



St Annes on The Sea Neighbourhood Plan
C/O Parish Clerk – Mrs Sally Taylor
St Annes Town Council Office, West Lodge
5 St Georges Road
FY8 2AE

Our Ref: SANP

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Date: To be inserted

Dear Mrs Taylor

St. Anne's on the Sea Neighbourhood Development Plan Pre-Submission draft June 2015

Thank you for sending the Pre-Submission St. Anne's on the Sea Neighbourhood Development Plan to this Council for comment. This response has been produced following internal consultation with relevant departments at Fylde Council. This response has been provided in line with the Council's approved scheme of delegation, but its content was considered by Development Management Committee on 29th July 2015 and is provided to assist the Town Council in producing a Submission version of their plan.

The Council fully supports the communities' initiative to produce a Neighbourhood Development Plan (NDP) and recognises that this is a community-led process that the local planning authority (LPA) has a duty to support. It is considered that this LPA's duty at this stage is to assist the Town Council in formulating a Submission version.

This response is based upon the information available on the Town Council website at the time of retrieving the documents (18 June 2015), this being:

- Neighbourhood Development Plan 2015 – 2030 Pre Submission Plan (June 2015);
- Proposals Maps:
 - Neighbourhood Development Plan Proposals Map Part 1 of 4 (Draft) May 2015
 - Neighbourhood Development Plan Getting Around St. Anne's (Policy T5) Part 2 of 4 Proposals Map (Draft) May 2015
 - Neighbourhood Development Plan Blackpool Airport Inset Plan Proposals Map Part 3 of 4 (Draft) May 2015
 - Neighbourhood Development Plan Town Centre Inset Proposals Map Part 4 of 4 (Draft) May 2015
- Neighbourhood Development Plan Delivery Strategy Draft (June 2015);
- Neighbourhood Development Plan Draft Basic Conditions Statement (June 2015);
- Neighbourhood Development Plan Draft Sustainability Report (June 2015);
- Neighbourhood Development Plan Design Guide Draft May 2015;
- Neighbourhood Development Plan Companion Prospectus: Key Access Corridors and Gateways Draft May 2015

This Council generally supports the Town Councils aspirations for the development of St. Anne's and congratulate the Town Council in reaching the Pre Submission stage in the neighbourhood planning process. This response is generally supportive and the suggestions set out in this report are intended to help the draft Plan to progress through the examination process and forward to referendum.

This response considers the operation of the draft Plan in recognition that the LPA would become the main user of the document, as the made (adopted) Plan would form part of the statutory development plan, to be used to direct appropriate development and when determining planning applications for that area of Fylde.

The NPPG (Reference IS: 41-041-20140306) says *policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*

To assist with the development of the Plan to a workable document, this response focuses on overarching areas of concern in order to ensure the operation of the future policies are not hindered by any uncertainties over meaning, the intent or conflict with guidance and policies. This Council wishes to continue to work positively with the Town Council and it anticipates that focused workshop meetings between relevant Fylde Council officers and representatives of the Town Council could help to address the concerns. The eventual content of the plan and whether to take the comments on board ultimately rest with the Town Council.

Operation of the policies

The draft Plan is very aspirational, it is ambitious and covers many topic areas. It is considered that the draft Plan contains aspirational, land use and criteria based policies.

As a consequence of the ambitious nature of the draft Plan which covers many areas, some policies appear to be rather vague and aspirational so that they can become meaningless. There are some areas within the draft Plan that require further explanation and justification in the policy and supporting text, including reference to appropriate evidence to justify such a policy approach/requirement. There are some policies which may not necessarily achieve what they are perhaps intended to address, and there is also a need to refine policy wording and inconsistencies / conflicts. This is important as the document would form part of the statutory development plan and would need to stand up to scrutiny by developers and Inspectors at Planning Appeals. In contrast, there are some policies that this Council considers to be over prescriptive and do not offer sufficient flexibility to allow for an overall better planning outcome.

The draft Plan contains some policies that confuse the information that should be submitted with a planning application (and so placed in a validation checklist) with the requirements that will be used to determine the application. Furthermore, the information to be submitted in support of an application as set out in the draft Plan is not consistent in its approach, with differing criteria thresholds applied. It is considered that a more consistent approach to thresholds would provide for the easier operation of the plan.

Developer Contributions / Viability

Paragraph 173 of the NPPF requires the plan to be deliverable and viable. There are many policies within the draft Plan that seek developer contributions for infrastructure provision and / or enhancements. These policies are not consistent in their approach and in their current form, this Council would find the policies difficult to implement. Draft Plan Policy DEL1 sets out an overall policy for seeking developer contributions, it is recommended that this section of the document should bring all relevant developer contribution policies and/or criteria's together to clearly set out the type of developments it applies to and at what scale. There are also inconsistencies in the approach for seeking contributions within the policies e.g. Section 106 and via the Community Infrastructure Levy.

The draft Plan places extra burdens on developers compared to that operated through the current saved policies and those proposed in the emerging Local Plan, which have been subjected to viability testing. The justification of policies in the draft Plan therefore need to be bolstered so that it can stand up to scrutiny by developers and Inspectors at Planning Appeals. Developer contributions should not be responsible for stalling development (as set out in paragraph 205) and it is recommended that policy DEL1 includes a viability test. The thresholds for contributions may also need to be reviewed.

Some of the policies in the draft Plan have particular requirements for viability testing and independent assessments to prevent the loss of specific existing land and / or buildings. The policies are not considered to provide sufficient information on this process and some of the requirements appear unrealistic and onerous for some scales of development that this may be applicable to.

Local Green Spaces

Neighbourhood Plans can designate land as Local Green Space, to restrict development other than in very special circumstances (paragraph 76, NPPF). The policy for managing these spaces should be consistent with Green Belt policy (paragraph 78, NPPF). The draft Plan Policy ENV7 designates 35 Local Green Space's and Policy ENV2 in the draft Plan seeks to protect open spaces, recreational facilities and Local Green Space. The approach to Local Green Space designation in the draft Plan appears to go beyond the approach set out in paragraph 77 of the NPPF, which states that *"designation will not be appropriate for most green areas or open space"* as the proposal map appears to designate the majority of green and open spaces to provide an additional tier of policy protection. The majority of the proposed Local Green Space designations already have existing policy protection, either through saved local plan policies and/or other relevant legislation.

This Council is the owner (wholly or partly) of 19 of the 35 proposed Local Green Spaces. As the custodian, the Council considered that it is capable of adequately protecting its sites and there is adequate existing protection. For proposed Local Green Space's designated for recreational value, this recreational value could be transferred to another site where equivalent or enhanced facilities are provided, this would also apply to privately owned sites. The Council is concerned as to whether the extra tier of policy protection offered through the Local Green Space designation would prevent opportunities for appropriate development at the sites, such as new changing facilities and sport provision.

This Council would welcome the opportunity to explore with the Town Council whether the proposed additional tier of policy protection is required, whether this is required for all of the proposed sites and to explore specifically how this designation and policy ENV2 operates.

Design and Guidance

In regards to design, the draft Plan and particularly the Design Guide contain some useful material. The draft documents, in particular the Design Guide refers to a variety of sources of guidance. It is important to ensure that there are not too many competing and / or contradictory messages that may occur through the varying approaches set out in this range of guidance. This can be confusing and difficult for this Council to implement and manage in practice.

This Council considers that there are a number of extant guidance notes and policy documents that need to be cross referenced in the draft Design Guide and that this guidance is brought out more strongly in the draft Plan's policies and supporting text. This includes guidance such as the 2020 Vision, including the 'Good Place Guide' that sets out design principles. It is considered that there should be greater reference to Building for Life 12 (particularly in the draft Plan), this would be beneficial as this will be used by the Council, in coordination with the Design Guide, in discussion with developer's potential proposals. There is also very little reference to the Regeneration Strategy and its associated initiatives for the town centre, which still has a number of stages before its completion.

There are a number of other documents that the draft Plan and associated documents should be reflecting. This includes documents such as this Council's Heritage Strategy as this in turn relates to the importance of other guidance - for example that produced by Historic England e.g. Constructive Conservation. This also includes documents, such as Local Transport Plan (LTP), Fylde Coast Highways and Transport Master Plan and the Fylde Coastal Strategy that should be reflected and appropriately cross referred to in the draft Plan and associated documents.

General Conformity

The draft Plan states that it complies with the policies in the NPPF, the saved local plan and emerging local plan. It is recognised that this test is one of general conformity rather than complete conformity. It is acknowledged that although the draft NDP will not be tested against the policies in an emerging Local Plan, the Town Council should be mindful of the relationship between the emerging strategic policies of the Local Plan and their draft Plan.

There are some policies in the draft Plan which duplicate saved Local Plan policies that it is intended will be taken forward in the emerging Local Plan (which will supersede the saved policies once adopted).

Following a review of the draft Plan and supporting information, the LPA considers there to be some potential areas of conflict that should be further explored. If these matters are unable to be resolved, and the Town Council considers that such a departure is justified in light of the local situation in St. Anne's on the Sea, it may be the case that justification for this approach should be provided to reassure the Examiner. There are also some potential conflicts with General Permitted Development Order and national guidance / standards which should be further explored.

Proposals Map

The LPA supports the Town Councils inclusion of four proposals maps to illustrate the policies within the NDP, the Design Guide and Companion Prospectus.

Following a review of the proposals maps, the LPA is aware of some anomalies and typographical errors in relation to policy designations, facilities and proposals, such as the Green Belt boundaries. There would also appear to be some benefit in providing greater linkages between the policies and aspirations of the NDP policies, the design guide and companion prospectus and the proposals maps. There could also be some positive benefit through modifications to the proposed boundaries (and how this is graphically presented) for some of the proposals, such as at the under policy DH5: Blackpool Airport Improvement Area and DH4: Corridors and Gateways.

The LPA have recently undertaken a review of Fylde's town centre boundaries, including the primary and secondary shop frontages, the holiday areas and sea front areas. The updated boundaries will be included as part of the Revised Preferred Options version of the Local Plan, which is expected to undergo public consultation in autumn 2015. LPA can provide the Town council with the proposed alternations to the boundaries.

Delivery strategy and monitoring

While the Council support the ambitions of the Town Council, this Council would need to further explore the time and resource implications of this Councils involvement in the proposed programmes identified within the delivery strategy. The Town Council may wish to explore how monitoring of the draft Plan and delivery strategy will link to existing monitoring undertaken by this Council.

Next steps

The comments provided are intended to be constructive and should not be seen as a criticism of the draft Plan. The LPA and Town Council will need to work closely together to ensure these issues are resolved by the time the Plan is submitted. This Council would welcome the opportunity to further explore the implementation and operation of the draft Plan and associated document in practice, this may be beneficial as part of a small working group of Town Council members and relevant Fylde Council officers as part of workshop sessions. If in the meantime, you require any further clarification regarding the content of the response, please do not hesitate to contact Fiona Riley.

Yours sincerely

Paul Walker
Director Development Services