

St Anne's on the Sea Neighbourhood Plan

Independent Examination of the St Anne's Neighbourhood Development Plan - Submission Draft

Guidance Notes and Agenda for Public Hearing to be held on 7th June
2016

Prepared by the Independent Examiner

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John Slater Planning

1. Following my initial consideration of the Plan, I have decided that a public hearing is required to assist my examination of the Plan and this will commence at 10 am on 7th June 2016 at The Blue Room, The Palace, Garden Street, St Annes-on the Sea, FY8 2AA. I anticipate that a one-day hearing should be sufficient to deal with the issues. This Note provides guidance as to how the hearing will be conducted, and an Agenda.

2. In the statutory provisions, the general rule is that the examination of issues by the Examiner is to take the form of the consideration of written representations. I can assure all parties that I have considered, and will continue to consider, all the written representations which have been made.

3. I have decided to hold the hearing so as to ensure that adequate examination is made of certain issues arising, and so that invited representors have a fair chance to put their case. The issues that I have asked to receive oral submission upon were set out in the document "Initial Comments of Independent Examiner" dated 18th April 2016.

4. The parties entitled to make oral representations at the hearing are St Anne's Town Council, which is the Qualifying Body, Fylde Borough Council which is the Local Planning Authority, and those representors who have been issued with invitations to attend. The hearing is a public

hearing. As it proceeds, I will consider whether it is necessary to hear any oral representations from any other party who has made written representations, and who seeks to supplement their representations. However, I should make it clear that this will be an exceptional course, given the general rule concerning written representations noted in paragraph 2 above.

5. It is for the examiner to decide how the hearing is conducted. In particular, I shall decide the nature and extent of any questions, and the amount of time for oral representations. The principle to be applied is that questioning will be done by myself, except where questioning by another is necessary to ensure either adequate examination of a particular issue, or that a party has a fair chance to put their case. We will take breaks throughout the session and will have an adjournment for lunch at a suitable moment in the proceedings.

Agenda

6. The Agenda will generally be as follows
 - (1) **Opening remarks-** by myself as Examiner
 - (2) **Opening statement** by St Annes Town Council – I would like to offer the opportunity the Qualifying Body to set out their overall approach to the neighbourhood plan and what they are looking for it to achieve.
 - (3) **Discussion based on my individual questions:** These will look in turn at the issues I asked to be addressed in my Initial Comments paper. I may seek to adjust the order slightly at the Hearing where there are matters which are closely related together to have a more logical and structured debate. In revisiting my note, I see that there are two question 7s. Rather

than renumber the questions I propose to call the second question 7 as Question 7A – “In Policy CH2- what constitutes a community facility?” The questions are set out at the end of this note.

(4) **Examiners Closing Remarks**

Site visits

7. I have already carried out site visits to the Neighbourhood Plan area and viewed the sites from public vantage points. If I consider it necessary following the the submissions at the Hearing to revisit any site, then I will carry out an accompanied site visit at the close of the hearing. During the accompanied site visit I should be accompanied by at least one person from each side of any difference as to the future use of the land being visited or viewed.

8. The purpose of the site visit is simply to identify matters which have already been presented in the representations. No further evidence will be given.

John Slater BA (Hons), DMS, MRTPI

6thMay2016

Question 1

In the absence of an up to date local plan, what should be the objectively assessed level of housing need for the Town for the period up to 2031 and how has that figure been arrived at?

Question 2

How confident can I be that there are sufficient small and medium sized sites within the settlement boundary to meet the level of housing need for the town

Question 3

How compatible is Policy GP1 Settlement Boundary with Policy HOU1 Housing Development?

Question 4

Can a neighbourhood plan policy require the submission of supporting statements to accompany planning applications or is this a role of the “local list “of documents to be submitted to constitute a valid planning application?

Question 5

In Policy HOU3, is the statement that “new standalone apartment development will be resisted” compatible with a policy to set a limit of 20% required in the remainder of the policy? Can flatted development contribute to meeting housing need especially when the amount of land available for residential development is limited?

Question 6

How relevant is the full list of matters to be covered by Policy HOU5 to an outline planning application? Are the policies regarding energy efficiency, renewable energy etc. compatible with the Secretary of State's statement to the House of Commons dated 25th March 2015 which states?

“Local Planning Authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging local plans, neighbourhood plans or supplementary planning documents any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.”

Question 7

Will the Fylde infrastructure Delivery Plan include a specific St Annes Infrastructure Plan.? How reasonable is it for every scheme over 10 units to be required to submit a Community Infrastructure Statement?

Question 7 A

In Policy CH2- what constitutes a community facility?

Question 8

Who is preparing the masterplan for the Blackpool Airport Enterprise Zone and who is responsible for agreeing the masterplan? Will the policies as to acceptable uses within the Green Belt set out in the NPPF apply to the Green Belt area of the Enterprise Zone?

Question 9

How compatible is Policy GP2 which seeks to retain existing A1 retail usage unless it meets various tests with Policy E1 which seeks to increase the diversity of uses to support the vitality and viability of the centre, including the evening economy?

Question 10

In policy E2 and E3 what constitutes” an unbroken run of frontage”?

Question 11

In Policy E6, what is meant by the term “principles of sustainable tourism”?

Question 12

Is Policy TR4 a policy for “the use and development of land? In what circumstances would there arise a requirement for developer contributions to improving car parking?

Question 13

What are the nature of the proposals for decentralised energy networks and district heating systems and what is the timetable for its implementation? What would a developer have to provide to allow for future connections?

Question 14

Does Policy DEL1 meet the requirement for developer contributions as set out in Regulation 122 of the Community Infrastructure Levy 2010?

Question 15

Is the wording of Policy EN1 compatible with the requirements set out in Para 113 of the NPPF which calls for criteria based policies based on a hierarchy of designated sites so that the level of protection is commensurate with their status?

Question 16

How were the sites covered by Policy EN2 identified and what was the criteria used for their identification? In the case of Local Green Spaces how was the importance to local communities assessed? Is the extensive designation of sites as LGS in the Plan consistent with the “local planning of sustainable development” as set out in para 76 of the NPPF?

Question 17

What is the timetable for the Open Space assessment and how will the minimum standards be enshrined in to planning policy?

Question 18

Is the designation of the land at the former Valentine Kennels justified in terms of their contribution as Local Green Space and in terms of their ecological importance? Similarly, are the other designations at the northern part of the town justified?