

Formby and Little Altcar Neighbourhood Plan Regulation 16 Consultation - Respondents and summary of comments made

This table is intended to provide a short summary of the main issues raised in each response. It is not intended to give a detailed overview of each comment. All comments have been passed in full to the Examiner.

Ref prefix information:

A=Sefton Council, B=Councillors/MP, C=Statutory and non-statutory organisations, D=Residents, E=Developers

Abbreviations: NPPF=National Planning Policy Framework, NP=Formby & Little Altcar Neighbourhood Plan, SLP=Sefton Local Plan (Adopted April 2017)

Ref	Respondents	Summary of comment
C1	Network Rail	There are several Network Rail level crossings in the plan area. Development must proceed in line with NPPF provisions. Mitigation measures should be funded by the developers. Drainage proposals must not increase Network Rail's liability, or cause flooding, pollution or soil slippage, vegetation or boundary issues on railway land and drainage solutions dealt with appropriately. Transport Assessments should consider the potential for increased footfall, vehicle parking and cycle storage at Formby and Freshfield Stations and enhancements funded through developer contributions.
C2	West Lancashire Borough Council	According to para 214 and footnote of the NPPF (Feb 2019) the plan needs to be considered in relation to this version. The Plan currently refers to NPPF 2012 so need updating.
D3	Mr BR Hilton	The effort put into the Plan has been considerable. The detail and complexity does make it difficult for residents to grasp its implications. The different wishes of the Parish Council, the developers and SMBC are noticeable. A one page summary may help. An implementation plan is lacking outline funding, timescales, identified partners etc. The most useful contribution the Parish Council could make is to concentrate on facilitating relationships with local bodies.
C4	Wirral Council	No comments.
E5	Hourigan Connolly, agent for Grasscroft Homes & Property Ltd	Interests in land to east of Formby Bypass (A565) and south of Moss Side / Downholland Moss Lane, Formby. <ul style="list-style-type: none"> • Seek greater flexibility in the NP to respond to changing circumstances to reflect NPPF para 13. • The NP refers to the 2012 NPPF and needs to be amended to reflect the revised NPPF published in February 2019. • Policy GP1 and Map 11. The proposed Settlement Boundary should include the existing Formby Industrial Estate and the adopted Strategic Employment location MN2.49 (SLP policy MN4). • Criterion B of policy GP1, should be deleted. Do not consider the landscape value of our client's site to be sensitive. • policy H1: object to the inclusion of the word 'short' as unnecessary. • Policy H4: should be reworded to allow for flexibility if a viability assessment confirms that affordable housing cannot be provided on site. • Policy H5: should be reworded to allow for flexibility if a viability assessment confirms that 30% affordable housing

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		<p>cannot be achieved.</p> <ul style="list-style-type: none"> • Policy H6: should be deleted from the NP as it is too prescriptive and restrictive. No reliable evidence for the mix has been presented. • Policy WS1: Support reference to land north of Formby Industrial Estate. • Policy GA1: object to the inclusion of the word 'short'. • Policy CLW1: Support. The footpath crossing the site would be incorporated, upgraded and diverted if necessary.
D6	Mr E Murray	Insist that the policy for the flooding issue be kept in as a major issue which is being overlooked. Protecting our Greenbelt land is also a policy that must be kept in.
D7	Mr M Belshaw*	<p>Comment on Section 4, Policies, Policy GA3 on page 52:</p> <ol style="list-style-type: none"> 1) Pedestrian & cycle routes may, share the same network as vehicular routes, or be provided alongside the vehicular carriageway. If an alternative route is possible, this may be preferable. 2) To encourage walking and safe cycling, it is better for routes to be segregated; also environmentally healthier. 3) To reduce car travel, there should be regular consultation with Merseytravel to review subsidised bus routes and services, ensure links, encourage train use and improve connections.
D8	Mr A Fraser	<ul style="list-style-type: none"> • Strongly support the Plan and its policies. Sefton do not understand the flood defence or wildlife issues. Formby needs a plan with policies appropriate to its needs. • Formby has an aging population and problems with housing affordability. The LA has allowed too many luxury housing developments. The SLP does not specify 'Starter Homes' which are needed in Formby. New housing is more expensive so the average house price in Formby will rise. Appropriate housing and employment opportunities in line with Formby's highly skilled workforce are needed to combat out migration. • SLP does not meet the employment needs of young people given their level of educational attainment. • Policies H2 and H10: deal with housing density and bring the NP in line with NPPF. • Policies ESD1 and ESD3: welcome protection of open spaces. • SLP promotes more housing than is needed, disproportionately allocated to Formby and Maghull. • SLP has placed infrastructure under strain especially flooding. The LLFA and United Utilities are in denial about surface water flooding, SLP policy EQ8 does not deal with the existing surface water flooding, made worse by development. • Policy ESD7: Supported. Tree protection is crucial in an area with lower than average amounts of tree cover. • Policy ESD6: Designed to help mitigate 'recreational trampling', especially as the NT seek to promote visitors. • Policy H8: addresses Formby's traffic problems and road safety issues. • Necessary mitigation for disproportionate housing allocation has not been provided. Without a Community Infrastructure Levy Formby has lost out on thousands of pounds. • The LA have neither the resources nor political will to enforce SLP policies. It makes it impossible to protect the

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		<p>environment against inappropriate development.</p> <ul style="list-style-type: none"> The NP provides transparency.
C9	National Grid	National Grid has identified that it has no record of electricity or gas transmission apparatus within the NP area.
E10	Adlington on behalf of Gladman Retirement Living	<p>Land interest in Land off West Lane, Formby on a site allocated for development in the SLP (MN2.13).</p> <ul style="list-style-type: none"> Ensure policies are flexible and align with the adopted SLP. Vision to provide an increasing number of homes for older people is not translated to the objectives and the policies do not set out clear support for the elderly. Policies H4 and H5: broadly align with SLP policy HC1 but more restrictive. Modification requested to reflect flexibility of para 62 of the NPPF to allow for off-site or an appropriate financial contribution. Policy H6: unclear what 'demonstrate provision of homes suitable for the elderly' means. There is no need for a reference to Starter Homes. Modify policy to set out support for homes for the elderly. It uses a higher threshold than SLP policy HC2 and different housing mix and will cause confusion. It is not clear on what basis the proposed mix has been derived or whether the higher limit has been viability tested. The cap on larger properties and exemptions to this mix is contrary to SLP policy HC2. Policy H7: that development should be a maximum of 2.5 storeys high is unnecessary, overly prescriptive and not supported by evidence. That a development must cause 'no harm to local character or residential amenity' is contrary to SLP policy EQ2. Policy H8: provides no flexibility for other developments such as retirement apartments. Appropriate wording should be included to reflect this. Policy H10: It is not clear about what constitutes a central site and how close to the town centre a site has to be to allow higher density development to be considered. NP policy ESD2 adequately deals with appropriate densities and high-quality design, so this policy is not necessary. Policy CLW1: provides no definition of 'community facilities'. Suggests payments would be required on all residential schemes (even those for 1 or 2 dwellings) which is unreasonable. Policy ESD7: Inconsistent with SLP as it requires not a single tree to be lost regardless of quality, reason or if enhancement provided. This is more restrictive than TPO policy and is not appropriate or consistent with SLP policy EQ9 requires no 'unacceptable loss' of or damage.
C11	NHS Southport & Formby CCG	<ul style="list-style-type: none"> There is limited inclusion of the development of health care facilities in the NP. The primary care premises will struggle to deliver future integrated and extended health services. The CCG would welcome the opportunity to discuss options with the Parish Council to determine viable alternative proposals to deliver health care services in Formby.
C12	Homes England	Homes England does not have any land holdings affected by the consultation but are keen to continue to work with you to

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		fulfil your housing growth ambitions.
D13	Mrs C Fraser	<ul style="list-style-type: none"> • Fully support the Plan. • SLP makes no allowance for Formby's delicate ecosystem and coastal erosion arising from visitors. • SLP does not adequately protect residents against surface water flooding, which is not referenced adequately in SLP policy EQ8. Developers use the Environment Agency (EA) to justify their flood policies. • Affordable housing needs promoting. • Policy H5 encourages developers to build the required quota of affordable homes and also encourages the government's policy on starter homes. • Policies H8 and GA3: justified as parked cars blocking roads cause congestion. • Policy GA3: needed as cyclists, children and people with prams find congested roads difficult to negotiate. • Welcome commitment to protect open spaces as they are essential in protecting the coastline. • Policies ESD3, 4 and 5 are supported. • Policy ESD7 is supported to retain trees in Formby. • The NP complements and adapts the strategic aims of the SLP for Formby's requirements.
D14	Ms L Gibson	<ul style="list-style-type: none"> • Para 2.5.8: preservation of the open spaces is important. Please add the grounds of St Peter's Vicarage on Cricket path, in the Green Lane Conservation Area. • Policy WS6 and WS7: It is crucial to carefully scrutinise any plans for new or replacement shopfronts and signage as they create or retain character of any retail area. A programme should be in place to encourage improvement to some of the existing shop fronts and signage which have a negative affect. Good quality and characterful areas needed to retain to encourage local shopping. • Para 3.4.10 Community Assets: The original part of the Embassy Building on Green Lane should be added to this list. The Planning Inspectorate have recently upheld Sefton Council's ruling to refuse permission to remove the original Art Deco Windows. The historic importance of the Windows was supported by the 20th Century Society and the planning application to remove them received many local objections. This status may help in encouraging the owners to upgrade the ground floor retail units and restore the original 1928 Art Deco features. • Within 'Heritage Planning' Green Lane Conservation Area should have more detailed and focused plans in the form of a formal Management Plan. An excellent draft appraisal has been done by Sefton Council. This needs a timetable to move forward to the next stage and to become a Conservation Area Management Plan. This is crucial to preserve, maintain and develop the only Conservation Area in Formby.
D15	Mr M Duty	<ul style="list-style-type: none"> • Support the plan which accepts the area is subject to flooding, made more likely by the number of building sites, particularly adjacent to Brackenway. This will cause greater problems for an overstretched drainage system. • Explanation provided in response of causes and effects of local flooding issues, including article from national press.

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		<ul style="list-style-type: none"> Local facilities including doctors, fire and rescue coverage, police, primary schools are fully stretched. Also the full railway station car parks are full and public transport poor. The mental health and stress of residents overlooking the development site and along access routes will suffer due to heavy traffic noise. Current residents are deeply concerned about flooding. Local wildlife and unique habitats are being put at risk. Brownfield land should be used for development. Development at Brackenway
D16	Mr J Phillips	I have read this excellent document with great interest and find it meets the needs of our community at a time of great concern for many local residents. I support it absolutely and urge it be adopted.
D17	Wildlife Trust	<ul style="list-style-type: none"> The Trust made comments in December 2016. The latest version is an improvement, biodiversity still does not come over as important and wildlife corridors don't really feature. Very few of our concerns have been taken on board. The Trust is disappointed at the missed opportunity to include proactive policies aimed at enhancing biodiversity, habitat creation and ecological corridors. Ecological corridors do not get a mention in any of the policies.
C18	Theatres Trust	<ul style="list-style-type: none"> The NP boundary includes Formby Little Theatre. Para 3.4.11 seeks suggestions and recommend that it is included as a potential Asset of Community Value. Suggest that the plan includes an additional policy which protects its existing community, cultural and social facilities such as the theatre, pubs, community halls and social clubs are identified and given robust protection from change of use or loss to compliment SLP policy H6.
D19	Ms Y Irving	Praise the production of the NP. Most of the issues and the problems encountered by Formby residents are addressed. Welcome the settlement boundary, protection of the remaining green belt, housing which sets out the conditions in new build that all developers should be now introducing especially the retention of trees and habitats, the importance of public open space and the need to conserve biodiversity. This NP does cover every aspect of the many issues of the highs and lows of living in this area from heritage through to traffic, retail, schools, leisure and services. The flooding dangers are also covered as are environmental matters. Would have liked the NP to go further in its goals but accept that if it had it would likely not have been accepted due to not adhering to the Local Plan. Hope the council not only welcomes this NP but publicly gives it and the people who prepared it the credit it deserves.
C20	Environment Agency	<ul style="list-style-type: none"> Welcome the addition of objectives and policies seeking to reduce the risk of flooding and promote sustainable development. Recommendations for proposed developments go beyond the current expectations of the Agency also go beyond the requirements of the Sefton Local Plan and/or the NPPF and Planning Guidance. Statements such as 'locally known' and 'real world' cannot be considered appropriate Do not have an objection to the Parish Council having their own flood risk requirements (welcome it), recommend

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		terminology used within the plan is corrected, clarified or deleted where the issues outlined above are present. Flood risk requirements and policies within the plan must be based on a robust and a quantifiable evidence base. Please see detailed comments on individual paragraphs in the full response.
E21	Morris Homes	<ul style="list-style-type: none"> • Para 3.2.8: Sets out onerous requirements for developments. • Para 3.2.8.10 significantly increase development costs and cannot be justified for all cases. • Many of these flooding requirements [i.e 3.2.8.12 } not in accordance with National and Local Planning Policy Guidance. • Concerns over Development and Climate Change [3.2.9]. Para 3.2.9.1 cannot be justified in preventing balancing ponds etc within 200m of properties. • Policy H6 should replicate the adopted Local Plan requirements. • Policy H7 cannot be justified and should be deleted. • Policy H8 &H9 should follow national and local planning guidance.
D22	Mr & Mrs Simmons	<ul style="list-style-type: none"> • The Plan is an excellent document • Please see full response for general observations and grammatical/semantic corrections
C23	National Trust	<p>The Trust looks after over 400 hectares of land along the Formby Coast.</p> <ul style="list-style-type: none"> • Vision: An adaptive approach is the best way to manage coastal change and the NP should engage more fully with this. • Policy H7: is not clear whether it relates solely to residential development • WS CA6: traffic nuisance and visitor pressure is not just confined to Lifeboat Road. Victoria Road is also severely impacted. Would encourage greater use of the area's green spaces and the town centre to help manage this • Policy GA1 must not increase pressure on sensitive areas • Policy GA3: if segregated routes are felt to be unsafe this should be addressed through design issues • GA CA3 should address visitors' needs too • Policy ESD4: should include specific reference to landscape/seascape character and the need to conserve important habitats and species • Policy ESD6: generally supported • Policy ESD7: the management of woodland is currently under review and needs to take account of coastal change
E24	Gladman Developments	<ul style="list-style-type: none"> • Policy GP1: Question the rationale of the settlement boundary. The Plan should contain flexibility to respond positively to changing circumstances especially if exceptional circumstances exist to release land from the Green Belt. • Policy H6: Support in general but it is unclear how the proposed housing mix has been derived with no robust and proportionate evidence. Needs more flexibility if housing mix requirement changes over time. • Policy H8: Unclear why the policy requirement for 2 off-road parking spaces is necessary with no supporting evidence. • Policy ESD5: Flexibility is provided in the wording but justification is onerous without stipulating energy standards. The

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		<p>Parish Council is not the decision making authority.</p> <ul style="list-style-type: none"> • Policies FLD1-FLD9: Recognise importance of ensuring new developments do not increase flood risk. However these policies overlap/repeat each other and may be considered too onerous.
B25	Councillor N Killen	<ul style="list-style-type: none"> • The Plan should be based on evidence and not opinion. • There are statements about flooding which do not appear to be backed up by evidence. Other statements are vague. • The Plan gives support for housing development in Formby but the approach to 'affordable housing' and other aspects of housing policy is confusing. • There is no policy opposing fracking. • There is no community support for a publicly funded sports facility.
D26	Mr WM Moody	Support the intention to increase cycling and walking. The Plan confirms there is a lack of dedicated cycling routes while there is a good network around Formby and connections are poor. Potential routes are not shown. Non-segregated are not supported as most cyclists would prefer to use a traffic-free route.
C27	United Utilities	Para 3.2.9.1: Understand the public concern about flooding but would not wish to see Sustainable Drainage Systems discouraged. Such space can be multifunctional. Keen to work in partnership with the Parish Council and Sefton Council to ensure new growth can be delivered sustainably.
E28	Turley on behalf of Barratt Homes & David Wilson Homes	<p>Interests in Local Plan site MN2.17 land at Liverpool Road.</p> <ul style="list-style-type: none"> • Plan refers to the 2012 version of the NPPF rather than the current 2019 version. • Policy H6: provision of dwellings for older people does not follow national policy • Policies FLD2, 3, 6 and 9: go beyond the requirements of national policy. • Policy GP1: supportive but should allow for the settlement boundary to be reviewed in the future. • Housing policies must be sufficiently flexible to take account of changing market conditions. • Policy H3 refers to the Formby Delivery Strategy and it is unclear what this document comprises. • Policy H6: It is premature to include a policy requiring starter homes. Limited justification put forward for a housing mix that differs from SLP Policy HC2. Necessary viability studies and evidence base to require 'Lifetime Homes 16' standards not provided. • Policy H7: restriction to 2.5 storeys is an overly prescriptive arbitrary limit where greater heights may be justified. • Policy H8: A more flexible approach to car parking should be taken in line with the Travel SPD. • Policy GA3: segregated routes may be appropriate and the policy should be flexible. • Policies FLD2, 3, 6: Concerns about these policies as unclear whether reduction in flood risk relates to on-site or off-site issues. • FLD9: requires higher floor levels than the Environment Agency which is not justified. • FLD CA4: There is no requirement or justification for an independent review

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D29	Mrs M Bennett	The Plan should remain as it is and the policies followed. The policies on flooding, greenspaces and trees are crucial. Formby has a high number of elderly who wish to downsize which is why it is important to restrict luxury executive homes and the policy on low cost starter homes is important. The lack of a Community Infrastructure Levy is disappointing.
E30	Avison Young on behalf of Taylor Wimpey UK Ltd	Interests in SLP site MN2.12 Land at Brackenway (site-specific policy MN6). Generally supports the NP. 1. Should align with national policy and be in general conformity with the SLP in order to meet the basic conditions; 2. Should be presented in a clear and structured manner, with clear and unambiguous policies; 3. Should be underpinned by a robust evidence base and clear how new policies or obligations are supported by evidence. 4. Policies H4 and H5: must be precise, clear how affordable housing policies should be applied practically and demonstrate general conformity with the adopted SLP in relation to Starter Homes in order to meet the basic conditions. 5. Policy H6: Objects to the housing mix set out which is not in conformity with Policy HC2 of the SLP. It proposes a different housing mix and fails to build in sufficient flexibility. 6. Policy H7: should be reworded to provide flexibility that reflects individual site circumstances. The application of a 2.5 storey height limit and restriction on development that significantly raises site levels is too restrictive. 7. Policy ESD7: relating to trees and landscape should be reworded to be less restrictive and to align with SLP Policy ESD7. 8. The NP places significant emphasis on flood risk policies which is considered unnecessary, prescriptive and unjustified. The policies and the supporting text create the risk of preventing key allocations from coming forward.
C31	Natural Resources Wales	As the Formby and Little Altcar Neighbourhood is located on the far side of the bay, consider that Natural England is the appropriate statutory body to provide comments.
C32	Historic England	Para 2.5.2 does not appear to mention heritage but focuses on the appearance of buildings and character. Given the large number of designated assets, it should be mentioned. Para 2.7.1 seems to imply the status of listed buildings in Little Altcar is different. The table incorrectly refers to the status of heritage assets. Table: Correction required: Dovecote and Formby Hall are Grade II* Section 3 Vision and objectives would benefit from reference to the historic environment. Section 4: There is an opportunity to include a heritage policy to help sustain and enhance the various assets.
A33	Lead Local Flood Authority (LLFA)	Concerns that the current document and policies are not suitable for adoption or implementation but would be happy to work in partnership with residents and the Parish Councils to create a version which addresses the issues cited. Please see full response for detailed comments.
B34	Bill Esterson MP	<ul style="list-style-type: none"> The Plan supports the development of more housing than the Sefton Local Plan by accepting existing allocations in the SLP. It should identify the sites that should be developed and where the additional houses should be built. It has laudable aims of the development of affordable homes but should indicate the proportions and the different types.

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		<ul style="list-style-type: none"> • Should suggest whether it supports additional infrastructure or not and where it would put any new roads, drainage and health facilities. • Does not rule out fracking, but suggests it will be supported if "there is substantive evidence to demonstrate that it comprises sustainable development that the local community needs". This is of great concern and the parish councils should reconsider their commitment to fracking given the widespread opposition in Formby and from Sefton Council. • It is important to have a robust Plan to give the local community a proper say in the new development proposed.
A35	Sefton Council	<p>Consider the NP contains a number of good and valid ideas that, if approached correctly, could result in an effective plan that is able to achieve its objectives.</p> <p>Main concerns are that the plan fails to meet the basic conditions for Neighbourhood Plans for three reasons:</p> <ol style="list-style-type: none"> 1. The plan has not had due regard to national planning policies. 2. The plan will not contribute towards sustainable development for a variety of reasons as set out in the full response. These include, <ul style="list-style-type: none"> • confusing policies that are open to interpretation, and • policies that may have the effect of constraining development, potentially in some case, even small-scale development. 3. The plan is not in general conformity with the strategic policies in the Local Plan. This applies to the affordable housing policy, but potentially in other areas. <p>The NP in its current state does not provide an appropriate mechanism to help support the effective planning in the area. It is unclear in what it is trying to achieve and many of the policies and statements are unjustified and would be difficult to implement. Constructive comments are made to help address these issues.</p>

* Indicates request to be notified of decision to 'make' (adopt) the Formby and Little Altcar Neighbourhood Plan