

## Appendix One to Open Space SPD Report: Summary of Consultation Representations and Response

Respondent	Nature (Support / Object / Comment)	Representation Summary	Response	Action
<b>(1)Baginton Parish Council</b>	Support	Baginton Parish Council supports the SPD as set out	Noted	No change
<b>(2)Advantage West Midlands</b>	Support	Welcomes the requirement to seek contributions from commercial developments	Noted	No change
<b>(3)Whitnash Town Council</b>		No comments forwarded – asks to be informed of future adoption process	Noted	No change
<b>(4)Mr A. Roberts</b>	Support	1)monies for off –site contributions should be clearly defined as to where they are to be spent	1) Agree	1)No change
		2)provision should be made for any wildlife havens displaced by future development	2) This is already required by policy DP3 in the Adopted Local Plan	2) No change
<b>(5)Mrs M. E. Clarke</b>		Registered general comments against any future development in the District.	Not applicable to the SPD	No change

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<b>(6) Sport England</b>	1) The evidence is not considered sufficiently robust in relation to demonstrating the requirement for indoor and outdoor sports facilities, including pitches, in the SPD.	1) The Parks and Open Spaces Audit focussed on informal recreation provision as this was identified as the priority area to be assessed and it is accepted that a more detailed analysis of sports facilities, including sports pitches, is required to supplement the evidence within the Audit. This will be undertaken later this year and will feed into further policy revisions in due course.	1) The open space standard for outdoor sports should be deleted from the SPD and reference made to pitches being required in accordance with Policy SC13 of the Local Plan and the output of further work.
	2) Wish to see contributions made from affordable housing developments.	2) The SPD does not preclude the securing of contributions from affordable housing developments.	2) No Change
	3) Suggest more clarity on the size and level of commercial developments that will be required to make contributions.	3) The best practice guide recognises there is no simple way of deriving a standard for such provision. It is recommended the SPD allows for a degree of flexibility at development control stage.	3) No change
	4) There is no reference to the Regional Plan for Sport or Active People Survey.	4) Noted	4) Add reference to the text
<b>(7) Gallagher</b>	Would welcome an explanation of	The purpose of this SPD is to amplify	No change

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<b>Estates</b>		the Area of Restraints' function and relationship with the SPD.	policy SC13 of the Local Plan and not the Area of Restraint Policy DAP2. Some of the Areas of Restraint are open space (as defined by the typologies in the Audit) and these have been included in the Audit.	
<b>(8) Budbrooke Parish Council</b>		Identified discrepancies in the Parks and Open Spaces Audit Report in relation to children's play areas in the Parish.	The Audit has identified the children's play areas referred to but not as a primary typology.	No change
<b>(9) Philip Page</b>		This representation seeks assurances that the Green Belt between Kenilworth / Leamington will not be subjected to future development.	This is not applicable to the SPD	No change
<b>(10) Entec on behalf of Warwick Independent Schools Foundation</b>		<b>1) The SPD and the Parks and Open Spaces Audit fails to appropriately address quantity and quality issues relating to formal sports provision.</b>	<b>1) Noted, please see response to Sport England above (in response 6.1).</b>	<b>1) Please see response to Sport England above</b>
<b>(11) Warwickshire Association of Boys Clubs</b>	Support	1) Concerned that the Pleydell Audit does not identify the two play areas in Whitnash.	1) These are not identified as they are 'secondary' typologies within amenity open space.	1) No change

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		2) Questions why Harbury Lane sports pitches are not identified and why allotments are not recognised	2) Harbury Lane is recognised within the Audit. The allotments are identified in the mapping but are not counted in the assessment of 'unrestricted access' open spaces.	2) No change
(12) Warwickshire County Council ( Countryside Recreation Unit)	Support	1) Rural rights of way (particularly in relation to the urban fringe) should be incorporated within development sites.	1) This will be a matter for consideration at the development control stage.	1) No change
		2) Suggests alternative wording to incorporate consultations with the Countryside Recreation Unit and model clauses/ specific text referring to contributions for public rights of way.	2) The County Council would be consulted as a matter of course on relevant applications and any contributions would depend on the specific circumstances of the site and this will be a consideration at the detailed planning stage.	2) No change
(13) Leamington Town Council	Support ( with certain reservations)	1) Would like to see the detailed maps appended to the SPD to help provide a contextual backdrop.	1) The detailed maps are available to view at the Council Offices and their potential inclusion on the website is being investigated.	1) No change
		2) Would like the wording of Appendix B to make reference to the 'valuable contribution' of Town and Parish Council's to the management of allotments.	2) Agree.	2) Amend to include wording to reflect this and the role they may have in the formulation / management of new associations in the future.
		3) Recognises the problems of	3) The mechanisms for the	3) Amend to make reference to

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	realising allotments in relation to smaller developments. LTC would like the SPD to consider a mechanism for the handover and administration of allotments through town and parish council's.	administration of allotments may vary depending on the views of the landowner and the respective Town or Parish Council. The SPD needs to allow sufficient flexibility to allow landowners and Councils to work together to ensure the most appropriate mechanism is found for specific sites. This will therefore be a matter for discussion with town and Parish Council's on a site by site basis.	the requirement to ensure that Town and Parish Councils are consulted early on in the planning process regarding the future management of allotments secured by means of this SPD.
<b>(14)Natural England</b>	1) Natural England would like to see a greater emphasis on the multi-functionality of green space throughout the document.	1)Agree	1) Amend to add text to the introductory section to strengthen this point.
	2) Would like to see a greater emphasis on the importance of green infrastructure and the positive value of 'linked networks' of green spaces.	2) Agree	2) Amend to add text to emphasise this point
	3) The Context/ Background Section could be expanded to include other policy/ Guidance.	3) It is considered appropriate to identify the most relevant policy guidance.	3) No change
	4)Suggests that the ANGST accessibility standards are very important and that we should not just focus on provision by area ratios(annexe B)	4) The importance of the ANGST standards is identified in appendix B where there is a reference to them and the requirement to have due regard to them when considering	4) No change

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			natural areas.	
		5) Could strengthen 'Advice to Developers' section by the addition of a requirement for developers to show how their development will incorporate the maximum amount of linked green space.	5) Agree	5) Amend to include reference as a reminder of the importance of linked green spaces to emphasise this point
		6) Developer contributions should be expected to cover maintenance as well as start –up costs.	6)The open space requirements – page 3 of the SPD, include a reference regarding management/ maintenance requirements via legal agreements	6) No change
<b>(15)Old Milverton and Blackdown Joint Parish Council</b>		The Parish Council is adamant that the policy should at all times seek to safeguard the Green Belt	This is not applicable to the SPD	No change
<b>(16)Binswood Allotment Society</b>	<b>Support</b>	1) Pleased to see the inclusion of a requirement for allotment s within the SPD.	1) Noted	1) No change
		2) Sets out a detailed set of criteria for allotment provision.	2) Whilst this information is helpful, this is a level of detail that would be more appropriate within the Council's Greenspaces Strategy.	2) No change
		3) Questions that the intended allotment standard does not appear to take into account the current	3) The standards within the SPD are based on a District-wide assessment of provision and allow for variation in	3) No change

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		under-provision (reflected by long waiting lists in Leamington)	demand and supply within individual areas.	
<b>(17)The Kenilworth Society</b>	Support	1) Happy with the standards set by the SPD.	1) Noted	1) No change
		2) The SPD does not take into consideration heritage areas where there should be a higher standard.	2) There is no basis for higher open space standards within heritage areas, although clearly the policies which protect and enhance conservation areas may result in land being left open.	2) No change
		3) The SPD does not address the issue of under provision in local areas.	3) The purpose of the SPD is to amplify existing policy in terms of securing contributions from new development. In some cases, provision associated with new development may address local under provision, however, it is not the purpose of the SPD to address under provision. The Council's forthcoming Greenspace Strategy will address this issue.	3) No Change
		4) Where development is considered too small to provide a minimum standard contribution on site, the Society would prefer to see a financial contribution sought rather than smaller land parcels managed in perpetuity. This would be a problem in the event that	4) Noted, however this would need to be considered on a site by site basis.	4) No change.

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developers ceased to exist.				
<b>(18)William Davis Limited.</b>	Object	1) It is unreasonable and unsuitable for parks and gardens and natural space to be provided on all residential developments, particularly small sites where it may result in development being not viable.	1) The supporting text to Policy SC13 of the Local Plan makes it clear that applicants have the opportunity to demonstrate for a particular site why a contribution to open space is not appropriate. The SPD does not remove this opportunity.	1) No change
		2) The SPD is contrary to PPS12 in that it extends the remit of Policy SC13 by requiring parks and gardens and natural spaces off-site, where they cannot be provided on site.	2) Policy SC13 of the Local Plan and the supporting text are clear in establishing the principle of off-site contributions where they cannot be provided on site.	2) No change
<b>(19)The Woodland Trust</b>	Support	1) Would like to see further reference to the benefits of woodland.	1) The benefits of open spaces (including woodland) are emphasised in the introductory paragraphs of the SPD.	1)No change
		2) The Trust would welcome the inclusion of the Woodland Access Standard as a tool in the SPD.	2) Agree, the woodland access standard should be referenced in the SPD.	2) Amend to add a reference to the woodland access standard.
		3)Would like to see the role green spaces play in combating climate change effects included in the SPD	3) Reference is made to these effects in the introductory paragraphs of the SPD.	3) No change.



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		4) Would like to see the open space SPD highlight the role of community engagement in open space provision.	4) Agree	4) Amend to add reference to public/community engagement.
		5) Would like to see recognition in the SPD of the potential benefits of green space and woodland in the local economy.	5) Agree	5) Amend to add reference to the potential benefits.
<b>(20)Bishops Tachbrook Parish Council.</b>	Support	1) Open space should include the countryside, woodland and farmland and not just focus on publicly accessible areas.	1) Open countryside, farmland and isolated rural woodland do not comply with the best practice guidance on how to assess provision and set local standards as they are not considered readily accessible.	1) No change
		2) The SPD should better define appropriate commercial developments and the size required to bring forward a contribution.	2) See response to Sport England (6.3)	2) No change
		3) The approach used to calculate population growth in relation to new developments may be excessive. Does not take into consideration smaller households.	3) The approach within the worked examples uses as a starting point for negotiations an average approach to the size for households, and therefore allows for smaller households.	3) No change
		4) SC13 criteria c and the requirement to ensure accessibility by a range of non-car transport modes is 'unrealistic'	4) This is a comment on the adopted Local Plan policy and is beyond the scope of the SPD	4) No change

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		5) School playing fields should be made more readily accessible to add to the District's provision.	5) This is beyond the scope of the SPD	5) No change
<b>(21)Entec on behalf of the Europa Way Consortium</b>	Object	1)The Parks and Open Spaces Audit fails to address the quality, quantity and need issues relating to formal sports provision and the Draft SPD is therefore premature.	1) Noted, please see response to Sport England above (in response 6.1).	1) Please see response to Sport England above
		2)Paragraph 5.78 misinterprets Government guidance on planning obligations being used to remedy local deficiencies.	2) This paragraph is taken from the text of the Adopted Local Plan.	2) No change
		3)The SPD does not provide a robust justification or evidence for the green space standards.	3) The Parks and Open Spaces Audit has identified that the current users of open space within the District consider the current levels of provision as 'good' in terms of meeting demand. In order to maintain this impression of the District's open spaces, this standard has been adopted for new developments to ensure the level of provision does not diminish as the population of the area increases.	3) No change
		4) The SPD is solely focussed on quantity and not quality.	4) The SPD makes clear reference to the potential for qualitative improvements as an alternative to	4) No change

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		5) More guidance is needed in the example given in Appendix D	quantitative improvements in certain cases.  5) The worked example is considered sufficient to inform discussions with applicants.	
<b>(22)British Waterways</b>	Support	1) Would like to see a specific reference to the value of waterways in the District.	1)Agree	1)Amend to include reference to the value of waterways
		2) Pleased to see that canals/ towpaths are included within the evaluation of sites.	2) Noted.	2) No change
		3) Expresses a willingness to work with the Council to identify costs appropriate to sections of the towpath that may address future developments.	3)Noted	3) No change
<b>(23)The Leamington Society</b>	Support	1) Worried that the SPD will not be robust enough against developers – particularly in the current economic climate.	1) There is no evidence to suggest that the SPD approach will not be robust.	1) No change
		2) Concerned that the SPD will only be applicable to developments of 100 or more dwellings	2) The SPD will be applicable to all developments. However, the standard for allotments is only applicable on developments over 100 dwellings to ensure any new provision	2) No change

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			is of a certain critical mass.	
		3) Worried that allotments are excluded from the study.	3) Allotments are not excluded from the study, however they do not form part of the headline calculations regarding future provision as they are not 'unrestricted access' sites.	3) No change
		4) Stress the importance of private green spaces and concerned that private green space (eg Leamington Cricket Club are not protected by the SPD).	4) Private green spaces are protected by Local Plan policy SC5	4) No change
		5) Would like to see the derived standards raised higher than 5.6 Ha per 1000 population.	5) There is no evidence to support a higher provision.	5) No change
		6) Would like the public to have full access to the mapping information.	6) The mapping information can be inspected at the Council's offices. The ability to place the maps on the internet is being investigated.	6) No change
<b>(24)Warwickshire County Council (Ecology)</b>	Support	1) Welcomes the reference to Green spaces and their habitat / wildlife significance	1) Noted	1) No change
		2) Would like the above reference extended to explain about the value that can be provided by the connectivity of green spaces of	2) Noted	2) See Response to Natural England 14.2

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		habitat/ wildlife value.		
(25) Barton Willmore on behalf of Taylor Wimpey	Object	<p>1) In principle supports the aim of the SPD</p> <p>2) Concerned that where off-site provision or financial contributions are sought there should be a reference to the consideration of the proximity of existing open space and the implications that this may have on contributions required.</p> <p>3) In assessing the need for on -site provision there should be a case by case consideration of the proximity of existing open space irrespective of site thresholds.</p> <p>4) The principle of ‘pooled contributions’ is accepted, however the manner in which contributions are sought is questioned. It is argued that the Council will not be able to establish a direct relationship between the development and the</p>	<p>1) Noted</p> <p>2) There is a presumption in favour of on-site contributions wherever practicable, however there may be instances where it is agreed that this may not be the best solution. The SPD makes clear that in such instances, the form of any contribution will be guided by the findings of the Audit and any other evidence.</p> <p>3) It is the SPD’s basic premise that good planning requires development to provide on-site open space to meet the needs of the residents of that community wherever practicable/possible. The SPD acknowledges that the nature of that provision may vary depending on the results of the Audit and the particular circumstances of the site.</p> <p>4) Any contributions that are secured for a central fund for strategic enhancements to open space provision will need to identify the intended use of funds and be managed /audited appropriately by the District Council through the</p>	<p>1)Noted</p> <p>2)No change</p> <p>3)No change</p> <p>4) Amend to include reference to the Greenspaces Strategy and the requirement to identify a direct relationship between developments and any infrastructure sought.</p>

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	infrastructure sought at the time of payment as the developer may have no idea where and how their money is going to be spent.	Greenspaces Strategy.	
	5)Notwithstanding the above, the Council's wording would not appear to include any claw back provisions for the developers.	5)This is a matter of detail that would be considered through the course of negotiating such contributions.	5)No change
	6)The worked example in relation to 100 dwellings results in an average household size above that of the District based on the 2001 Census. The 2.3 person per household is promoted as the maximum appropriate means of calculation.	6) It is considered that the approach taken gives a more balanced reflection of a development's population rather than the broad application of average household sizes. This approach has been utilised by other Authorities.	6)No change