

## Appendix 2:

### Schedule of Proposed Modifications as suggested by the Independent Examiners and suggested modifications:

Policy/page Reference Of NDP	Examiner Recommendation	Reason for Change
Policy GP1: Settlement boundary  (p.21 and Proposals Map)	That the land shown as Open Countryside outside the Green Belt be deleted and the land then be included within the Settlement Boundary on the Proposals Map (see attached Map).	<p>At the time of making the decision Fylde Borough Council cannot identify a five year housing supply, in accordance with paragraph 49 of the Framework, policies which affect the supply of housing land, which would include the designation of land as countryside outside the Green Belt, will not be considered up-to-date. The incorporation of the land identified as countryside outside the Green Belt, into the settlement boundary would offer the town the flexibility to be able to meet its housing needs over the next 15 years, which are unlikely to diminish.</p> <p>Without the flexibility of adjusting the settlement boundary, the Plan could not deliver sustainable development and as such would fail the basic conditions test.</p>
Policy GP2: Demonstrating viability  (p.22)	Replace the Submission version of the Policy with that shown in Suggested Changes version and remove the paragraph after subsection c) which states “where the existing use is no longer considered viable” down to “town, district or local centres” and remove the last paragraph of the justification.	<p>Discounting residential use as a last resort is not considered in line with the Secretary of State’s advice, particularly as there are limited opportunities for new residential development within the borough.</p> <p>To enable the Plan to meet the basic conditions.</p>
Policy EN1: Protection of sites of biological and geological conservation importance  (p.25)	<p>Replace the Submission version with the Suggested Changes version of the policy except for the penultimate paragraph which should read:</p> <p><i>“The level of protection and mitigation should be proportionate to the status of the habitat or species and should give appropriate weight to their importance, individually and as part of the contribution they make to the wider ecological network”</i></p>	<p>The original Submission version of the policy offered the same level of protection to locally designated sites as internationally recognised sites. This ran contrary to the hierarchical approach which is promoted in the Framework, a point made by Natural England.</p> <p>Modifications will also improve the clarity and understanding.</p>

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	Retitle policy as per Suggested Changes	
Policy EN2: Protection of open spaces, local space (LGS), outdoor recreational facilities and green infrastructure  (p.26)	<p>Replace the Submission version of the Policy with that shown in Suggested Changes.</p> <p>Remove Site 31 – Valentine Kennels from Appendix 1 and the Proposals Map and renumber the list of Local Green Spaces accordingly.</p> <p>Retitle the policy name in line with Suggested Changes version, i.e. <b>Policy EN2: Green Infrastructure</b></p>	<p>Conscious that paragraph 77 of the Framework states that “local green space designation is not appropriate for most green spaces or open space”, however the Town Council has justified each site’s inclusion and as such apart from one site considers that all designations do meet the basic conditions.</p> <p>The only area which would be difficult to justify is the designation of the former Valentine Kennel site, as it appears only to have been designated in order to prevent development.</p>
Policy EN3: Provision of open space in residential development  (p.28)	Delete Policy EN3 – in line with Town Council’s recommendation following the Public Hearing.	Following the publication of the latest version of the local plan and the open space study, the Town Council is now suggesting that the policy be deleted.
Policy EN4: Starr Hills Reserve  (p.29)	<p>Delete the 2<sup>nd</sup> paragraph and rely on Policy DEL1.</p> <p>Renumber policy, i.e. <b>Policy EN3: Starr Hills Nature Reserve</b></p>	<p>The neighbourhood plan cannot require CIL money to be allocated towards any particular project.</p> <p>For clarity and accuracy.</p>
Policy EN5: Urban tree supply  (p.29)	<p>No change – other than the re-numbering of policy, i.e. <b>Policy EN4: Urban Tree Supply</b></p>	For clarity and accuracy.
Policy EN6: Community tree planting  (p.30)	<p>Delete the 2<sup>nd</sup> paragraph and rely on Policy DEL1.</p> <p>Renumber Policy, i.e. <b>Policy EN5: Community Tree Planting</b></p>	<p>The neighbourhood plan cannot require CIL money to be allocated towards any particular project.</p> <p>For clarity and accuracy.</p>
Policy CH1: Community infrastructure  (p.33)	Delete Policy CH1: Community Infrastructure and accompanying justification.	<p>At the Public Hearing it was confirmed that FBC would not be preparing a separate Infrastructure Plan for St. Annes. National policy states that Neighbourhood Plan policies must be supported by evidence and there is no evidence to show inadequate infrastructure.</p> <p>To meet the basic conditions.</p>
Policy CH2: Community facilities  (p.35)	Replace the Submission version of the policy and the supporting text with that shown in the Suggested Changes version.	The Submission version of the Plan refers to the identification of community facilities as Assets of Community Value. However, this is not a policy for the use and development of land. The Town

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	<p>Renumber policy accordingly</p> <p><b>Policy CH1: Community Facilities</b></p>	<p>Council have therefore removed this paragraph in their Suggested Changes version of the Plan.</p> <p>Modification provides accuracy and clarity.</p>
<p>Policy CH3: Encouraging an active and healthy lifestyle  (p.35)</p>	<p>Delete Policy CH3: Encouraging an active and healthy lifestyle</p> <p>Add accompanying justification to Policy EN2.</p>	<p>In line with the Town Council’s Suggested Changes version, part of this policy has now been incorporated within Policy EN2.</p> <p>To meet the basic conditions.</p>
<p>Policy DH2: Corridors and gateways  (p.41)</p>	<p>Replace the Submission version of the policy and the supporting text with that shown in the Suggested Changes version.</p> <p>Delete the last sentence of the Suggested Changes version of the policy.</p>	<p>The LPA will be determining whether it wishes to include the St. Annes Corridor and Gateway Strategy and the Blackpool Airport Corridor Improvement Area within its Regulation 123 list, this is not a matter that the neighbourhood Plan can determine.</p> <p>To meet the basic conditions.</p>
<p>Policy SS1: Blackpool Airport  (p.45)</p>	<p>The policy is renamed Blackpool Airport Enterprise Zone.</p> <p>Delete paragraph 4</p> <p>Insert in the penultimate paragraph <i>...including with relevant organisations including...</i> between ‘<u>consultation</u>’ and ‘<u>with</u>’.</p> <p>Replace <del>must</del> with <i>should</i> in the last paragraph.</p>	<p>In line with recommendations made by Lancashire County Council and the Local Enterprise Partnership.</p> <p>Part of the text within the policy is justification rather than policy.</p> <p>For clarity and accuracy and to meet with basic conditions.</p>
<p>Policy E1: The town centre and town centre development  (p.47)</p>	<p>Delete <del>above ground floor level</del> from the 3<sup>rd</sup> paragraph of the Submission version as per their Suggested Changes.</p>	<p>This change will enable the policy to become in line with national policy, and as such will make the basic conditions.</p>
<p>Policy E2: Primary shopping frontages  (p.47)</p>	<p>Replace the Submission version of the policy with the Suggested Changes version. Amend it by inserting at the end of subsection c) <i>“unless the proposed use is a use falling within Class A of the Town and Country Planning (Use Classes) Order 1987 as amended”</i>.</p> <p>Delete the last sentence of the subsection d)</p>	<p>To ensure that the policy meets with the basic conditions, as part of the policy is beyond the scope of planning control.</p>

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<p>Policy E3: Secondary shopping frontage  (p.48)</p>	<p>Replace the Submission version of the policy with the Suggested Changes version. Amend it by inserting at the end of subsection c) <i>“unless the proposed use is a use falling within Class A of the Town and Country Planning (Use Classes) Order 1987 as amended”</i> .</p> <p>Delete the last sentence of the subsection d)</p>	<p>To ensure that the policy meets with the basic conditions, as part of the policy is beyond the scope of planning control.</p>
<p>Policy E4: Employment and enterprise  (p.49)</p>	<p>Delete the following text <del>...that meet the needs of the community...</del> from the 1<sup>st</sup> paragraph</p>	<p>The requirements of business to “meeting the needs of the local community” is an unnecessary restriction. The NPPF also states in paragraph 32 that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe.</p>
<p>Policy E6: Leisure, culture and tourism  (p.51)</p>	<p>Delete subsections a), g) and i)</p>	<p>Parts of the policy lie outside the scope of planning control.</p> <p>In order to comply with the basic conditions.</p>
<p>Policy E7: Tourism Accommodation  (p.52)</p>	<p>Delete <i>affordable</i> before housing.</p>	<p>In order for the policy to meet the basic conditions as the final element of the policy which will not allow the conversion or properties to market residential use, which runs contrary to the aims of the NPPF.</p>
<p>Policy TR1: Accessibility for all  (p.55)</p>	<p>Replace the Submission version of the policy with the Suggested Changes version.</p> <p>Insert <i>“subject to other development plan policies”</i> at the end of the policy.</p>	<p>Modifications enable the policy to meet the basic conditions.</p> <p>Amendments are in line with the Town Council’s suggested changes.</p>
<p>Policy TR2: Better public transport  (p.56)</p>	<p>Delete subsections a), b) and c) from the Suggested Changes version and delete the final paragraph.</p>	<p>Much of this policy deviates from being proposals for the “use and development of land” and as such without the modifications the policy would not meet with the basic conditions.</p>
<p>Policy TR3: Residential car parking  (p.57)</p>	<p>Delete the first paragraph.</p>	<p>The first part of the policy is reasoning for the policy and as such should be incorporated within the justification. A caveat “wherever possible” can overcome when locations of particular types of development cannot be achieved.</p>

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Policy TR4: Town centre parking  (p.58)	Delete Policy TR4 – in line with Town Council’s suggestion.	This policy is more of a desire by the Town Council rather than a land use and development of land policy.  To meet the basic conditions.
Policy TR5: Getting around St Anne’s  (p.58)	Replace the Submission version of the policy with the Suggested Changes version.  In addition, delete all text between “ <del>on/off street cycle routes .....to .....electric buggies</del> ” in the final paragraph.  Renumber the policy to <b>Policy TR4: Getting Around St. Anne’s</b> .	Much of this policy falls under the responsibility of the Highway Authority. As such the final paragraph should be retained along with the essential elements but the remaining can be added into the non-development plan section.  For accuracy and clarity, and to meet the basic conditions.
Policy HOU1: Housing development  (p.61)	Replace the Submission version of the policy with the Suggested Changes version.  In addition, delete “ <del>on infill and redevelopment sites within the town</del> ” in the 2 <sup>nd</sup> sentence.	The previous wording of the policy was inadequate and did not meet with the basic conditions.
Policy HOU2: Housing for a sustainable community (p.62)	Delete Policy HOU2 – in line with Town Council’s suggestion.	This policy was more of a desire by the Town Council rather than a land use and development of land policy.  To meet the basic conditions.
Policy HOU3: New apartments  (p.64)	Replace the Submission version of the policy with the Suggested Changes version.  Renumber the policy to <b>Policy HOU2: Conversion of Existing Properties into Flats and HMO’s</b> .	The amended text is now consistent with national and local policy and meets the basic conditions.  For accuracy and clarity.
Policy HOU4: Retirement hubs (p.65)	No change other than renumbering to <b>Policy HOU3: Retirement Hubs</b>	For accuracy and clarity.
Policy HOU5: Residential design  (p.65)	Replace the Submission version of the policy with the Suggested Changes version.  Renumber the policy to <b>Policy HOU4: Residential Design</b> .	The amended text now meets the basic conditions, as previously the policy requests were no appropriate.
Policy SU1: Incorporate sustainable urban drainage into new development (p.68)	Delete the last paragraph	The neighbourhood plan cannot require CIL money to be allocated towards any particular project.  To meet the basic conditions.

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<p>Policy SU2: decentralised energy networks and district heating systems (p.69)</p>	<p>Delete Policy SU2, and contents moved into the Design Guide.</p>	<p>National guidance states that local authorities or qualifying bodies should not set out additional local technical standards or requirements relating to construction.</p>
<p>Policy DEL1: Developer contributions (p.71)</p>	<p>Replace the Submission version with the Suggested Changes version.</p> <p>Insert in the 4<sup>th</sup> paragraph <b><i>“so long as there is a direct relationship with the development”</i></b> at the end of the first sentence.</p> <p>Add <b><i>“Fylde Borough”</i></b> in the last paragraph.</p>	<p>The original policy did not meet the test of planning obligations. This latest version of the plan has more clarity.</p> <p>To ensure there is no misunderstanding that 2the Council” in this instance is Fylde Borough Council.</p>

**Proposed Settlement Boundary Amendment**

