strategy
- Policy 2a Key targets
- Policy 3 Role and function of places
- Policy 4 Shopping, services and community facilities
- Policy 5 Jobs and skills
- Policy 6 Housing mix
- Policy 7 Housing in the countryside
- Policy 8 Affordable housing
- Policy 9 Rural Exception Schemes



- Policy 10 Managing viability
- Policy 11 Gypsies, Travellers and Travelling Showpeople
- Policy 12 Design
- Policy 13 Development standards
- Policy 14 Renewable and low carbon energy
- Policy 15 Safeguarding renewable energy
- Policy 16 Health and wellbeing
- Policy 17 Minerals – general principles
- Policy 18 Minerals safeguarding
- Policy 19 Strategic waste management principles
- Policy 20 Managing the provision of waste management facilities
- Policy 21 Best use of land and existing buildings
- Policy 22 European protected sites
- Policy 23 Natural environment
- Policy 24 Historic environment
- Policy 25 Green infrastructure
- Policy 26 Flood risk management and coastal change
- Policy 27 Transport and accessibility
- Policy 28 Infrastructure

4.11 Table 2 overleaf provides a summary of how each of the NDP policies align with the applicable policies in the CLP to demonstrate the '*general conformity*' of the NDP with the strategic policies for the area, being those in the CLP.



Table 2 Demonstrating Conformity with the Strategic Policies in the Development Plan for the Area

NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
<p>Policy 1: Locations and Scale for New Housing Development</p>	<p>Policy 2: Spatial strategy</p> <p>Policy 2a: Key targets</p> <p>Policy 3: Role and function of places</p> <p>Policy 4: Shopping, services and community facilities</p> <p>Policy 5: Jobs and skills</p> <p>Policy 6: Housing mix</p> <p>Policy 7: Housing in the countryside</p> <p>Policy 8: Affordable housing</p> <p>Policy 9: Rural Exception Schemes</p>	<p>Policy 1 is a housing development policy that provides development boundaries demonstrating where housing will be supported in principle.</p> <p>Paragraph 1.64 of the Cornwall Local Plan (CLP) which highlights that outside of the main urban areas <i>‘development would be expected to focus upon meeting local need and supporting the sustainability of smaller communities through windfall development, including infill sites and exceptions sites. Development should be of a scale and nature appropriate to the character, role and needs of the local community.’ This approach complies with Policy 2A which seeks to ‘provide homes in a proportionate manner where they can best meet need.’</i></p> <p>The supporting text to Policy 3 of the CLP states that the <i>‘majority of parishes that do not have a town or village named in Policy 3 can meet the remaining housing requirement through the following:</i></p> <ol style="list-style-type: none"> 1. <i>Existing sites with planning permission;</i> 2. <i>Infill;</i> 3. <i>Small scale rounding off;</i> 4. <i>The development of previously developed land within or adjoining settlements;</i> 5. <i>Rural exception sites’.</i> <p>No settlement within the Parish is named in policy 3.</p> <p>Policy 3 itself states that:</p> <p><i>‘Outside of the main towns identified in this Policy, housing and employment growth will be delivered for the remainder of the Community Network Area housing requirement through;</i></p> <ul style="list-style-type: none"> • <i>identification of sites where required through Neighbourhood Plans</i> • <i>rounding off of settlements and use of previously developed land within or immediately adjoining that settlement of a scale appropriate to its size and role;</i> • <i>infill schemes that fill a small gap in an otherwise continuous built frontage and do not physically extend the settlement into the open countryside. Proposals should consider the significance or importance that large gaps can make to the setting of settlements and ensure that this would not be diminished;</i>



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		<ul style="list-style-type: none"> • <i>rural exception sites under Policy 9'</i> <p>Paragraph 1.68 of the CLP explains that <i>'Neighbourhood Plans can provide detailed definition on which settlements are appropriate for infill and boundaries to which the policy will operate.'</i></p> <p>The key role of this policy is to identify the settlements within the parish to accommodate sustainable growth. The policy does not however, specifically define the development boundaries for the delivery of housing to distinguish where differing housing policies in the CLP apply in conformity with policy 3 of the CLP.</p> <p>The policy also deals with the scale of the development that is considered appropriate relative to each settlement in accordance with paragraph 1.64 and policy 2A.</p>
Policy 2: Small Scale Rural Exception Sites	Policy 6: Housing mix Policy 9: Rural Exception Schemes	To provide detail to the delivery of small scale rural exceptions sites in accordance with paragraph 2.60 of the CLP, which explains that <i>'the Council would also need to be satisfied that the development reflects local need in terms of scale, dwelling type and tenure mix in accordance with Policy 6 of this Plan.'</i>
Policy 3: Replacement Dwellings	Policy 7: Housing in the countryside Policy 13: Design	Policy aligns with Policy 7 1. which states that <i>'Replacement dwellings broadly comparable to the size, scale and bulk of the dwelling being replaced and of an appropriate scale and character to their location'</i>
Policy 4: Housing Mix, Size and Layout	Policy 3: Role and function of places Policy 6: Housing mix Policy 13: Design Policy 14: Development Standards	Policy 2a 1 of the CLP seeks <i>'to deliver sufficient new housing of appropriate types to meet future requirements.'</i> Furthermore, paragraph 1.32 as supporting text to Policy 3 explains that <i>'development would be expected to focus upon meeting local need and supporting the sustainability of smaller communities.'</i> The policy seeks to deliver that objective, responding to local need and the type and size of accommodation required in the Parish.
Policy 5: Design	Policy 2: Spatial strategy Policy 13: Design	Point 1 of policy 2 (Respecting and enhancing quality of place) seeks to <i>'maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important by:</i>



NDP Policy	Applicable Local Plan Strategic Policy	Explanation of how the policy is in general conformity with the development plan
	<p>Policy 14: Renewable and low carbon energy</p> <p>Policy 23: Natural environment</p> <p>Policy 24: Historic Environment</p>	<p><i>Ensuring that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location;</i></p> <p><i>Considering the impact of development upon the biodiversity, beauty and diversity of landscape and seascape, character and setting of settlements, wealth of natural resources, agricultural, historic and recreational value of Cornwall;</i></p> <p><i>Identifying the value and sensitivity, of the character and importance of landscapes, biodiversity and geodiversity and historic assets;</i></p> <p><i>Protecting, conserving and enhancing the natural and historic landscape, heritage, cultural, biodiversity and geodiversity assets of Cornwall in recognition of their international, national and local status, in accordance with national legislation and policy, as amplified by the other policies of this plan.'</i></p> <p><i>Point 1A of policy 13 of the CLP 'requires development to create 'places with their own identity and promoting local distinctiveness while not preventing or encouraging appropriate innovation. Being of an appropriate scale, density, layout, height and mass with a clear understanding and response to its landscape, seascape and townscape setting.'</i></p> <p><i>The overarching objective for policy 23 of the CLP states at point 1 that 'Development proposals will need to sustain local distinctiveness and character and protect and where possible enhance Cornwall's natural environment and assets according to their international, national and local significance.'</i></p> <p><i>Policy 24 Historic Environment supports development proposals that 'sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings.'</i></p> <p><i>Policy 24 additionally explains that 'All development proposals should be informed by proportionate historic environment assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) identifying the significance of all heritage assets that would be affected by the proposals and the nature and degree of any effects and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated.'</i></p> <p><i>The NDP policy seeks to ensure that future development is sensitive to the needs of this special environment and takes into account existing character of the area as described in the supporting evidence based documents such as the design guide, character assessments and local landscape character assessment. Further, the policy also encourages wherever possible low carbon and renewable energy technologies in</i></p>



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		<p>new development. Thus being written in conformity with the overarching strategic policies as set out within the CLP.</p>
<p>Policy 6: Conserving and Enhancing Valued Landscapes and Seascape</p>	<p>Policy 23: Natural environment</p>	<p>Policy 23. 1. Natural Environment outlines that <i>‘development proposals will need to sustain local distinctiveness and character and protect and where possible enhance Cornwall’s natural environment and assets according to their international, national and local significance’</i>.</p> <p>Policy 23. 2a requires that <i>‘great weight will be given to conserving the landscape and scenic beauty within or affecting the setting of the AONB’</i>.</p> <p>This policy additionally requires that <i>‘proposals should be informed by and assist the delivery of the objectives of the Cornwall AONB Management Plan’</i>.</p> <p>The NDP policy seeks to retain the important rural, estuary and coastal views within Mawnan Parish which contribute to the special character of Mawnan Parish and to the enjoyment of residents and visitors alike.</p> <p>The policy is also supported by the robust Local Landscape Character Assessment, which provides a parish level evidence base to the county level Landscape Character Assessments, identifying the key qualities and characteristics of the landscapes covering the parish.</p> <p>The policy adds local level detail which is in line with the key objectives as set out with policy 23 of the CLP.</p>
<p>Policy 7: Conserving and Enhancing Biodiversity through Development</p>	<p>Policy 23: Natural environment</p>	<p>Policy 7 aligns with Point 1 of policy 2 (Respecting and enhancing quality of place) seeks to <i>‘maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes, designated and undesignated, are important by:</i></p> <p><i>Ensuring that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location;</i></p> <p><i>Considering the impact of development upon the biodiversity, beauty and diversity of landscape and seascape, character and setting of settlements, wealth of natural resources, agricultural, historic and recreational value of Cornwall;</i></p> <p><i>Identifying the value and sensitivity, of the character and importance of landscapes, biodiversity and geodiversity and historic assets;</i></p> <p><i>Protecting, conserving and enhancing the natural and historic landscape, heritage, cultural, biodiversity and geodiversity assets of Cornwall in recognition of their international, national and local status,</i></p>



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		<p><i>in accordance with national legislation and policy, as amplified by the other policies of this plan.'</i></p> <p>Policy 23. 3. Explains that <i>'Development should conserve, protect and where possible enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance. All development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and county-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance, helping to deliver the actions set out in the Cornwall Biodiversity Action Plan.'</i></p>
Policy 8: Non-designated heritage assets	Policy 24 Historic environment	<p>Policy 24 Historic Environment supports development proposals that <i>'sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings'</i></p> <p>The principles of the NDP policy require development proposals to respect the intrinsic architectural and historical value, design and distinct physical features; and setting and contribution to the local scene of undesignated heritage assets is in accordance with the policy approach outlined above. The policy is supported by mapping of a number of undesignated heritage assets identified by parishioners through the development of the ndp.</p>
Policy 9: Supporting a Prosperous Rural Economy in the Parish	<p>Policy 3: Role and function of places</p> <p>Policy 5: Jobs and skills</p>	<p>Point 1A of policy 5 of the CLP requires for employment sites to be <i>'well integrated to our city, towns and villages'</i> and at point 1 <i>'in the countryside and smaller rural settlements be of a scale appropriate to its location or demonstrate an overriding locational and business need to be in that location such as farm diversification.'</i></p> <p>Point 2 of policy 5 relates to the loss of business space and a criteria approach in assessing whether such proposal is supported.</p> <p>This NDP policy sets out to maintain and encourage Mawnan Parish's local economy by safeguarding existing and encouraging new appropriately scaled commercial and business developments.</p>
Policy 10: Local Green Space designations	<p>Policy 23: Natural environment</p> <p>Policy 25: Green infrastructure</p>	<p>Point 1 of policy 23 of the CLP sets out that <i>'Development proposals will need to sustain local distinctiveness and character and protect and where possible enhance Cornwall's natural environment and assets according to their international, national and local significance.'</i></p> <p>Point 5 of policy 25 of the CLP seeks to provide:</p> <p><i>'accessible and good quality open space and where applicable improved access to coastal space.'</i></p>



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		<p>Point 7 further outlines that:</p> <p><i>‘in exceptional circumstances where retention of the most important green infrastructure assets and connections is outweighed by the benefits arising from the development proposals and they cannot be retained on site, the loss resulting from the proposed development should be replaced by equivalent or better provision in terms of quantity and quality and ecological or open space value that enhances the provision of ecosystem services in a suitable location.’</i></p> <p>The Local Green space designation contained in this policy responds directly to paragraph 99 of the NPPF by safeguarding recreational areas and green spaces that meet the criteria contained in paragraph 100 of the NPPF.</p> <p>Policy 10 of the NDP identifies a number of open spaces of heritage and recreational value to Mawnan whereby the intention of the policy seeks to preserve these open green spaces which are of great value to the residents and visitors to Mawnan Parish. Identifying these locations for their value is sourced from the overarching policies within the CLP and specifically those identified above.</p>
Policy 11: Footpaths and Access	<p>Policy 14: Development Standards</p> <p>Policy 16: Health and wellbeing</p> <p>Policy 25: Green infrastructure</p> <p>Policy 27: Transport and accessibility</p>	<p>Policy 11 of the NDP seeks to encourage sustainable forms of transport with specific regard to footpaths and Public Right of Ways in line with the relevant policies of the CLP as set out below.</p> <p>Point 1D of policy 13 seeks to create <i>‘a network of safe well connected routes which are easy to read and navigate by the use of landmarks, spaces, views and intersection’</i>.</p> <p>Point 3 of Policy 16 of the CLP seeks to <i>‘Maximise the opportunity for physical activity through the use of open space, indoor and outdoor sports and leisure facilities and providing or enhancing active travel networks that support and encourage walking, riding and cycling’</i> and Policy 25 which requires <i>‘Retaining and enhancing the most important environmental infrastructure assets and connections that contribute to the functionality of networks of ecosystems and our Strategic Environmental Infrastructure Network in their existing location.’</i></p>
Policy 12: Safeguarding and Supporting Community Services, Facilities and Social Infrastructure	<p>Policy 16: Health and wellbeing</p> <p>Policy 25 Green infrastructure</p>	<p>The NDP policy seeks to retain existing facilities for future community use, social needs and future health needs which is clearly supported by the following CLP policies:</p> <p>This approach follows the approach taken within point 4 of policy 4 as set out below: following policies in the CLP:</p> <p><i>‘4. 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>



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		<p>a. <i>no need for the facility or service;</i></p> <p>b. <i>it is not viable; or</i></p> <p>c. <i>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 13: Community Infrastructure Levy (Local Element)	Policy 28: Infrastructure	<p>Policy 13 has been written in accordance with policy 28 of the CLP and in particular, points 1 and 2 as described below:</p> <p><i>'Developer contributions will be sought to ensure that the necessary physical, social, economic and green infrastructure is in place to deliver development. Contributions will be used to provide or enhance local infrastructure that is adversely affected by the development of a site but which will not be delivered on that site.</i></p> <p><i>Development will be permitted where it would:</i></p> <ol style="list-style-type: none"> <i>1. Be supported by appropriate infrastructure provided in a timely manner; and</i> <i>2. Provide on-site mitigation measures or make financial contributions for site specific infrastructure provision not in the Regulation 123 list, including maintenance and management contributions, to be negotiated on a site-by-site basis.'</i> <p>Financial contributions for development proposals are accepted by the CLP and the specified 25% element of the Local Element of the Community Infrastructure Levy is in line with the ability to seek off-site financial contributions as set out within Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.</p>
Policy 14: Renewable Energy	<p>Policy 14: Renewable and low carbon energy</p> <p>Policy 23: Natural Environment</p>	<p>Policy 14 of the NDP sets out to support appropriate energy reduction/carbon reduction and energy production technologies that are of a scale and design that do not erode the character of the landscape, the estuary and coastline of Mawnan parish.</p> <p>Supported by Policy 14 of the Local Plan which encourages renewable energy deliver but acknowledged that care is required in terms of landscape integration as per policy 23.</p>

NB. A number of the policies in the CLP are not applicable to the NDP area or do not have a directly relevant policy within the document as the relevant planning policy considerations are already considered to be adequately managed through policies in the NPPF and/or the CLP.



f. The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

4.12 In this regard the National Planning Practice Guidance explains that there are four directives that may be of particular relevance to neighbourhood planning:

- *Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive).*
- *Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive).*
- *Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).*

4.13 In the case of *Directive 2001/42/EC* a screening opinion was obtained from Cornwall Council in terms of the need for Strategic Environmental Assessment (SEA) whereby it was concluded that a SEA was not required. See decision letter at Appendix C).

4.14 With regard to *Directive 2011/92/EU* the NDP does not in itself propose any projects that are likely to have significant environmental effects. Compliance with this directive is more relevant to Neighbourhood Development Orders.

4.15 Turning to *Directive 92/43/EEC* and *Directive 2009/147/EC* these seek to protect and improve Europe's most important habitats and species. As part of the screening request for the SEA a Habitat Regulation Assessment Screening request was also submitted and it was concluded that not HRA was required. Thereby it has been concluded that the NDP is compatible with the above Directives.

4.16 We additionally wish to confirm that the policies in the plan accord with EU Human Rights obligations, for example the policies in the plan are equal to all individuals, and all residents in the Parish have had the right to a "fair hearing" through an effective and proportionate consultation process to reach out to different groups potentially affected. Consultation responses have been taken into account in a satisfactory manner during the processing of the plan.



g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

4.17 Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out a further basic condition for a Neighbourhood Development Plan in addition to those set out in the primary legislation. Being that:

- the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)

4.18 Through the Submission of the Screening request for the SEA and the HRA it has been established that the NDP is not likely to have a significant effect on a European site or a European offshore marine site.



List of Appendices

Appendix A: Cornwall Council Designation Letter

Appendix B: Designation letter and map which identifies the area to which the proposed neighbourhood development plan relates

Appendix C: Decision letter from Cornwall Council in response to the screening request to determine if the Plan requires an SEA or HRA

