

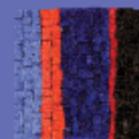
St. Helens Local Plan Examination

**Response to Inspector's Matters, Issues
and Questions**

**Matter 3: Spatial Strategy and Strategic
Policies**

Persimmon Homes North West (R01145)

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1 Introduction

- 1.1 These representations are submitted on behalf of Persimmon Homes North West, who have an interest in the site **'Land South of Billinge Road, Garswood (1HA)** which has a draft allocation for residential development.
- 1.2 Persimmon have historically been active within the St. Helens local authority area, as evidenced by their recently completed schemes on brownfield sites at Vulcan Park, Newton-le-Willows and Deacon Trading Estate, Earle Street, Earlestown, and continue to pursue new opportunities across the Borough.

2 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?

- 2.1 The Framework paragraph 117 expects Plans to “makes as much use as possible of previously-developed or ‘brownfield’ land” and to “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs” (paragraph 118). Where Green Belt review is countenanced, paragraph 137 requires the Council to have made as much use as possible of suitable brownfield sites and underutilised land.
- 2.2 There is nothing in the wording of Policy LPA2 which is inconsistent with this and it should be noted that:
 - The supporting text confirms that the Council has followed the approach in the guidance: “The Council will also give continued priority to the development of suitable and available sites within urban areas. However, due to the lack of sufficient capacity on these sites to meet needs, and the lack of any scope to help meet the Borough’s needs in any neighbouring district, some sites on the edges of existing settlements have been removed from the Green Belt by this Plan and allocated for development in the period up to 2035.”
 - The Local Plan must be read as a whole and it cross-references the evidence base which has fed into it. It states at paragraph 4.6.19 that “As a priority, the Council will continue to work to support the redevelopment of brownfield sites in the urban area.” and at paragraph 4.18.10 that “In accordance with Policy LPA02, a key priority is to maximise housing delivery on previously developed (‘brownfield’) land within existing urban areas.”

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

- 2.3 With reference to the optimal use of sites, paragraph 123 of the Framework suggests that policies should avoid housing being built at ‘low’ densities. Minimum densities are only expected to apply in city and town centres and other locations that are well served by public transport. Elsewhere, a range of densities might be used to reflect the accessibility and potential of different areas.
- 2.4 St. Helens already has a policy in place from the Core Strategy which specifies minimum density requirements of 30, 40 or 50 dwellings per hectare, depending on a site’s location. The 2017 SHLA Update (HOU002) followed this approach and also considered whether higher densities should be applied on a site-by-site basis. The evidence base therefore ensures that optimal use of sites is made.
- 2.5 Policy LPA05 in the Submission Local Plan translates this into policy, specifying a higher density for the town centres of St. Helens and Earlestown and minimum densities for the remaining urban area, other centres, and locations well served by public transport.
- 2.6 It should be borne in mind that the optimal density is not necessarily the highest density. Persimmon Homes supports the policy’s recognition that lower densities might be appropriate where there is a clear planning objective such as avoiding harm to the character or appearance of an area. However, it should also consider that this might be appropriate to broaden housing choice in accordance with the spatial vision, when St. Helens has a relatively low number of detached houses.

3 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)?

- 3.1 The question which must arise from NPPF is whether the protection of Green Belt in St. Helens is of particular importance that it would provide a strong reason to restrict the overall scale, type or distribution of development in the plan area.
- 3.2 The Framework clearly envisages circumstances in which land will be released from Green Belt where exceptional circumstances are fully evidenced and justified. There are numerous examples across the North West and nationwide in which such a case has been made and accepted in Local Plan examinations.
- 3.3 There is nothing unique about the Green Belt in St Helen which means that it should be subject to blanket protection if the ‘exceptional circumstances’ test is met. Having regard to the current position, 65% of the geographic area of St. Helens is Green Belt. Not only is this an abnormally high proportion, but the Green Belt is drawn tightly around urban areas. Given the industrial legacy of the area, it might

reasonably be assumed that a principal motivation for this was to assist in urban regeneration. However, when there is now insufficient capacity within the urban area to meet development needs, this justification is now not present to the same degree as when Green Belt boundaries were last defined in 1983. Following the modest reductions in the Green Belt now proposed, the remaining Green Belt will be of a sufficient scale to continue to effectively fulfil Green Belt purposes.

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

- 3.4 With tightly drawn Green Belt boundaries dating from 1983 and many of the more developable opportunities already having come forward, it is unsurprising that it is no longer possible to meet development needs within the urban area of St. Helens. The likelihood of this has been apparent for some time, the Core Strategy having envisaged the need for Green Belt release to meet housing needs after 2022. Despite this, the Local Plan does strive to maximise capacity within the urban area and the 2017 Strategic Housing Land Availability Assessment indicates a capacity of 7,682 dwellings as being deliverable or developable within 5 years of the 2017 base date. This does not indicate a Council which has failed to maximise the capacity of the urban area.
- 3.5 Adjoining authorities do not have the capacity to accommodate their own development requirements without Green Belt review, and so are unable to assist to help meet St. Helen's housing needs. It is notable that even setting housing at the minimum level for local housing need would require Green Belt release with a shortfall of 1,700 dwellings if only urban sites were to be used. It is useful to consider case law in this scenario. In *R (Compton Parish Council & Others) v Guildford Borough Council & others [2019] EWHC 3242 (Admin)*, it was established that the exceptional circumstances test might be satisfied by one reason or a combination of reasons. Example from that case relevant to St. Helens include provision of additional headroom in case of slippage, pressing housing need, the sustainability of chosen locations, contribution to a balanced spatial strategy and the lack of adverse impact on openness and purposes of the Green Belt. The case clarified that exceptional circumstances can exist where more land is released from Green Belt than is required to meet objectively assessed need.
- 3.6 The quantity, quality and range of employment land is currently also inadequate. A sustainable plan strategy is not possible without ensuring that both housing and employment strategies are aligned. The locational characteristics of employment sites have fundamentally changed and St. Helens must have adequate site in sectors such as logistics to address the previous slow take-up of land and remain competitive. This requires the use of land currently within the Green Belt.

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?

- 3.7 The absence of any Green Belt review since 1983 means that many of the less constrained opportunities within the urban area have already been developed. Whilst windfall sites will continue to emerge, SHLAA Update evidence shows that the capacity of these will be insufficient to meet needs.
- 3.8 The Council has adopted a cautious approach to Green Belt release, releasing less now than in the Publication Draft. It remains the case that most of the housing requirement will be met from within the urban area. Based on paragraph 8.9 of SD026, this will account for 77.5% of housing development compared with 22.5% on current Green Belt sites.
- 3.9 The Plan seeks to make efficient use of land in the urban area, but this must be balanced against viability constraints and the quality of the urban environment. St. Helens does not have the land values to support high density development and green spaces within residential areas should not be sacrificed to protect unremarkable peripheral Green Belt.

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

- 3.10 There is no single method for carrying out a Green Belt assessment. However, Persimmon Homes and their consultants have participated in Green Belt reviews undertaken by other North West authorities whose approaches have been accepted as sound by local plan inspectors.
- 3.11 The approach adopted by St. Helens is in accordance with the best practice which has become established elsewhere. This typically involve identification of parcels, along with consideration of how they might logically be subdivided, followed by an assessment of the contribution of the areas identified to Green Belt purposes. Importantly, the identification of parcels in St. Helens has regard to the existence of recognisable visible boundaries and the degree of enclosure.
- 3.12 Persimmon Homes agree with the Council's assessment in the Green Belt Review 2018 (SD020) that it is not meaningful to distinguish between the contributions of sites to the setting of historic towns or to urban regeneration in the St. Helens context. Whilst heritage assets close to specific parcels can be considered, the settings of towns have already been affected by extensive modern suburban and industrial development. Regarding the recycling of urban land, it is not possible to provide evidence of what contribution might be made by protecting one parcel over another, within a context in which there is not enough urban land to meet housing and employment requirements anyway. This approach was accepted by the inspector in the adopted Cheshire East Local Plan Strategy.

- 3.13 Prohibitive constraints other than Green Belt designation are considered at stage 2a, which means that sites with no realistic prospect of development are filtered out. The remaining sites are then considered in relation to other physical or policy constraints and transport accessibility. The constraints include consideration of viability, and Persimmon Homes agree that it is appropriate to consider whether there is active interest in a site so that it can be reliably delivered. The Council then ranks the sites in a third stage of overall evaluation.
- 3.14 It will always be the case in a process of this nature that an individual landowner, developer or objector will disagree with the Council's assessments as these involve subjective judgements and imperfect evidence. However, it cannot be doubted that the Council has followed a logical and rigorous process which follows best practice.

4 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?

- 4.1 The draft Local Plan provides only limited headroom for meeting housing need over the plan period and it is necessary to maintain a development pipeline for the next plan period. It would be contrary to national planning policy not to make provision for safeguarded land, as in the absence of this it will not be possible to demonstrate that Green Belt boundaries will not need to be altered at the end of the present plan period.

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

- 4.2 Whilst Persimmon Homes do not have a view on the specific figure, the upper end of any reasonably identified range should be preferred. This is on the basis that the land proposed to be safeguarded has not been found to be critical to the effective functioning of the Green Belt and it will provide a buffer sufficient to ensure that the boundaries of the residual Green Belt remain permanent. As safeguarded will continue to be treated as Green Belt for development management purposes and should not be developed without a Development Plan review, the case for an overly cautious approach to safeguarding is weak.

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

- 4.3 The proposed distribution of safeguarded land is consistent with a balanced strategy which recognises that different settlements within the authority are expected to have a continued role in helping to satisfy development needs. The proposed area within Garswood will create an obvious rounding off

of the settlement in conjunction with allocation 1HA and is consistent with its character as a sustainable settlement with good public transport links and proximity major employment areas.

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

4.4 No comment.

5 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?

5.1 No comment.

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?

5.2 No comment.

6 Issue 5: The Spatial Distribution

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

6.1 The Council's spatial vision is based on the balanced regeneration and sustainable growth of its built-up areas. Persimmon Homes welcome the vision in relation to housing, which includes providing good quality new market and affordable housing, making the Borough a residential destination of choice and making effective use of brownfield land. The vision also includes the Borough's housing being well connected to employment areas and local facilities to encourage walking, cycling and the use of public transport.

6.2 Policy LPA02: Spatial Strategy is consistent with this. The sustainable growth and regeneration sought is to be focussed on identified key settlements St. Helens Core Area, Blackbrook and Haydock, Newton-le-Willows and Earlestown, Rainford, Billinge, Garswood and Rainhill. The reasoning for the identification of these settlements is provided within the explanatory text. It is logical that the Council should have taken account of the availability of suitable sites rather than following an approach based on proportionate size of increase alone.

6.3 The existing housing stock of the Borough has a higher percentage of semi-detached houses and a lower percentage of detached houses than exists in the North West as a whole, and it is also part of the spatial vision to broaden the housing stock. The use of a proportion of greenfield land will make this easier to achieve than would over-dependence on urban infill sites.

- 6.4 The location of immediate interest to Persimmon Homes is in Garswood. Whilst it is appropriate that the majority of development should be within the Borough's large urban areas, Garswood is identified as a key settlement and the amount of development is proportionate to its scale, its accessibility to existing services and amenities and its proximity to key employment areas.

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

- 6.5 It is an explicit element of Policy LPA02 that new development will be directed to sustainable locations, to enable journeys between housing, employment and key services and facilities to be made by non-car modes of transport. The reason for the designation of the key settlements is that they offer the potential for such sustainable movements. Whilst this is most obviously true of the urban core of St. Helens, it is necessary to have a balanced portfolio of sites. Garswood in which Persimmon Homes have an interest is one such key settlement. As well as local facilities, it has a railway station offering easy access to both St. Helens and Wigan and is in close proximity to strategic employment locations.

7 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?

- 7.1 The Council's approach to site selection is justified in that it is based on an effective evidence base. The selection of sites within the urban area largely arises from the availability of opportunities, which have been assessed by means of the SHLAA Update. The methodology for this and the Council's assessments of the deliverability and developability of sites are set out and available for scrutiny. We have considered the selection of Green Belt sites under Issue 2 above, and there can be little doubt that the systematic approach has been valid.
- 7.2 It is inevitable that others will take issues with judgements made by the Council on specific sites. In some cases such criticisms will be justified and may lead to modifications to the detail of the Local Plan. However, this does not negate the validity of the overall approach which meets the tests of soundness.

8 Issue 7: Policies LPA03 and LPA01

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

- 8.1 Persimmon Homes consider that Policy LPA03 sets out sound planning principles to achieve sustainable development in accordance with national policy, including the provision of a mix of types and tenures of quality homes to meet the needs and aspirations of all existing and future residents in sustainable locations.

8.2 In relation to effectiveness, case law establishes that the Local Plan must be read as a whole. As noted in paragraph 4.9.2, the principles provide the basis for more detailed policies which follow and effectiveness will be achievable through their combined operation. However, Persimmon Homes do intend to make further representations concerning the mix, type and tenure of housing within Hearing Statements for Matter 7.

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

8.3 Persimmon Homes agree that Policy LPA01 is unnecessary due to duplication of paragraph 11 of NPPF.