

MARTON MOSS NEIGHBOURHOOD FORUM RESPONSES TO THE EXAMINER'S PROCEDURAL MATTERS AND QUESTIONS

Procedural Matters

1. **Question to MMNF.** Please could the following dates be confirmed - Regulation 14 Consultation: 7 March 2022 until 19 April; Regulation 16 Consultation - 17 October 2022 until 28 November? What was the date of submission of the Plan to BC?

MMNF Response. The Regulations 14 and 16 dates are correct. The Plan was originally submitted on 5 August 2022 although following Locality sign-off thereof very slightly amended Strategic Environmental Assessment and Habitat Regulations Assessment reports were sent to the Council on 2 September 2022 to replace those sent earlier.

2. **Question to MMNF.** I note that English Nature (EN), the Environment Agency EA) and Historic England (HE) were consulted on the Regulation 14 version of the Plan. I also note the responses from the EA and HE at the Regulation 16 stage. EN was evidently consulted on the Habitats Regulations Assessment (HRA), as illustrated in the Revision History and prior to the final update of the Report. I would be grateful to know the final response of EN to the HRA, whether EN was consulted under Regulation 16 and the details of any response?

MMNF Response. It is assumed you are referring to Natural England (NE) as English Nature is now named. The final response to the HRA from NE was dated 6 October 2021 and is attached. NE also responded to the Regulation 14 consultation on the Plan in a letter dated 22 April 2022. That letter refers to the HRA in the 4th paragraph – see attached. As you are aware it is the local planning authority's responsibility to handle the Regulation 16 consultation. It is understood that Blackpool Council consulted with NE at that stage, but no response was received.

Policy MM1

3. **Question to MMNF.** United Utilities (Representation 31) seeks the inclusion of a separate policy on drainage. Planning Practice Guidance (PPG) (updated August 2022) now includes comprehensive advice on drainage issues and development. Therefore, I am considering adding a reference to the PPG in Policy MMK1 criterion c. which would also then serve to accommodate other general matters raised in the representation. I would be grateful for any comments from the MMNF.

MMNF Response. That change would be acceptable to the Forum.

Policy MM4

4. a) **Question to MMNF.** Three proposed housing allocations in Policy MM4 (Sites C, G & H) include alternative numbers of dwellings. What is the justification for the variation in numbers?

MMNF Response. The variation in numbers of dwellings reflects the particular suitability of each site to two alternative dwelling mixes and highlights the scope and capacity for options which include terraced housing which would make an important contribution to the provision of more affordable accommodation within the Neighbourhood Plan Area.

b) **Question to BC.** Do the proposals for Sites C, G & H provide sufficient clarity for effective development management? For example, would it be preferable for the allocations to state: “No more than 11 dwellings” at Site C; “No more than 8 dwellings” at Site G and “No more than 6 dwellings” at Site H? Comments from the MMNF would also be welcome.

MMNF Response. For the reasons set out in reply to Question 5a above the Forum would prefer to see no changes made in respect of the descriptions of ‘Appropriate Forms of Development’ in the Policy MM4 table.

5. **Question to MMNF.** Housing allocations A, K and M were included in the Regulation 14 Plan but excluded from the submitted Plan. What were the reasons for their exclusion?

MMNF Response. The reasons directly relate to flood risk concerns.

The Regulation 14 response in respect of Site A from United Utilities (UU) dated 11 April 2022 (attached) refers to a ‘higher risk of public sewer flooding’ and recommends the Forum considers ‘whether there are more appropriate locations for new development’ as set out in the sequential approach to flood risk in national planning policy and guidance.

The Regulation 14 response from the Environment Agency (EA) dated 19 April 2022 (attached) points out that Sites K and M are in Flood Zone 2 and expressed concerns about their proposed allocation without the sequential approach being followed.

In each case given that there is no overriding requirement for the Plan to deliver residential development the Forum rightly considers that it would be inappropriate to allocate any of these sites for housing. However, it is acknowledged that there may be detailed technical solutions designed into specific housing designs that could enable development to take place in any of these locations without flooding arising on the sites or being exacerbated elsewhere.

The Regulation 16 responses from UU and EA confirm they are satisfied with these sites being excluded from the Plan.

6. **Question to MMNF.** Housing site allocation I has a Tree Preservation Order (TPO). In order to accommodate the TPO, should the appropriate form of development be described as “1 detached dwelling fronting School Road” as suggested by BC?

MMNF Response. That change would be acceptable to the Forum.

7. **Question to MMNF.** What is the justification for the reduction in the number of dwellings allocated from 3 to 2 on Site N? (See representation 18)

MMNF Response. This site was, as defined on the Policies Map for the Regulation 14 Plan, partially within Flood Zone 2. This was recognised in the EA response to that Plan dated 19 April 2022 as referred to in the Question 5 response above (and attached). For the Regulation 16 Plan the site’s boundary was amended to exclude the part within Flood Zone 2 and the dwelling capacity of the smaller site area reduced from 3 to 2 dwellings. The Regulation 16 response from the EA confirms all the sites proposed to be allocated in the Plan are in Flood Zone 1.

8. **Question to MMNF.** Why have sites MM1, MM2, and MM3 (AECOM schedule) been excluded as housing allocations whereas sites MM10 (Site R) and MM5 (Site S) have been included? (See representation 16)

MMNF Response. All the sites were first considered in detail in AECOM's Site Options and Assessment which uses the recommended standard approach site assessment and so covers a wide range of relevant matters. Sites MM1, MM2 and MM3 were rated 'Red' in the AECOM assessment meaning they were considered **not suitable** for allocation. AECOM's assessment of sites MM10 and MM5 concluded with an 'Amber' rating meaning they were considered **potentially suitable** for allocation.

At the Evidence and Policy Options stage of producing the Plan, Blackpool Council as highways authority, expressed serious concerns about accessing sites MM1, MM2 and MM3 given the dwelling capacity of the sites and their dependence on Chapel Road which is substandard in alignment and has restricted width in part – see attached letter of 31 August 2020 from page 11. Therefore, the highway authority does **not** agree with AECOM in terms of the suitability of Chapel Road for access. Site MM5 can be appropriately accessed off an existing estate road (Magnolia Way) and Site MM10 has a very small dwelling capacity and as such is considered by the highway authority to be acceptable in access terms.

All the sites were further considered in the submitted Site Allocations Appraisal. This builds upon the AECOM work and reflects the consultation responses received at the Evidence and Policy Options, and Regulation 14 stages. So, it takes account of the highways authority's comments and other relevant matters to build up a more comprehensive account of the attributes and constraints of each site considered.

The fundamental issue that distinguishes between sites MM1, MM2 and MM3 on one hand and MM5 and MM10 on the other is that the former three sites are within a large tract of Major Open Land that is a characteristic feature of the Neighbourhood Plan Area. Furthermore, this particular area also forms an important open land separation between Marton Moss and the urban extent of Blackpool to the north.

Site MM10 is quite different; it is small and "effectively screened from the wider landscape", as recognised in the AECOM report, as a result the originally proposed boundary of the Major Open Land was subsequently amended to exclude this site.

Avoiding development of the large open land tracts is a key consideration for the Marton Moss Design Code in maintaining the character of the area. Similarly, the Code underlines that approach by favouring new development on smaller sites with limited scope for estate style cul-de-sac development - given the predominant road frontage vernacular forms that predominate locally.

Sites MM1, MM2, MM3 each have the capacity to accommodate a substantial number of dwellings (assuming access concerns could be overcome), such a scale of development would be prominent in the landscape "with a significant negative impact on the openness of this part of the neighbourhood area" to quote the AECOM report, inevitably be of a stark form and make it difficult to resist further housing schemes on nearby open land. Also, these sites are poorly related to local services, as confirmed by the findings of the Site Allocations Appraisal.

Given there is no overriding requirement for the Plan to deliver new housing within the Neighbourhood Area there is no 'tipping balance' justification for allocating sites MM1, MM2 and MM3 for residential use.

The AECOM produced Site Options and Assessment report and the Design Code can be viewed on the Forum's website <https://www.martonmossforum.org/home/documents/>

9. **Question to MMNF.** How many dwellings are provided for in Policy MM4?

MMNF Response. Between 71 and 81.

Policy MM6

10. **Question to MMNF.** BC suggests the deletion of Policy MM6 c. and d. and the inclusion of a final sentence in the policy (See the Regulation 16 response from BC) with further amendments to the supporting text. Does the MMNF have any comments?

MMNF Response. Those changes would be acceptable to the Forum.

Policy MM8

11. **Question to MMNF.** BC suggests amendments to Policy MM8 and the supporting text. I would be grateful for any comments from the MMNF.

MMNF Response. At the outset of producing the Neighbourhood Plan the Forum was optimistic that in some way the historic buildings at Midgeland Farm could be safeguarded and form a feature of heritage interest in a wider much needed community park resource. However, sadly with the passage of time not only have the prospects of saving the buildings much diminished following further structural deterioration, the presence of the now dangerous buildings, is a major obstacle to the overall site being opened up to public use. To think otherwise is delusional. Nevertheless, it is accepted that the Plan cannot simply assume the historic buildings will be demolished, a separate procedure and decision process needs to be followed that would properly evaluate the heritage asset and capture its legacy.

The BC suggested amendments are acceptable to the Forum.