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Marton Moss Neighbourhood Plan Regulation 19 decision statement

Last Modified December 19, 2023



Regulation 19 (Final) decision statement

This Statement was published on 19 December 2023, pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012/637.

Blackpool Council has 'made' the Marton Moss Neighbourhood Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Marton Moss Neighbourhood Plan now forms part of the Development Plan for Blackpool.

Summary

This document is the decision statement required to be prepared under Section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended). It sets out the council's considerations and formal decision in bringing the Marton Moss Neighbourhood Plan into legal force.

Following an independent examination and positive referendum result, held on 5 October 2023, Blackpool Council decided to make the Marton Moss Neighbourhood Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended).

Background

The council formally designated the Marton Moss Neighbourhood Area and Neighbourhood Forum on 26 March 2019 in accordance with the Neighbourhood Plan (General) Regulations (as amended) 2012 - Regulations 7 and 10. This established the process for the Marton Moss Neighbourhood Forum (MMNF) as the qualifying body to produce a neighbourhood plan for the designated area.

The forum submitted their draft plan, which covers the period 2020 to 2030, to the council (Regulation 15) in August 2022. The council published the draft plan for consultation in accordance with Regulation 16 in October 2022.

The council appointed an independent examiner in February 2023, in agreement with the MMNF, in accordance with Regulation 17 and the examiner published his report, which the council received on 29 March 2023.

The council published their decision in accordance with Regulation 17a and accepted the examiner's recommendations and proposed modifications to allow the referendum plan to progress towards becoming a 'made' plan and part of Blackpool's development plan, subject to a 'yes' vote in a referendum.

A local referendum was held in Marton Moss on 5 October 2023 to decide whether the local community were in favour of the plan. Of the votes received, 246 (90.44%) voted 'yes' in response to the referendum question. The turnout of electors was 32.19%.

Decisions and reasons

Blackpool Council decided by resolution of full council on 29 November 2023 to 'make' (adopt) the Marton Moss Neighbourhood plan.

Blackpool Council as the local authority 'makes' the Marton Moss Neighbourhood plan as part of the Development Plan in accordance

with Section 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Marton Moss Neighbourhood Plan now forms part of the Development Plan for Blackpool. Planning applications in the Neighbourhood Plan Area must be considered against the Marton Moss Neighbourhood plan, as well as existing national planning policy and the Blackpool Local Plan.

On 5 October 2023 the plan was subject to a referendum which returned a vote in favour of the Plan being used to help decide planning applications. Section 38A (4) of the Planning and Compulsory Purchase Act (as amended) requires that the Council must 'make' the Plan if more than half of those voting have voted in favour of the plan.

The council has assessed the plan and concluded that the plan, including its preparation, is compatible with EU obligation and the Convention Rights (within the meaning of the Human Rights Act 1998) and complies with the relevant provisions within the Planning and Compulsory Purchase Act 2004 (as amended).

The adopted version of the Marton Moss Neighbourhood Plan (as approved by full council) was published on the council's website, alongside this Marton Moss Neighbourhood Plan Decision Statement, on 19 December 2023.

E Jane Saleh, Head of Planning (Strategy) - Growing Places Division

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