

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 Lanreath 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.

LPNDP= Lanreath Parish Neighbourhood Plan CC = Cornwall Council

Section modified in the North Hill Neighbourhood Plan. Section/Policy	Modification Recommendation	LPNDP Consideration/ justification
Section 2,	The section on “The way forward” (page 9) will need to be updated or deleted in the final version of the Plan.	LPNDP agrees to the recommendation and the section has been updated.
Policy C1,	The first sentence of the policy is however not framed well. Although not a Basic Condition issue, the final version may wish to make the meaning here clearer by removing reference to the policy not applying to permitted development.	LPNDP agrees to the recommendation and the reference to permitted development has been removed.
Section 11 Policy EE1 Intent, (Modification 2)	Paragraphs 11.2.4, 11.2.7 and 11.2.8 are recommended to be altered as shown below for accuracy and to remove the promotion of non-planning issues within the policy EE1: Para 11.2.4: delete existing paragraph and replace with “ Standards for energy performance in developments can currently	LPNDP agrees to the modification. In addition Para 11.2.6 has also been deleted – as the requirement for ‘demonstrable benefit to the Community’ has been deleted from Policy EE1 this para is now superfluous. As many small scale installations will not trigger the requirements for public engagement, Para 11.2.5 also

	<p>only be set through building regulations. This policy is intended to encourage developers to adopt technology and design, including on-site renewable energy generation, to achieve low carbon or zero carbon energy within new developments or conversions."</p> <p>Para 11.2.7: Delete this paragraph</p> <p>Para 11.2.8: Delete the second sentence of this paragraph and amend the first sentence to end ".....with a generating capacity not in excess of 10kW.11.28"</p>	<p>contains a small amendment to clarify this, as recommended by Cornwall Council.</p>
<p>Policy EE1 (Modification 1)</p>	<p>Policy EE1 is recommended to be modified as shown below in order that it is in general conformity with the development plan's promotion of renewable energy, has the clarity required of policy in the NPPF and has paid due regard to other government policy including the WMS of June 2015:</p> <p>Policy EE1: Carbon Reduction, Energy Efficiency and Renewable and low carbon Energy Generation</p> <p>i) Planning applications Development proposals for small scale carbon reduction or energy saving / renewable energy generation development will be permitted where the development:</p> <p>a) has the majority support of the Community;</p> <p>b) has demonstrable benefit to the Community in the case of wind energy has demonstrated that all planning impacts identified by the local community have been fully addressed to the satisfaction of the LPA; and</p> <p>c) positively contributes to a low carbon future and sustainable development of the Parish.</p> <p>ii) Residential or and commercial developments will be supported viewed favourably if where</p>	<p>LPNDP agrees to the modification and the Policy has been modified as recommended.</p>

at least 10% of the energy requirement of the development is provided by on-site renewable energy generation in the design or where the design exceeds current building regulation requirements in terms of energy efficiency and the proposal complies with other policy in the development plan. Where the developer enters into an obligation to provide such facilities under Section 106 of the Town and Country Planning Act 1990, such development may also be considered for Discretionary Relief for Exceptional Circumstances from the applicable Community Infrastructure Levy where this is provided for by Cornwall Council, as the charging authority, at the time of the planning application.

iii) Planning applications for the development of commercial **Large scale wind turbines** or **and other industrial large scale carbon reduction, energy saving or energy generating projects** are not considered development of a suitable scale within **for the parish of Lanreath** will not be supported. **This does not include the following small-scale renewable energy developments including wind turbines which will be considered on their merits and against policy in this Plan and the wider development plan:**

- * **micro-generation schemes included within the curtilage of a domestic property and providing energy for that property;**
- * **Community renewable energy schemes and other small-scale renewable energy schemes where the energy is used on the premises, if the generating capacity in each case is not more than 10kW.**

Policy LS1 (Modification 3)	The wording of the first sentence of Policy LS1 is recommended to be altered to: Planning applications Development proposals <i>for the establishment of an infant / primary school adjacent to the Village of Lanreath will be approved supported where the development:.....</i>	LPNDP agrees to the modification and the policy has been amended accordingly.
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