

Marton Moss

Local Green Space Study

February 2022

Revised Draft for Comments



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Revision Note

This Report was first published for comments as part of the Evidence and Policy Options stage of engagement on the Neighbourhood Plan in July 2020. Following consideration of the comments received at that stage from Sport England revisions have been made to this Report. These relate to

- **Football Ground off School Road**
- **South Shore Lawn Tennis Club**

In both cases Sport England advised against these two sites being designated as areas of Local Green Space as recommended in the July 2020 version of this Report. That advice is proposed to be accepted and this Report, as revised, is now published at the Regulation 14 stage to allow any further comments to be made alongside the draft Neighbourhood Plan itself. It remains the case that no final decisions have yet been taken on any of the Plan's policies and site-specific proposals.

Introduction

1. Development Plans have a long track record of identifying and successfully protecting open spaces that have an important role in the local community such as places used for passive and active recreation. The term 'Local Green Space' came to the fore when it was featured in the first version of the National Planning Policy Framework (NPPF), published in 2012. This was a time when Neighbourhood Plans were in their infancy, but a key role identified for such Plans was to designate Local Green Space.

2. This role was reiterated in the revised NPPF, issued in 2018, and significantly the reference to designating Local Green Spaces appears in the '*Promoting healthy and safe communities*' chapter of the document. This is in recognition of the important health and wellbeing benefits open spaces can have for local communities.

3. This Report appraises seven pieces of open land as candidates for designation as Local Green Space. Some other land within the Neighbourhood Area that could qualify for designation may have been overlooked in this Study. The production of this report is not intended to be the final word on which land is recommended for inclusion in the Neighbourhood Plan as Local Green Space. Before the Plan is submitted to the Council there is an opportunity for local people and other interested parties to put forward other suggestions or to comment on the outcomes of this Study within the six weeks set aside from when this revised report is published. Comments can be made using the form available on the Forum's website www.martonmossforum.org The Forum can also be contacted via enquiries@martonmossforum.org or on 07739 517630.

Background

4. National planning policy is clear that '*existing open space, sports and recreational buildings and land, including playing fields, should not be built on*' (NPPF para 97) without very good reasons related to ensuring there would be no loss of facilities that are still needed. This strict level of control is backed up by the watchdog role played by government agency, Sport England. The agency would similarly need to be convinced that any planning application for non-sports related development on land used or last used as playing fields would not harm the overall level of opportunity to participate locally in sports activities. Additional governmental safeguards apply to control any non-educational development of existing or former school grounds.

5. The NPPF however, refers to a broader definition for land that can qualify as Local Green Space. It is green space that is:

- a) '*in reasonably close proximity to the community it serves*
- b) '*demonstrably special to the local community and holds a particular local significance, for example because of its beauty, historic significance, recreational (including as a playing field), tranquillity or richness of its wildlife; and*
- c) '*local in character and is not an extensive tract.*' (Para 100, NPPF)

6. This definition is significant in several ways. Firstly, it includes playing fields and so to an extent overlaps with related protection provisions commonly picked up in other Development Plan designations aimed at safeguarding sports grounds and associated facilities as well as the controls Sport England have over the continued sports use of playing fields. Secondly, the Local Green Space

definition refers to a range of other types of ‘green’ land that may not have recreational value but other attributes. However, whatever qualities the land has it has to pass the key test is it *‘demonstrably special to the local community and holds a particular local significance’*? Finally, the designation does not apply to ‘extensive’ tracts of land. Such land which is open in character does exist on the Moss and is referred to in the Marton Moss Major Open Land Study (2020) report.

7. The avoidance of extensive tracts of open land being treated as Local Green Space is to stop that designation being a ‘backdoor’ way of creating Green Belt land. Green Belts are for controlling the expansion of large urban areas and often spread across numerous local authority areas. However, paragraph 100 of the NPPF does go on to say:

“Policies for managing development within a Local Green Space should be consistent with those for Green Belts.”

This means that the controls on development in areas of Local Green Space should be as strict as those for Green Belt. This means that only small buildings, ancillary to the use of the open space would be acceptable, such as a changing room building for a playing field.

8. The position with the existing Development Plan for Blackpool is that the largely superseded 2001/2016 Blackpool Local Plan does still carry some weight in that a number of its policies have been ‘saved’ from being lost whilst the latest version of the Local Plan (Parts 1 and 2) is fully put in place. Saved Policy BH7 aims to protect playing fields and sports grounds (including those on school premises) from being used for other types of development. Within Marton Moss this designation applies to the Football Ground off School Road and, nearby, the whole site of St. Nicholas School.

9. The 2001/2016 Local Plan is being replaced by the Core Strategy (the Local Plan Part 1, work on which has been completed) and the Site Allocations and Development Management Policies document (Part 2 of the Local Plan). Core Strategy Policy CS6: Green Infrastructure – refers in broad terms to the wide-ranging benefits of protecting and improving open green space. However, it does not refer to specific local sites. Part 2 of the Local Plan is still being prepared and the first draft of this document, published in January 2019, did not specifically refer to protecting playing fields and sports grounds. There is therefore some uncertainty whether the saved Policy BH7 of the old Local Plan will be replaced, if it is not, it will cease to have effect.

10. In deciding which green space to recommend for designation as Local Green Space in the Marton Moss Neighbourhood Plan the coverage of this matter by the Local Plan is clearly a factor to consider as Plans should not duplicate one another. Another aspect is what other legal safeguards exist to stop an open green space being lost to other development? A key consideration here is landownership and associated restrictions. Planning applications are largely decided without reference to who owns the land or what legal rights exist to implement any planning permission that may be issued. A landowner unwilling to sell land for development would very rarely be forced to give up ownership (through compulsory purchase action). Similarly, a legal covenant on a piece of land that limits what it can be used for is not over-ridden by a planning permission, no matter how old that covenant is.

11. A further consideration is the view of Sport England. In response to the Evidence and Policy Options engagement in July 2020, when this Report was previously published, Sport England advised (dated 28 August 2020) in respect of the Football Ground off School Road and the South Shore Lawn Tennis Club that:

*“The designation of existing sports sites as Local Green Space would effectively stifle and restrict any potential future growth of the club owing to the fact that they may need to release the existing site to enable them to grow. On this basis, Sport England would **not** be supportive [of] this policy approach going forward through the emerging Neighbourhood Plan”.* That advice is accepted but the two sites still feature in this report to allow further comments, from any other party, to be made.

12. In the individual Green Space Appraisals that follow, land ownership details, where known, will be referred to along with the current uses of the land and the attributes it holds. However, the fundamental point to return to is whether the land is *‘demonstrably special to the local community and holds a particular local significance’*? Ultimately that will need to be answered through engagement with local people across the Moss, this report can only recommend which of the pieces of land investigated may qualify.

13. Further advice on what makes a piece of land a candidate for Local Green Space designation is set out in the government’s Planning Practice Guidance (PPG) - an on-line resource that from time to time is revised. The relevant chapter with the latest up to date text can be accessed using the following link:

<https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#Local-Green-Space-designation>

Green Space Appraisals

14. Each of the seven sites considered in this study are appraised using the following criteria (based on the national guidance) to help establish whether any may qualify for designation as Local Green Space:

- **Location** – the land needs to be ‘reasonably close’ to the community it serves.
- **Size** – there is no minimum size but at the other extreme the land should not be an ‘extensive’ tract.
- **Accessibility** – the land would normally be open to the public, but some particularly sensitive areas say in terms of their wildlife or historic significance may be closed to public access to avoid being damaged.
- **Current Use** – this will help to decide if the land is special or of particular significance, to the local community.
- **Appearance** – ‘beauty’ is a factor, but the land does have to be well cared for or necessarily ‘green’ to look at.
- **Other Features** – ‘historic significance, recreational value, tranquillity, richness of wildlife’ are each referred to in the national guidance.
- **Ownership and Legal Restrictions** – the land does not have to be in public ownership, it can be privately owned. Designation as Local Green Space in itself, does not confer rights for the public to enter and use land or override any ownership or related legal restrictions as to how it may be used.
- **Management** – this would remain the responsibility of the owner (or whoever else has taken on that role). If the land is designated as Local Green Space the community may, at the discretion of the landowner, become involved in its management.

Land designated as Local Green Space may potentially also be nominated for listing by the local authority as an [Asset of Community Value](#). Such a listing gives community interest groups an opportunity to bid to purchase if the owner wants to dispose of the land.

Open Space North of St Nicholas School



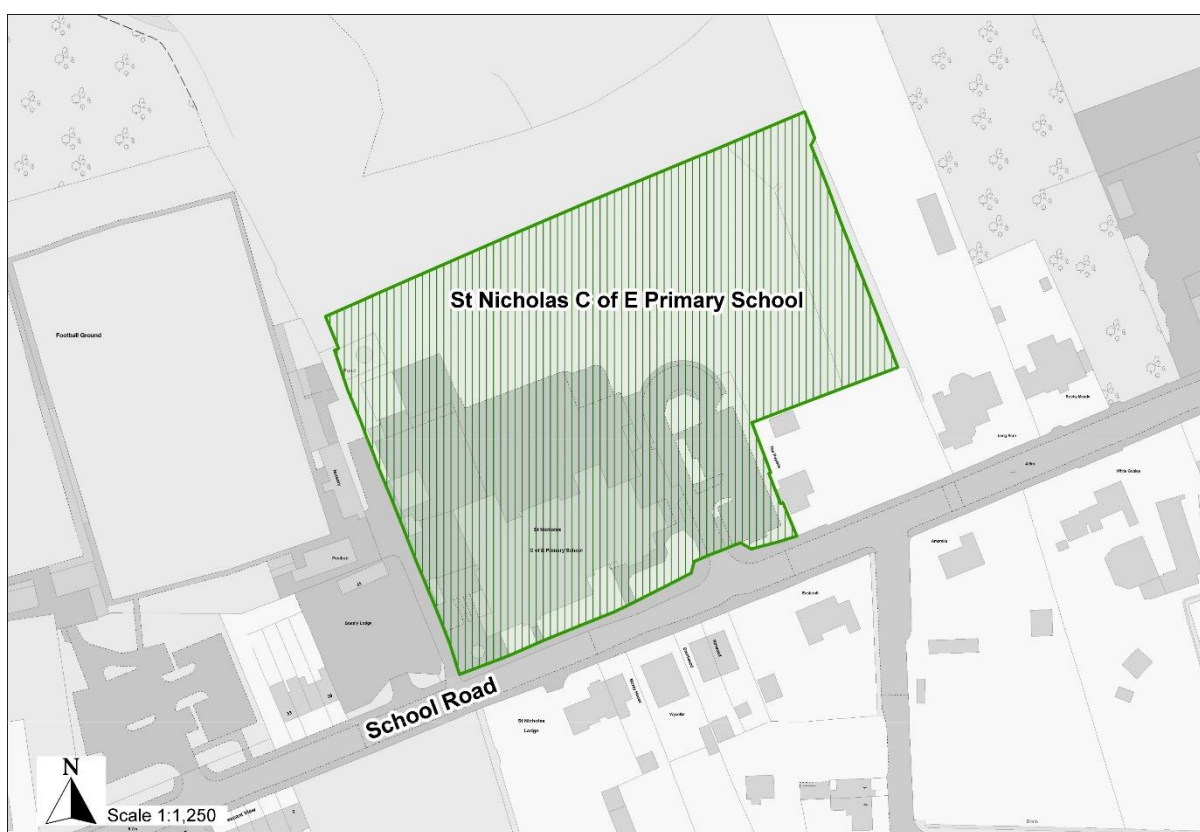
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Location	Within the local community, centrally positioned in the Neighbourhood Area and conveniently close to the school and nursery
Size	1.29 hectares (3.19 acres)
Accessibility	Straddles the public footpath (prone to waterlogging in places) that leads from Ecclesgate Road to School Road, also with a path to The Shovels public house car park on Common Edge Road and close to the football ground car park on School Road which is open to public use
Current Use	Clearly well used open space popular with local people for informal, passive recreation and part of a major tract of open land
Appearance	Mostly semi-wild grassland with some low bushes and small trees but with numerous regularly mown pathways
Other Features	Outside of school play times this is a tranquil spot with an interesting internal network of pathways with small semi-natural water bodies
Ownership and Legal Restrictions	Blackpool Council, no known legal restrictions
Management	By the Council and local people
Recommendation	Meets all the criteria for being designated as Local Green Space



Photo 1: Open land behind School playground, looking west

St. Nicholas C of E Primary School



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Location	Within the local community and centrally positioned in the Neighbourhood Area
Size	1.60 hectares (3.95 acres) – just under half of this is a playground
Accessibility	Directly off School Road with a dedicated car park for school staff and pupil drop off/pick up area
Current Use	Primary school, pre-school nursery and playground, limited public use by prior arrangement
Appearance	Playground is mainly grassed and hard-standing areas, some tree planting
Other Features	Outdoor pupil seating and learning activity areas, play equipment
Ownership and Legal Restrictions	Blackpool Council and it is understood land is subject to covenant restricting its use to a school
Management	By Blackpool Council and the School
Recommendation	Although clearly regarded locally as a place of particular significance, given its limited open public use and other controls in place there is no necessity to designate the land as Local Green Space



Photo 2: School playground from public footpath, looking east

Football Ground off School Road



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Location	Conveniently located within the community on the west of the Neighbourhood Area
Size	2.29 hectares (5.66 acres)
Accessibility	Own, shared car park and within 200 metres of a bus route - along Common Edge Road
Current Use	As two football pitches, used separately by two clubs that between them run several adult and junior teams
Appearance	Grassed playing surfaces, bounded by concrete walls and containing modest low-rise buildings, with floodlighting mounted on slender poles
Other Features	Changing facilities, spectator viewing areas
Ownership and Legal Restrictions	Owned by Blackpool Council
Management	Presumed to be solely maintained by each club
Recommendation	These grounds provide very good facilities for local people to take part and watch football, however in view of Sport England's comments the site is not proposed as Local Green Space



Photo 3: Football ground from The Shovels PH car park, looking east

Open Space at The Willows



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Location	Within the local community but on the western edge of the Neighbourhood Area
Size	0.15 hectare (0.37 acre)
Accessibility	Fronting both Common Edge Road and The Willows accessways
Current Use	Ornamental open space and a water balancing pond
Appearance	Open grassed area with some young tree planting
Other Features	None
Ownership and Legal Restrictions	Not known
Management	Not known
Recommendation	Although fully open to public view and an attractive part of the street scene this is essentially for the private amenity benefit of The Willows' residents – so not meriting designation as Local Green Space



Photo 4: Open land at The Willows from Common Edge Road

Open Space at Magnolia Way/Orchard Way



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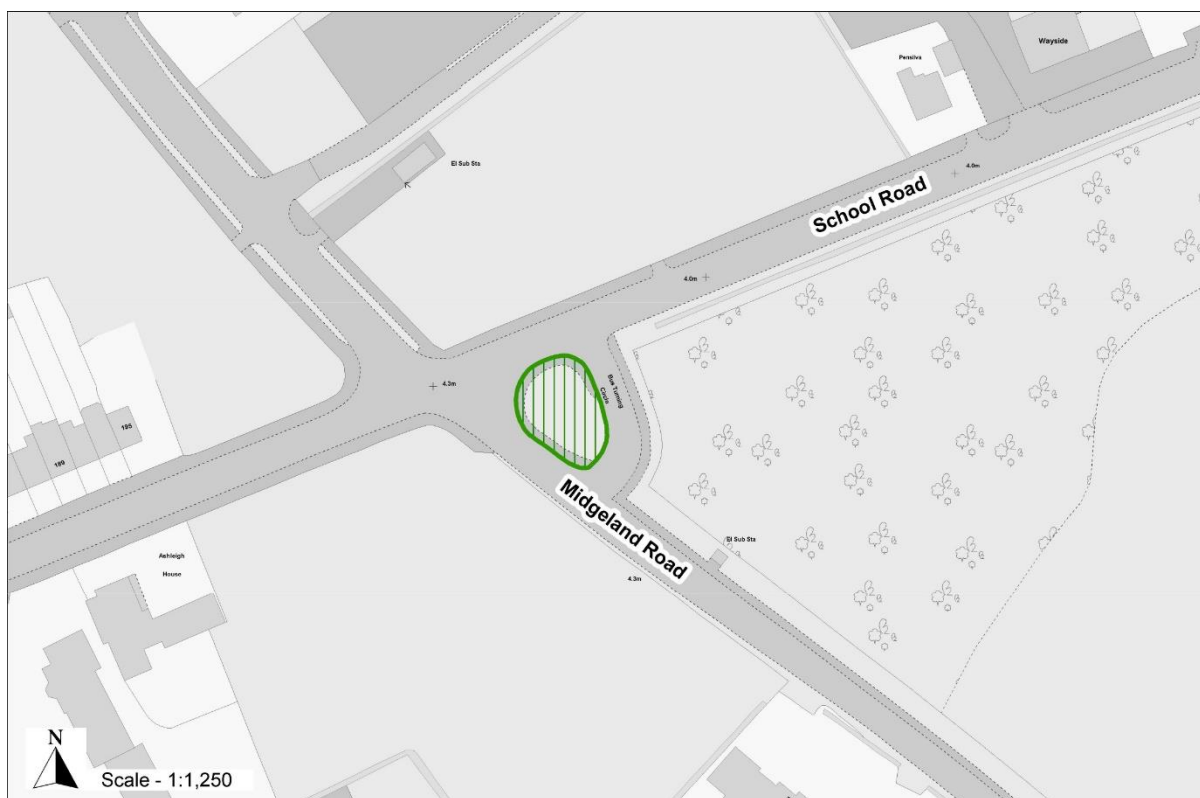
Location	Within the local community but on the north western edge of the Neighbourhood Area
Size	0.18 hectare (0.44 acre)
Accessibility	Directly fronted by residential estate roads and accessways
Current Use	Ornamental open space
Appearance	Grassed area with some young tree planting
Other Features	None
Ownership and Legal Restrictions	Not known
Management	Presumably being offered to Blackpool Council for adoption as part of a highway agreement
Recommendation	Although fully open to public view and an attractive part of the street scene this is essentially for the private amenity benefit of the estate residents – so not meriting designation as Local Green Space

Location	Within the local community and centrally sited in the Neighbourhood Area
Size	1.63 hectares (4.03 acres)
Accessibility	Directly fronting on to Midgeland Road with its own car park and conveniently close to Progress Way
Current Use	Tennis centre
Appearance	Mainly open with numerous hard surfaced tennis courts (so not 'green'), a club room and indoor playing area
Other Features	Club room is open for hire by outside groups for social and meeting activities
Ownership and Legal Restrictions	Privately owned
Management	By the owners
Recommendation	This facility provides good facilities for playing tennis and has a useful wider social role in the local community, football, however in view of Sport England's comments the site is not proposed as Local Green Space



Photo 6: The facilities available at the South Shore Lawn Tennis Club

Midgeland Road/School Road Bus Turning Circle Green



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Location	Within the local community and centrally sited in the Neighbourhood Area
Size	300 square metres
Accessibility	Directly fronts on to Midgeland Road/School Road crossroads
Current Use	Forms the centre area of the (disused) bus turning circle
Appearance	Open rough grassland with a small tree
Other Features	None
Ownership and Legal Restrictions	Presumed to be owned by Blackpool Council, or at least part of the adopted highway
Management	Blackpool Council
Recommendation	Currently serves little purpose and its unkempt appearance merely worsens this poorly maintained gateway to the Neighbourhood Area where each quadrant of land fronting the crossroads exhibits dilapidated features, whole junction needs visually improving but turning circle land does not merit Local Green Space status



Photo 7: Bus Turning Circle Green, looking north to School Road

Conclusion and Recommendations

15. Of the seven sites considered one is recommended for designation in the Neighbourhood Plan as Local Green Space. This is:

- Open Space North of St. Nicholas School

16. This site meets the criteria set out in national planning policy and above all is demonstrably special to the local community and holds a particular local significance. It is at present the only area for informal, passive recreation in the Neighbourhood Area and is well located to serve that function.