

Annex 1 Cabinet 5th November, 2015

Main Modifications 2

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.

“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. They are not included in this appendix.

The following changes are considered to be “main modifications”.

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
PMM.100	4.43	Amend paragraph 4.43 by replacing ‘the Port Access Study’ with ‘the Port of Liverpool Options Identification and Assessment commissioned by Highways England’, and add a new 2 nd sentence ‘Public engagement as part of this work is likely to take place early in 2016. The options assessment work is expected to be completed in summer / autumn 2016.’	To update the plan.
PMM.101	4.44A	Add a new paragraph as follows: ‘4.44A The immediate review of the Plan also provides the opportunity for the Council, working where appropriate in collaboration with the other Liverpool City Region authorities, to generate a new evidence base regarding wind energy. This would assist the Council to determine wind energy applications in the light of the Framework, National Planning Practice Guidance and most particularly the Ministerial Written Statement of 18 June 2015.’	To provide clarity
PMM.102	Policy SD2: Principles of Sustainable Development	Renumber the bullets with numbers and add an additional bullet point ‘To ensure that all new development addresses flood risk mitigation and explores all methods for mitigating surface water run-off. Wherever possible, developers should include an element of betterment within their proposals to reduce further the risk of flooding in the area.’	To respond to the representation from United Utilities [722]

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
PMM.103	Policy MN1: Housing and employment requirements	Add a new part 5 to the policy to set out the circumstances that will require an immediate review of the Sefton Local Plan: '5. Sefton will work jointly with the other Liverpool City Region local planning authorities, including West Lancashire Borough Council, and the Liverpool City Region LEP to establish, objectively, the level of long term growth appropriate in Sefton through the joint commissioning of a further housing and employment assessments. In the event that further housing or employment provision is needed in Sefton, an immediate review or partial review of the Sefton Local Plan will be brought forward to address these matters.'	To strengthen the Council's commitment to undertaking an immediate or partial review of the Local Plan to meet its objectively assessed housing and employment needs, including those relating to the growth of the Port of Liverpool.
PMM.104	6.14A - 6.14B	Add two new paragraphs after paragraph 6.14: '6.14A The Sefton Local Plan does not make any provision for the additional demand for distribution and other port-related uses across Merseyside arising from the expansion of the Port of Liverpool in Sefton (Liverpool2). As a result of these requirements, which can only be assessed across the sub-region, the Council is committed to carrying out an immediate review or partial review of the Local Plan to address these matters. 6.14B The review of the Local Plan will be completed within 5 years of the adoption of this Plan. Sefton has already begun working with the other Liverpool City Region local planning authorities to establish the scale and distribution of any emerging housing shortfall and the emerging needs associated with the expansion of the Port of Liverpool, including a new or improved port access.'	To provide the explanation to the introduction of the new part 5 of the policy.
PMM.105	Policy MN2: Housing, Employment and Mixed use Allocations Part 1	Amend the site areas for the following sites as follows: <ul style="list-style-type: none"> • MN2.4 Moss Lane, Churchtown – 18.3ha • MN2.9 Former St John Stone School, Meadow Lane, Ainsdale – 1.4ha • MN2.14 Former Holy Trinity School, Lonsdale Road, Formby – 1.0ha • MN2.25 Lydiat Lane, Thornton – 10.2ha • MN2.28 Kenyons Lane, Lydiat – 10.1ha • MN2.42 Klondyke phase 2 and 3 – 3.6ha Subsequent total also amended to 313.3ha	To correct the site areas. The indicative site capacities of these sites are not affected as a result.
PMM.106	Policy MN2: Housing, Employment and Mixed	Amend part 2 of the policy by adding 'Land at Moss Lane, Churchtown (site MN2.4)' to the start of this part of the policy, and add 'MN6A,' after MN6 in line 2.	It is proposed to include a new policy MN6A into the Local Plan to provide more detailed information

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
	use Allocations Part 2		about the development requirements for this site.
PMM.107	Policy MN5: Land south of Formby Industrial Estate	<p>Replace criterion a) – c) in Part 1 of the policy, and a new criteria c(i) and h) as follows:</p> <p>'a) Provide a new ground and related facilities capable of accommodating a re-formed Formby Football Club, which should be developed to an appropriate standard in the context of the Football Association's Category F Grading Standards.</p> <p>b) Provide a minimum of 5 hectares of sports and recreation facilities, inclusive of the facility for a re-formed Formby Football Club. This must include replacement sports pitches and outdoor recreational facilities available for community use</p> <p>c) Provide a minimum of 7 hectares net (10 hectares gross) of employment land, for the uses specified in Policy MN2.</p> <p>c (i) The development of other uses on residual land may be acceptable where they are necessary to enable/cross subsidise the delivery of the other uses set out above</p> <p>i) Any floodlighting needs to be sensitively designed, be timed to switch off, be well-cowled and not in use every night.'</p> <p>Amend part 2 of the policy as follows:</p> <p>'The above requirements will be achieved through the use of planning conditions, Section 106 and other legal agreements as appropriate.'</p> <p>Add an additional sentence to the end of part 3 of the policy:</p> <p>'Any uses required to enable/cross subsidise the delivery of the employment and sports and recreation uses must be phased so that they are delivered after or in tandem with the employment and sports and recreation uses.'</p>	To take account of the Sport England representation [P725] and nature conservation interests.
PMM.108	6.56	<p>Amend the first two sentences as follows, and delete the first bullet point:</p> <p>'The new sports ground should be constructed to the specification of the Football Association's Category F Ground Grading. Full details of this standard are available to download from the Football Associations website. In summary, a Category F ground must provide:'</p> <p>Add a new paragraph after the bullet points to read '6.56A The proposed restrictions in criterion 1i) on floodlighting are required to ensure that any light spillage offsite is minimised throughout the winter period to ensure that it has the minimum impact on the adjacent feeding grounds for overwintering birds and bat use of the river corridor.'</p>	For clarity. To explain why the additional criterion is necessary.
PMM.109	6.63	<p>Replace paragraph 6.63 with the following:</p> <p>'The site is currently designated as a Local Wildlife Site (LWS). However, over 50% of the LWS will be lost as a</p>	To provide clarity by explaining why the

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		result of this allocation. The management of the remaining 7.9 hectares within the LWS as managed grassland and wetland habitats will provide a major ecological enhancement to the existing site. This will constitute a significant net ecological benefit.'	allocation of the site is supported by the Council.
PMM.110	NEW Policy MN6A: Land at Moss Lane, Churchtown	<p>Add after paragraph 6.64 new policy MN6A 'Land at Moss Lane, Churchtown'.</p> <p>6.64A Land at Moss Lane, Churchtown has been identified as a housing allocation under Policy MN2. The policy below sets out the site specific requirements that will apply to this site.</p> <p>MN6A LAND AT MOSS LANE, CHURCHTOWN</p> <p>1. Land at Moss Lane, Churchtown, is allocated for housing (as shown on the Policy Map). Development of this site must:</p> <ul style="list-style-type: none"> a) Provide for the widening of Moss Lane between the Roe Lane/Mill Lane roundabout and the main vehicular access point into the site, to a minimum width of 6 metres with 2 m wide footway on the southern side of Moss Lane. This can be achieved within the existing highway and site boundary. b) Provide a financial contribution to subsidise the extension of a bus service into the site for at least 5 years. c) Provide a loop road arrangement or suitable turning facility within the northern half of the site for the use of bus services. d) Provide a layout that provides for mitigation from the operation of the adjacent golf course e) Retain the existing woodland that abuts Moss Lane to the north, and provide for its long term management. The development must also make provision for footpaths through and public access to the woodland area. f) Preserve the setting of the adjacent North Meols Conservation Area, and secure a transition to open countryside, by: <ul style="list-style-type: none"> a. Providing a 15 metre deep screen of trees along the Moss Lane frontage, between no. 83 Moss Lane, and the western edge of Pool House Farm, whilst allowing for a safe vehicular point of access into the development. Existing mature trees around Pool House Farm should be retained and supplemented with additional planting. b. Maintaining the open character of the north east corner of the site, identified as Proposed Open Space on the Policy Map. g) Incorporate any necessary flood risk mitigation; and h) Provide habitat creation and management, appropriate tree planting, and a landscaped buffer 	To indicate how the Council intends to address issues relating to this site which have emerged since the publication of the Local Plan in January 2015.

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>alongside Three Pools Waterway.</p> <p>2. These requirements will be achieved through the use of planning conditions, Section 106 and other legal agreements.</p> <p>Key policy links</p> <ul style="list-style-type: none"> • MN1 Housing and Employment Requirements • MN2 Housing, Employment, and Mixed Use Allocations <p>Explanation</p> <p>6.64B A number of improvements are necessary to ensure that the site is accessible to pedestrians, vehicles, and public transport. Whilst the majority of Moss Lane between the Roe Lane/Mill Lane roundabout and the likely main vehicular access point into the site is of adequate width, certain sections will require widening and the introduction of footways. In addition, the existing no. 43 bus service currently terminates at the Roe Lane/Mill Lane roundabout. MerseyTravel have confirmed to the Council that the extension of the no. 43 service into the site would be feasible, and that a contribution would be required from the developer for a period of 5 years to establish this extended service. The 5 year subsidy period should commence immediately following the construction of the 150th dwelling.</p> <p>6.64C Southport Old Links Golf Course is adjacent to the site, and a number of holes are close to the proposed development area. The layout of any development in this location should incorporate mitigation to ensure that new properties are reasonably screened from wayward golf balls.</p> <p>6.64D An existing area of woodland (approximately 1.2 ha in size) is located within the northern part of the site. This woodland should be retained and integrated within the development, including provision for footpaths through, and public access into, the woodland area.</p> <p>6.64E The North Meols Conservation Area is located to the north west of the site, and includes the Grade II* listed Meol's Hall and its historic parkland. Historically, the Hall was surrounded by open countryside, and whilst its western boundaries have now been subsumed by urban Southport and trees planted to the eastern perimeter, part of the agricultural setting of the estate remains intact. In order to preserve connections between the estate and the countryside, the development of this site must retain and enhance the existing screen of trees and development along Moss Lane. In addition, the area of the site to the east of Pool House Farm must be retain as open space to preserve the open countryside feel of this part of the site.</p>	

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		6.64F It is envisaged that the main vehicular point of access will be located between the existing plantation and the western edge of Pool House Farm. Whilst part f i) of the policy requires a 20 metre deep screen of trees along part of the Moss Lane frontage, this should allow for a safe point of access into the development, including necessary visibility splays.	
PMM.111	Policy MN8 Safeguarded Land	Amend the site areas for the following sites as follows: MN8.1 Lambshear Lane – 33.9 ha MN8.2 Land adjacent to Ashworth Hospital – 15.1ha.	To correct the site areas. The indicative site capacities of these sites are not affected as a result.
PMM.112	7.9	Delete ‘has’ from the penultimate sentence and add a new final sentence ‘The need for improved access to the Port of Liverpool was a key element of the Liverpool City Region Growth Deal. This led to the inclusion of a scheme to improve highway access to the Port of Liverpool in the Road Investment Strategy published by the Department for Transport in December 2014.’	To update the Plan.
PMM.113	7.14	Amend paragraph 7.14 as follows: ‘The current road access to the Port is constrained due to traffic congestion at peak times and will need to be improved during the plan period. This road experiences repeated congestion especially during peak periods, and the area adjacent to the main entrance to the Port suffers from poor air quality. It is recognised that major road improvements to facilitate port access will be required in the long term. A scheme has been included in the Road Investment Strategy, and Highways England has commissioned an Options Identification and Assessment study, which will be completed in summer 2016. However, as yet, no specific proposal has been confirmed as a preferred option, so the scheme can only be referred to in general terms in this Plan. Options are currently being assessed for feasibility, value for money and economic, environmental and social impacts. All options being considered are located within Sefton. 7.14A The Canada Dock Rail Connectivity Study (April 2015) was prepared on behalf of Merseytravel and the Homes and Communities Agency to identify options for reconnecting the Southern Zone of the Port of Liverpool to the railway network. The study recommended that land associated with the former Canada Dock Branch Line should not be safeguarded, and that reinstating the route would be a costly and operationally unsatisfactory option. The study concludes that rail connectivity could be improved most affectively by extending the existing rail line south from Alexandra Dock. The viability of this proposal will be assessed in greater detail within the emerging Port Master Plan, Long Term Freight Strategy and as part of the Duty to Cooperate associated with an early review of the Local Plan.	

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		7.14B Network Rail is bringing forward proposals that will improve the rail freight capacity on the Bootle Branch Line into the Port of Liverpool, which will accommodate increased rail freight movements associated with the increase in biomass imports for energy generation and with the growth in container movements that will result from the opening of Liverpool 2.'	
PMM.114	Policy ED2: Development in Town, district and local centres and local shopping parades	<p>Final sentence and bullet points of point 2 replaced with:</p> <p>When considering applications in edge of centre and out of centre locations, preference should be given to accessible sites that are well connected to a defined centre in accordance with point 1 or sites within existing retail parks. (Including footnote of retail parks)</p> <p>Penultimate sentence of point 3 replaced with the following: All proposed retail, leisure and other town centres uses located outside of existing defined centres (point 1) and which are not in accordance with the Local Plan should demonstrate:</p> <ul style="list-style-type: none"> • that they would not prejudice the delivery of existing, committed, and planned public and private investment within any existing defined centres, and • that no significant adverse impact on the vitality and viability of any existing centres will arise from the proposed development, including to local consumer choice and trade in defined centres and the wider area, up to five years from the time the application is made. <p>Delete following sentence: Outside of Primary Shopping Areas, but within defined centres, all main town centre uses will be considered acceptable in principle.</p>	<p>To take account of the requirements for out of centre provision as suggested in WYG Retail Strategy</p> <p>Further WYG suggested changes</p> <p>Further WYG suggested changes</p>
PMM.115	Figure 7.2	Figure deleted to represent new approach to designating retail areas in Town and District Centres. Primary Retail Frontages replaced by geographically defined Primary Shopping Areas – now shown on Policy Map	To take account 2015 WYG Retail Strategy suggestions
PMM.116	7.39A	<p>Add two new paragraph after paragraph 7.39:</p> <p>'7.39A Other Local Plan policies with which tourism development must be consistent include those listed above, policy MN7 'The Green Belt', heritage policies in chapter 11, and other policies. For example, many sites in these locations are also Local Wildlife Sites or may raise have other nature conservation or heritage issues.</p> <p>7.39B Other tourism areas or assets in Sefton include the Hornby Centre, Trans Pennine Trail and Coast Path. Policy NH4 recognises the importance of golf courses and informal recreation located on the Sefton Coast. For example the National Trust's site at Formby Point is important for tourism, and the local economy, ecology and</p>	To respond to the representation by the National Trust [663]

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		nature conservation. The tourism policy together with Policy NH4 'The Sefton Coast and development', and other relevant Local Plans policies, provide the framework for assessing development proposals on the Coast.'	
PMM.117	Policy ED8	Delete parts 3 and 4 of the policy, which will be incorporated into new policy ED8A and paragraph 7.66	To and take account of the draft Southport Investment Strategy and respond to the English Heritage representation page 3 [P648]
PMM.118	Policy ED8A Marine Park, Southport	<p>ED8A Marine Park, Southport</p> <p>1. Marine Park (16.4 ha) is allocated for major visitor-based development [shown on the Policy Map]. Redevelopment of this site must significantly enhance the regional leisure and tourism role of Southport.</p> <p>2. The redevelopment of this site must:</p> <ul style="list-style-type: none"> a) Be of high design quality that complements the existing historic seaside environment b) Incorporate active frontages to both Marine Drive and Esplanade c) Significantly improve pedestrian links within and through the site. This must include provision of a high quality, landscaped pedestrian link through the site connecting the Venetian Bridge in King's Gardens to the seafront d) Incorporate high quality landscaping, including enhancements to the north western edge of the Marine Lake. e) Retain the open seafront setting of the listed pier, and maintain views to and from it f) Ensure that the position, orientation, and scale of new buildings allows for open views to be retained towards the sea from the Promenade and the Seafront Gardens g) Improve views from the Promenade towards Ocean Plaza. h) Provide appropriate new open space and green infrastructure within the site <p>3. The expansion of the existing fairground and the provision of new outdoor leisure facilities are acceptable in principle.</p> <p>4. Any proposal to partially develop the site should be prepared in the context of a development strategy for the whole site.</p> <p>5. Development that would adversely affect the integrity of adjacent internationally important nature sites will not be permitted.'</p>	To give the site greater prominence and to reflect the draft Southport Investment Strategy and LCR Visitor Economy Strategy to 2020.
PMM.119		Add 4 paragraphs as Explanation to this new policy: '7.67A The Marine Park site represents a significant opportunity to provide high quality development of a scale that enhances Southport's role as a regionally important centre for tourism, and to act as a catalyst for	To reflect the draft Southport Investment Strategy and LCR Visitor

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>further tourism investment. In particular, this site offers the potential to create a development that increases the number and type of visitors to Southport, and encourages more families to visit the town. The Visitor Economy Strategy also supports the development of a major new tourist attraction at Marine Park. Development of this site will be expected to meet each of the criteria set out in the policy to ensure that the highest quality of development is achieved on this prominent site.</p> <p>7.67B The site is in a sensitive location between the Seafront, the Grade II listed pier and the Promenade Conservation Area, incorporating the Kings and South Marine Registered Historic Gardens. It is essential that the historic and visual connections between the development site, the pier, the historic Promenade frontage, and the historic gardens and the sea are retained. The fairground compliments Southport’s heritage as a seaside resort town, and the continuation of this use is seen as maintaining the seafront’s historic character</p> <p>7.67C Marine Park is located at a key gateway to Southport town centre so design, layout and quality of development are critical to the success and perception of the town. The Ocean Plaza buildings currently detract from views across the historic seafront. Opportunities to improve the longer ranging views across the seafront from the Pier, Promenade, and Kings and South Marine Registered Historic Gardens, should be taken.</p> <p>7.67D The development of this site may involve the loss of some or all of Princes Park. Appropriate new open space and green infrastructure should be provided within the site to compensate for any loss of open space.’</p>	Economy Strategy to 2020.
PMM.120	Policy IN1	Addition to Part 8 of Policy: Essential infrastructure is required regardless of viability	To provide clarity
PMM.121	9.13	Sentence added to end: However, viability issues must not be a reason to avoid the provision of essential infrastructure, i.e. infrastructure needed to make the development acceptable in planning terms.	To provide clarity
PMM.122	Policy IN2	<p>Reword point 2 as follows: Improvements to the transport network will take account of the need for:</p> <ul style="list-style-type: none"> • Improving safety and accessibility for all transport users • Protecting the freight distribution network • Maintaining, improving and extending the walking and cycling network • Better connecting new and existing neighbourhoods with the public transport network • Creating opportunities for existing transport to become more sustainable such as by promoting/installing charger units at appropriate places locations. <p>Amend point 7 as follows: The Council will support initiatives to reconnect the Port of Liverpool (Southern Zone) between Alexandra Dock and Sandon Dock to the rail network. Subject to the compliance with Policy ED1, proposals by Peel to extend the existing rail lines within the Port of Liverpool at Seaforth to directly serve the new Liverpool Container Terminal (L2) will be supported.</p>	<p>To provide clarity</p> <p>To provide clarity and update the Plan</p>

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
PMM.123	HC2: Housing type, mix and choice	Add 'or people with special needs' to part 3 of the policy after 'older people'. Add the following to the end of part 4 of the policy: 'and should predominantly be provided as 1 and 2 bedroomed homes to meet the local provision in such provision.'	To reflect the recommendations of the SHMA.
PMM.124	9.33A – 9.33D and 9.34	<p>Add four new paragraphs after paragraph 9.33:</p> <p>9.33A Further national guidance is set out in National Planning Practice Guidance and the Ministerial Written Statements of 25 March and 18 June 2015. The latter indicates that when determining planning applications for wind energy development for one or more wind turbines, local planning authorities should only grant planning permission if:</p> <ul style="list-style-type: none"> • The proposed development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and • Following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and the proposal has their backing. <p>9.33B The Written Ministerial Statement of 25 March 2015 included provisions on the siting of large scale ground-mounted solar panel installations to ensure that the locations chosen for these schemes are the most suitable, taking into account factors such as the agricultural quality of the land concerned.</p> <p>9.33C The Plan does not allocate any sites for large scale renewable energy schemes in the Green Belt, and does not identify any sites as being suitable for wind energy development. The area of search for wind energy at Ince Blundell identified at the Preferred Options stage of Local Plan preparation has not been taken forward. This area was originally identified in the Liverpool City Region Renewable Energy Capacity Study (2011). This Study looked only at wind speeds and high level constraints with a view to identifying areas suitable for multiple turbine installations, and did not look at, matters such as flood risk, landscape character, cumulative impact or the specific impacts on heritage assets. It did not consider wind energy installations at a small enough scale to comply with the requirements of the 18 June 2015 Ministerial Written Statement. Ince Blundell Parish Council and local residents submitted objections to this proposal at the Preferred Options stage.</p> <p>9.33D The immediate review of the Plan provides the opportunity for the Council, working where appropriate in collaboration with the other Liverpool City Region authorities, to generate a new evidence base regarding renewable energy, including wind. This would assist the Council to determine such renewable energy applications in the light of the Framework, National Planning Practice Guidance and</p>	To update the Plan

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>most particularly the Ministerial Written Statement of June 2015. In light of the current situation, the Council will be unable to consent applications for onshore wind energy development until a review of the Local Plan is undertaken.</p> <p>And to end of the last sentence of 9.34: , National Planning Practice Guidance and the Ministerial Written Statement dated 18 June 2015.'</p>	
PMM.125	Policy EQ2: Design	<p>Replace the existing policy with: 'Development will only be permitted where: <u>1. In relation to site context</u> (a) The proposal responds positively to the character, local distinctiveness and form of its surroundings. (b) In areas of lesser quality the development enhances the character of the area rather than preserves or reproduces negative aspects of the existing environment. (c) Key views of townscape, including landmark and gateway buildings, and important landscape features are retained or enhanced.</p> <p><u>2. In relation to site design, layout and access</u> The arrangement of buildings, structures and spaces within the site, including density and layout, and the alignment and orientation of buildings, relates positively to the character and form of the surroundings, achieves a high quality of design and meets all of the following criteria: (a) Ensures safe and easy movement into, out of, and within the site for everyone, including pedestrians, cyclists and those with limited mobility (b) Integrates well with existing street patterns (c) Protects the amenity of those within and adjacent to the site (d) Ensures the safety and security of those within and outside the development through natural surveillance and the creation of active frontages (e) Creates well-connected attractive outdoor areas which fulfil their purpose well.</p> <p><u>3. In relation to the design of buildings and structures</u> (a) Proposals make a positive contribution to their surroundings through the quality of their design in terms of scale, form, massing, style, detailing, use of materials and meet criteria (b) to (d) listed in part (2) above (replacing 'site' with 'building' in c.) (b) Proposals for non-residential buildings consider flexibility in design to facilitate conversion to other uses in the future.</p>	To provide clarity

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>(c) Proposals are designed to take advantage of natural solar gain.</p> <p>4. In relation to major and urban edge sites the following additional criteria apply</p> <p>(a) Key landmarks are retained, and new gateway features provided, to ensure locally distinctive developments.</p> <p>(b) Structural planting is provided to soften the urban edge and provide a suitable transition to open countryside.</p> <p>(c) A clear road hierarchy is set out, and different character areas within the development are provided, to assist navigation through and around the development.'</p> <p>Key policy links</p> <ul style="list-style-type: none"> • MN2 Housing Employment and Mixed use allocation • EQ3 Accessibility • EQ7 Energy efficient and low carbon design • Policy HC4 House Extensions, Alterations and Conversions to Houses in Multiple Occupation and Flats <p>National /regional context</p> <ul style="list-style-type: none"> • Building for Life 12 • Planning for Place (CABE) • Joint [Merseyside and Halton] Waste Local Plan 2013 (the 'Waste Local Plan') <p>Explanation</p> <p>10.10 Proposals should respond positively to the character and form of their surroundings, in terms of density, size, layout, architecture, design and landscape. Context may mean any of these, from the architectural detail of buildings to the general character of the area. Sefton has many diverse and distinctive areas. These are set out in 'Settlement Character Plans' which form part of the Design Supplementary Planning Guidance and in Conservation Area Appraisals. The purpose of the policy is to ensure that good design is achieved in all developments. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (National Planning Policy Framework, paragraph 64).</p> <p>10.11 Good quality design covers buildings, the site as a whole and the site within the context of its surroundings and wider area. The main aspects are how the development looks and how it works. Places and buildings should also have their own identity, fulfil their purpose well, be robust and adapt easily to changing</p>	

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>requirements.</p> <p>10.12 In areas of lesser design quality in Sefton, development should enhance the area rather than reproduce an existing poor environment. For many constrained sites, developers should take the opportunity to create design solutions which are bold, inspiring and longlasting.</p> <p>10.13 Sites, streets and other places must be designed to ensure safe and easy movement into, through and out of them for all potential users, including those of limited mobility, for pedestrians, cyclists, public transport users, cars users, and for servicing, deliveries and collection. Special consideration should be given to pedestrians and people with disabilities, the elderly, the temporarily infirm and parents with young children. The layout must be appropriate to the use and the context.</p> <p>10.14 Safety and security can be promoted through careful design of buildings and spaces, for example through promoting natural surveillance. Natural surveillance can take place in a variety of ways, e.g. overlooking from windows and from people passing by on roads, open spaces and paths.</p> <p>10.15 The term ‘outdoor area’ includes gardens, amenity space, car parking areas, and other public spaces. A high quality of detailing and materials is required. These spaces can strengthen communities by offering opportunities for recreation and places for people to meet. Policy EQ9 ‘Provision of public open space, strategic paths and trees in development’ deals in more detail with these issues.</p> <p>10.16 Buildings and structures should make a positive contribution to the overall design of a development. Structures include boundary walls, fences and gate piers, and swimming pools and any swimming pool enclosures. The design of buildings and structures can have a major impact on the amenity of adjacent properties, the street scene and the character of the area.</p> <p>10.17 Major and urban edge sites should contain key landmarks, gateways and varied features to ensure a distinctive development and facilitate easy access and navigation through the site. It is important that landscaping is provided to soften the urban edge and improve views of new development from open countryside.</p> <p>10.18 A Design and Access Statement may be required with some applications. The Council’s validation checklist sets out when these are needed. This should demonstrate how the development will meet the criteria in this policy.</p> <p>10.19 The Council intends to produce supplementary guidance to provide more detail on how this policy will be interpreted.</p>	
PMM.126	10.44	Amend the paragraph to read “The Government’s March 2014 and March 2015’ and add a new final sentence: ‘The Council intends to reconsider the need for local requirements if the national policy context changes in the future.’	To update the plan
PMM.127	10.48 and	Amend paragraph 10.48 as follows and delete paragraph 10.49:	To update the plan

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
	10.49	'In July 2015 the Government indicated that it would not be pursuing the 'Allowable Solutions' mechanism for achieving zero carbon homes in major housing schemes. If the national policy context regarding use of 'Allowable Solutions' changes in the future, the Council wil encourage development in Sefton which includes 'Allowable Solutions', and any 'Allowable Solutions' themselves, to be compatible with the Council's energy strategies and plans. These include the Sefton Sustainable Energy Action Plan (SEAP), the Liverpool City Region SEAP or the Sefton Home Energy Conservation Act Plan 2013.	
PMM.128	Policy EQ8: Managing Flood risk and surface water	<p>Amend part 1 of the policy as follows: '1. Development must be located in areas at lowest risk of flooding from all sources, unless the Sequential test and where appropriate the Exceptions test set out in national policy have been passed. Within the site, uses with the greater vulnerability to flooding must be located in areas with lower risk of flooding, unless it is demonstrated that there are overriding reasons why this should not take place'. Amend part 2 of the policy: '2. Development must not increase flood risk from any sources within the site or elsewhere, and where possible should reduce the causes and impacts of flooding'. Amend part 3 of the policy: '3. In addition to the national requirements, site-specific Flood Risk Assessments will also be required for all development on sites of 0.5 hectares or more in Critical Drainage Areas as defined in the Strategic Flood Risk Assessment'. Amend part 5 and add a new part 5A to the policy as follows: '5. Sustainable drainage systems must be designed to provide effective drainage for properties and their capacity must take account of the likely impacts of climate change and likely changes in impermeable area within the site over the lifetime of the development. Sustainable drainage systems and any water storage areas must control pollution and should enhance water quality and existing habitats and create new habitats where practicable. 5A. Suitable arrangements for long-term access to and operation, maintenance and management of sustainable drainage systems must be incorporated within development proposals. This includes both surface and subsurface components of sustainable drainage systems.'</p>	To ensure consistency with the NPPF and Planning Practice Guidance.
PMM.129	Policy EQ8: Managing Flood risk and surface water	Add ', where reasonably practicable' to the end of the opening part of section 4.	To ensure consistency with Planning Practice Guidance.
PMM.130	10.59	In the first sentence, replace 'section 3' with 'The Framework sets out the national requirement for site-specific	To ensure consistency

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		Flood Risk Assessments. Part 3 sets out additional requirements,'	with the NPPF.
PMM.131	10.60	Amend the beginning of the paragraph to say 'Regarding sustainable drainage systems and parts 4, 5 and 5A, applicants should refer to National Planning Practice Guidance' Amend part of the last sentence to refer to the ne sections and say 'Parts 4, 5 and 5A'	To ensure consistency with Planning Practice Guidance.
PMM.132	10.61A, 10.61B and 10.61C	Add new paragraphs 10.61A, 10.61B and 10.61C as follows: 10.61A It may also be necessary to co-ordinate the delivery of infrastructure improvements. In the case of the larger development sites, it may be necessary to ensure that the delivery of development is guided by United Utility's strategies which ensure coordination between different developments and phases over lengthy periods of time by numerous developers. 10.61B Regarding part 5A, it should not be assumed that Sefton Council or a Parish or Town Council will adopt or maintain any sustainable drainage system. The applicant will be expected to make sure that suitable arrangements and legal agreements are in place, for the lifetime of the development, for access to and operation, maintenance and management of sustainable drainage systems. The Council will need to be satisfied that these are in place before planning permission is granted. 10.61C The Council would usually expect these arrangements and legal agreements to include planning conditions, legal agreements and legal and other mechanisms which: a) Clarify who will be responsible for management and maintenance of the sustainable drainage system for the lifetime of the development and how this will be funded b) Provide, and continue to provide for the lifetime of the development updates, contact details of the responsible body to the lead local flood authority c) Recognise that the maintenance and management schedules and requirements of the sustainable drainage system are integral parts of that system and so will also form part of the approved sustainable drainage system to be implemented for the lifetime of development. This includes procedures for monitoring and review. d) Recognise that all of the items in c) above, and material changes to any of the items in c) above, must be agreed in writing by the Council before they are implemented.	To respond to United Utility's representation [722]. For clarity, and to ensure consistency with Planning Practice Guidance.
PMM.133	Policy EQ9	Replace part 1 of the policy with the following: 1. 'Appropriate high quality new public open space of at least 40 square metres per new-build home must be provided for the following developments: • Proposals for 150 or more dwellings • Proposals for 11 to 149 dwellings on sites which are more than 2 kilometres from a 2km from main parks or	To respond to Sport England's representation page 27 [P725], and in the light of the Open Space and Recreation Study and of existing provision

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>Countryside Recreation Areas'</p> <p>1A. This new public open space must be provided within the site unless it can be demonstrated that enhancement of off-site open space is more appropriate, in terms of:</p> <p>a) The type and density of housing development and site size, or</p> <p>b) Proximity to existing main, district and community parks, or</p> <p>Amend part 4 to say:</p> <p>'4. Development proposals which include new areas of public open space must incorporate suitable arrangements for long-term management and maintenance of, and public access to, the new open space.'</p>	distribution.
PMM.134	10.65, 10.65A, 10.66, 10.67 and 10.68A	<p>Replace paragraph 10.65 and add new paragraph 10.65A:</p> <p>'10.65 Parts 1 and 1A of the policy aim to secure appropriate new public open space provision in relation to new housing development. New-build homes include homes in Use Classes C3 and C4: houses, bungalows, and flats and Houses in Multiple Occupation. Conversions are excluded from any count of new build homes on a site. Parts 1 and 1A also apply to proposals for less than 150 homes which are part of phased development for a site of 150 or more new homes.</p> <p>10.65A In part 1 the figure of 40 square metres per home is based on the findings of the Open Space and Recreation Study 2015. It does not include provision for new outdoor sports, which may need to be factored in once the forthcoming Playing Pitch Strategy has been approved. The threshold figure of 150 new-build homes and the extent of accessibility deficiency areas are also based on the findings of the Open Space and Study 2015. The Council considers that new open space must be at least 0.6 hectares in size, also based on this 2015 Study. While the type of public open space provided should take into account the criteria in part 1A, plus existing local open space provision including identified shortfalls, the Council would generally expect an equipped play area be provided. New public open space must be integrated into the development site and provided to a high design quality, and where appropriate and practicable should provide other green infrastructure benefits, such as tree planting, flood or water storage areas or new habitats'.</p> <p>Amend paragraphs 10.866 and 10.67 to say:</p> <p>'10.66 Part 1A of the policy recognises that there may be some circumstances where on-site provision of new public open space may not be appropriate. The type (e.g. family homes, flats) and size (number of bedrooms) of new homes may be relevant. It is also recognised that with higher density housing schemes, on-site provision of new open space may prejudice the delivery of an otherwise acceptable scheme. There may be situations where the Council and developer agree that the site is too small to accommodate appropriate public open space, especially for smaller sites in accessibility deficiency areas. There will also be situations where development sites are close to existing public parks and other open space, for example next to a main park, within 1 kilometre of a neighbourhood park or within 400 metres of a community park, as set out in the Open Space and</p>	In line with the changes to the policy and in the light of the Open Space and Recreation Study.

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>Recreation Study 2015.’</p> <p>10.67 In these circumstances it may be more appropriate for these existing parks to be enhanced. Even where a site of more than 10 homes is within an accessibility deficiency area, as set out in the Open Space and Recreation Study 2015, site-specific factors may mean it is more appropriate to enhance existing open space or its accessibility from the site. This will be secured through a Section 106 planning obligation as long as this meets the tests sets out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 [as amended], and paragraph 204 of the Framework’.</p> <p>Add new paragraph 10.68A to say: ‘10.68A It should not be assumed that Sefton Council or a Parish or Town Council will adopt any new open space. Part 3 makes it clear that the applicant will be expected to make sure that legal agreements, suitable plans and arrangements are in place for long-term management, maintenance and public access to the site. The Council will need to be satisfied that these are in place before planning permission is granted.’</p>	
PMM.135	11.71A	<p>Add a new paragraph after existing paragraph 11.71: ‘11.71A In determining shale gas applications according to its minerals extraction policy, 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. Sefton Council is therefore intending to prepare a non-statutory and advisory Good Practice and Expectations Document which will be publicly available to industry and local communities. In addition Sefton Council is seeking to establish a Cross-Regulator Working Group for all shale oil and gas development proposals at all stages.’</p>	To respond to the Green Party [723] and the Sefton Council Lib Democrat Group [488]
PMM.136	Policy NH9: Demolition or substantial harm to designated assets	Add ‘unless it can be demonstrated that substantial public benefits outweigh harm or loss’ to the end of the policy	To respond to the representation by Historic English [P648].
PMM.137	Policy NH11: Development affecting Conservation Areas	<p>Replace the last sentence of part 1 of the policy with: ‘Development must ensure that: a) Replacement or new features are of an appropriate style and use materials which are sympathetic to the age, architecture and features of the affected property b) Extensions, alterations or additions respect the layout and historic pattern of development in the conservation area affected</p>	To respond to the Historic England representation page 10 [P648]

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>c) Hard and soft landscape features which contribute to the historic value of the site to the conservation area are retained (including historically significant features from previous uses), and</p> <p>d) The character of historic boundary treatments, patterns of trees and planting in the conservation area are retained and enhanced.</p> <p>e) Changes of use within conservation areas generally retain the mix of uses which are characteristic of the area.'</p> <p>Reword parts 2 and 3 of the policy with:</p> <p>'2. Development which harms elements which make a positive contribution to the significance of a conservation area or its setting will not be permitted, unless it can be demonstrated that public benefits outweigh harm.</p> <p>3. Development proposals which provide opportunities to better reveal the significance of conservation areas and their settings will be supported. Where the asset affected is degraded, enhancements will normally be required.'</p>	
PMM.138	Policy NH11: Development affecting Conservation Areas	Replace part 3 of the policy with: 'Development proposals which provide opportunities to better reveal the significance of conservation areas and their setting will be supported.'	
PMM.139	Policy NH13: Development affecting archaeology and Scheduled Monuments	<p>In part 1 of the policy replace 'detract from the importance of the site' with 'harm the significance of the site or its setting'.</p> <p>Add a new part 1A to the policy:</p> <p>'1A Development which harms a Scheduled Monument, the significance of the site or its setting will not be permitted unless it can be demonstrated that public benefits outweigh harm.'</p> <p>In part 2 of the policy add '(i.e. undocumented sites recognised as having archaeological potential, where their significance, extent and state are unclear),' after 'non-designated archaeological sites'.</p>	To respond to Historic English's representation page 11 [P648], and to address question 7.12 of the Inspector's Matters, Issues and Questions
PMM.140	11.109	Add to the end of paragraph 11.109 'A balanced judgement will therefore be required to establish the scale of harm or loss against the significant of the heritage asset.'	To provide clarity
PMM.141	11.111	<p>Add a new paragraph:</p> <p>'11.111 The NPPF definition of designated heritage assets excludes sites of archaeological interest. Although no specific definition for a non-designated heritage asset exists, for clarity; sites of archaeological interest (listed within the HER or otherwise) are excluded from the policy, instead being protected through policy NH13.'</p>	To provide clarity
PMM.142	Appendix 5	Appendix 5 has been added 'List of saved Unitary Development Plan policies to be replaced by Local Plan policies'	To meet Regulation 8(5) relating to superseded policies in current

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
			adopted development plan
PMM.143	Policy Map	Amend the Coastal Change Management Area in Formby as shown on the extract of the Policy Map.	For clarification and to reflect adjacent designations
PMM.144	Policy Map	Primary Retail Frontages replaced by Primary Shopping Areas in Town and District Centres	The Local Plan shows primary retail frontages and not areas
PMM.146	Policy MN5 Land South of Formby Industrial Estate	Amend part 1b) of the policy to read: “Provide a minimum of 5 hectares of sports and recreation facilities, inclusive of the facility for a re-formed Formby Football Club. This must include replacement sports pitches, including two full size 3G football pitches, and outdoor recreational facilities available for community use.”	To acknowledge the provision of the 3G pitches as part of the proposal.
PMM.147	Policy NH1	Add new parts 4A and 4B to the policy: “4A. 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. 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; <ul style="list-style-type: none"> • The verandahs throughout Southport, particularly in Lord Street, which add considerably to its local distinctiveness. • 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; 	To address representation made by Historic England [p.648] on pages 5 and 6

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<ul style="list-style-type: none"> • The 18th century Leeds-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 the village and wayside crosses, moated sites, Lunt Meadows and St Catherine’s Chapel; <p>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>4B. The main priorities in Sefton are to:</p> <ul style="list-style-type: none"> • Tackle heritage at risk • Protect and enhance Southport’s Central Area and Seafront • Refurbish the historic parks and gardens, and • Maximise the potential of the Leeds and Liverpool Canal.” 	
PMM.148	11.14A – 11.14D	<p>Insert four new paragraphs to after paragraph 11.14, replacing those proposed in the October modifications: “11.14A Sefton’s heritage priorities are set out in part 4 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 	To address representation made by Historic England [p.648] on pages 5 and 6

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		<p>for enhancement</p> <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>	
PMM.149	Policy NH13	<p>Amend parts 1 and 2 of the policy as follows:</p> <p>“1. Development affecting, or within the setting of, Scheduled Monuments or nationally important archaeological sites will only be permitted where the development does not detract from the importance of the site, unless it can be demonstrated that the development is necessary to deliver public benefits which outweigh harm. Historically significant relationships between features within the site and between the site and its surroundings must be retained.</p> <p>2. Where development harms the archaeological interest of designated or non-designated sites or their setting (i.e. including buildings and sites recognised as having archaeological potential, where their significance, extent and state are unclear), development will not be permitted unless the benefits of the proposals outweigh the loss and:”</p>	To address representation made by Historic England [p.648] on page 12
PMM.150	11.106A	<p>Add a new paragraph 11.106A:</p> <p>“Nationally important archaeology sites and their setting should be physically preserved. The preference is also for preservation in situ of archaeology of less importance. Where development could affect archaeological remains considered worthy of preservation in situ, proposals will either be refused or will require modification. Where preservation in situ may not be possible or necessary, provisions should be made to excavate record, analyse and report the archaeology.”</p>	For clarity
PMM.151	EQ8	<p>Add a new part 2A to the policy:</p> <p>“2A. Ground floor and basement access levels of all more vulnerable development should be 600mm above the 1 in 100 annual probability fluvial flood level or the 1 in 200 annual probability tidal flood level with an allowance for climate change, taking into account the presence of defences and the residual risks of failure of those defences. Ground floor and basement access levels of all more vulnerable development should be 300mm above the 1 in 100 annual probability surface water flood level with an allowance for climate change.”</p>	For clarity
PMM.152	10.58A	<p>Add a new paragraph 10.58A:</p> <p>“10.58A Part 2A is based on the recommendations in the 2013 Strategic Flood Risk Assessment, and need to</p>	For clarity

Main Modification reference	Local Plan Reference	Change	Comment/ Reason for Change
		make sure that development is safe. “.	
PMM.153	ED1	Amend part 1 f) of policy ED 1 as follows: “1f) It can be demonstrated that there is no significant risk of any impact upon the important ecological interests of Seaforth Nature Reserve” Amend part 2c) as follows: “2c) Demonstrate that there are no likely significant effects on the Mersey Narrows and North Wirral Foreshore and Liverpool Bay Special Protection Areas or other internationally important nature sites.”	To address recent comments from Natural England as part of on-going cooperation, and to correct an error.
PMM.154	7.11 7.16 7.17	In the last sentence of paragraph 7.11, change ‘react’ to ‘respond’. Amend the penultimate sentence of paragraph 7.16 to read: “An agreement will need to be in place, before development commences, to protect the adjacent internationally important sites at Crosby, and beyond, including the Sefton Coast Special Area of Conservation (SAC), the Ribble & Alt Estuaries Special Protection Area (SPA) and Ramsar site and Liverpool Bay SPA.” Amend paragraph 7.17 to read: “7.17 Atlantic Gateway’s Business Plan highlights the need for improvements to the environment of the area surrounding the Port. Many developments within the Port do not need planning permission (see Figure 7.1 below). Where planning permission is required, the Council will use planning conditions to limit the effects of noise, dust, smells or other forms of pollution on local communities, and where possible seek local improvements to the environment. Where development does not require planning permission, the Council may still be able to address other impacts on local amenity by other legislation e.g. public health.”	To address recent comments from Natural England as part of on-going cooperation.