

## 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 St Erth 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.

SEPNDP= St Erth Parish Neighbourhood Plan

Section modified in the St Erth Neighbourhood Plan. <b>Section/Policy</b>	<b>Modification Recommendation</b>	<b>FPNDP Consideration/ justification</b>
Policy GP1	<p>In the second paragraph replace "of known flooding and/or shown on the EAFM and the floodplain" with "at risk of flooding as shown on the EAFM or Cornwall Council's maps of areas at risk of surface water flooding".</p> <p>Delete paragraph 3</p> <p>In criterion (ii) after "demonstrate" insert "if within Flood Zones 2 and 3 or within a Critical Flood Risk Area or for sites with an area of over 1ha in Flood Zone 1",</p> <p>In paragraph 5 after "effect" insert "based on the advice of the Environment Agency".</p>	SEPNDP agrees to the recommendations and the policy has been amended.

	In the final paragraph after "acceptable" insert "except for access purposes"	
Policy GP4	<p>In paragraph 1 after "impact" insert "on road safety".</p> <p>After "developer" delete "that" and insert "where it is necessary to".</p> <p>In the final paragraph replace all of the text before "submit to" and insert "Any planning permission for residential development of more than one dwelling, or on sites where access is currently restricted, will normally be subject to a condition requiring the submission to and the approval of".</p>	SEPNDP agrees to the recommendations and the policy has been amended.
Policy HI1	<p>At the start of the policy insert the following two paragraphs:</p> <p>"Development in or adjacent to the Conservation Area or near important features such as Listed Buildings should take account of the historic fabric of the area and should preserve or enhance the character or appearance of the Conservation Area.</p> <p>A Heritage Statement should be provided in support of all development proposals within or adjacent to the Conservation Area and other designated heritage assets. Such statement should outline the significance of any heritage assets affected and any adverse impacts that the development may have on heritage assets and the design of the scheme should demonstrate that it is based on these findings. It</p>	SEPNDP agrees to the recommendations and the policy has been amended.

	<p>should also include any proposed mitigation measures, as well as how the proposed development will contribute to the character and setting of the relevant heritage asset(s)."</p> <p>In paragraph 1 change "providing" with "will provide for" and delete criterion 1 and "the development shall"</p> <p>In paragraph 3, replace "must" in the first and second sentence with "should" and insert after "required" the following "and the financial contribution is directly related to the development, necessary to make the development acceptable and fairly related in scale and kind to the development".</p> <p>In criterion xi replace "facilities" with "capacity".</p> <p>In criterion xvii delete "and national".</p> <p>In criterion xviii replace "expected" with "encouraged" and add to the end "which are required as a direct result of that development."</p>	
Policy HI2	<p>Delete paragraph 2 and in criterion i. delete all of text up to and including "interest or provide" and also delete criterion ii.</p> <p>Delete the final paragraph.</p>	SEPNDP agrees to the recommendations and the policy has been amended.
Policy HI3	<p>In paragraph 2 after "contributions" insert "where this is necessary to make the development acceptable, is directly related to the development</p>	SEPNDP agrees to the recommendations and the policy has been amended.

	<p>and is fairly and reasonably related in scale and kind to the development".</p> <p>Delete criterion i. and renumber.</p>	
Policy HT1	<p>Insert in the first paragraph after "sites" the following "Sites C, D and E as shown on Map 3".</p> <p>Delete the final paragraph.</p>	SENDP agrees to the recommendations and the policy has been amended.
Policy HT2	That the policy be deleted	SENDP agrees to the recommendations and the policy has been deleted
Policy HT4	Replace "meet" with "have regard to"	SENDP agrees to the recommendations and the policy has been amended.
Policy HT5	<p>In the first paragraph after "residential development" insert "which will result in a net increase of over 10 dwellings or where the combined floor space of the dwellings would be over 1,000 m<sup>2</sup>."</p> <p>At the end of criterion i. insert "For schemes of 6-10 dwellings, a financial contribution in lieu of affordable housing will be sought".</p> <p>Before criterion ii. insert "All residential schemes should".</p> <p>Delete criterion 3.</p>	SENDP agrees to the recommendations and the policy has been amended.
Policy HT6	Delete the final paragraph	SENDP agrees to the recommendations and the policy has been deleted.

<p>Policy OS1</p>	<p>At the end of the first paragraph, add "on residential schemes of over 5 units."</p> <p>In the second paragraph after "visibility," insert "in particular for children's play space"</p> <p>Insert the following text and delete the third paragraph and renumber the criteria:</p> <p>"Applications to provide new and diverse leisure and recreational activities in order to promote healthy and crime-free lifestyles, particularly for teenagers will be supported.</p> <p>Applications for the provision of new outdoor sports facilities on open or green space identified in Tables 2 and 4 or proposals for its redevelopment for recreational facilities will be considered where the proposal would:</p> <p>i. be sited in an appropriate location and designed to be easily accessible by sustainable and active travel modes where reasonably practicable;"</p>	<p>SENDP agrees to the recommendations and the policy has been amended</p>
<p>Policy OS2</p>	<p>Replace the second paragraph with:</p> <p>"Development proposals for privately owned sites of locally valued open or green space, due to the significant contribution it makes to public amenity by virtue of its character, appearance and/or function will</p>	<p>SENDP agrees to the recommendations and the policy has been amended.</p>

	only be permitted where:"	
Policy OS5	At the end of paragraph 3 insert "unless the benefits of the development clearly outweigh the adverse impacts on the ecological or geodiversity importance of the site".	SENDP agrees to the recommendations and the policy has been amended.
Policy CBF1	In the first sentence after "existing ones" insert "as shown on Map 5"  In criterion iii add at the end "where appropriate".  Delete the final paragraph.	SENDP agrees to the recommendations and the policy has been amended.
Policy CBF2	At the end of paragraph 2 replace "safeguarded for the future" with "protected".	SENDP agrees to the recommendations and the policy has been amended.
Policy CBF3	In paragraph 1 after "should" insert "where appropriate"	SENDP agrees to the recommendations and the policy has been amended.
Policy CBF4	Replace "significant adverse traffic generation" with "will lead to such an increase in traffic generation, resulting from the additional facilities, to the extent that the cumulative impact on the road network is severe".  Delete criterion iv and renumber  In the final paragraph replace "meet" with "are capable of meeting".	SENDP agrees to the recommendations and the policy has been amended.

	Delete the final sentence.	
Policy ED1	In the second sentence, replace "will be resisted" with "on the Industrial Estate will not be supported."  Delete criterion Vi.  In the fourth paragraph delete the rest of the sentence after "road network"	SENDP agrees to the recommendations and the policy has been amended.
Policy ED3	Replace the first paragraph with "Applications for new buildings should include the necessary ducting and infrastructure to enable the development to connect to the telecommunications network including broadband."	SENDP agrees to the recommendations and the policy has been amended.
Policy ED4	Change the title of the policy to Resource efficiency on non-residential dwellings.  In the first sentence after "new" insert "non-residential".	SENDP agrees to the recommendations and the policy has been re-named and amended.
Policy ED5	In the first sentence after "infrastructure" insert "where appropriate, through its design and layout,".	SENDP agrees to the recommendations and the policy has been amended.
Policy ED6	After "new" insert "commercial".	SENDP agrees to the recommendations and the policy has been amended.
Policy ED8	Replace "significant community facilities" with "the following important locally valued facilities, namely The Post Office and Café, The Star Inn, The Lamb and Flag and The Smugglers".	SENDP agrees to the recommendations and the policy has been amended.

Policy ED9	Delete criterion iii.	SENDP agrees to the recommendations and the policy has been amended.
Policy ED10	Delete all text in the first paragraph after "food processing" and replace with "will be encouraged"	SENDP agrees to the recommendations and the policy has been amended.