

Ref:
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Sefton Council



Bootle Area Action Plan - Publication Draft Representations (Comments) Form

Please return to Sefton Council, Planning Department, Magdalen House, Trinity Road, Bootle L20 3NJ or BootleAAP@sefton.gov.uk by Monday 11th November 2024.

Your personal data will only be used as part of the Council's statutory planning duties. Comments will be published and made available for others to see and copy. We will publish your name with your comment, although we will not publish your contact details. For more information on how we deal with personal data please see www.sefton.gov.uk/PlanningGDPR

This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your comment(s). You may wish to use a separate sheet for each comment you wish to make.

Part A - Personal Details

Title: Ms Name: Elizabeth Beardsley

Organisation (if relevant): Sport England

Role: Planner _____

Address1: _____

Address2: _____

Town: _____ Postcode: _____

Email address: _____

Part B – Your comments

To which part of the Bootle AAP does this representation relate?
Please specify which section, policy, paragraph, plan allocation, designation or other aspect of the Bootle AAP that your comment relates to.

Policy **BAAP11 Public Green Spaces**

Do you consider the Bootle AAP is (Please tick as appropriate):

Legally compliant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Complies with the Duty to co-operate	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please give details of why you consider the Bootle AAP is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Draft policy BAAP11 is considered inconsistent with the NPPF paragraph 103.

Part 1 of draft policy BAAP11 sets out the AAPs approach to protecting "existing public green spaces", outlining two circumstances where this may be considered acceptable. The comparable national policy approach is set out under paragraph 103 of the NPPF. This sets out three circumstances where the loss of existing open space, sports and recreational buildings and land, including playing fields, may be considered acceptable. The circumstances outlined under the AAP policy are not considered to be in accordance with those included under the NPPF.

The first circumstance included under part 1 of draft policy BAAP11 is for "development necessary of the continued use and improvement of the site for its existing use" and the second circumstance is for "development for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use". There is no conflict with the NPPF in respect of the second circumstance as the wording matches that used for the third circumstance (paragraph 103 c) of the NPPF.

The first circumstance covered under draft policy BAAP11 is not included under paragraph 103. The concern is that the proposed wording is relatively vague ("development necessary of the continued use and improvement of the site for its existing use") and could be used to justify the development of an ancillary use which could result in the loss of playing field. For example, it could be used to justify the extension of a pavilion, car parking, shops, cafes, onto playing field. The circumstances included under Paragraph 103 are deliberately restrictive to prevent this type of scenario. The draft wording would conflict with Sport England's approach to consideration of planning applications affecting playing fields (see our [Playing Fields Policy and Guidance document](#)) which has been written in accordance with the circumstances set out under paragraph 103. This document sets out five exceptions where development on playing field would be considered acceptable. As set out, these have been written in accordance with the NPPF. Exception 2 of the document covers where development of ancillary facilities would be acceptable: "The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use". This wording would be considered more appropriate - and would allow for limited development of ancillary facilities if these were considered necessary.

The final issue with the existing wording is that the circumstances covered under NPPF 103a (relating to surplus) and 103 b (relating to alternate provision) have not been included under the policy. The justification text provided under 5.117 is noted, as is the currently up to date evidence base provided by the Sefton Playing Pitch and Open Space Strategy (PPOSS 2023). Although the Council have identified at paragraph 5.117 that it "can demonstrate there is no surplus provision or that no suitable compensatory provision can be provided in the local area...", it is important that the evidence base is kept up to date. As set out in the current [Playing Pitch Strategy Guidance document](#), Sport England would consider the PPS to be out of date if no review and update has been carried out within three years of the PPS being adopted (see step 10). The draft AAP will cover the period up until 2040. Although it is accurate to say there isn't a current surplus, this isn't to say this will remain the case throughout the entire plan period. There is therefore concern that this approach will not futureproof the policy in respect of the importance of maintaining an up to date evidence base. The same argument applies to not including an exception for 103 b (alternative provision).

over>

(Continue on a separate sheet if necessary)

Please set out the modification(s) you consider necessary to make the Bootle AAP legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why each modification will make the Bootle AAP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Protecting Existing Public Green Spaces

1. All existing public green spaces in the area identified on the policy map, will be protected from new development except for:

- ancillary facilities which support the principal use of the site as a playing field, and do not affect the quantity or quality of playing pitches of otherwise adversely affect their use; or
- where an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- if the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- development necessary for the continued use and improvement of the site for its existing use,
or
- development for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

(Continue on a separate sheet if necessary)

Please note - In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. **After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

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Part B – Your comment(s). You may wish to use a separate sheet for each comment you wish to make.

Part A - Personal Details

Title: Ms Name: Elizabeth Beardsley

Organisation (if relevant): Sport England

On behalf of (if relevant): _____

Address1: _____

Address2: _____

Town: _____ Postcode: _____

Email address: [REDACTED]

Part B – Your comments

To which part of the Bootle AAP does this representation relate?
Please specify which section, policy, paragraph, plan allocation, designation or other aspect of the Bootle AAP that your comment relates to.

Section/policy/paragraph/allocation/designation/other:

BAAP23 Coffee House Bridge

Do you consider the Bootle AAP is (Please tick as appropriate):

Legally compliant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Complies with the Duty to co-operate	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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It is proposed that allocation BAAP23 "Coffee House Bridge" will supercede and enlarge the Local Plan allocation MN2.46 "Former St Mary's Primary School playing fields, Waverley Street, Bootle". Appendix 1 of the adopted Local Plan lists the site specific requirements for each allocation. Under MN2.46 it states that "Development of this site must ensure that the loss of the former playing pitch (es) is addressed consistent with Local Plan policy NH5. This will be achieved via a commuted sum payment (on a per dwelling basis) towards the provision of a new 3G pitch (es) at Litherland Sports Park".

Para 5.235 of the draft AAP states that this requirement is not being carried forward to the AAP stating "The 2023 Playing Pitch and Open Space Strategy does not show a shortfall of mini pitches in Bootle and Netherton, or Sefton as a whole. The Litherland Sports Park site is also outside the AAP area". Paragraph 5.236 continues "Instead the Coffee House Bridge site

is subject to policy BAAP24 which allows a more flexible approach to wider environmental improvements which would offset the loss of green space on the former school site”.

Sport England object to the removal of the commuted sum requirement as draft policy BAAP24 is not considered robust enough to secure financial contributions towards sport and recreation. The proposal would result in additional population and would place additional demand on infrastructure and services, including for sports provision. The financial contribution towards 3G pitches at Litherland Sports Park had been accepted through the local plan examination and the removal of this requirement has not been justified. The Litherland Sports Park is identified in the 2023 PPOSS as a “hub” site. This means it draws a wider catchment. Although it lies outside of the AAP area, it would be assumed that some of the population living within the AAP area would still access and use this facility. The PPOSS 2023 refers to the findings of the LFFP which identifies a second 3G pitch as a potential future project (the LFFP is not an assessment of need and demand but does highlight a pipeline of projects the FA are prioritising). The 3G pitch at Litherland Sports Park is also identified as needing work to gain accreditation to enable match playing opportunities. Given these findings, Sport England consider it appropriate to retain the requirement from local plan policy MN2.46.

over>

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Reinstate the existing LP policy requirement under draft policy BAAP23:

"Development of this site must ensure that the loss of the former playing pitch (es) is addressed consistent with Local Plan policy NH5. This will be achieved via a commuted sum payment (on a per dwelling basis) towards the provision of a new 3G pitch (es) at Litherland Sports Park".

Additional wording could be included to state that this would not be required if a viability assessment demonstrated the contribution was not viable.

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Title: _Ms_____ Name: Elizabeth Beardsley

Organisation (if relevant): Sport England

On behalf of (if relevant): _____

Address1: _____

Address2: _____

Town: _____ Postcode: _____

Email address: [REDACTED]

Part B – Your comments

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Section/policy/paragraph/allocation/designation/other:

BAAP24 Environmental Improvements

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Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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It is unclear how BAAP24 will apply in relation to local plan obligation requirements. The table provided at Appendix A highlights that no local plan policies will be superseded by the policy. It is therefore assumed that BAAP24 will apply alongside Policy IN1 of the Local Plan. This itself refers back to the Infrastructure Delivery Plan. There is a lack of clarity as to how the two policies would work in conjunction with each other, ie which would have priority. Supporting paragraph 5.247 states that "the environmental improvements secured under this policy will not replace the need for other developer contributions required through other policies and regimes, which could include affordable housing, transport improvements, Biodiversity Net Gain, recreation mitigation, playing pitches, health facilities and other infrastructure considered necessary to make a proposal acceptable in planning terms". Currently it is unclear how any financial contributions to sport and recreation will be secured. The Playing Pitch Strategy (PPOSS) for Bootle sets out a recommended approach for securing developer contributions. This sets out that setting out that the PPOSS and Sport England's Playing Pitch

Calculator (PPC) should form the basis for any future negotiation for new provision and/or enhancement of existing provision and subsequent maintenance. It is important to note that none of the allocations included in the AAP have any policy requirements for sport and recreation. There is therefore no obvious mechanism for securing any of the improvements included as recommendations for the Bootle and Netherton settlement area as included in the PPOSS (page 60)

Overarching recommendations

Sport	Priority recommendations
Football	<ul style="list-style-type: none"> ⚡ Protect provision. ⚡ Improve pitch quality at key sites to alleviate overplay, especially at key, poor quality and/or overplayed sites such as Brook Vale Playing Fields and Stuart Road Playing Fields. ⚡ Formalise community use agreements for clubs utilising unsecure sites. ⚡ Improve changing facilities where required.
3G pitches	<ul style="list-style-type: none"> ⚡ Protect provision. ⚡ Ensure all existing pitches have a sinking fund in place. ⚡ Ensure the 3G pitch at LCFA Sefton remains on the FA register for match play. Work to gain accreditation on the 3G pitch at Litherland Sports Park to enable match playing opportunities for local users. ⚡ Look to increase the supply of 3G provision. ⚡ The FA scenario suggests a total need for six in the settlement catchment (shortfall of four). Unmet demand figure equates to a shortfall of one.
Cricket	<ul style="list-style-type: none"> ⚡ Protect provision. ⚡ Undertake improvements to playing provision where possible. ⚡ Improve changing facilities where required. ⚡ Utilise identified spare capacity for Saturday demand where available.
Rugby union	<ul style="list-style-type: none"> ⚡ Protect existing provision. ⚡ Improve pitch quality at Litherland Sports Park as to better service training demand from Firwood Waterloo RFC.
Hockey	<ul style="list-style-type: none"> ⚡ No existing provision.
Bowls	<ul style="list-style-type: none"> ⚡ Protect provision in active use. ⚡ Improve green quality for Netherton Park BC. ⚡ Retain a supply of disused sites to use as a strategic reserve for future growth
Tennis	<ul style="list-style-type: none"> ⚡ Protect provision. ⚡ Seek to improve park courts such as Derby Park via implementation of LTA products.

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