

## Bradleys Both NDP – Modification Procedure Note

The Government's Planning Practice provides guidance on the ways that neighbourhood plans can be modified (Ref ID 41-106-20190509). The procedure for modification is dependent on the scale and nature of the proposed change and can be summarised as follows:

- Minor (non-material) – where modifications would not materially affect the policies in the NDP. The guidance states that this could include correcting errors, such as reference to a supporting document. This type of modification would not require examination or referendum and can be undertaken directly by the relevant LPA.
- Material modifications which do not change the nature of the plan. To illustrate what this may include the guidance states that this could include amongst other things the addition of a site or sites which subject to the decision of an independent examiner are not so significant or substantial as to change the nature of the plan. This type of modification requires a further examination but does not need a referendum.
- Material modifications which change the nature of the plan. This would include allocating significant new sites for development. This final type of modification would follow the same procedure for creating a new NDP and therefore would be subject to both examination and referendum.

It is intended to modify the Bradleys Both NDP by including an additional Local Green Space (LGS) at land off College Road. The site was not included in the submission version of the current NDP. The modification is likely to fall outside the definition of a minor (non -material) amendment as the examples referenced in the guidance suggest that this would be limited to correction of errors that would not in themselves have any significant implications for land or the application of policies within the NDP and would therefore be non-material in nature. Allocating a site as LGS imposes significant implications on the land in question and is therefore a more significant change than correcting a reference to a supporting document or similar error as cited by the guidance for minor (not material) modifications. The adopted NDP includes a number of allocated LGS sites and the addition of a further LGS site would still be consistent with the vision and objectives of the NDP and would not require any changes to the provisions or wording of policies within it. It is therefore considered that whilst the proposed additional LGS site represents a material modification it would not change the nature of the plan. Furthermore as the guidance explicitly states that material modifications that do not change the nature of the plan can include the addition of a site or sites then this procedure seems the most applicable to the proposed inclusion of the land off College Road as a LGS. Finally in discussions with the Local Planning Authority following the adoption of the current NDP the LPA sought their own internal legal advice before also concluding that the proposed change represents a material modification that does not change the nature of the plan.