

Draft Open Space SPD - Comments received and Council responses

Consultee Name: Ms Justine Entezari

Comments: I am writing to you on behalf of my client, the Lilford Estate, as part of the ongoing public consultation on the draft West Lancashire Public Open Space in New Residential Developments SPD which has been published on the Council's website. As you may be aware, the Lilford Estate are a comprehensive landowner and steward based in Tarleton, who have a long-term relationship with the area and local community, and it is within this context that we frame our representations. Having reviewed the SPD, while we appreciate the requirement to update the quantity of provision that will be sought within new developments, we have a number of concerns that we wish to draw your attention to as follows:

Evidence Base The National Planning Policy Framework (NPPF) states at paragraph 73 that 'access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.' The SPD is based upon the findings of the Open Space and Recreation Study, published in October 2009, with the Council claiming that 'whilst the Open Space Study was published five years before the SPD, it is considered that this evidence remains sufficiently up-to-date, given that the population and the amount and quality of open space in the Borough have not changed markedly since 2009.' This justification is not robust, and we would argue that the Study is in fact out of date. Sport England, a national consultee on planning applications relating to recreation space, stress the importance of Councils having an up-to-date evidence base in place. Their consultation draft of the document 'Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities' (December 2013) states that 'assessments should be no more than 3-years old to account for changes and ensure the supply and demand analysis is still valid and robust'. It is reasonable to suggest on this basis that the 3 year guide would also apply to the West Lancashire Open Space and Recreation Study, and that it would therefore be out of date. Adopting an SPD based on out of date evidence is not appropriate and will not serve to genuinely meet the needs of the area.

Viability Assessment A viability assessment has not been included within the SPD, assessing the impact of the policy on different types of development proposals. Without such an assessment, it cannot be demonstrated that implementation of the policy will not render development proposals unviable. The National Planning Practice Guidance (NPPG) emphasises the significance of viability testing plans and policies, setting out the relevant guidance at ID 10-006-20140306 and ID 10-006-20140306 which notes that an assessment of different samples of sites is a useful means of supporting evidence. As such, we would request that a robust viability assessment is undertaken to support the policy.

Evidencing Open Space Requirements While the SPD does state that its findings are based on the Open Space and Recreation Study, no specific evidence has been provided to justify the stipulated amounts of open space provision that will be required to be provided under the new policy. We would therefore request that clear justification is provided for each individual figure, based on up to date evidence, which we do not consider the Open Space and Recreation Study to constitute.

Over Provision of Open Space A final observation is that the SPD does not address the issue of over provision of open space within development proposals, and whether or not any provision over and above that required by policy can contribute towards the provision required for subsequent development proposals within the local area. While this would need to be determined on a site by site basis, we are of the view that the opportunity should be available for over provision within one development to form all or part of the amount of public open space required for a development that is proximate to the initial application site. Clarity on this matter should be provided within the SPD. I trust that the contents of this letter are clear and that this representation will be taken into consideration by West Lancashire's Strategic Planning team. If you do require any further clarity please don't hesitate to contact me at the NJL offices.

Summary of comments: Expresses concerns regarding: whether the evidence base behind the SPD is up to date; the lack of a viability assessment incorporating the proposed open space requirements; what the justification behind the open space requirements is; and whether the issue of over-provision of open space is addressed in the SPD.

Council response: **Evidence Base:** The Council are satisfied that the 2009 Open Space and Recreation Study does provide an up to date and robust evidence base for this SPD, given that the quantum and quality of open space across the Borough has changed very little in the last five years. In addition, it should be noted that the Sport England guidance referred to is only in draft at this stage.

Viability Assessment: The implications of the new on-site open space requirements in this SPD have been assessed as part of the Viability Assessment work undertaken for the Council to inform the CIL Charging Schedule. While the level of on-site provision is being increased for developments of 40 dwellings or more, the requirement for financial contributions to off-site open space is being removed

entirely for all residential developments. Therefore, the overall change in development viability is negligible as a result of the proposed SPD.

Justification behind the open space requirements: The 13.5 sqm per bedroom requirement for developments of 40-289 dwellings is based upon the recommended local standard for amenity green space from the 2009 Open Space and Recreation Study, given that the SPD suggests that on-site provision on such developments "should typically take the form of informal amenity green space in order to provide the local function necessary of this public open space" (Policy OS1(b)). As per the footnote on p.9 of the SPD, it has been assumed that one bedroom equals one additional person in population terms. The additional 1.5 sqm per bedroom requirement for developments of 290 dwellings or more is based upon the recommended local standards for Formal Parks, Provision for Children and Provision for Young People from the 2009 Open Space and Recreation Study (which would actually equate to 1.62 sqm, but has been rounded down for ease of calculation to 1.5 sqm) , given that it is appropriate that a development of this size should provide an element of more formal open space on-site as well. It is acknowledged that the SPD could be clearer on the derivation of these requirements from the recommended local standards.

Over-provision of Open Space: Policy OS1 does allow the Council to consider proposals which do not meet the full on-site open space requirements where there is clear and robust justification from this deviation from policy. In general, it would not be appropriate for one development in a locality to over-provide on-site open space whilst another provides less, given that this would unfairly prejudice one applicant / developer over another and would move away from providing adequate local open space for the residents of each development. The only exception to this would be where a Neighbourhood Plan, masterplan or development brief for a large site or neighbourhood area stipulates that this must happen as part of a cohesive and co-ordinated development approach to that site / area.

Council
recommendation

Add to justification of Policy OS1 to explain the derivation of on-site open space requirements from the recommended local standards in the 2009 Open Space and Recreation Study.

Add sentence at end of fifth paragraph of Policy OS1 to clarify the potential for exceptions to the requirements in this SPD where a Neighbourhood Plan, masterplan or development brief identifies an exception would be appropriate.

Consultee Name: Mrs Alison Truman

Comments: It is stated at the end of p.13 of the draft SPD that "where development is adjacent to the canal network, consideration should be given to what role such a feature can play in providing for open space." The Canal & River Trust (the Trust) requests that this statement is clarified and expanded upon. Clearly, the canal network has a significant multi-functional role as a route for leisure and recreation, both on the water and on the towpath, in addition to providing a valuable wildlife and heritage corridor. The canal through West Lancashire is largely rural in character, where the towpath often has a grassed surface suitable for informal leisure walking. If a proposed development is likely to result in significant additional towpath movements, it is essential that the developer makes an appropriate contribution to assist the Trust in ensuring that the towpath and other waterway assets are maintained in an appropriate condition. This would comply with the requirements of Policy IF4, and could be delivered either through Section 106 agreements or through the use of CIL funding. Where a development provides opportunities for pedestrians and cyclists to use the towpath as a sustainable transport route to and from work or local services, it may be necessary to secure a contribution to cover the cost of the provision of an appropriate new towpath surface in order to facilitate this. Further information on the role of waterways for leisure and recreation can be found on our website (www.canalrivertrust.org.uk) and on the Town and Country Planning Association's website (<http://www.tcpa.org.uk/pages/inland-waterways.html>).

Summary of comments: The Canal & River Trust requests clarification of wording on p.13 of the draft SPD relating to the role of the canal network in providing for open space where development is adjacent to it.

Council response: The final paragraph on p.13 of the draft SPD was intended to ensure that any residential development adjacent to the canal network seeks to ensure open space is located and designed in such a way as to utilise the advantage of having a canal adjacent to the site, in order to increase the accessibility of the canal network and to help create more attractive open spaces. Where development involves an increase in canal towpath movements, Section 106 contributions cannot be secured simply to maintain existing towpath facilities (in the same way they cannot be secured simply to maintain an existing open space). However, if a stretch of canal towpath needs improvement in order to manage the increased usage as a result of development in general (not simply those developments adjacent to a canal), it may be appropriate to secure developer contributions for this purpose. However, this would be separate from on-site open space, as required by this SPD.

Council recommendation Clarify comments in relation to the the canal network in the final paragraph of p.13 of draft SPD.

Consultee Name: Miss Justine Entezari

Comments: Please refer to supporting letter (Ref: 2014-023-004a) that I have emailed to localplan@westlancs.gov.uk

Summary of comments: See representation 1

Council response: See representation 1

Council recommendation N/A

Consultee Name: Mr Tom Loomes

Comments: Paragraph 73 of The NPPF states that planning policies should be based on robust and up-to-date assessments of the need for new open space. However, the proposed SPD is based on the 2009 Open Space Study, which is no longer considered to be up-to-date. Jones Homes consider that, at the very least, a review of this study should be undertaken to ensure that the policy is based on current need. Whilst Jones Homes welcomes there being no on-site requirement for smaller residential developments, there is little justification for the threshold set. With the anticipated introduction of CIL, Jones Homes considers that thresholds of 1-49 dwellings, 50-289 dwellings and 290 dwellings and over would be more appropriate. Jones Homes would like to ensure sufficient flexibility remains in the policy. Every site is different and there may be situations where it is more appropriate to provide a lesser amount of a different type of on-site open space. As a result, it is important that sufficient flexibility remains within the policy.

Summary of comments: Concerns expressed regarding whether evidence base is up to date, justification for thresholds and insufficient flexibility within the policy.

Council response: The Council are satisfied that the 2009 Open Space and Recreation Study does provide an up to date and robust evidence base for this SPD, given that the quantum and quality of open space across the Borough has changed very little in the last five years. In relation to thresholds, it is noted that Jones Homes provide no evidence of their own to support amended thresholds. CIL has no bearing on the threshold unless it can be demonstrated that the adoption of CIL would make developments of 40-50 dwellings unviable if on-site open space continues to be required. The Council are satisfied that the existing threshold of 40 or more dwellings is an appropriate threshold to continue to use for triggering a requirement for on-site open space. The fifth paragraph of Policy OS1 allows flexibility in the requirement for on-site open space where clear and robust justification is provided.

Council recommendation: None

Consultee Name: Mrs Elizabeth-A Broad

Comments: These are the comments of Lathom South Parish Council. The meeting formed the following response to WLBC's Provision of Public Open Space in New Residential Development: Supplementary Planning Document - Draft – February 2014. Section 4. – Policy OS1: Provision of On-Site Open Space. 1. Except in the introduction, which is clear, the draft confuses "outside" and "within" the development. On page 13, open space is determined to be an integral part of design of any new development and yet the draft gives developers get-out clauses. 2. For example, the draft states: "If the developer proposed not to meet the above public open space requirements on-site, they must provide "clear and robust" justification as to why the requirements should not be met". The draft should go on to state "Only in the most exceptional cases would planning permission be granted without full provision of amenity open space. 3. Under Policy OS1 – Provision of On-site Open Space, the document refers to cases of existing under-provision of open space and incremental developments but does not explain how to deal with such matters. Where there is under-provision in the locality and an existing need, the document needs to explain how the under provision will be dealt with, in addition to dealing with the development need. As suggested elsewhere, existing under-provision in an area can be addressed using CIL funding. 4. It is contradictory to allow "existing provision" to be quoted as a reason for non-provision of open space within new developments, since there is no existing provision within developments that have not even started. 5. Page 9 states that the requirement to provide on site public open space will also apply to incremental developments but does not set out how, in practice, it would apply. The policy needs to set out how it would apply rather than just saying "it still applies". The obligations are not clear enough. 6. It would be unnatural for new development to be allowed right up to a Green Belt boundary. For development adjacent to the green belt there should be an open buffer to provide a natural transition from new estates to open countryside. 7. Play areas and informal amenity green space should be treated separately throughout the draft, because each requires different provisions; e.g. informal amenity green space may need a commitment to provision and emptying of dog litter bins whereas play areas need also to be kept safe for children to use and located securely. 8. The quality of the landscaping must be to an agreed and published standard. 9. Where the developer does not wish to maintain the open space provided in a scheme, maintenance should be in perpetuity, or for at least 29 years, as ten years is just not long enough. Long term maintenance, with whole life costs for replacement of capital items, such as seating, signs, bins, play equipment is necessary when planning these open space amenity areas. This draft has no such provision. 10. It is unusual nowadays for Councils to accept responsibility for maintenance of such areas and to tie the Council to charges published now could easily put a strain on council tax monies later. It would be more sensible to insist that the developer enter into a transfer to a sustainable scheme under a charity such as The Land Trust and that the continuation of maintenance is guaranteed financially. 11. The Parish Council believes that table 14.4 should not be in the document at all, since it sets standards for open space outside developments. However the contents reveal inconsistent thinking, in giving standards set on walking times. A ten minute walk for an adult represents a much longer distance than for a young child, and some people are able to walk much more quickly than others. Allotments are described as close enough if within a twenty minute drive, but this could take you ten to twenty miles. It defeats the purpose of an allotment if one has to drive to it; the people who want (and need) allotments cannot necessarily drive to them and tend to value facilities that are close to home. Thus, this table has been created with no thought or consideration for people who don't have a car, for the elderly or of those with young children. It is not clear why provision for young people is restricted to settlements of 3,000 or greater. Do developments of fewer homes have no need for those facilities for young people? This figure of 3,000 is far too high. Open space, somewhere to kick a ball around, a youth shelter, MUGA etc. should be built into new development. These facilities are required where the local population has enough youths to warrant that provision so should be based on population demographic, rather than total population. Access to existing facilities should relate to open public, free, access. For example, the JMO facility at Blaguegate playing fields is a commercial enterprise and therefore not available to all.

Summary of comments: Concerns expressed in relation to: perceived confusion of what is "outside" and "within" the development; the flexibility of the SPD; policy regarding the under provision of open space and incremental developments; allowance of non-provision of open space; the process for ensuring incremental developments still provide on-site open space; development near the Green Belt boundary; differentiation of informal amenity green space and play areas; quality of landscaping; maintenance costs; and the recommended local standards in table 14.4.

Council response: 1+2. The SPD is clear that it only relates to the provision of on-site public open space within developments. With the proposed adoption of CIL, the Council does not expect to utilise Section 106 agreements to secure financial contributions towards public open space off-site (i.e. "outside" developments), as it currently does, as funding for such off-site improvements would be provided

through CIL. In relation to the provision of on-site public open space, the SPD necessarily provides flexibility as, in certain, limited cases, there may be other, over-riding considerations which outweigh the provision of on-site public open space in a particular development. The wording of Policy OS1, referring to "clear and robust justification" is considered sufficient.

3+5. Within the justification to Policy OS1, under the sub-title "Thresholds", it is explained that the requirement to provide on-site public open space will apply even where a development comes forward incrementally, i.e. the applicant will need to demonstrate how the full requirement for on-site public open space for the whole site will be delivered, even if they are only proposing to deliver a portion of the residential units. However, it is acknowledged that the SPD would benefit from setting out the process for requiring this. In relation to under-provision, the Council cannot require developers to make up a historic under-provision of public open space in a locality, but can only require a developer to meet the additional need that their development will generate. As such, measures to address historic under-provision of public open space in parts of the Borough cannot be addressed by this SPD.

4. The Council can only require developers to provide on-site public open space to meet the local needs of their development if there is insufficient public open space existing in the locality that is accessible to the new development. If a particular locality has a surplus of local public open space, and that existing public open space is accessible from the new development, then the need of that development is already catered for and it would be unreasonable to require the developer to provide more local public open space.

6. Where a development site is adjacent to the Green Belt boundary, the treatment of the boundary must be given careful consideration to ensure the integrity of the Green Belt. However, this does not necessarily mean an area of open buffer adjacent to the boundary. In any event, this would not be a matter for the SPD, though public open space could of course form part of the site adjacent to the Green Belt boundary if appropriate.

7. Play areas and informal amenity green space are treated separately in the SPD, which is clear about the types of open space required, and in which situation. Given that the SPD only addresses the provision of on-site public open space, which is for the local needs generated by the development, play areas and other formal public open space is only required on-site in the larger developments (290 dwellings or more) as these would generate sufficient new population to require new play areas / formal public open space within the development.

8. Landscaping is not a specific matter for this SPD, but is something that is addressed at the application stage.

9+10. Maintenance is a matter the Council have considered carefully in preparing the SPD. The Council's preferred choice would be for maintenance to be the responsibility of the developer, or a Trust that they establish and arrange funding for to ensure maintenance of the new open space. However, on occasion, this would not be the most appropriate approach to ensure maintenance of the new open space and the Council has included appropriate costs in this eventuality.

11. Table 14.4 is taken directly from the Open Space & Recreation Study which has assessed the provision of open space in the Borough and what amount of open space is required of each type to serve any given size of population (local standards). As such, this evidence is crucial to the SPD in providing the basis upon for the requirement for on-site open space in new residential developments. It does not ignore the needs of any part of the population, but sets reasonable local standards for open space based on a robust assessment.

Council
recommendation

Clarify wording and process applying to incremental developments within Justification to Policy OS1.

Consultee Name: Mrs Kathleen Dugdale

Comments: I would be in favour of there being some public open space in most residential developments. eg play areas for young children and areas where older people can walk and sit without having to move too far from their homes. I think that the areas ought to be big enough for residents of new developments to use and have space for guests wherever possible - may be some restriction would have to be made in the case of unsupervised children. It should always be made absolutely clear who is responsible for routine maintenance of these areas.

Summary of comments: In favour of public open space in most residential developments but would like to ensure the open spaces are large enough, are safe for children and are maintained properly.

Council response: Comments noted

Council recommendation: None

Consultee Name: Ms Cathy Dean

Comments: Thank you for your email of 2 April 2014 giving the Highways Agency the opportunity to comment on the above document. It is noted that the SPD will work alongside the Local Plan with regard to Policy EN3. The only comment that the Agency would make is that we welcome the said policy, i.e. the provision of open space, footpaths, cycleways and recreational/leisure facilities etc., within walking distance of homes, schools and work. We would welcome the potential implementation of CIL to facilitate amenity open space. I hope this information is of assistance.

Summary of comments: Highways Agency welcomes the SPD.

Council response: Comments noted

Council recommendation: None

Consultee Name: Ms Diane Clarke

Comments: Thank you for the opportunity to provide feedback to the proposed policy. Network Rail is the “not for dividend” owner and operator of Britain’s railway infrastructure, which includes the tracks, signals, tunnels, bridges, viaducts, level crossings and stations – the largest of which we also manage. All profits made by the company, including from commercial development, are reinvested directly back into the network. Network Rail has the following comments to make. The policy document states that: 2.3 The objectives of this Supplementary Planning Document are: To provide a high standard of public open space that gives safe and convenient access to such facilities for all user groups We would draw the councils attention to the following Rail Accident Investigation Branch report into ‘Penetration and obstruction of a tunnel between Old Street and Essex Road stations, London 8 March 2013’, which concluded: 5 The intent of this recommendation is to ensure that the planning approval process reduces the risk to railway infrastructure due to adjacent developments. The Department for Communities and Local Government should introduce a process to ensure that Railway Infrastructure Managers are made aware of all planning applications in the vicinity of railway infrastructure. This process should at least meet the intent of the statutory consultation process (paragraphs 97f and 101). We would therefore expect to see as a policy within the SPD inclusion of developer funded trespass proof fencing (of a minimum of 1.8m high) adjacent to the railway boundary for any open spaces to prevent unauthorised access by users of the open spaces, including minors. As Network Rail is funded by public remit it is unreasonable to expect Network Rail to mitigate the impacts of third party commercial development upon the railway. We would also highlight the policy comment 2.3 which states that the open spaces should be safe and of high quality and we believe that suitable trespass fencing to prevent incursion on the railway should be part of this consideration. Most of the trespassing and vandalism incidents on our railway are committed by boys aged eight to 16 years but in the past, children as young as five years old have been found playing on the tracks. Adults who use the railway as a shortcut are another group who are likely to risk their lives. Network Rail has also set up our Rail Life website to educate young people and provide real-life examples about the dangers of trespassing on the railway at: www.rail-life.co.uk. Trespass – The Facts

- Even after it has put its brakes on a train travels about 2000 metres or the length of 20 Premier League football pitches before stopping
- The wind turbulence produced by trains can drag someone standing next to the tracks under the train’s wheels
- Trespassing on the tracks is a criminal offence with a fine of up to £1000.

Summary of comments: Network Rail requests that a policy is included within the SPD that any public open space created adjacent to a rail line includes 1.8m high (minimum) trespass proof fencing, funded by the developer, to prevent unauthorised access of the rail line by users of the public open space.

Council response: The Council recognise the concern raised by Network Rail and propose to include appropriate wording within chapter 5 of the SPD to make developers aware of this issue and the expectation of the Council that developers will address it where their site is adjacent to the rail line.

Council recommendation: Include appropriate wording within chapter 5 of the SPD to address the issue of trespass onto rail lines from adjacent public open spaces.

Consultee Name: Mr Clive Narrainen

Comments: Support

Summary of comments: Supports the SPD

Council response: Comments noted

Council recommendation: None

Consultee Name: Miss Carla Jackson

Comments: Thank you for your consultation on the above dated 2 April 2014, which was received by Natural England on 2 April 2014. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Our remit includes biodiversity and protected species, geodiversity, landscape character and quality, greenspace, access to the countryside and other greenspace, soil conservation and environmental land management. We welcome this opportunity to comment. On this occasion our comments are provided as general advice on the opportunities that design related SPDs offer in relation to our remit, and guidance on further sources of information. When drafting [urban design] SPDs that may result in impacts to the natural environment, we would expect the local planning authority to consider the following:

Green Infrastructure This type of SPD should, where possible, provide a clear focus in relation to Green Infrastructure (GI) provision. Where possible such provision should be incorporated into new development. The NPPF states that local planning authorities should plan 'positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'. Urban green space allows species to move around within, and between, towns and the countryside. Even small patches of habitat can benefit movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. The NPPF recognises the contribution GI can make to the challenges posed by a changing climate, 'when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure' (Para. 99). Greener neighbourhoods and improved access to nature may also improve public health and quality of life and reduce environmental inequalities. Urban green spaces will provide varied ecosystem services and will contribute to coherent and resilient ecological networks. Natural England has developed a GI signposting document, which may be of assistance; it includes detail in relation to GI provision. http://www.naturalengland.org.uk/Images/GI-signposting_tcm6-11961.pdf It is important to emphasise the multi-functional benefits of GI to biodiversity, amenity, recreation and health and wellbeing and the need to consider GI in urban design and demonstrate how GI and green and open spaces could link to the wider GI network and interlink with access, the landscape and biodiversity. There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through: green roof systems and roof gardens; green walls to provide insulation or shading and cooling; new tree planting or altering the management of land associated with transport corridors (e.g. management of verges to enhance biodiversity). The protection of natural resources, including air quality, ground and surface water and soils needs to be considered in all urban design plans. We also suggest you may wish to draw upon The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity"

Biodiversity enhancements This SPD should encourage the taking of opportunities to incorporate features which are beneficial to wildlife into final proposals for development. The Council may wish to consider whether it is appropriate to provide guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) that a ratio of one nest/roost box per residential unit is considered appropriate. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancement This SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts. For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die. Other design considerations The SPD should consider the impact of lighting on landscape and biodiversity. The NPPF states (paragraph 125) 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation". We advise that this is a topic that should be covered by any design related SPD. Strategic

Environmental Assessment/Habitats Regulations Assessment In principle SPDs should not be subject to the Strategic Environmental Assessment Directive or the Habitats Directive because they do not normally introduce new policies or proposals or modify planning documents which have already been subject to a Sustainability Appraisal or Habitats Regulations Assessment. However a SPD may occasionally be found likely to give rise to significant effects which have not been formally assessed in the context of a higher level planning document. This may happen, for example, where the relevant high level planning document contains saved policies within a saved local plan which predates the need to carry out a SA or HRA and therefore no higher tier assessment has taken place. If there is any doubt on the need to carry out a SA or HRA a screening assessment should be carried out. Should you require Natural England's advice on screening assessments and/or subsequent assessment please contact us.

Summary of comments:

Natural England would like to see Green Infrastructure included and promoted within design-related SPDs in order to plan sustainably and to conserve, enhance and manage their natural environment for the benefit of current and future generations.

Council response:

The Council agree with Natural England's views on Green Infrastructure, sustainability and managing the natural environment, and this SPD will help to create new Green Infrastructure within new developments that creates opportunities to enhance the natural environment. The adopted Local Plan includes policies to help ensure that these matters are given full consideration at application stage. However, this SPD purely seeks to secure the general provision of new public open space on-site in new residential developments, providing a steer as to the type of open space and ensuring it is maintained.

Council recommendation

None

Consultee Name:

Mrs Catherine Dean

Comments:

Thank you for consulting the Highways Agency regarding this document. We have no comment to make other than we support the protection of open spaces and green infrastructure, which promote healthier lifestyles and expand opportunities for walking, cycling, leisure, recreation and sport.

Summary of comments:

See Representation 7

Council response:

See Representation 7

Council recommendation

None

Consultee Name: Ms Angela Atkinson

Comments: Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm the MMO has no comments to submit in relation to this consultation.

Summary of comments: No comments from the MMO

Council response: N/A

Council recommendation: None

Consultee Name: Mrs. Hazel Scully

Comments: Consultation with the communities would offer a sense of ownership in the type of open space which would benefit all ages and diversity of residents.

Summary of comments: Consultation with the communities would offer a sense of ownership in the type of open space which would benefit all ages and diversity of residents.

Council response: Given that on-site public open space will form part of any development proposal that reaches the minimum threshold of 40 dwellings, local communities will be consulted as part of the pre-application consultation process that an applicant must undertake. In relation to off-site public open space (which does not form part of this SPD), the Council do already consult local communities over any proposals for new or improved public open space in a locality.

Council recommendation: Add reference to the need to consult local communities on the public open space proposed within a development as part of an applicant's pre-application consultation.

Consultee Name: ms puala jones

Comments:

Summary of comments: No comments made

Council response: N/A

Council recommendation: None

Consultee Name: w w

Comments: 10/10/2014

Summary of comments: No comments made

Council response: N/A

Council recommendation: None

Consultee Name: Mr Thomas Pe McVeigh

Comments: I should think that the maximum amount of public open space on housing developments should be expected by the council.
I would prefer grassed areas maintained by the Council. There should be strict rules to forbid the parking of vehicles on these areas (you can see the results of this on the County Road area) grass verges ruined.
The selected planting of trees on these areas would certainly help.
There is no doubt in my mind that local greenery, well maintained, greatly improves peoples wellbeing and therefore their health.
I would suggest that you forget large wooden boxes with plants in them as the two already on Burscough Street are an absolute disgrace due to lack of maintenance.

Summary of comments: Supports public open space on new housing developments, but they must be of the right type and be managed well.

Council response: The Council will always seek the maximum amount of public open space on new developments in line with the requirements of the SPD, although on occasion there may be clear and robust justification for not requiring the full amount. The precise design of any new open space and how it will be managed would be determined at the application stage.

Council recommendation None
