

St Annes on the Sea Neighbourhood Plan

Initial comments of the Independent Examiner

Prepared by

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Introduction

As you will be aware I have been appointed to carry out the examination of the St Annes on the Sea Neighbourhood Plan and I have now completed my initial assessment of the plan. I have also carried out an unaccompanied site visit to the town.

One of the examiner's first tasks is to determine whether the examination should proceed via the normal route, namely through an examination of the written material and the representations or whether a public hearing is required should I feel the need to call for further submissions to allow me to adequately examine matters in greater detail.

I have concluded that it will be necessary to call a public hearing to hear further submissions on a number of issues. I set out the questions I wish to explore are in this note. I will prepare an additional note when the arrangements for the hearing have been agreed, setting out how I will conduct the hearing and identify the parties to be invited and the format of the examination.

The following sections deal with the matter or questions that I wish to examine further at the public hearing. I have in the case of the first two questions provided further background, but in the rest the questions are more self-explanatory.

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?

Neighbourhood plans are not required to have policies to cover all types of development. However, under the Neighbourhood Plan section of the on line Planning Practice Guidance, the advice is that where they do contain policies relevant to housing supply, these policies should take account of the latest, up to date evidence of housing need.

This Plan not only has housing policies but also has policies that include designations that affect the availability of land for housing development. The Plan does not allocate land for residential development but adopts a policy based approach.

The Fylde Local Plan is at an early stage and its policies have been and will continue to be open to challenge, both on the basis that the housing figures are either too high or that they are too low. It may well be that the 7700 figure could change, not least through the Local Plan Inquiry but until that time I assume that

the evidence in the SHMA is the best evidence available, from which that overall district wide figure derives.

I would like to be clear as to what the level of housing the neighbourhood plan is having to plan for, which would then lead to an assessment of how much land for housing should be planned for. The Plan states that there are “sufficient existing vacant small to medium sized sites within the settlement boundary that can accommodate new housing and ***meet the reasonable housing requirements of the town***” I will need to be satisfied on that point.

To put it another way the question is “what is the *reasonable housing requirements of the town* and does that requirement coincide with the objectively assessed housing need” In addition how will an applicant know in the context of Policy HOU2, what the current housing needs of the town are?

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

I would wish to explore whether the overall spatial strategy is based on a needs based assessment of what additional land is required to meet the objectively assessed housing need for the town or whether it is a strategy based on the amount of land that the plan considers should be made available for development, free from other policy constraints.

I am aware that there is a large residential development that has planning consent- The Queensway scheme and that the Plan seeks to restrict further outward growth of the town and I need to consider whether that will lead to the delivery of “sustainable development” as set out in Paragraph 7 of the NPPF and is one of the Basic Conditions.

I would be interested in hearing how the Qualifying Body can be satisfied that there is sufficient land to meet the needs- has there been a housing land availability assessment carried out to allow the Town Council to reach that conclusion? What assumptions have been made about that land?

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 ore 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

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?

Other Matters

In addition to identifying the above questions I have also asked Fylde Council for the following additional information, which in addition to the above questions will assist me with my examination and this information along with this note should be put on both the Borough Council's and the Town Council's website

- An up to date copy of the SHLAA
- The current position regarding the 5-year housing land supply
- The Blackpool Airport Enterprise Zone designation
- Information as to whether the Valentine Kennel application has been appealed and whether Lancashire County Council would still support its ecological designation following the submission of additional evidence to the planning application
- A copy of the Queensway Development masterplan

I have previously asked the Town Council how the owners of Valentine Kennel's had been notified of the LGS designation along with other owners of sites that have been designated.

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