

Proposed Modifications to the Local Plan (Modifications arising during Hearings Sessions)

The Inspector examines the Local Plan ‘as submitted’ by the Council. However there are further opportunities to make changes before and during the Examination before the Local Plan is adopted. Under Section 20(7) of the Planning and Compulsory Purchase Act (2004), as revised by Section 112 of the Localism Act (2011) modifications are either classified as "main" or "additional" modifications. This is to take into account representations received during the consultation stage as well as new and emerging evidence and legislation.

“Main Modifications” are required to resolve issues that make the Local Plan unsound (see paragraph 182 of the National Planning Policy Framework) or where it is not legally compliant. They involve changes or insertions to policies and text that are essential to enable the Plan to be adopted. Main Modifications are therefore significant changes that have an impact on the implementation of a policy.

“Additional Modifications” are of a more minor nature and do not materially affect the policies set out in the Sefton Local Plan. Additional modifications mainly relate to points where a need has been identified to clarify the text, include updated facts, or make typographical or grammatical revisions which improve the readability of the Sefton Local Plan.

This list contains modifications proposed that have arisen as a result of discussion during the hearings sessions. This list is not exhaustive and will be updated as the Examination hearings continue. It should be noted that these proposed changes to the Plan accompany those submitted between submission and the beginning of the hearings. This list can be found in the Examination Library as document LP.27a (with later corrections in LP.31), alongside a track change version of the Local Plan from the same stage referenced LP.28. A track change version of the Local Plan containing all proposed modifications including those within this list is document LP.33 in the Examination Library.

Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
General, Index and Structure				
AM		General	Change ‘Primarily Industrial Area’ to ‘Existing Employment Area’ throughout Local Plan (including the Index and Policy Links)	To better reflect the recommendations of the 2015 Employment Land & Premises Study.
AM		General	Change ‘NH1 Environmental Assets’ to ‘NH1 Natural Assets’ or ‘NH9A Heritage Assets’ throughout Local Plan (including the Index and Policy Links)	To respond to the discussion at the hearings, including separating policy NH1 between natural and heritage assets.
AM		General	References to ‘the Habitats Regulations 2010 (as amended)’ throughout the plan have	To respond to Natural England comments

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			been changed to 'the Conservation of Habitats and Species Regulations 2010 as amended'.	and provide the correct reference.
AM		Index	Insert reference to new figure 11.2A	For clarity and to reflect new figure relating to Minerals Assessment
AM		Index	ED8B Aintree Racecourse added	To refer to the new policy in Chapter 7 of the Plan
AM		Index	Amend the title of chapter 10 to 'Design and Environmental Quality'	To correct the chapter's name.
Chapter 1				
Chapter 2				
MM		4.42	Delete 'at an early stage' and insert 'immediately' in final sentence.	Although the wording has been approved elsewhere and is included in the tracked changes version of the Plan it has not been formally agreed as a Modification.
Chapter 3				
Chapter 4				
Chapter 5				
MM		Policy SD2	Amend the 10 th bullet point to read: "To achieve high quality design and an environment that encourages a healthy lifestyle"	For clarity.
Chapter 6 Meeting needs				
MM		Policy MN1	Add to the end of part 5 of the policy: "The review will commence within 6 months of the adoption of the Sefton Local Plan and the completion of proposed Strategic Housing and Employment Land Market Assessment (SHELMA), whichever is later, and will be completed within 3 years from the date of the Local Plan adoption."	To respond to the Inspector's comments at the examination hearings, and to provide clarification about when the immediate review of the Local Plan will take place.
MM		Policy MN1	Employment requirement amended to 88.59ha and footnote inserted as follows: As per work undertaken by BE Group: The figure of 88.59 ha is a measure of need across the whole Local Plan period 2012-2030. It is inclusive of the land take up which has occurred over the years 2012 to 2015 (6.49 ha) and the need still to be met for the remainder of the Plan period, to 2030 (82.1 ha). These figures reflect the findings of the Employment Land and Premises Study Update (2015).	To update Plan, see proposed footnote
MM		6.14B	New paragraph required in relation to Immediate Review of 3 years	In response to Inspector's

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				recommendation
MM		6.14C	“6.14C The devolution deal signed on 17th November, 2015 between HM Treasury and the Liverpool City Region, grants powers over strategic planning to the City Region, including the responsibility for creating a single statutory city-region framework. This is intended to help accelerate economic growth and new housing development throughout the city region. The planning powers will include the development of a single statutory city-region framework supporting the delivery of strategic employment and housing sites throughout the city-region. The agreement stresses that this approach must not delay the development of local plans.”	To provide updated information about the devolution deal for the Liverpool City Region that was announced on 17 th November 2015.
MM		Policy MN2.6	Site area of MN2.6 Land adjacent to Dobbies Garden Centre reduced to 6.1ha, total area amended accordingly	To incorporate area of Proposed Open Space, excluding area of high flood risk from allocation
MM		Policy MN2.8	Capacity of site MN2.8 ‘Ainsdale High’ reduced from 243 dwellings to 120 dwellings. Total capacity amended accordingly	To reduce the capacity so as to enable 50% of the site to be retained either as a potential playing pitch pending the resolution of the recommendations of the Playing Pitch Strategy and any relocation of this pitch, or as an ecological mitigation zone.
MM		Policy MN2	Replace ‘ED3 Primarily Industrial Areas’ with ‘ED3 Existing Employment Area’ in the ‘policy links’ section	To reflect the change in title of Policy ED3.
MM		6.36	Delete ‘a local centre, Neighbourhood Park’ and add ‘a main park’ after ‘a business park’. Delete ‘during the plan period’ at the end of the first sentence.	Changes to this paragraph have been made in the tracked changes version of the Plan, but have not yet been approved as a Modification.
MM		Policy MN6	‘Up to’ removed from before 7.9 ha in part 1b Add ‘and a secondary means of access via Paradise Lane’ to the end of part 1c) of the policy	For clarity and to address discussion during hearings sessions
MM		6.64	Paragraph amended as follows: A new signal controlled junction must also be provided onto the Formby Bypass to provide access into the site. The site layout should provide a secondary access via Paradise Lane. Any route created through the site into Formby should be designed to discourage through traffic.	To refer to secondary access point to site and discussion during hearings sessions
Chapter 7 Economic development				
MM		Policy ED1	Replace ‘or’ with ‘and’ in part 2c of the policy to read: “Demonstrate that there are no	To respond to the Inspector’s comments

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			likely significant effects on the Mersey Narrows and North Wirral Foreshore and Liverpool Bay Special Protection Areas and other internationally important nature sites.” Replaces part 1f of the policy with: For development which is outside the Seaforth Nature Reserve, but within the remainder of the Port and Maritime Zone including any expansion of the operational port area to the A565, it can be demonstrated that there no likely significant effects on the Mersey Narrows and North Wirral Foreshore and Liverpool Bay Special Protection Areas and other internationally important nature sites.	at the examination hearings, by removing a potential conflict between the two parts of the policy. No significant risk of any impact is not the same as no likely significant effects.
AM		7.14	‘This road experiences repeated congestion especially during peak periods, and’ should be deleted from the start of the 2 nd sentence.	This repeats much of the previous sentence and is unnecessary.
AM		7.16	Amend the early part of para 7.16 as follows: 7.16 The Seaforth Nature Reserve is part of the Mersey Narrows and North Wirral Foreshore Special Protection Area and Ramsar Site. As such it is internationally important for nature conservation and is part of the Natura 2000 network of international nature sites. Under the Habitats Regulations 2010, the Council has a duty to prevent adverse effects on the integrity of sites of international nature importance.	For clarity
MM		Policy ED3	Rename the policy ‘Existing Employment Areas’, and replace ‘Primarily Industrial Area’ with ‘Existing Employment Area’ throughout. Replace bullet points 2 and 3 of Part 2 of the policy with the following text: <ul style="list-style-type: none"> • “The land/premises has been continuously and actively marketed for B1, B2 and B8 uses for at least 12 months at a reasonable market rate (i.e. rent or capital values) as supported by a formal marketing report, or • There would be a significant community benefit that would outweigh the loss of the employment land/premises”. 	To respond to the Inspector’s comments at the examination hearings, and to better reflect the recommendations of the 2015 Employment Land & Premises Study.
AM		7.39A	In new paragraph 7.39A, policy MN7 is referred to as ‘The Green Belt’ in error.	The name of this policy should be corrected to ‘Sefton’s Green Belt’.
MM		Policy ED5	Insert a new heading ‘Strategic tourism locations’ before part 1 of the policy	To correct an earlier omission and to respond to the representation by the National Trust (P.663), as set out in the Statement of Common Ground between the Council and the National Trust.
AM		Policy ED5	Insert policy links to ED8A and ED8B	To reflect the new tourism-related policies

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				included in Chapter 7
MM		Policy ED7	<p>Substantially reword and restructure parts 2 to 4 as follows:</p> <p>2. Development proposals within the Southport Central Area for the following uses will be acceptable in principle, subject to other Local Plan policies:</p> <p>a) Hotels and guest houses b) Arts and cultural uses and visitor attractions c) Education uses including the expansion of Southport College d) Uses which secure a sustainable future for vacant or 'at risk' heritage assets.</p> <p>In part 5 (now 3) replace 'must' with 'should' and add 'Within the Lord Street and Promenade Conservation Areas, new or replacement features should enhance the appearance of buildings, public spaces, and the historic character of the area.' To the end of part 3c</p> <p>In part 6 (now 4) replace 'is expected to' with 'should'</p>	To address discussion during hearings sessions and Historic England comments
MM		Policy ED8	<p>Add 'and designations' to end of part 1</p> <p>In part 2, before 'character' insert 'historic and landscape'</p>	To address discussion during hearings sessions and Historic England comments
AM		7.64	Add 'and designations' to end of paragraph	For clarity
AM		7.67	Paragraph deleted	Paragraph is no longer relevant to Southport Seafront policy
MM		Policy ED8A	<p>Add 'and its open character.' To the end of proposed part 2a</p> <p>Amend second sentence of 2c to landscaped pedestrian link through the site continuing the linear route connecting Scarisbrick Avenue and the Venetian Bridge in King's Gardens to the seafront</p> <p>Replace 'new' with 'compensatory' in part 2h.</p>	To address discussion during hearings sessions and Historic England comments
AM		Policy ED8A	<p>Insert following national/regional context and policy links below new Southport Marine Park policy:</p> <ul style="list-style-type: none"> • ED5 Tourism • ED6 Regeneration • ED8 Southport Seafront 	For clarity and cohesion within Plan and to address the accidental omission of these links in the previously approved modification PMM.118.

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			<ul style="list-style-type: none"> NH2 Protection and enhancement of nature sites, priority habitats and species LCR Visitor Economy Strategy to 2020, 2009 	
AM		7.67D	Amend proposed paragraph as follows: 'The development of this site may involve the loss of some or all of Princes Park (a non-designated heritage asset). It is envisaged that the benefits of meeting parts 1 and 2 of this policy will outweigh this loss. Appropriate new open space and green infrastructure should also be provided within the site to compensate for any loss of open space.'	To address discussion during hearings sessions and Historic England comments
MM		Policy ED8B	<p>New policy inserted:</p> <p>ED8B AINTREE RACECOURSE</p> <p>1. Within the part of Aintree Racecourse which lies within the Green Belt, development must meet all of the following criteria:</p> <p>a) maintain or enhance the existing use of the Racecourse</p> <p>b) preserve the character of the area</p> <p>c) be consistent with national Green Belt Policy and other Local Plan policies.</p> <p>2. Within the remaining part of Aintree Racecourse, development which enhances the recreational, tourism and conference functions of the Racecourse will be supported where consistent with other Local Plan policies.</p> <p>Key Policy Links:</p> <ul style="list-style-type: none"> ED5 Tourism MN7 Sefton's Green Belt <p>National /regional context</p> <ul style="list-style-type: none"> Liverpool City Region Visitor Economy Strategy to 2020, 2009 <p>Explanation</p> <p>7.67F Aintree Racecourse is an appropriate use within the Green Belt, in which the majority of the site is located. Development that enhances the recreational use of the Racecourse as a racing venue will be supported where consistent with other Local Plan policies. Development in this area should respect the openness of the Green Belt. It is also important that development does not harm existing outdoor recreation uses in the area of the Racecourse within the Green Belt, due to the special character and function of the Racecourse. This is in addition to the restrictions on development within the Green</p>	To address issues raised in the representation of the Jockey Club (P.711) and the discussion during hearings

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			<p>Belt.</p> <p>7.67G In the area of the Racecourse which is outside the Green Belt (i.e. the Ormskirk Road frontage), development proposals related to tourism, recreation or conferencing, particularly those relating to the Racecourse, such as hotel and conference facilities, will be supported where consistent with other Local Plan policies. Retail uses, including food and drinks uses, which are ancillary to the function of the Racecourse will be supported.</p>	
Chapter 8 Housing and Communities				
MM		8.2	<p>Insert sentence at the end of paragraph as follows: “A Supplementary Planning Document (SPD) will be prepared to provide more detailed guidance to aid the delivery of affordable and special needs housing. This will be subject to review dependent on any changes in the Borough’s requirements for affordable and special needs housing, based on the findings of future Strategic Housing Market Assessments or other commissioned studies. These studies are likely to be informed by any changes to the definition of affordable housing introduced by the Government.”</p>	For clarity and to further explain the above modification
MM		Policy HC1	<p>Add a new part 10 to the policy:</p> <p>“10. In implementing the policy, the Council will have regard to:</p> <p>a) the definitions and provisions of affordable and/or special needs housing in relevant national guidance as they may change over time; and</p> <p>b) changes in the Borough’s requirements for affordable and special needs housing based on new evidence of need as set out in future commissioned Strategic Housing Market Assessments or similar studies.”</p>	To allow greater flexibility and to reflect changes in Government definitions of affordable housing, and the fact that the affordable housing requirement may change over the life of the Plan.
MM	PPM.15	Policy HC2	<p>Withdraw the previously agreed modification to part 1 of the policy (‘In developments of 50 or more dwellings, at least 50% of new market properties must have 3 bedrooms or less’) and revert to the original wording with one additional clause:</p> <p>“In developments of 15 or more dwellings, the mix of new properties provided must be as follows unless precluded by updated evidence on housing mix, site specific constraints, economic viability or prevailing neighbourhood characteristics:</p> <ul style="list-style-type: none"> • A minimum of 25% of market dwellings must be 1 or 2 bedroom properties • A minimum of 40% of market dwellings must be 3 bedroom properties <p>These requirements do not apply to wholly apartment / flatted, extra care, and sheltered housing developments. Any new affordable dwellings are also exempt.”</p>	To reflect the recommendation of the 2014 Strategic Housing Market Assessment and correlate with paragraph 8.27 of the explanation.
MM		Policy HC2	<p>Add a reference to the two recommendations from the Custom Build Home Study to the end of part 5 of the policy.</p>	To respond to the Inspector’s recommendation at the examination

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			<p>“To identify and provide for those who wish to custom or self-build their own homes the Council will:</p> <ul style="list-style-type: none"> • Manage a register of interested parties who wish to custom or self-build their own home • Identify at least two pilot schemes to be made available for custom or self-builders.” 	hearings.
AM		Policy HC3	<p>The text added to part 3c) of the policy should be in a separate bullet point, and should read: “d) it is inconsistent with other policies in the Plan.”</p> <p>After points a, b, and c the word ‘or’ should be added. Delete the word ‘and’ after point b</p>	For clarity
MM		Policy HC5	Under Part 2 of the policy add “including from flood risk” to the end of the first bullet point.	To respond to the Inspector’s comment at the examination hearing.
Chapter 9 Infrastructure				
MM		Policy IN1	<p>With the exception of part 8 of the policy all references to ‘essential’ and ‘necessary’ have been removed from the policy as follows:</p> <ol style="list-style-type: none"> 1. The Infrastructure Delivery Plan, Appendix 1 and other policies in the Local Plan list the infrastructure required..... 5. Where appropriate, the Council may require developers to provide the infrastructure.... 6. Planning conditions or phased legal agreements may be used to ensure infrastructure is provided <p>It is also proposed to reorder parts 3, 4 and 5 of the policy so that the current part 3 of the policy will appear after parts 4 and 5.</p>	<p>To use consistent wording throughout the policy.</p> <p>To improve readability.</p>
AM		9.12A	The previously approved modification has been reworded to read: ‘Once more details are known on development sites, for example, the approach to surface water management and proposed connection points to the foul sewer network, United Utilities will seek to coordinate the delivery of development with timing for the delivery of infrastructure improvements.’	For clarity and to improve readability.
AM		9.18A	<p>Add a new paragraph 9.18A:</p> <p>“The Council is committed to supporting a range of travel choice to developments particularly providing for walking, cycling and public transport. Accessibility by sustainable transport modes is addressed in policy EQ3 ‘Accessibility’ and guidance provided in the ‘Ensuring Choice of Travel’ SPD.</p>	To make the link to policy EQ3 from part 2 of policy IN2 ‘Transport’.
AM		Policy IN2	Insert policy link to EQ2 Design	For clarity and consistency

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Chapter 10 Design and Environmental Quality				
MM		Policy EQ2	Add 'height' and 'landscaping' to part 3 (a) of the policy as follows: “(a) Proposals make a positive contribution to their surroundings through the quality of their design in terms of scale, height, form, massing, style, detailing, landscaping, use of materials and meet criteria ...”	For clarity
MM		Policy EQ2	Insert a new part (c) into section 3 of the policy, and re-number the existing part 3(c) as 3(d): “(c) Proposals for residential buildings consider the adaptability of new homes to meet the long term needs of residents”.	To reflect the discussion during the hearing sessions.
MM		Policy EQ3	Amend the final bullet point to read “Have regard to the Council’s parking standards and the recommendations of any submitted Transport Assessment or Transport Statement”.	For clarity and to reflect the discussion at the hearings on this policy.
AM		10.22	Reword the last sentence of paragraph 10.22 as follows: “The SPD provides guidance on undertaking an accessibility assessment (Transport Assessment or Transport Statement) and a Green Travel Plan. The Merseyside parking standards, adopted by the Council in 2009, are also set out in the SPD.”	For clarity and to improve readability.
MM		Policy EQ5	Reword part 2 as follows ‘Where appropriate, major developments must incorporate measures to reduce air pollution and minimise exposure to harmful levels of air pollution to both occupiers of the site and occupiers of neighbouring sites’.	For clarity and in response to the discussion at the hearings.
MM		Policy EQ8	Amend the start of part 4 so it reads “Where reasonably practicable, development”	To correct a previous error, as agreed at the hearings.
MM		Policy EQ8	Amend the first part of part 4b by adding the word ‘of’ so it says ‘Surface water discharge is targeted using a sequential approach, and proposals for the attenuated discharge of surface water into anything other than the ground must demonstrate why the other sequentially preferable alternatives cannot be implemented:’	To correct a previous error, as agreed at the hearings.
MN		Policy EQ8	In parts 2A and 2B of the policy, delete the references to ‘all more vulnerable’ development so that they relate to all development.	In response to a request by the Inspector to seek the views of the Environment Agency on the previously proposed modifications to the policy, and those of the Lead Local Flood Authority.
MM		10.38	Delete this paragraph.	The paragraph refers to the ‘Low Emissions and Air Quality Planning Guidance Note’, which is no longer extant.
AM		10.57A	Add ‘, including an allowance for climate change’ to the end of the penultimate sentence and amend by adding ‘for’ and separating words so that it says ‘That is, where infilling of	In response to a request by the Inspector to seek the views of the Environment

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			the flood plain or sustainable drainage systems is proposed, flood storage must be provided to compensate for this’.	Agency on the previously proposed modifications to the policy and to correct a previous typographical error.
MM		Policy EQ9	Criterion inserted below part 1 of policy, ‘c) Other site-specific factors.’	To address accidental omission in previously approved modification PMM.133.
MM		10.69A	Insert new paragraph: 10.69A The Council intends to prepare a Public Open Space Supplementary Planning Document to set out more detailed guidance relating to new public open space and its design.	For clarity and to update the Plan
MM		Policy EQ10	<p>Reword part 1 of the policy to address the entire Borough and not just designated centres, and replacement of part 2 to indicate controls over A5 uses.</p> <p>“1. Proposals for food and drink uses will only be permitted where they are located so as to meet all of the following criteria:</p> <ul style="list-style-type: none"> • They would not cause significant harm to local amenity • They would not result in unacceptable groupings of similar uses where they would harm the character of the area, the vitality and viability of a centre or shopping parade or public health, and • Any external ventilation and extractor systems do not: <ul style="list-style-type: none"> i. Significantly harm the external appearance of the building or the street scene ii. Harm the residential amenity of neighbouring properties through noise or odours. <p>2. In order to address the problem of obesity among children, proposals for hot food takeaways [Class A5 uses] within 400 metres of secondary schools and further education establishments will not be permitted. Exceptions will be made where:</p> <ul style="list-style-type: none"> • It is located within a designated town, district or local centre; or • The premises are not open until after 1700 hours.” 	<p>To establish Council’s position on controlling food and drink uses, and in particular, Class A5 uses in the vicinity of schools and colleges, as a result of the discussion at the hearings.</p> <p>New evidence has been added to the Examination Library to respond the Inspector’s request (MI.13a)</p>
AM		Policy EQ10	Insert policy link to EQ1 Planning for a Healthy Sefton	For consistency and clarity
AM		10.79	Amend paragraph 10.79 and add a new paragraph (10.79A): “10.79 Premises selling food and drink have the potential to have particular impacts upon the visual and residential amenity of an area. They may be acceptable within the Primarily Residential Area if they do not harm residential amenity. In order to protect the amenity of neighbouring occupiers, conditions will be used to restrict opening hours.	Paragraph 10.79 has been inserted to justify proposed modifications to EQ10.2 as a result of health concerns in Sefton

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			10.79A In line with paragraph 69 of the NPPF, achieving high quality design and a healthy environment is a key objective of the Sefton Local Plan. The Borough has a higher rate of obese children than England as a whole and this policy seeks to control hot food takeaways within the vicinity of schools and further education establishments. Hot food takeaways typically sell low cost, energy-dense meals with little nutritional value that can contribute towards obesity and its ensuing health issues. When implemented alongside other policies and initiatives, controlling access to A5 uses around schools can contribute to reducing rates of obesity."	
AM		10.81	Amend paragraph 10.81 as follows: "The Council is preparing supplementary guidance, to set out in more detail how this policy will be implemented, in the form of the 'Hot Food Takeaways and Betting Shops SPD'."	To remove reference to Article 4 Direction which is not specifically relevant
AM		10.84	The final sentence revised as follows: 'The verandas in the Lord Street (in Southport) and Birkdale Village Conservation Areas are a distinctive feature and present particular problems with inappropriately designed advertisements.'	For clarity.
Chapter 11 Natural and Heritage Assets				
MM		11.1A	Add a new paragraph at the start of the chapter: 'Part A of this chapter sets out the strategic and other policies for all of Sefton's environmental assets. Then Part B sets out the strategic and other policies for Sefton's heritage assets.'	To respond to the discussion at the hearings.
MM			The heading 'Natural and Heritage Assets' should be changed to 'PART A NATURAL ASSETS'	To respond to the discussion at the hearings.
AM		11.1	Amend the start of the 2 nd sentence to read: 'Natural Assets....' And delete 'the refurbishment of the historic Kings Gardens, Southport, and' from the last sentence.	To respond to the discussion at the hearings.
AM		11.2	Add 'and Priority Habitats' after 'designated nature sites'	For clarity and to reflect the legislation relating to these sites.
MM		11. 3 - 11.4	Delete these paragraphs. Paragraph 11.3 is inserted at the start of the new 'PART B HERITAGE ASSETS' section of the chapter.	To respond to the discussion at the hearings.
MM		Policy NH1	Amend the title of the policy to 'NATURAL ASSETS'	To respond to the discussion at the hearings.
AM		Policy NH1	Delete 'and heritage' from parts 1 and 2 of the policy.	To respond to the discussion at the hearings.
MM		Policy NH1	In part 3 , change 'ecological network' to 'Ecological Network', and delete ',open spaces of public value' from the second bullet point	To correct typographical errors. The reference to open space is not needed as

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				this is part of green infrastructure.
MM		Policy NH1	Delete Parts 6 - 8 of the policy. Parts 6 and 7 are to be included in a new policy NH9A as parts 2-5.	To reflect the discussion at the hearings.
MM		Policy NH1	Amend the third bullet point to read 'Secure the long-term management of these natural assets'.	For clarity and to improve readability.
AM		11.5C	Add ', in line with the National Planning Policy Framework' to the end of the second bullet point.	To respond to Natural England comments.
AM		11.7	At the end of the paragraph, add 'See www.meas.org.uk/1263 for more information.'	The weblink to the Ecological Network has been added.
AM		11.7A	Amend 'sixteen Nature Improvement Areas' to 'seventeen Nature Improvement Areas'.	A further NIA has been added to the Ecological Network focus areas.
AM		11.10	In the second sentence change 'may help' to 'helps'	To respond to Natural England comments.
MM		11.14 – 11.14D	Relocate these paragraphs to the explanation of the new policy NH9A.	
MM		Policy NH2	In part 1, change 'assessment' to 'Assessment' at the end of the first sentence, and add 'suitable' before 'compensatory provision'.	To correct a typographical error, and to reflect the Liverpool City Region-wide policy approach.
MM		Policy NH2	Change part 2 to 'Development which may affect other designated sites of nature and/or geological conservation importance, Priority Habitats, legally protected species and/or Priority Species will be permitted where it can be demonstrated that there is no significant harm'.	For clarity and in line with the Liverpool City Region-wide policy approach.
MM		Policy NH2	In part 3, change the text in relation to Priority Habitats to 'where the reasons for and the benefits of development on balance clearly outweigh the impact on the nature conservation value of the habitat and its broader contribution to the LCR Ecological Network'.	In line with the Liverpool City Region-wide policy approach.
AM		Policy NH2	Add 'Circular 06/2005 'Biodiversity and Geological Conservation' as a second bullet point under 'National /regional context'	For clarity
AM		11.17	Amend 'sixteen' Nature Improvement Areas to 'seventeen'.	A further NIA has been added to the Ecological Network focus areas.
AM		11.18	In the first sentence, change 'ecological appraisal' to 'Ecological Appraisal' and change 'qualified' to 'experienced'.	For greater conformity with the Liverpool City Region-wide policy approach.
AM		11.18A	The previously proposed main modification PMM.32 has been reworded to read: 'Policy NH2 sets out the hierarchical approach to the protection and enhancement of Sefton's designated nature and geodiversity sites, Priority Habitats and Species and legally	For clarity and to improve readability.

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			protected species. It also sets out how the strategic priorities of managing the natural assets better and making sure there is no net loss of these assets will be achieved.'	
MM		11.18B	Amend para 11.18B so that it says: 11.18B For each level of the hierarchy, where there may be potential adverse effects for internationally important nature sites, or significant harm for other sites and Priority Habitats, the policy also sets out the relative weight which will be given to the reasons for and the benefits of development and the impact on the nature conservation value of the site and its broader contribution to the LCR Ecological Network. For Sites of Special Scientific Interest, significant harm includes adverse effects on the site's notified special interest features, in line with paragraph 118 of the Framework. In such cases for each level of the hierarchy, the policy also sets out the approach to appropriate mitigation, replacement or other compensatory provision. The advice of suitably competent persons, such as ecologists, should be sought by applicants and the decision maker in relation to this policy. The focus on significant harm and the approach regarding avoidance, mitigation, replacement or other compensatory provision to secure no net loss of biodiversity is in line with principles set out in the Framework, Planning Practice Guidance, Circular 06/2005 'Biodiversity and Geological Conservation' and 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services'.	To respond to Natural England comments.
MM		11.18D	Add the following to the start of paragraph 11.18D "Development proposals and the decision making process on planning applications should also take into consideration the fact that'....	To reconcile the text in the tracked changes version of the Plan which has been put on the web, with that previously approved as a Modification.
AM		11.21	Add 'red squirrels' to the list of species in this paragraph.	To reconcile the text in the tracked changes version of the Plan which has been put on the web, with that previously approved as a Modification.
AM		11.22A	Add ', for example' after 'arising from'	To respond to Natural England comments.
AM		11.26	The previously proposed main modification PMM.33 has been reworded to read: 'It is important that the location of appropriate mitigation, replacement or other compensatory provision follows the sequential approach set out in the policy. This seeks to target such measures as close as possible to the development site. In some instances the immediate locality of the site may include nearby sites in West Lancashire or another district.'	For clarity and to improve readability.
MM		11.26C	At the end of the first sentence, change 'Nature SPD' to 'Nature Conservation SPD'. In the	To respond to Natural England comments.

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			second sentence, change 'feeding areas' to 'feeding and roosting areas'	
MM		11.28	In the first sentence, change 'principally for farmland birds and pink-footed geese' to 'principally for farmland birds, pink footed geese and other birds referred to in the Special Protection Area designations'	To respond to Natural England comments.
AM		11.33B	The previously proposed main modification PMM.37 has been amended, with 'given that they operate' replaced with 'delivering'	For clarity and to improve readability.
MM		11.33D	Add the following to the start of paragraph 11.33D: 'The NIA boundary will be kept up-to-date as part of the Local Plan evidence. This will enable future opportunities to be taken account of. Future reviews of the LCR Ecological Network will be in accordance with an agreed monitoring process.'	To reconcile the text in the tracked changes version of the Plan which has been put on the web, with that previously approved as a Modification.
AM		11.50A	Add 'and some more formal' before 'parks' in line 1.	To reconcile the text in the tracked changes version of the Plan which has been put on the web, with that previously approved as a Modification.
MM		Policy NH8	Add '(the Shirdley Hill formation)' to the 2 nd sentence of part 1 of the policy, and replace the 3 rd sentence with: 'Within Mineral Safeguarding Areas, as shown on the policy map, proposals for development will not be permitted unless: <ul style="list-style-type: none"> • It is compatible with safeguarding the mineral; or • the applicant can demonstrate that the mineral concerned is no longer of any value or potential value; or • the mineral can be extracted satisfactorily prior to the development taking place; or • the development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction; or • there is an overriding need for the development; or • the development is included on the list of exempt developments in figure 11.2A.' 	As set out in the Statement of Common Ground agreed with the Minerals Products Association.
MM		Policy NH8	Amend the second sentence of the second part of the policy to delete 'the Port of Liverpool' from part 2 of the policy. Replace the 2 bullet points in the revised part 2 of the policy with: <ul style="list-style-type: none"> • 'An alternative site within an acceptable distance can be provided, which is at least as appropriate for the use as the safeguarded site; and • It can be demonstrated that the infrastructure no longer meets the current or anticipated future needs of the minerals, building and construction industry or the waste management industry.' 	To reflect that the Port has permitted development rights. To include the text agreed as part of the Statement of Common Ground with the MPA.

Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
MM		Policy NH8	Add 'and water' to bullet 2 of part 4 of the policy as follows: <ul style="list-style-type: none"> Air and water quality 	To reflect the discussion at the hearings.
MM		Policy NH8	Add a new part 5 to the policy (with text previously in paragraph 11.71A): 5. In determining shale gas applications Sefton will seek the highest levels of environmental, health and social protection and benefit consistent with prevailing national policy and regulation, including that relating to Environmental Impact Assessment and Habitats Regulations Assessment. Compliance with industry best practice standards as defined by United Kingdom Onshore Oil and Gas (UKOOG) will also be expected.	To include in the policy, the resolution that Sefton will seek the highest standards when determining applications for shale gas.
MM		11.63	<p>Add 'LAA' in brackets at the end of the 1st sentence and add a new sentences to paragraph 11.63 as follows: 'The LAA is produced jointly with other authorities to reflect an aggregates sub-region defined by Government to include Merseyside, Warrington and Greater Manchester. Matters related to minerals reserves and land banks are therefore monitored and reported annually at this sub-regional level through the LAA. This is the principal component of the evidence base to inform Sefton's future role in facilitating the appropriate supply of aggregate minerals. Sefton will maintain its commitment to the Managed Aggregate Supply System through continued representation in the North West Aggregates Working Party.'</p> <p>Insert a Paragraph break at 'Whilst Sefton has defined Mineral Safeguarding Areas [MSAs], identified on the Policy Map.....' to create new [paragraph 11.63A]</p> <p>Move the final sentence of paragraph 11.65 'The designation of MSAs does not indicate a presumption that resources defined in the MSAs will be worked' to new paragraph 11.63A as sentence two. This will go before the sentence that begins 'However, the policy seeks to avoid...'</p> <p>Add 3 extra sentences to paragraph 11.63A as follows: 'Applications for non-mineral development in the MSAs, which are not listed in Figure 11.2A, will be required to include a Minerals Assessment setting out how it complies with section 1 of the policy. The Mineral Assessment should be proportionate to the situation and should have regard to the BGS report 'Mineral Safeguarding in England: good</p>	<p>To reflect the discussion at the hearings about the regional hierarchy for aggregates.</p> <p>To include the text agreed as part of the Statement of Common Ground with the MPA.</p>

Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
			practice advice, 2011' or any subsequent updates. The Council will provide an Information Note for developers to provide guidance on mineral safeguarding and mineral assessments.'	
MM		11.63A	Insert a paragraph break to form a new paragraph 11.63B as follows: '11.63B Safeguarding principles will also be applied to transport and other infrastructure important to the aggregate minerals market. The Port of Liverpool and Sefton's transport infrastructure facilitates the landing and transshipment of minerals, including aggregates from marine and onshore sources. However, as the Port of Liverpool benefits from permitted development rights for many types of development, safeguarding of minerals infrastructure would not be enforceable in the port's operational area. If areas within the Port of Liverpool currently used for minerals purposes are no longer available for port-related reasons, the Council will work with the Port to seek a suitable alternative facility within the port estate. Policy NH8 provides for these facilities to be safeguarded in the interests of facilitating the continuing supply of minerals.'	To reflect changes made to part two of the policy.
MM		Figure 11.2A	Add Figure 11.2A after new paragraph 11.63B: <u>Figure 11.2A</u> <u>Development Types that do not require a Minerals Assessment</u> <ul style="list-style-type: none"> • Applications for householder development; • Applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site; • Applications that are in accordance with the development plan where the plan took account of the prevention of unnecessary mineral sterilisation and determined that prior extraction should not be considered when development applications in a MSA came forward; • Applications for advertisement consent; • Applications for reserved matters including subsequent applications after outline consent has been granted; • Prior notifications (telecoms, forestry, agriculture, demolition); • Certificates of Lawfulness of Existing Use or Development (CLEUD) and Certificates of Lawfulness of Proposed Use or Development (CLOPUD); • Applications for works to trees; • Applications for temporary planning permission. 	
MM		11.65	Delete paragraph with the exception of the final sentence which is moved to new	Overtaken by proposed modifications

Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
			paragraph 11.63A.	11.63A
MM		11.68	Delete the second part of the first sentence 'and through the annual production of a Local Aggregates Assessment (LAA).' Move the remainder of the paragraph 11.63 [see above]. Delete paragraph 11.68.	Overtaken by proposed modifications 11.63
MM		11.71A	Remove the first two sentences and add this as a new part 5 of the policy. Delete 'therefore' from the next sentence.	To reflect changes made to policy.
MM			Insert a new heading 'PART B HERITAGE ASSETS' after paragraph 11.74.	To respond to the discussion at the hearings.
MM		11.75A	Renumber the existing paragraph 11.75A as paragraph 11.75B, and insert the deleted paragraph 11.3 as the new paragraph 11.75A: 'Sefton's distinctive heritage assets include the 'Classic Resort' of Southport, the historic centres of settlements such as Churchtown, Little Crosby and Waterloo and the recently discovered traces of the Mesolithic village found in the Lunt area.'	To respond to the discussion at the hearings.
AM		11.75B	Delete 'and' between 'Recent' and 'initiatives' at the start of the 2 nd sentence.	To respond to the discussion at the hearings.
MM		Policy NH9A	<p>Insert a new policy NH9A 'HERITAGE ASSETS' which includes a new part 1, and the parts of policy deleted from policy NH1 as follows:</p> <p>NH9A HERITAGE ASSETS</p> <p>1. Sefton's heritage assets together with its historic landscape character should continue to contribute to the Borough's sense of place, local distinctiveness and quality of life. Development proposals and other initiatives should contribute positively towards achieving this.</p> <p>2. The Council will seek to protect the significance of Sefton's heritage assets and their settings. Opportunities will be pursued to enhance heritage to reinforce the identity of the distinctive towns, villages and rural landscapes within Sefton.</p> <p>3. Key elements which contribute to the distinctive identity of Sefton, and which will therefore be a strategic priority for safeguarding and enhancing into the future, include:</p> <ul style="list-style-type: none"> The verandahs throughout Southport, particularly in Lord Street, which add considerably to its local distinctiveness. 	To respond to the discussion at the hearings.

Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
			<ul style="list-style-type: none"> • The historic centre, resort and traditional seafront of Southport including the conservation areas of Lord Street and Promenade, and their settings. • The spacious planned character of Victorian and Edwardian suburban conservation areas such as those in Birkdale, Blundellsands, Christ Church, Moor Park and Waterloo Park. • Country estates, their countryside settings and associated villages including Ince Blundell Hall, Crosby Hall and North Meols Hall. • The dispersed layout and simple rural character of village conservation areas such as Lunt, Homer Green and Sefton village. • The open and flat ditched former wetland landscapes. • The broad sands, dune system and pinewoods that characterise parts of the Sefton coast, and the ancient and modern historic features within them such as the prehistoric footprints and wartime remnants; • The 18th century Leeds and Liverpool canal, associated historic features and its setting. • Valued historic green spaces and their key features, particularly registered Historic parks and gardens, but also undesignated parkland and cemeteries such as Crosby Hall and Duke Street Cemetery. • Important archaeological sites such as village and wayside crosses, moated sites, Lunt Meadows and St Catherine’s Chapel; <p>4. Designated heritage which is ‘at risk’ will be a priority for action. Opportunities to secure enhancements to safeguard and sustain these assets will be expected to be taken.</p> <p>5. Proposals affecting Sefton’s heritage assets and their settings should ensure that features which contribute to their significance are protected from losses and harmful changes. Development should therefore:</p> <ul style="list-style-type: none"> • Secure the long-term future of the heritage asset • Be designed to avoid harm • Be of a high quality design which is sympathetic to the historic context of the heritage assets affected • Incorporate proposals for proper repair and re-instatement of historic features and/or involve work which better reveals the significance of Sefton’s heritage assets 	

Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
			<p>and their settings Where losses are unavoidable, a thorough analysis and recording of the asset should be undertaken.</p> <p>Key policy links and objectives:</p> <ul style="list-style-type: none"> • Other policies in this chapter <p>Explanation</p> <p>11.5 This policy aims to protect, enhance and manage Sefton’s strategic heritage assets, taking a proportionate approach according to the designation and significance of the assets.</p> <p>11.14 Sefton’s heritage assets a finite resource which once lost cannot be replaced. More information about Sefton’s approach to its conservation, enhancement and public enjoyment of its heritage assets is set out in policies NH9-NH14 at the end of this chapter.</p> <p>11.14A Sefton’s heritage priorities are set out in part 3 of the policy. The aspects which contribute to the significance of these assets will be expected to be retained. Opportunities should be taken to enhance the character of these key assets through incorporation of relevant priorities within corporate strategies and masterplans, regeneration proposals and development.</p> <p>11.14B Enhancements might include using an area’s heritage as a catalyst for its regeneration, locating and designing new development such that it reflects local identity and creates a positive relationship with heritage assets, or restoring lost historic features and spaces.</p> <p>11.14B Sefton has a rich archaeological resource and opportunities to investigate it during the course of development will be actively pursued, ensuring sites are not lost without having been explored and recorded, with an emphasis on public engagement and dissemination of the findings to increase awareness of the depth of Sefton’s past.</p> <p>11.14C The Council is producing a Heritage Strategy which will contain a positive and proactive strategy for Sefton in line with national guidance. It will include:</p> <ul style="list-style-type: none"> • An overview of the benefits that Sefton’s heritage brings • The features which contribute to Sefton’s towns and villages • Action Plans for heritage which is at risk, or vulnerable of becoming so, including identifying opportunities for enhancement 	

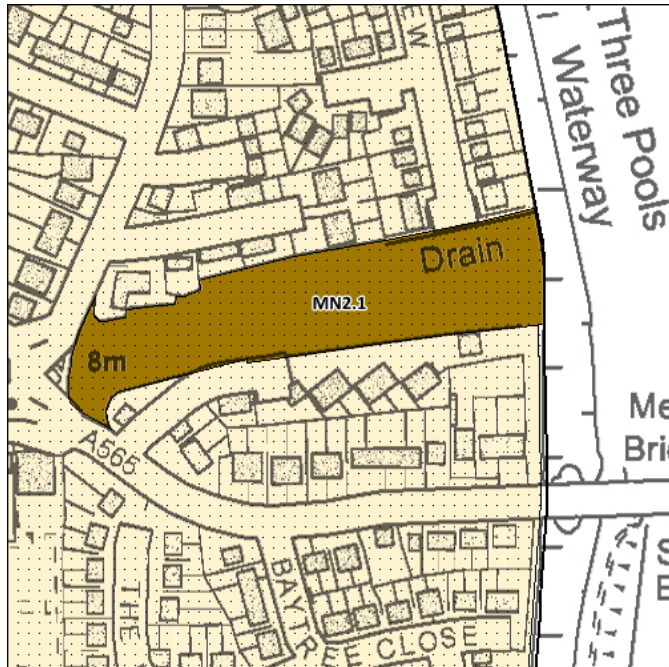
Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
			<ul style="list-style-type: none"> Management proposals for these and for Sefton's conservation areas which will provide more detailed guidance, and Identifying opportunities for funding to help enhance heritage assets and their settings. <p>11.14D In addition, the Council intends to develop a 'local list' of heritage assets in accordance with best practice guidelines, enabling local heritage to be more readily identified and conserved when development proposals are being considered.</p>	
MM		Policy NH9A	In part 3, amend the seventh bullet point to say 'The broad sands, dune system and habitats that...'	To respond to Natural England comments.
AM		Policy NH9	Add 'the' between 'outweigh' and 'harm' in the policy.	To correct a typological error.
AM		Policies NH10-NH13	Where proposed modifications read 'outweigh harm', 'the' is to inserted before 'harm'	For clarity and improved readability
AM		Policy NH10	In part 1a) of the policy, replace 'are important to it' with 'contribute to its significance'.	To reconcile the change made to the tracked changes version of the Plan.
MM		Policy NH10	Add a new part 3 to the policy: '3. Development which harms elements of that contribute to the significance of a Listed Building or its setting will not be permitted, unless it can be demonstrated that public benefits outweigh the harm.'	To respond to the discussion at the hearings.
MM		Policy NH12	Amend the wording of part 1 of the policy as follows: 1. 'Development within a Registered Historic Park or Garden or affecting its setting must relate well to the elements which contribute to the significance of the historic park or garden and be of high quality design, which conserves and enhances the special interest and function of the site.'	To respond to the discussion at the hearings.
MM		Policy NH12	Add a new part 3 to the policy: 'Development which harms elements which make a positive contribution to a Registered Historic Park or Garden or its setting will not be permitted, unless it can be demonstrated that public benefits outweigh the harm.'	
MM		Policy NH13	Amend the title and part 1 of the policy as follows: 'NH13 DEVELOPMENT AFFECTING SCHEDULED MONUMENTS AND NON-DESIGNATED ARCHAEOLOGY 1. Development affecting, or within the setting of, Scheduled Monuments or nationally important archaeological sites will only be permitted where the development does not harm their significance or setting, unless it can be demonstrated that the development is	

Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
			necessary to deliver public benefits which outweigh the harm. Historically significant relationships between features within the site and between the site and its surroundings must be retained.'	
Chapter 12 Implementation and Monitoring				
AM		12.6	Delete final sentence of paragraph	For clarity and to reflect discussion during hearing sessions
Appendices				
MM		1	Insert new requirement underneath MN2.6: 'provide new public open space, flood water storage, and habitat creation on the adjacent land designated as 'Proposed Open Space.'	To incorporate area of Proposed Open Space, excluding area of high flood risk from allocation
MM		1	Amend requirements for MN2.16 as follows: <ul style="list-style-type: none"> • preserve the setting of grade II listed Lovelady's Farmhouse and adjacent buildings by leaving the far west of the site (south of the existing gymnasium) open; • be served by a single point of access onto Liverpool Road, located to the east of the existing drainage ditch that runs south from no. 28 Monks Drive to Liverpool Road; • Provide a road up to the land ownership boundary (which comprises a drainage ditch) without leaving any 'ransom strip'. This is to provide access into the western part of the site, and must be completed to an adoptable standard before occupation of the 50th dwelling; and • Identify opportunities to reduce flood risk elsewhere through a site Flood Risk Assessment, and implement any appropriate solutions. 	To address a wide range of issues discussed during hearings sessions
MM		1	Insert following requirements: <p>MN2.30 Land East of Waddicar Lane, Melling Development of this site must:</p> <ul style="list-style-type: none"> • Identify opportunities to reduce flood risk elsewhere through a site Flood Risk Assessment, and implement any appropriate and achievable solutions. <p>MN2.31 Wadacre Farm, Chapel Lane, Melling Development of this site must:</p> <ul style="list-style-type: none"> • Identify opportunities within the site to reduce flood risk elsewhere through a site Flood Risk Assessment, and implement any appropriate and achievable solutions. 	To address flood and drainage issues discussed during hearings sessions

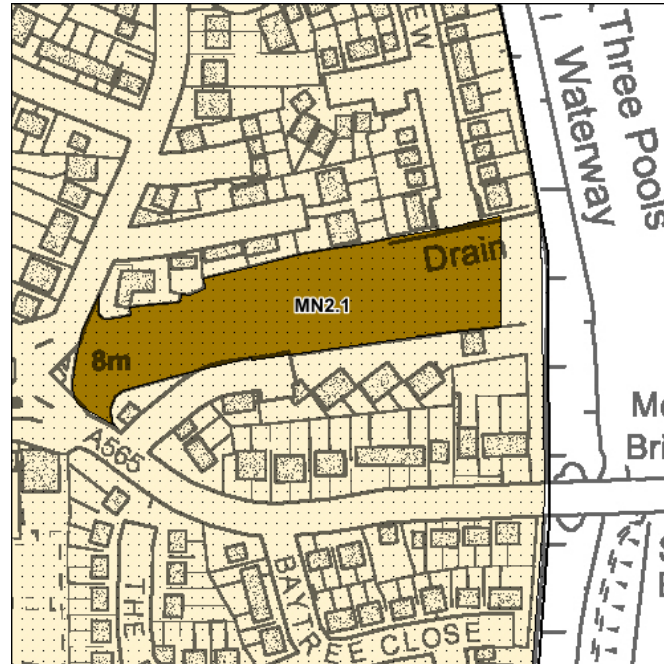
Mod Type	Main Mod Reference	Local Plan Reference	Proposed Change	Reason
MM		1	Add a 3 rd bullet point in respect of MN2.41 Former St Wilfrid's School, Orrell Road, Bootle <ul style="list-style-type: none"> Retain and improve the disused Playing Pitch within the site to bring it back into use. 	To clarify the use of the 40% of the site not allocated for housing, as discussed at the hearings.
MM		2	Add 'Liverpool Bay SPA' to the list of internationally important designated nature sites in Appendix 2.	To correct an omission and to reconcile the change made to the tracked changes version of the Plan.
MM		3	Monitoring Framework updated and expanded to list implications of not meeting targets	To address discussions that have taken place during the hearings
AM		4	Amend the name of the proposed 'Public Open Space, Trees and Landscaping SPD' to 'Public Open Space SPD'.	Trees and Landscaping are now to be included in the Mew Housing SPD.
MM		4	Include the 'House Extensions SPD'	To address previous omissions
MM		5	Inserting references to policies MN6A, ED8A, ED8B and NH9A	To reflect new policy additions and to meet Regulation 8(5)
AM		5	On the penultimate page change 'Hose' to 'House' in the 3rd line of the title of policy HC4 On the final page replace 'Retail Uses with the Potential to Harm Health SPD' with 'Hot Food Takeaways and Betting Shops SPD'	To correct a typographical error and to update the Plan
Policy Map				
MM		MN2.1	It is proposed to remove the eastern fringe of the site which is in Flood Zone 3 from part of the site allocation to Primarily Residential Area.	To reflect the conclusions of the FRA for the site.
MM		MN2.6	Site area and boundary amended	To incorporate area of Proposed Open Space
MM		NH5	Include the white area which contains the model railway as part of the adjacent open space.	To correct an anomaly.

MN2.1 Bartons Close, Southport boundary amended to address Environment Agency concerns and exclude Flood Zone 3 area

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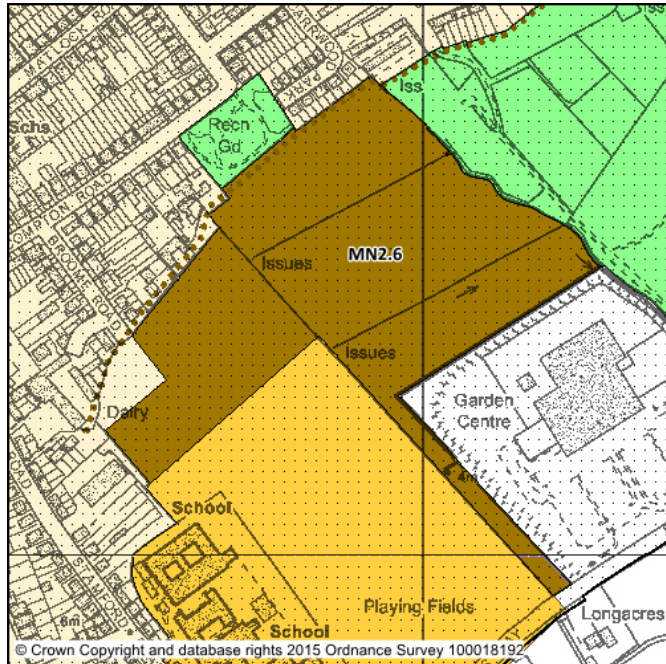


Proposed changes since Submission Draft

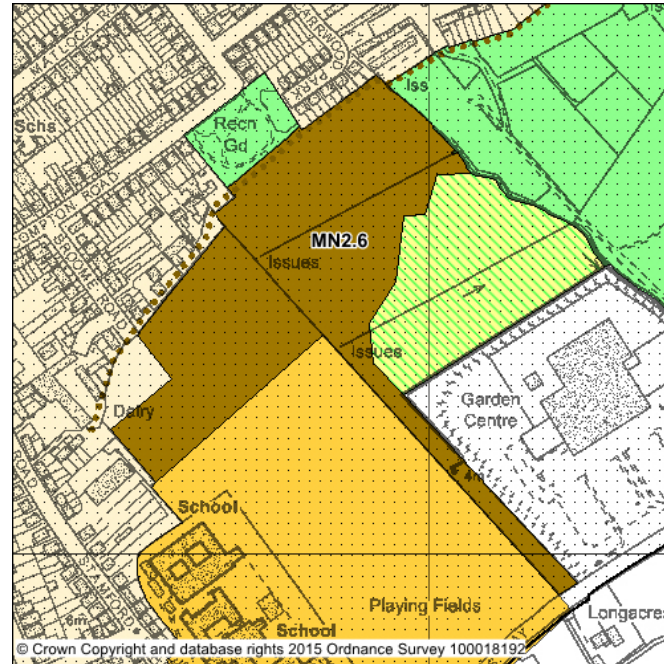


MN2.6 Land adjacent to Dobbies Garden centre site area amended to incorporate area of Proposed Open Space

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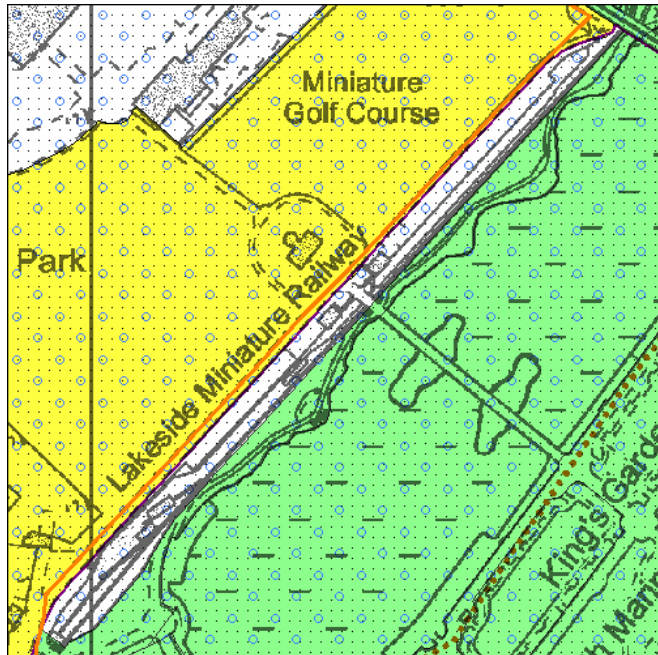


Proposed changes since Submission Draft



Lakeside at Southport NH5 Open Space boundary amended

Submission Draft Local Plan (August 2015)



Proposed changes since Submission Draft

