

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 Liskeard Town 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= Liskeard Parish Neighbourhood Plan

Section modified in the St Erth Neighbourhood Plan. Section/Policy	Modification Recommendation	LPNDP Consideration/ justification
Policy EM1 - Employment and Housing Balance	Modify the policy to read as follows – <i>In order to relate the delivery of employment land to the expansion of housing provision, all new larger housing schemes (30 or more dwellings) will be encouraged to contribute towards the need (as defined in the Cornwall Local Plan) for employment land, or servicing and development of such sites to facilitate the delivery of viable workplaces, through a process of cross-subsidy.</i>	LPNDP agrees to the recommendation and the policy has been updated.

<p>Policy EM2A</p>	<p>Modify the policy to read as follows –</p> <p><i>The development of the land north of Pengover Road must:</i></p> <p>a) <i>Be for use classes B1, B2, B8, A1 and A3 only;</i></p> <p><i>and</i></p> <p>b) <i>Ensure that the main vehicular access to the site operates safely in conjunction with the Clemo Road Industrial Estate Rd.</i></p> <p><i>Developers are encouraged to commence development of this site in advance of/ concurrently with any development of adjoining land for residential development;</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>
<p>Policy EM2B</p>	<p>Modify the policy to read as follows –</p> <p><i>The development of the land east of Charter Way should include:</i></p> <p>a) <i>B1, B2 and B8 uses</i></p> <p>b) <i>A 15 metre wide heavy planting strip on the site’s perimeter and the retention of important hedgerows, which will link with it.</i></p> <p><i>The site may include:</i></p> <p>a) <i>Self-build residential development</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>

	<p><i>b) Live-work units</i></p> <p><i>and</i></p> <p><i>c) Recreational facilities</i></p> <p><i>Retail, other than as an integral part of a principal use, is specifically excluded.</i></p> <p><i>Where a developer of employment land can demonstrate that cross-subsidy from a housing project is necessary to ensure the viability of the development, an element of housing will be supported subject to policies elsewhere in this document and the Cornwall Local Plan on design standards.</i></p> <p><i>Note: 6.2 ha has already been permitted at Tenecreek and 0.83 ha at former Magistrates Court. A further 12.72 ha is sought under suggestion EM3 providing in total more developable floorspace than the CLP requirement for the CNA in the plan period. This gives a flexible choice of sites in sustainable locations and allows viable options to come forward.</i></p>	
<p>Policy EM3 - Allocation of Employment Land Outside but Abutting the Liskeard Neighbourhood Plan Designated Area</p>	<p>Policy should be moved from the policy section and the remaining policies renumbered.</p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>
<p>Policy EM6 – The Development of an</p>	<p>Replace the word “permitted” to “supported”.</p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>

Innovation/ Business Support Hub		
Policy EM7 - Redevelopment and Enhancement of Existing Employment Sites	Replace the word "permitted" to "supported".	LPNDP agrees to the recommendation and the policy has been updated.
Policy EM8 - Small Workshop Development in the Countryside	Modify the first sentence to read as follows – <i>Where planning permission is required, small workshop development in the countryside will be supported if:</i>	LPNDP agrees to the recommendation and the policy has been updated.
Policy H2 - Brownfield Land First	Modify the policy to read as follows – <i>Before further releases of land for housing beyond the development boundary established in POLICY NP1 take place developers will be encouraged to deliver 90 dwellings on a combination of the urban capacity sites identified in Table 1, and smaller unidentified and windfall sites within the urban area (using the base date for measurement of 1st April 2016), and the conditions in policy H5 apply.</i>	LPNDP agrees to the recommendation and the policy has been updated.
Policy H3 - Employment and Housing Balance	Modify the policy to read as follows – <i>In order to relate the delivery of employment land to</i>	LPNDP agrees to the recommendation and the policy has been updated.

	<p><i>the expansion of housing provision, all new larger housing schemes (30 or more dwellings) will be encouraged to contribute towards the need (as defined in the Cornwall Local Plan) for employment land, or servicing and development of such sites to facilitate the delivery of viable workplaces, through a process of cross-subsidy.</i></p> <p><i>Note Cross-referenced to employment policy EM1</i></p>	
<p>Policy H5 - Ensuring Housing Apportionment Target up to 2030</p>	<p>Modify the policy to read as follows –</p> <p><i>If the demonstration of housing deliverability detailed in our evidence base over the plan period, falls short of the trajectory needed to reach the target of 1400 by 2030 (taking a three year moving average), then housing will be allowed in accordance with Policy H2 and the criterion based ranking assessment that has been carried out as part of this plan.</i></p> <p><i>Extensions of appropriate scale to the area, beyond the development boundary set in Policy NP1 may be supported if they:</i></p> <ul style="list-style-type: none"> <i>a) Are in accord with the neighbourhood plan’s assessment ranking in terms of sustainability and suitability (based on criteria of location, access, impact and developability) and if appropriate and deliverable:</i> <i>b) Comprise a mix of uses including employment land, live/work units, completed workshops to be delivered in- phase with the housing element</i> 	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>

	<p><i>(see Policy EM1).</i></p> <p><i>c) Include provision for enhanced or additional community space and facilities</i></p> <p><i>d) Integrate effectively with and reinforce existing neighbourhood nodes</i></p> <p><i>e) Provide, where achievable access to the town centre and neighbourhood facilities by safe walking routes, cycleways and efficient public transport.</i></p> <p><i>f) On sites of more than 50 dwellings developers are encouraged to include at least 5% of plots are serviced and made available for self-build and self-completion developments.</i></p> <p><i>g) On sites of more than 50 dwellings developers are encouraged to include provision for the involvement of a community land trust.</i></p>	
<p>Policy TC1 – New Large Scale Retail Development</p>	<p>The policy is long and confusing. The policy should be split into three related policies (TC1, TC1A and TC1B) and modified to read as follows –</p> <p><i>POLICY TC1</i></p> <p><i>New Large Scale Retail Development (a) Retail development to meet the Cornwall Local Plan retail forecasts will be supported at the following sites as part of comprehensive schemes which may also include car-parking, community uses and public realm</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>

areas, work space, and residential development.

- i. Within the Liskeard Cattle Market site*
- ii. Sungirt*

Subject to:

- 1) Being of a scale appropriate to the size and function of the town centre;*
- 2) Arrangements being in place to make car parking provision "dual role" and available for other town centre short-stay needs;*
- 3) The provision of electric vehicle charging points;*
- 4) Building design being of a high quality, which respects the typical local architectural style, massing, and use of materials.*

Policy TC1A - Edge of town retail development

If no sites are available, suitable or viable within the town centre, planning permission will only be supported on the edge of Liskeard town centre where there is evidence of need for additional retail development to serve the town and if the development is:

- 1) of a scale appropriate to the size and function of the town centre;*

- 2) *The site is within approximately 300 m, taken on the level or otherwise suitable gradient, of the town centre as defined in the Cornwall Local Plan;*
- 3) *The development would be conveniently and safely accessible by a choice of means of transport, including public transport, walking, cycling and the car, and by disabled people, from the town centre and the surrounding area;*
- 4) *Arrangements are in place to make car parking provision "dual role" and available for other town centre short-stay needs;*
- 5) *The provision of electric vehicle charging points;*
- 6) *The store would be sited on that part of the application land nearest the town centre;*
- 7) *The store would have a direct street frontage that is within approximately 300 m, taken on the level or otherwise suitable gradient, of the town centre as defined in the Cornwall Local Plan, and have pedestrian exits and footpath links to the town centre.*

Policy TC1B

If no town centre or edge of town centre site is available, suitable and viable, planning permission will be supported for an out-of-town centre subject to a

Retail Impact Assessment in accordance with policy TC2 and if the proposal can demonstrate that:

- 1) The proposal (individually or cumulatively with other proposals) would not seriously harm the vitality and viability of Liskeard town centre, in terms of:*
 - a) The likely effect on future private sector investment in the town centre;*
 - b) Changes to the quality, attractiveness and character of the centre, and to its role*
 - c) The economic and social life of the community;*
 - d) Changes to the physical condition of the centre;*
 - e) Changes to the range of services that the centre will continue to provide; and,*
 - f) Likely increases in the number of vacant properties in the primary retail area of the centre;*
- 3) The site is located where there is frequent reliable, and convenient public transport from a wide catchment area (or arrangements are in place to ensure such provision is made available);*

	<p>4) <i>The development would be conveniently and safely accessible by a choice of means of transport, including public transport, walking, cycling and the car, and by disabled people, from the adjoining built up area;</i></p> <p>5) <i>The proposal will not give rise to a substantial increase in car journeys;</i></p> <p>6) <i>Arrangements are in place to make an element of car parking provision "dual role" and available for car-sharing clubs;</i></p> <p>7) <i>The provision of electric vehicle charging points;</i></p> <p><i>For the purpose of these Policies, factory outlet centres, discount stores, warehouse clubs and hybrid trade/retail stores are treated as retail businesses.</i></p>	
<p>Policy TC5 - Development in the Town Centre Primary Shopping Area and Upper Floors in Primary Retail Frontage</p>	<p>Modify the policy to read as follows –</p> <p><i>Development in the Town Centre Primary Shopping Area and Upper Floors in Primary Retail Frontage</i></p> <p><i>Within the Liskeard primary shopping area, outside of the primary retail frontages, and on the upper floors of the primary retail frontages, where planning permission is required the following uses will be supported: shops (A1), financial and professional services (A2), restaurants and cafes (A3), drinking establishments (A4), hot food takeaways (A5),</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>

	<p><i>business (B1), hotels and guesthouses (C1), residential care homes (C2), dwelling houses (C3), non residential institutions (D1), assembly and leisure (D2) and sui generis uses appropriate to a town centre.</i></p>	
<p>Policy TC6 - Development in the Primary Retail Frontages</p>	<p>Modify the policy to read as follows –</p> <p><i>Within the primary retail frontages proposals, where planning permission is required, changes of use of ground floor class A1 premises to non-class A1 uses will be supported if:</i></p> <ul style="list-style-type: none"> <i>a) It falls within classes A2, A3, A4, and A5 or</i> <i>b) If in other use classes it can be demonstrated that the use is appropriate to a retail shopping frontage and will add to the vitality and viability of the town centre; and</i> <i>c) The use would not reduce the predominance of A1 uses.</i> <p><i>For purposes of clarity ‘sui generis’ uses such as betting offices and pay day loan shops are not considered to be appropriate in a retail shopping frontage.</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>
<p>Policy TC9 - Shopfront and Other Commercial Signage in the Town Centre and Liskeard Conservation Area</p>	<p>Modify the policy to read as follows –</p> <p><i>Shop and Other Commercial Signage in the Town Centre and Liskeard Conservation Area</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>

	<p><i>New shop and other commercial signage within the Liskeard Conservation Area must comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Where permission is required applications will only be supported where the new signs respect the composition, materials and detailed design of the building and of surrounding historic environment in terms of their scale, depth, colour and siting. In particular:</i></p> <ul style="list-style-type: none"> <i>a) Fluorescent or internally illuminated modern projecting box signs and box fascia & 'cut-out' box signs and fascias with individually illuminated letters will not be permitted.</i> <i>b) Cut out plastic and perspex lettering signs will not be permitted.</i> <p><i>House styles of multiple stores will only be acceptable where they involve the use of designs and materials visually related to or developed from, the composition, materials and detailed design of the building and of surrounding historic environment.</i></p> <p><i>Externally illuminated hanging signs may be supported provided they are of a design sympathetic to the character of the area.</i></p>	
<p>Policy TC12 - Maintenance and Improvement of Buildings and Public Realm in the Town Centre</p>	<p>Modify the introductory paragraph to read as follows –</p> <p><i>Where planning permission is required the maintenance and improvement of buildings and the</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>

	<i>public realm within the Liskeard Conservation Area should where appropriate be carried out in accordance with the design principles set out below:</i>	
Policy OSL1 – Green Spaces	<p>Rename the policy to “Local Green Spaces”</p> <p>Remove “5 New Road Paddocks” from the list.</p> <p>Remove “21 St Martins School Playing Fields” from the list.</p> <p>Remove “25 Vharter Way/Catchfrench Crescent Woodland” from the list.</p> <p>Remove “29 Pengover Rd Allotments” from the list.</p> <p>Remove “44 Dungarth Rd Allotments” from the list.</p>	LPNDP agrees to the recommendation and the policy has been updated.
Policy OSL2 - Conservation, Enhancement and Creation of Local Green Spaces and Other Parks and Green Spaces to Accommodate Growth	Policy should be deleted.	LPNDP agrees to the recommendation and the policy has been updated.
Policy OSL3 - Play Provision in Neighbourhood Areas	Policy should be deleted.	LPNDP agrees to the recommendation and the policy has been updated.
Policy OSL4 - Locations for Enhanced Public Realm Access and Environmental Improvements	Policy should be deleted.	LPNDP agrees to the recommendation and the policy has been updated.

Policy OSL5 - Open Space and Developer Contributions	Policy should be deleted.	LPNDP agrees to the recommendation and the policy has been updated.
Policy OSL7 - Provision of Orchards and Allotments	Policy should be deleted.	LPNDP agrees to the recommendation and the policy has been updated.
Policy OSL9 – Dark Sky	<p>Modify the first paragraph to read as follows –</p> <p><i>Designs, which incorporate measures to reduce light pollution, into adjoining properties or the open countryside, will be supported. Where appropriate due to the size and scale, proposals should include an assessment of the impact of light pollution from the development on local amenity, surrounding countryside and dark landscapes, as well as nature conservation, identifying mitigating measures to be incorporated.</i></p>	LPNDP agrees to the recommendation and the policy has been updated.
Policy OSL11 – Cherished Views	<p>Modify the first sentence to read as follows –</p> <p><i>Where appropriate to the size and scale development proposals affecting the cherished views set out in this document must demonstrate the impact on the cherished view by providing an analysis through an accurate visual representational assessment and statement*.</i></p>	LPNDP agrees to the recommendation and the policy has been updated.
Policy OSL12A - Pedestrian, Equestrian and Cycle Links and Corridors	Policy should be deleted.	LPNDP agrees to the recommendation and the policy has been updated.

<p>Policy OSL13 - Sports and Leisure Facilities</p>	<p>Modify the policy to read as follows –</p> <p><i>The change of use existing community, sport, leisure and recreational facilities will be not be supported, unless it can be demonstrated that the current use is unviable or replacement facilities are provided in an appropriate alternative location. Consultation with the town council before the existing facilities are closed is encouraged.</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>
<p>Policy SUS1 - Sustainable Development Standards</p>	<p>Modify the first sentence to read as follows –</p> <p><i>New developments where achievable and appropriate to the scale of development will be encouraged to demonstrate sustainable design that incorporates:</i></p>	<p>LPNDP agrees to the recommendation and the policy has been updated.</p>