

REPORT TO: Executive Board Sub Committee

DATE: 20th July 2006

REPORTING OFFICER: Strategic Director, Environment

SUBJECT: Approval of publication of Provision of Open Space Supplementary Planning Document for public consultation.

WARDS: Borough wide

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval for the publication of draft Supplementary Planning Document (SPD): Provision of Open Space for the purposes of statutory public consultation.
- 1.2 A copy of the Provision of Open Space SPD can be found in **Appendix 1**.

2 RECOMMENDED: That

- 1) The draft Supplementary Planning Document (SPD): Provision of Open Space be approved for the purposes of statutory public consultation;**
- 2) The comments received at the partnership consultation stage, as set out in the statement of consultation and responses to them are noted;**
- 3) Further editorial and technical amendments that do not materially affect the content of the SPD be agreed by the Operational Director - Environmental & Regulatory Services in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, if necessary, before the document is published for public consultation; and**
- 4) The results of the public consultation exercise and consequent recommended modifications to the draft SPD be reported back to the Executive Board for resolution to adopt as a Supplementary Planning Document.**

3 SUPPORTING INFORMATION

- 3.1 At the 2nd March 2006 Exec Board it was resolved that the second Local Development Scheme (LDS) for Halton be approved by the Council for submission to the Government Office for the North West (GONW). This document sets out the spatial planning policy priorities for the Council, for the next three years. The GONW has informed the Council that they do not intend to amend the content of the LDS.
- 3.2 Included within the LDS programme of works is the production of a Provision of Open Space SPD. The purpose of the Provision of Open Space SPD is to complement the Halton Unitary Development Plan (UDP), that recognises the importance of open space within the borough. Added to this it will provide a stimulus for the enhancement in quality, quantity and accessibility of all types of open space within Halton. Specifically, it will help provide;
- a) Networks of high quality open spaces and sport and recreation facilities in both urban and rural areas, which meet the needs of residents and visitors, are fit for purpose and economically and environmentally sustainable;
 - b) An appropriate balance between new provision and the enhancement of existing provision;
 - c) Clarity and reasonable certainty for developers and land owners in relation to the financial requirements and expectations of the Local Planning Authority in respect of open space, sport and recreation provision to serve new residential developments
- 3.3 The new planning system requires that a record be kept of any consultees, their comments and how they have been taken into account, throughout the production of an SPD. An informal draft of the Provision of Open Space SPD was circulated between 6th April 2006 and 20th April 2006 to a number of key stakeholders for comment. This consultation stage was essentially concerned with seeking technical observations from individuals within organisations that would either use or potentially endorse the document once it becomes an adopted SPD. This consultation was not looking for ratification of the document by those organisations. A list of those consulted, comments received and how these were taken into account is contained in **Appendix 2** of this report.
- 3.4 Another new requirement is that a scoping exercise must be undertaken to see if a Strategic Environment Assessment (SEA) is required to assess the environmental effects of the SPD. Between 29th September 2005 and 3rd November 2005 a Scoping Report was consulted upon in line with the relevant regulations, the conclusion was that a SEA was not required in relation to this SPD. An additional new requirement in relation to producing a SPD is that a Sustainability Appraisal (SA) is

produced. The purpose of the SA is to independently assess the contribution that the Provision of Open Space SPD will make to achieve the social, economic and environmental objectives of sustainable development. The SA also refers back to the conclusion and responses received in relation to the Scoping Report. The SA Report (**Appendix 3**) is currently being produced and will be consulted upon at the same time as the Draft Provision of Open Space SPD.

- 3.5 Once the formal public consultation exercise has been conducted, the responses will be recorded and taken into account. It is intended that a further report will be written to the Executive Board, seeking formal adoption of the Provision of Open Space Supplementary Planning Document.

4 POLICY IMPLICATIONS

- 4.1 The SPD has been produced to ensure that through its function as a Local Planning Authority, the Council: -
- a) Is in accordance with national and regional planning policy and advice.
 - b) Wherever possible meets the priorities of the community it serves, as set out in the Halton Community Strategy and Corporate Plan.
- 4.2 This SPD directly relates to a number of policies within the Halton Unitary Development Plan. It is particularly intended to provide further detail of what the Council expects in relation to H3, which provides the criteria for new Provision of Open Space.

5 OTHER IMPLICATIONS

- 5.1 No other known implications.

6 RISK ANALYSIS

- 6.1 No legal or financial risks to the Council can be identified so long as the statutory procedures for the preparation of SPDs are met.

7 EQUALITY AND DIVERSITY ISSUES

- 7.1 The adoption of the draft SPD does will not have any identifiable equality and diversity implications.

8 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 8.1 The alternative options considered with regard to the preparation of this document are set out in the SA Report.

9 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

<u>Document</u>	<u>Place of Inspection</u>	<u>Contact Officer</u>
Halton Unitary Development Plan, April 2005	Planning & Policy Division, Rutland House	Neil Macfarlane
Provision of Open Space SPD – Pre Production Scoping Report	Planning & Policy Division, Rutland House	Perran Baragwanath