



ST HELENS
BOROUGH COUNCIL

**ST HELENS BOROUGH
LOCAL PLAN 2020-2035**

**ST HELENS BOROUGH COUNCIL'S RESPONSE
TO INSPECTORS MATTERS ISSUES AND
QUESTIONS**

Matter 3 – Spatial Strategy and Strategic Policies

SESSION 3 – 9:30 THURSDAY 27 MAY 2021

May 2021

Contents

Contents	2
Matter 3: Spatial Strategy and Strategic Policies.....	3
Issue 1: Previously Developed Land and Housing Densities	3
Issue 2: Green Belt and Exceptional Circumstances	4
Issue 3: The principle of safeguarded land being identified to meet longer-term development needs	7
Issue 4: Compensatory improvements to Green Belt land	9
Issue 5: The spatial distribution	11
Issue 6: Site Selection	12
Issue 7: Policies LPA03 and LPA01	13

Matter 3: Spatial Strategy and Strategic Policies

(Policies Covered: LPA01, LPA02, LPA03, LPA05 Section 3, LPA06)

Issue 1: Previously Developed Land and Housing Densities

- 1. Is there any inconsistency between LPA02 and the Framework in relation to its approach to brownfield land?*

The Council does not consider there to be any inconsistencies between policy LPA02 and NPPF Section 11: Making Effective Use of Land. Policy LPA02 illustrates the Council's approach to ensuring that the objectively assessed housing, employment and retail needs of the borough will be met throughout the plan's duration as well as beyond whilst also achieving other social and environmental objectives. Criterion 3 of Policy LPA02 emphasises that a key priority for the Council is to enable the re-use of previously developed land (PDL)/brownfield land. This approach is supportive of paragraphs 118c) and 119 of the NPPF.

Furthermore, the policy's reasoned justification reinforces the above and justifies why green belt release is required due to lack of sufficient PDL within the existing urban area. The Council acknowledges that in order to meet future needs particularly for housing, a variety of land types (i.e. PDL, green belt etc.) will be required however, development of PDL remains a key priority. This is reflected by the planned housing supply over the plan period, as the majority of this is planned to be delivered on sites within the urban areas, outside the Green Belt. See Table 4.6 of the LPSD, or updated as per Tables 5.2-5.5 in Appendix 5 of SD025.

- 2. Would Section 3 of Policy LPA05 ensure that optimal use is made of sites as set out in paragraph 123 of the Framework?*

Following the proposed MM (see SHBC001 - PQ44), the Council considers that Policy LPA05 criterion 3 would be compliant with NPPF paragraph 123 in making the optimal use of sites, whilst respecting the local character of an area to achieve good design.

The development densities set out within LPA05, section 3 are clearly set out as minimums, and accordingly, on proposed schemes where it is appropriate to do so, the Council will seek higher densities.

The Council will consider development proposals on a case-by-case basis. This policy approach therefore will enable a degree of flexibility to ensure that densities of specific development proposals are suitable in respect to the surrounding landscape character.

It is considered that through the use of the minimum densities set out, the Council's requirement to ensure the optimal use of every site is clear, particularly when read alongside Policy LPA02, which clarifies that the re-use of PDL remains a priority in the Borough, and that a substantial proportion of new homes throughout the plan period will be on such sites.

Further justification of the densities informing the approach in the Plan is outlined in the Council's response to PQ44 (SHBC001).

Issue 2: Green Belt and Exceptional Circumstances

3. Does the presence of Green Belt provide a reason for restricting the overall scale of development proposed by the Plan (paragraph 11. b) i of the Framework)?

The Council does not consider that the presence of Green Belt provides justification for restricting the scale of development proposed in the Plan. All of the authorities neighbouring St Helens and within the wider LCR also have areas of Green Belt. This is evidenced by the map showing the indicative Green Belt coverage across the area (SD030). At 65% coverage, the proportion of Green Belt across St Helens Borough is significantly higher than the equivalent figure anywhere else on Merseyside.

The NPPF requires Councils to meet their objectively assessed development needs, and whilst it also advises authorities to work with their neighbours to consider unmet needs, where development requirements cannot be met within their own boundaries, this has not been a reasonable option available in the development of the LPSD. The reasons for this are summarised in the GBR 2018 (SD020), paragraphs 1.19-1.20, but essentially the neighbouring authorities within the same housing market area as St Helens (Halton and Warrington) both have identified shortages of urban land supply, similar to St Helens. In the wider LCR, there has been no spare capacity identified to accommodate St Helens' needs. In fact, several of those authorities have either undertaken or are in the process of undertaking Green Belt Reviews to meet their own needs. Please see Appendix 1 of the Developing the Spatial Strategy background paper (SD026) for full details of the Green Belt Reviews in nearby authorities. Further reasons are also provided as to why it is considered inappropriate for the needs of St Helens to be met elsewhere in paragraph 1.20 of the GBR 2018 (SD020).

Additionally, the Duty to Cooperate Statement (SD009) under strategic issue 2 clarifies the position that no other authority has identified capacity to accommodate any of St Helens' housing needs, and that St Helens will meet its own needs accordingly.

On the basis that the needs of St Helens cannot be met elsewhere as evidenced, the presence of Green Belt does not justify restricting the overall scale of development.

4. Have, in principle, exceptional circumstances been demonstrated for the alteration of Green Belt boundaries?

Yes, it is considered that exceptional circumstances have been demonstrated.

The Council considers that it has established robust development requirements, most significantly in terms of housing and employment land. Having considered all possible sources of land supply that could be considered developable over the plan period, it is clear that the identified needs cannot be met in full without releasing land from the Green Belt.

Whilst the re-use of PDL continues to be a key priority in the Borough, the release of Green Belt is unavoidable over the lifetime of this Plan. Indeed, the Core Strategy 2012 (LOC011), in paragraph 3.11, identified that beyond the first ten years of the plan period (ie. 2022 onwards), removal of land from the Green Belt may be required to meet development needs. This has become necessary due to a diminishing supply of developable land in the urban areas, particularly as the new St Helens Local Plan is seeking to meet much further into the future than the period covered by the Core Strategy.

With particular respect to the need to release Green Belt to accommodate employment land, the evidence points to a specific need for large scale storage and distribution uses. Such uses have specific site requirements, which land in the urban areas struggles to provide for, therefore requiring the release of Green Belt land to meet needs.

Section 8 of the Council's Developing the Spatial Strategy background paper (SD026) sets out the Council's full, detailed justification for needing to review the Green Belt boundary, and the demonstration of exceptional circumstances in doing so. Please review this for the Council's full position in response to this question.

5. *On the assumption that the housing and employment requirements are justified, has the quantum of Green Belt release been supported by proportionate evidence? For example, has effective use of sites in the built-up areas and brownfield land been fully explored, including optimising the use of such land?*

Paragraph 8.9 of the Developing the Spatial Strategy Background Paper (SD026) indicates the scale of Green Belt release required in terms of housing need. This figure has since been updated based on the use of the latest monitoring data up to 31 March 2021, which indicates that 1,585 dwellings must be released from the Green Belt.

On the basis that St Helens is to meet its full objectively assessed housing need of 486 dwellings per annum within its own boundaries, the only way to achieve this without the need to release Green Belt is to substantially increase the amount of housing delivered on sites within the urban area.

As explained in paragraph 8.13 of SD026, it is not realistic to substantially increase the urban land supply as the Council's strategy in the LPSD has already sought to ensure the efficient use of the urban land supply, including the use of surplus sites and use of high densities where this is appropriate. Therefore, this only means that needs could be met in this way if an unreasonable degree of 'town cramming' was promoted, involving very high densities and / or loss of greenfield land within urban areas causing harm to infrastructure provision, loss of recreational land and changes to the character of the built environment. Such outcomes would be contrary to the Local Plan and the Framework's aspirations to

deliver high quality development. Furthermore, there are some concerns around the deliverability of high density schemes with respect to challenging viability, based on the challenges faced by some such schemes previously.

With respect to employment land, a substantial need has been identified through the evidence base, a large proportion of which is required for large scale storage and distribution uses (class B8). The current supply of deliverable land on urban sites is limited (set out in paragraph 8.15 of SD026), and clearly insufficient to meet identified needs in quantity terms alone.

Similarly to the housing situation, no authorities within the same functional economic market area have identified spare capacity to help meet St Helens' needs, and there is no scope to substantially increase the supply of land in the urban area, particularly in relation to large scale logistics uses, which have very specific site requirements, making it difficult to find appropriate sites within the urban areas.

With regard to site specific requirements for employment sites, this is of particular relevance to the Parkside East allocation for the proposed SRFI facility, where excellent access to the rail network is required. This presents a unique opportunity for the Borough and is intrinsically linked to its specific geographical location in the Green Belt, because of the necessary access to the transport network, and most critically its access to both the West Coast Mainline and the Chat Moss line. Such circumstances necessitate its release from the Green Belt in this specific location.

6. On a Boroughwide level is the methodology for Green Belt assessment robust and reasonably consistent with that used by adjoining authorities?

Yes, as set out in the Green Belt Review (GBR) 2018 (SD020), paragraph 2.2, the Review followed a staged approach:

- Stage 1A – identification of Green Belt parcels and sub-parcels
- Stage 1B – assessment of parcels and sub-parcels against Green Belt purposes
- Stage 2A – identification of parcels and sub-parcels with 'prohibitive' constraints
- Stage 2B – assessment of development potential within remaining parcels and sub-parcels
- Stage 3 – ranking and review of results

Paragraph 2.2 states, that *"this staged approach has similarities with those used in other Green Belt Reviews by nearby local authorities in the North West."* Furthermore, in paragraph 1.6, it is explained that in preparing the GBR 2018, the Council considered all consultation responses received, GBR methodologies employed successfully in recent times by other nearby authorities, and the use of national best practice (provided by the Planning Advisory Service).

The initial draft proposed GBR methodology was subject to public consultation in 2013, with a slightly revised methodology used in 2016, and some further adjustments made to the methodology in the final GBR 2018. Section 3 of SD020 detail these changes, but it is of

significance that the methodology has undergone consultation in its development, and been adjusted accordingly, resulting in what the Council considers to be a robust final methodology.

There has been significant engagement with neighbouring authorities in the development of the GBR. There is a commitment in the LCR Spatial Planning SoCG that *“the LCR authorities agree to continue involving each other closely when considering the case for localised changes to the Green Belt.”*

Furthermore, the Duty to Cooperate Statement (SD009) identified ‘the review of Green Belt boundaries to meet development needs’ as a strategic matter, where the importance for the Council to engage with other local planning authorities is acknowledged. This has taken the form of consultation on the initial proposed draft methodology in 2013, followed by consultation on the St Helens GBR in 2016/2017. The review of the Green Belt boundaries has been addressed at each of the consultation stages on the Plan (scoping stage and Preferred Options), and all comments received have been considered accordingly, and changes made where justified.

Issue 3: The principle of safeguarded land being identified to meet longer-term development needs

7. Are the proposals to identify safeguarded land between the urban area and the Green Belt justified to meet longer-term development needs?

NPPF paragraph 139 a) clearly states *“that plans should, where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the Plan period”*.

Also important to note in paragraph 139 is sub-section e) that plans should *“be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period”*.

On the basis that the LPSD requires the release of Green Belt land to meet both housing and employment needs within the current proposed plan period due to an insufficient supply of land within the urban area, it is unlikely that future needs well beyond the current plan period will be met without also requiring Green Belt release. Therefore, to not identify safeguarded land in this Plan would likely result in the need to alter the Green Belt boundaries again at the end of the Plan period, contrary to the NPPF.

The identification of safeguarded land is therefore considered justified, and will ensure the Local Plan’s consistency with the Framework.

8. Has enough or too much land been proposed for safeguarding to meet longer-term development needs?

Please see the Council's response to PQ45 of SHBC001 with respect to the quantity of safeguarded land provided. Whilst it is acknowledged that neither the Framework, nor the Planning Practice Guidance set out how Councils should determine the amount of land to be safeguarded, paragraph 139 of the Framework advises that safeguarded land to meet development needs well beyond the plan period should be identified. Therefore the Council has sought to use a practical and balanced approach to the identification of safeguarded land.

There are clearly uncertainties in undertaking such an exercise with regard to what future needs might be, particularly when considering 'well beyond' the plan period. However, the Council considers that in the region of 5-6 years housing supply (based on current needs) and two strategic employment sites with a combined capacity of 85.88ha is a sensible approach, and justified approach.

To consider less than this may result in non-compliance with NPPF paragraph 139 e) due to a potentially insufficient amount of safeguarded land identified to meet needs well beyond the end of the Plan period triggering the need to alter the Green Belt boundary again. It is not considered justified at this time to consider a greater amount than this due to the longer term uncertainties balanced against the need to protect the Green Belt. It is worth noting that the Preferred Options version of the Plan (2016) did seek to do this by including 15 years worth of safeguarded housing land (using a higher figure of 570 dwellings per annum). However, there was significant opposition to this from local residents and stakeholders. The approach now set out in the LPSD took account of this, and is promoting what is considered to be a more appropriate quantity of land.

9. In general terms is the safeguarded land in the right place to meet longer-term development needs?

The proposed safeguarded employment and housing sites have been subject to thorough assessment both through the Green Belt Review (2018) and the Sustainability Appraisal (SA) process (documents SD005-SD005.4).

The safeguarded employment land comprises two sites:

- 1ES – Omega North Western Extension Bold, and
- 2ES – Land north east of M6 Junction 23, south of Haydock Racecourse

Both of these sites are considered to be in the right place to meet development needs, with site 1ES forming an extension to an already established commercial area (the Omega site), and site 2ES forming an easterly extension of another established and successful commercial area (Haydock Industrial estate), albeit on the opposite side of the M6. Both of these sites are considered to be located in the right place to be capable of meeting the anticipated long-term development, for example, they are both capable of achieving good access to the Strategic Road Network over the longer term, the sites are of a scale which can deliver on the anticipated future development needs, and are in proximity to existing established employment areas.

The eight proposed safeguarded housing sites have been considered in detail, along with all other reasonable site options through both the GBR and SA processes as referenced above. With regard to the SA process specifically, document SD005, section 6 summarises the site appraisal findings for all the reasonable site options identified, and also signposts to the detailed assessment proformas in Technical Appendix A (SD005.3). As a result of the detailed evidence that has informed the site selection process, the Council is confident that these sites are in the right location to meet longer term development needs.

In more general locational terms, it is worth noting that the geographic spread of the safeguarded sites shows them to be well distributed across the Borough, whilst still connected to the urban areas (SD005, p44, Figure 6.1 map), and the associated infrastructure. They are therefore considered to be logical locations to meet longer-term development needs.

10. Are the terms of Policy LPA06, particularly in relation to the release of safeguarded land, consistent with national policy?

Section 1 of Policy LPA06 is clear that safeguarded land is *“to meet longer term development needs well beyond the Plan period. Such safeguarded land is not allocated for development in the Plan period”*. This directly reflects the Framework, paragraph 139, sub-section c) which makes clear that safeguarded land is *“to meet longer term needs stretching well beyond the plan period”*.

Further, section 2 of Policy LPA06 states that *“planning permission for the development of the safeguarded sites ... will only be granted following a future Local Plan review that proposes such development. Accordingly, proposals for housing and employment development of safeguarded sites in the Plan period will be refused.”* Again, this is a direct reflection of paragraph 139 sub-section d) of the Framework, where it states that permission should only be granted on such sites following an update to a Plan which proposes the development.

Therefore, it is considered that the approach taken to the release of safeguarded land set out in LPA06 is entirely consistent with the Framework. Indeed, to take any other approach to releasing safeguarded land for development would be inconsistent with the Framework, particularly when it makes clear the release of such sites for development can only be done through a Plan review.

Issue 4: Compensatory improvements to Green Belt land

11. Taking into account the Council’s initial response, is the Plan clear on how it would intend to deliver compensatory improvements?

It is considered that the Plan provides a clear framework for delivering compensatory improvements to offset the removal of land from the Green Belt. Perhaps the clearest intention within the Plan in this respect are the references to the enhancement of Bold Forest Park through improved access to it, and financial contributions towards its infrastructure. This is particularly the case in relation to housing sites 4HA and 5HA, because of the clear references to the need to consider Bold Forest Park in their site profiles in Appendix 5 of the LPSD.

Beyond this, the intention is that the compensatory improvements will be addressed on a site by site basis, and could be delivered by a range of different measures. The Plan has sought to avoid being overly prescriptive in this respect to ensure the best compensatory measures possible (which could take a variety of forms) can be achieved at the point of the sites coming forward.

As set out in response to PQ47 in SHBC001, there are a variety of policies in the Plan that are considered able to achieve this. So the Council is confident that the overarching policy framework is in place, however it is accepted that perhaps a specific reference to sites being required to compensate for the loss of Green Belt would be helpful. See the response below.

12. On the assumption that the Plan's policies should set out ways that such compensatory improvements would be achieved, what modifications would be necessary?

As above, the the site profiles in Appendix 5 for sites 4HA and 5HA specifically require these sites to contribute towards achieving the aims of the Bold Forest Park Area Action Plan (AAP), which will help compensate for their release from the Green Belt, so it is not considered these need further modification.

However, to strengthen the policy position for all the proposed site allocations in the Plan that would involve the release of Green Belt (1HA, 2HA, 4HA, 5HA 7HA or 8HA), a new section 5 could potentially be added to the end of Policy LPA09: Green Infrastructure to require that development proposals coming forward on these sites must take account of the need to compensate for the loss of the Green Belt, and include measures accordingly. This could be either by demonstrating how the development proposal will contribute to the delivery of improvements in the Bold Forest Park, as set out in the AAP (for sites 4HA and 5HA in particular), or for sites not in close proximity to the Bold Forest Park, consideration of how compensation might otherwise be delivered, including the potential improvements set out in response to PQ47 (SHBC001), including, but not limited to:

- expansion and improvement of public rights of way in and around proposed development sites,
- providing outdoor sport and recreation on previously inaccessible Green Belt land,
- providing woodland and ecological network links,
- improving access to existing sites, and
- retaining and enhancing landscapes and biodiversity

Either additionally, or as an alternative to the above, the site profiles in Appendix 5 for sites 1HA, 2HA, 7HA and 8HA could be updated to require development proposals on the sites to take account of the need to provide compensatory measures for the loss of Green Belt.

Such changes would require main modifications to the plan.

Issue 5: The spatial distribution

13. Is the spatial distribution of development within the Plan justified?

Yes, the spatial distribution is considered justified, and has been tested through the Sustainability Assessment process (Section 4, SD005).

From an overarching perspective, and as set out in LPSD, paragraph 4.6.8, the Council's spatial strategy is one that identifies land in sustainable locations, generally on the edge of, or close to key settlements (where practical and acceptable), taking account of environmental and infrastructure constraints, the need to maintain an effective Green Belt and settlement size and availability of services and facilities, amongst others.

Furthermore, the spatial strategy continues to prioritise the development of suitable sites within the urban area, but the evidence shows that there will need to be some release from the Green Belt to meet identified needs.

With regard to the employment sites, as referenced elsewhere, a significant proportion of the identified need is for large scale storage and distribution, and such uses have specific site requirements, ie. excellent access to the transport network, must be large in size, flat land etc. Compared to housing sites, the potential pool of sites to meet the requirements and could be made readily available for such uses are limited. The Council took this into account when considering reasonable alternatives for employment development, and assessing the sites through the Green Belt Review and SA processes.

In terms of housing sites, the SA process tested different distribution options (details provided in section 4, SD005), but settled on the preferred distribution strategy that:

- directs new development to sustainable locations appropriate to its scale and nature, which will enable good accessibility between homes, jobs and key services, supporting the aims of the Plan,
- prioritises the regeneration of deprived areas and focuses most new housing where it will re-use PDL in existing key settlements, and
- supports economic growth by strengthening the town centres of St Helens and Earlestown and protecting existing employment areas.

Further, as set out in paragraph 4.5.26, the housing needs in the evidence base are for the Borough as a whole, rather than to individual settlements. So the detailed distribution of housing growth between settlements was guided to a substantial extent by the distribution of suitable sites. This in turn was guided by the Green Belt Review which assessed sites based on their scope to be developed whilst minimising harm to the overall function of the

Green Belt, and their suitability for development in other respects (including presence of constraints on site etc).

A fuller, more detailed explanation of the spatial distribution chosen is provided in sections 6 (for housing) and 7 (for employment) of the Developing the Spatial Strategy background paper (SD026).

14. Has the spatial distribution had regard to the impacts on climate change, including CO2 emissions?

Yes, Appendix 3 of the SA (SD005, page 156) shows the impacts on climate change in relation to the different options for the scale and distribution of housing growth. The preferred strategy was identified as D5 (which was a variant of D2, but with a significant new development included).

It considered each distribution option would locate growth in areas that are broadly accessible, so an increase in emissions from transport is unlikely to be significantly different between the options. It did consider that the focus on a new settlement would perhaps mean development is better located to access services and jobs, and therefore would be expected to have a slightly lesser effect in terms of vehicle emissions, compared to a broader spread of development.

Further it considered there were more opportunities to deliver low carbon energy schemes as part of strategic developments, because of a greater concentration of development compared to a more dispersed approach. A new settlement could score well in that sense, but there is still uncertainty.

With respect to the specific site option assessments (summarised in Tables 6.1 and 6.2 in SD005 or full assessments provided in SD005.3), these have all been assessed against the SA Objective 5 – to mitigate and adapt to the impacts of climate change, and scored accordingly.

Issue 6: Site Selection

15. Taking into account the range of factors considered in site selection, has the Council's approach been robust, positive and justified?

In terms of the urban land supply, this has been thoroughly considered, primarily through the Council's SHLAA and brownfield register. This is the primary source of housing in the Plan, and has been optimised in terms of what is achievable over the Plan period. The Council has then turned to Green

With respect to Green Belt sites, these have been considered robustly through the Green Belt Review, and all reasonable site options identified have also been thoroughly assessed through the SA process, against the SA objectives.

Details of the site selection process are provided in:

- the Housing Need and Supply background paper (SD025), paragraphs 4.26-4.30
- the Developing the Spatial Strategy background paper (SD026), paragraphs 6.24-6.25
- the Green Belt Review 2018 (SD020), and
- summarised in paragraph 4.6.10 of the LPSD

Whilst the detail of the site selection process won't be repeated here (as it is set out in the above documents), the Council is confident that the approach informing the Plan has been robust, positive and justified, based on a significant amount of evidence, and a broad range of considerations.

Issue 7: Policies LPA03 and LPA01

16. Is Policy LPA03 consistent with national policy and effective?

The Council considers that Policy LPA03 is consistent with National Policy and that the Policy is effective. Achieving sustainable development is the over-arching and fundamental objective of the NPPF, and the development principles set out respond to the strategic aims and objectives of the Local Plan also, providing the basis for the more detailed policies that follow in the Plan.

This policy facilitates development that will support the creation of a strong economy, healthy communities as well as protecting and enhancing the natural environment. It therefore supports the economic, social and environmental objectives outlined in NPPF paragraph 8.

Each criterion of Policy LPA03 relates to an important component of the NPPF and supports the delivery of key themes which national policy aims to address such as; housing, employment, infrastructure, environmental protection and enhancement. As well as addressing requirements of National Policy, the Council anticipates that Policy LPA03 will enable a balanced and sustainable approach to be taken to address the Borough's key sustainability issues and enable the strategic aims and objectives of the Plan to be achieved successfully.

Whilst the Plan is to be read as a whole, the inclusion of Policy LPA03 setting out the overarching development principles is seen as a key component in the Plan to provide clarity over what new development in the Borough will look like and be required to deliver.

17. Is Policy LPA01 necessary for the soundness of the Plan?

Please see the Council's response to paragraph 58 (page 37, SHBC001), which considered the Policy could be removed through a main modification.

The Council does not consider this Policy is necessary for the Plan to be considered sound, as the presumption in favour of sustainable development is at the heart of the National Planning Policy Framework. Therefore it will be relevant in decision making whether it is repeated in the St Helens Borough Local Plan or not.