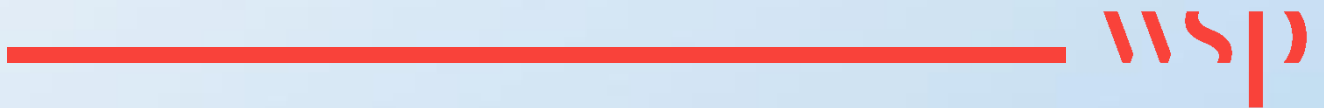


Appendix C

CORE STRATEGY INSPECTOR'S REPORT (EXTRACT)





The Planning
Inspectorate

Report to St Helens Council

by **Malcolm Rivett BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 1 October 2012

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO
ST HELENS LOCAL PLAN CORE STRATEGY**

Document submitted for Examination on 27 May 2011

Examination Hearings held between 19 March and 4 April 2012 and on 9 July 2012

File Ref: PINS/H4315/429/3

certainty about these matters at this stage, they are issues most appropriately considered in determining a specific proposal. Moreover, there are a number of ways in which the likely traffic impacts of an SRFI could be restricted: conditions of a consent and/or a s106 agreement could control lorry routing, limit employee car parking spaces at the development, provide for non-car modes of travel and effectively restrict to acceptable levels the volume of traffic entering/leaving the site at certain times of day through, for example, the payment of 'premiums' for traffic movements in excess of a defined level. Whilst a Parkside SRFI would be likely to have substantial effects on the neighbouring Warrington and Wigan Boroughs neither have expressed any outstanding concerns of significance.

44. Weighing the precise balance of mostly national/regional benefits and predominantly local harm of an SRFI at Parkside can only be undertaken in the light of a specific proposal. However, it is to my mind a reasonable planning assumption that, notwithstanding the level of local opposition to an SRFI, the benefits of such a scheme **could potentially** clearly outweigh the harm it would cause to the Green Belt and any other harm and **could potentially** represent the sustainable development advocated by national policy. Thus, it is sound for the CS to identify the Parkside site as a strategic location with the potential for development as an SRFI, subject to the demonstration of the 'very special circumstances' necessary to permit inappropriate development in the Green Belt, whilst otherwise protecting the land as Green Belt. However, para 9.32J of the text accompanying policy CAS 3.2 states "It is considered that the benefits of the development outweigh the impacts on the Green Belt...". I am not persuaded that it is reasonable to reach this conclusion (which in any case appears to pre-determine criterion 1 of the policy concerning national Green Belt Policy tests) in the absence of an assessment of the benefits and disbenefits of a specific scheme. Consequently, in the light of my findings above, the Council's proposed change **MM9-21** ("It is considered that the benefits of the development could potentially outweigh the impacts on the Green Belt...") is also necessary to ensure that the plan is sound.
45. Points 1-12 of policy CAS 3.2 set out the criteria an SRFI scheme would need to meet to secure the support of the Council. Heritage impacts and the requirement for adverse impact on the Strategic Road Network to be mitigated and for a travel plan to be prepared/implemented are notable omissions and amendments **MM9-10, MM031 and MM032** to include these considerations, and to remove inconsistency between the requirements of points 5 and 8, are necessary to the soundness of the CS. Whilst the, in principle, opposition of many local residents to the policy remains strong, no other changes of significance to it, necessary to the soundness of the plan, have been suggested. The appearance of any development would be covered by the 'visual intrusion' criterion and the specific prohibition of the treatment of imported waste at the site is not necessary given that, even if brought in by rail, this would not accord with criterion 6. Specific reference to national policy documents is not necessary to the soundness of the CS.
46. In addition to supporting the principle of the use of land to the west of the M6 for an SRFI policy CAS 3.2 sets out criteria by which it would be determined if development of land to the east of the M6 (also indicated in Figure 9.2) for the same use would be supported – essentially that an SRFI is not deliverable

without use of this land and that the land to the west of the M6 is developed first. It would not be sound to completely rule out the possibility of development east of the M6 on the basis that a Railtrack SRFI proposal of more than 10 years ago would have only utilised the land to the west. However, given the eastern land's greater separation from the built-up area and its more isolated position in the Green Belt, policy CAS 3.2's approach to its development is appropriate. It would not be sensible to require only that development is "commenced" first on the land to the west of the M6 as this could result in some 'token' works on this land with the major part of the SRFI being developed only to the east of the motorway. Notwithstanding this point of principle, the phasing of the development to ensure its commercial viability is appropriately considered in relation to a specific proposal.

47. Bearing in mind that the area's Green Belt designation presumes against most forms of development in any case it is appropriate for policy CAS 3.2 to state that planning permission will not be granted for any use of the land shown in Figure 9.2 which would prejudice its use as a rail freight interchange. However, determining the extent to which a development on the site would prejudice an SRFI scheme and/or assessing whether, despite such prejudice, the benefits of this development would in any case warrant its approval, are most appropriately considered through the development management process. It would not be feasible for policy CAS 3.2 to set out the circumstances in which such development would be likely to be approved. Furthermore, whilst it is possible that an SRFI scheme would come forward which would require only part of the land indicated in Figure 9.2, the extent of land identified is appropriate given the potential for a SRFI of this scale to be developed on the site within the plan period. I can understand why many local residents would prefer the site to be used as a country park, although, bearing in mind the Council's contention that there is no evidence of a need for such a facility in the area and the minimal likelihood of its delivery, its omission from the CS does not make it unsound.
48. A number of very detailed arguments are put forward that, in relation to policy CAS 3.2, the CS is not legally compliant [HS020, HS044, EX124-EX166 and EX306-EX321]. However, having regard to the detailed responses of the Council [including M5-SHC-Supp] and the requirements of the relevant legislation I am satisfied that the CS is legally compliant in this respect.
49. Subject to the changes indicated above the identification of land at/around the former Parkside Colliery as a strategic location with the potential to facilitate the transfer of freight between road and rail is soundly based, supported by robust and credible evidence and is consistent with regional and national policy.

Issue 6 – Does the Core Strategy make appropriate provision for new housing, in terms of its amount, location, phasing and affordability, and is it supported by robust and credible evidence and consistent with regional and national policy?

The Amount, Location and Phasing of New Housing

50. RS Policy L4 requires St Helens to provide at least 10,260 new dwellings in the period 2003 to 2021 with an average completion rate of 570 dwellings per

year, net of clearance replacement. In the light of an analysis of population and household trends, migration patterns and labour market growth forecast projections [TP39D] the Council believes it is appropriate to maintain this completion rate (which is in support of the Borough's ambitious growth aspirations) to the end of the CS period and there is nothing to suggest that this is not a sound approach. Thus, policy CH 1 indicates that the net housing requirement for the period 2003 – 2027 is 13,680 new dwellings. For the plan period (2011/12 – 2026/27) the requirement is 10,320 dwellings. Fig 14.1 indicates that whilst more than 570 dwellings per year were completed in the years 2003/04 – 2006/07, less than this number were completed in the years 2007/08 – 2010/11, there being an overall deficit in the period 2003/04 – 2010/11. The Council's contention that this is primarily accounted for by the difficult economic conditions of recent years is a convincing one and there is nothing to suggest that it resulted from there being a lack of available and suitable sites for new housing.

51. The *2010 Strategic Housing Land Availability Assessment (SHLAA)* [TP35B], prepared alongside that for neighbouring Halton and Warrington Councils and the robustness of which is not challenged, identifies more than sufficient land to accommodate the requirement for housing in the first ten years of the plan period (including addressing the undersupply from the 2007/08 – 2010/11 period) and policy CSS 1 indicates the broad location of this, the majority (around 69%) of which will be, appropriately, in the main town of St Helens in support of the overall spatial strategy. The *Housing Land Position Statement 2003-2012* [TP01E] demonstrates that there are specific deliverable sites to accommodate in excess of 150% of the new dwelling requirement in the first five years of the plan period. However, whilst the CS expresses it in different terms, there is, in effect, a shortfall of land for some 1920 or so new dwellings in the period 2022-2027, accounting for around 19% of the total 2011/12 – 2026/27 plan period requirement.
52. Policy CH 1 identifies four possible ways of addressing the shortfall: releasing sites from other uses; increasing housing densities throughout the plan period and thus reducing the total land requirement for new dwellings; reconsidering the potential for housing of sites identified by the SHLAA as being possibly suitable for new dwellings subject to further investigation; and, if necessary, releasing land from the Green Belt. Para 14.16 of the CS explains that the Council is reluctant to consider releasing Green Belt land at this stage. This is a sound approach given that the shortfall in land for housing is at least ten years away, that the measures identified in policy CH 1 have the potential to eliminate or reduce the shortfall and that it is national policy that Green Belt land (which is shown to be much valued locally) should only be released in exceptional circumstances. However, to ensure clarity, the Council's proposed change **MM14-02**, indicating that the increased housing densities would be higher than those set out in part 6 of the policy, is necessary to the soundness of the plan.
53. Paras 6.2 and 6.10 of the text accompanying policy CSS 1 explain in detail the intended timescale and procedure for considering the case for releasing land from the Green Belt: relatively early in the plan period as part of the preparation of the Allocations DPD (which, in accordance with the definition set out in the NPPF, will be part of the Local Plan) and involving the sensible approach (in line with that advocated by RS policy RDF4) of it being

investigated on a sub-regional basis, including assessment of the potential for housing needs to be met in neighbouring districts. Para 6.10 has been through several iterations and, as evidenced by at least one representation in response to the *St Helens Core Strategy Accepted Changes Version (November 2011)* document, is ambiguous with the potential to be misunderstood. Given the importance of this paragraph, amendment **MM016** is necessary to the soundness of the CS and provides clarity as to when and how a review of Green Belt boundaries would be undertaken. The proposed amendment adequately details joint working with neighbouring authorities, explanation of the precise arrangements for which is not necessary to the soundness of the plan. The Council's proposed change **MM010**, which ensures consistency in wording between policy CSS 1 and its accompanying text, is also necessary to the clarity and soundness of the plan. Specific sites within the Green Belt which have been suggested as suitable for housing would be appropriately considered, alongside others, if and when release of Green Belt land is identified as necessary. The Council advised at the Hearings that there is no part of the Borough where there is a particular need for the new housing and, thus, it would neither be necessary nor sound to, at this stage, identify an 'area of search' in the Green Belt for new housing.

54. Policy CH 1 sets out the Council's objective of delivering at least 80% of new dwellings on previously-developed land over the plan period as a whole. Given the amount of derelict land in the Borough, the Green Belt designation of most land outside its existing built-up areas and the evidence of the SHLAA, this approach is a sound one and accords with the NPPF's core planning principle of encouraging the reuse of previously-developed land. However, there is the potential for confusion between points 3 and 8 of policy CH 1 and amendment **MM043** is required in order that the circumstances in which greenfield housing development would be permitted are clear and that the CS is thus sound. The Council's proposed changes **MM14-05** and **MM14-06**, which specify the appropriate densities for housing in locations well served by public transport and in/adjacent to town centres and explain the circumstances in which lower density development would be permitted, provide clarity important for developers, and are fundamental to achieving the Council's objectives for the re-use of previously-developed land. These changes are thus also necessary to the soundness of the plan.

Affordable Housing

55. The *Mid-Mersey Strategic Housing Market Assessment, October 2011* (involving St Helens, Halton and Warrington districts) [TP55D] identifies the Borough's need for affordable homes between 2011 and 2016. This broadly reflects the findings of the *2006 Housing Market and Needs Assessment* [TP20A] which recommended that, Borough-wide, at least 30% of the total capacity of all new residential development on suitable sites should be affordable. The *February 2009 Housing Viability Study* [TP36] assessed the viability of the 30% target under a range of market conditions: house prices being between 90% and 120% of their April 2008 value. Whilst the 30% affordable housing requirement would be unlikely to be economically viable at lower prices on many sites it would, in most cases, be viable under better housing market conditions. The *Housing Viability Study* also recommended that a threshold of five units for requiring affordable housing should be applied. Thus, in addition to supporting affordable housing provision by Registered Providers of Social

Housing, policy CH 2 sets out this requirement with the proviso that a relaxation will be considered if fully justified by an independent site-specific economic viability study. To avoid the need for separate, comparison, studies by both the developer and Council an independent study is appropriate. Thus, over the lifetime of the CS, and bearing in mind the relaxation proviso, the requirements of policy CH 2 are a sound basis for seeking to secure the maximum possible contribution towards meeting the overall identified need for affordable housing within the Borough.

Accommodation for Gypsies, Travellers and Travelling Showpeople

56. Policy CH 3 states that the Council will take account of identified needs for permanent pitches for Gypsies and Travellers and plots for Travelling Showpeople when determining planning applications for new, or the loss of existing, sites. It also indicates that the need for allocated sites will be reviewed and, if necessary, sites will be identified in the Allocations DPD. With reference to policies CP 1 and CP 2 the policy also sets out criteria that such sites should meet. The text accompanying the policy indicates that, despite a steadily growing population of Gypsies and Travellers, vacancies exist on several authorised sites and there is not a pressing need for new sites. Although the evidence produced as part of a, never adopted, partial review of RS [RP14] presents a somewhat different picture, there are no representations which suggest that the approach proposed by policy CH 3 is unsound. Moreover, the approach proposed accords with the March 2012 DCLG document *Planning Policy For Traveller Sites* which makes clear that it is for local planning authorities to make their own assessment of need for sites for Gypsies and Travellers and to identify a supply of deliverable and developable sites in their Local Plan.

Issue 6 - Conclusions

57. Subject to the changes indicated above the CS makes positive and appropriate provision for new housing, in terms of its amount, location, phasing and affordability, which is supported by credible evidence and is consistent with regional and national policy. In this respect the CS is thus sound.

Issue 7 – Does the Core Strategy provide a soundly based framework for economic growth and appropriate provision for new employment development which is supported by robust and credible evidence and is consistent with national policy?

The Amount and Location of Employment Land

58. As set out in the submission Core Strategy Policy CE 1 indicates that, to strengthen and diversify the Borough's economic base, at least 46 ha of land for new B1, B2 and B8 uses (primarily the latter) will be provided through identification of sites within the Allocations DPD, a review of 'surplus' B2 sites which could be reused for B1 or B8 and Parkside SRFI meeting an element of the demand for B8. Table 15.2 shows that an additional 41ha of land for B8 is forecast to be required by 2027 by the 'Labour Supply Local Housing Demand Variant' Scenario. A total supply of 9ha for such land is identified, none of which is deemed to be 'unconstrained'. Policy CE 1 also states that should the Parkside SRFI not proceed or be further delayed allocation to meet demand