



St Helens Borough Local Plan 2020-2035 Examination

Matter 3 – Spatial Strategy and Strategic Policies Hearing Statement

May 2021

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- 1.1.1 Deloitte LLP is instructed by the Church Commissioners for England (“the Commissioners”) to submit representation Matter 3 of the Inspectors’ Matters, Issues and Questions (document reference: INSP006) (“the MIQs”).

Issue 1: Previously developed land and housing densities

Question 1: Is there any inconsistency between LPA02 and the Framework in relation to its approach to brownfield land?

- 1.1.2 As is identified within the MIQs, section 11 of the National Planning Policy Framework (2019) (“NPPF”) refers to making effective use of land. Whilst encouraging the use of previously developed land is consistent with paragraph 117 of the NPPF, the proposed policy of *“setting lower thresholds for developer contributions on previously developed sites to reflect the higher costs and lower sales values typically associated with redeveloping such sites”* is not considered compliant with paragraph 35 of the NPPF which sets out the tests of soundness.
- 1.1.3 The premise of lowering developer contributions from previously developed land is predicated on the fact that those sites have viability issues associated with them and that greenfield sites do not, which is not necessarily correct.
- 1.1.4 The testing assumptions that have been applied in the viability assessment for emerging housing allocations (document reference: VIA001) and underpinned the policy, are not tailored to reflect site-specific constraints or actual development proposals. Site viability should be assessed on a case by case basis, with the lowering of developer contributions applied accordingly. Paragraph 57 of the NPPF states, *“it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage”*.
- 1.1.5 The notion of setting lower thresholds for developer contributions on previously developed sites has not been robustly evidenced and as such is considered unjustified and therefore unsound.

Issue 2: Green Belt and Exceptional Circumstances

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

- 1.1.6 The Commissioners have detailed within previous representation that the Council's approach to Green Belt review has been incorrect. We do not intend to replicate previously submitted comments here however, it is of note that the Council has subsequently issued an update to the Green Belt Review (2018) (document reference: SD020) through a Phase 2b addendum (document reference: SD021). The Green Belt Review (2018) failed to fully evidence the reasoning for not discounting the release of Stage 2b sites from the Green Belt. The addendum sought to address this, whilst updating the detailed assessment proformas at the same time. It has not sought to update the assessments for sites previously screened out at Stage 1b and 2a. To ensure that the evidence underpinning the Plan is robust and the Plan therefore sound in respect of this matter, the Council should seek to update the report for all sites.

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

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

- 1.1.7 The identification of safeguarded land increases the Council's ability to respond flexibly to changing circumstances, supporting paragraph 81 of the NPPF which states that, "*planning policies should be flexible enough to accommodate needs not anticipated in the plan...and to enable a rapid response to changes in economic circumstances*". The principle of including safeguarded land within the Plan is also emphasised at paragraph 139 of the NPPF which states that, "*when defining Green Belt boundaries, plans should where necessary, identify areas of safeguarded land between the urban area and Green Belt, in order to meet longer-term development needs stretching well beyond the plan period*".
- 1.1.8 The emerging Plan seeks provide a minimum of 9,234 net additional dwellings within the Plan period (this being 2020 to 2035), equating to an average of 486 dwellings per annum.
- 1.1.9 As identified within the Housing Need and Supply Background Paper (2020) (document reference: SD025), the proposed average net housing requirement has reduced significantly over the preparation of the Plan; with 570 dwellings per annum proposed at the Preferred Options stage in 2016, falling to 486 dwellings per annum at the Submission Draft stage. The Council identifies within the document that this has resulted from change in circumstances which have occurred since 2016, including (*inter alia*) a reduction in the amount of employment land to be released and the introduction of the national standard method for calculating housing need. However, as is identified at paragraph 3.41 of the same document, the Council acknowledge that "*Drawing conclusions on how a local economy may perform in the longer term is inevitably a difficult exercise, given the multiple of potential influences on future economic performance together with economic uncertainties at both a national and local level*". With this in mind, the principle of identifying safeguarded land is considered justified, helping provide the flexibility to enable a rapid response to changes in economic circumstances to accommodate needs not anticipated with the Plan period.

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

- 1.1.10 As is identified within the representations made on behalf of the Commissioners to the Submission Draft Local Plan, a number of concerns have previously been raised with regards to emerging Policy LPA05 and how the Council has sought to meet its housing need.
- 1.1.11 We will not replicate these points here however, concern regarding the supply of land, with a lack of a 5% buffer and an over reliance on small site and 'windfall' sites, remains. Subsequently, it is anticipated that this will put greater pressure on the need to readily identify further land to meet longer-term development needs.

- 1.1.12 The Council identifies at paragraph 3.53 of the Housing Need and Background Supply Paper, that it has not used a specific methodology for calculating post-Plan period needs and that the Plan period housing requirement of 486 dwellings per annum, has simply been rolled forward to measure the provision of safeguarded land. However, as has been demonstrated above in response to question 7, housing requirements can, over a short period in time, significantly alter and as acknowledged by the Council, it is difficult to anticipate how the economy may perform in the longer term. Therefore, in order to help plan for the future in a way that is “*aspirational*” (as per the requirement of paragraph 16 of the NPPF), we consider that the Council should be identifying more safeguarded land.
- 1.1.13 Furthermore, paragraphs 3.51 to 3.56 of the Housing Needs and Background Supply Paper set out various assumptions as to where longer-term future supply would be drawn from, in addition to the 2,641 dwellings that are proposed on safeguarded land. Such assumptions include the land referred to as the “*SHLAA capacity reduction*” (this being a 15% reduction for the non-delivery of dwellings for years 6-15 and a 20% buffer to the Green Belt allocations) being delivered in the Plan period, thus leaving a residual amount of land that will be available for development in the next Plan period. If this assumption were a realistic proposition, then it raises the question as to why the SHLAA capacity reduction was applied when determining the housing supply position for the Plan period in the first place.
- 1.1.14 Paragraph 3.57 of the Housing Needs Background Paper highlights that “*it is also important to note that the Local Plan Preferred Options (2016) did seek to include 15 years of safeguarded housing land beyond the Plan period*”, based on the then proposed 570 dwellings per annum housing requirement but, “*there was significant opposition to this approach from local residents and stakeholders*”. Now however, not only is the annual housing requirement significantly less, but the Council has only sought to provide what it considers 5.4 years of supply as safeguarded land. This has resulted in a reduction of safeguarded land that could accommodate circa 6,000 new homes. Whilst the Council has sought to address the reasoning behind the significant reduction in the annual housing requirement, the evidence remains limited as to why it was considered appropriate to reduce the amount of proposed safeguarded land by circa 10 years’ worth of supply.
- 1.1.15 In summary, there is a lack of robust evidence that appears to have informed the Council’s consideration of the Borough’s longer-term development needs. In this regard the Plan is considered unjustified and therefore unsound. It is proposed that this should be revisited, with the clear and thoroughly informed identification as to how these longer-term needs will be met, through the allocation of safeguarded sites.

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

- 1.1.16 Paragraph 4.24.5 of the Submission Draft Local Plan states that *“safeguarded housing site have been identified in a range of locations across the Borough”*. However, none of the safeguarded land is identified at the ‘Key Settlements’ of Rainford, Billinge or Blackbrook and Haydock; the distribution does not accord with the development hierarchy or the settlement needs. The importance of ensuring strong and vibrant settlements and communities for future generations, is a fundamental objective of the NPPF (paragraph 8). The distribution of safeguarded land as currently proposed fails to account for this, is therefore not compliant with national policy and as such is unsound. The importance of ensuring the correct distribution to address development needs, is discussed further in response to Issue 5 below.

Issue 5: The spatial distribution

Question 13: Is the spatial distribution of development within the Plan justified?

- 1.1.17 It is not considered that the approach that has been taken by the Council with regards to the spatial distribution of development, is proportionate or sufficient to ensure the ongoing sustainability of existing settlements or communities. By way of example, Rainford is identified as a 'Key Settlement' within the emerging Plan and justifiably so given that it is the "*largest village in the north of the Borough*" and also acts as a service centre for the distinct settlement of Rainford Junction.
- 1.1.18 Despite the above, the emerging Plan proposes a single allocation at Rainford (site reference: 8HA) which is capable of accommodating only 259 new dwellings. This equates to just over 3% of the total new housing proposed for the Borough within the Plan period. This is not considered proportionate to the amount of development that is proposed at other Key Settlements, for example, emerging allocation 2HA at Brockbrook allocates over double the amount of land, capable of accommodating 522 dwellings. Furthermore, should emerging allocation 8HA not come forward within the Plan period, then there is the risk that the sustainability of the community, which saw a decrease in population by nearly 7% between the 2001 and 2011 census, could become further eroded.
- 1.1.19 As is identified at paragraph 8 of the NPPF, the social objective in achieving sustainable development is to "*support strong, vibrant and healthy communities*" through ensuring a sufficient number and range of homes can be provided to meet the needs of present and future generations. In light of this and the above comments, the distribution of development within the Plan is not considered justified.

Issue 6: Site selection

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

- 1.1.20 As referenced throughout this statement, the evidence base that has been used to inform the emerging allocations, particularly in respect of the review of Green Belt, is not considered to be robust or justified.
- 1.1.21 Within previous representation to the emerging Local Plan, the Commissioners have demonstrated that there are sites within the Borough that have been discounted for reasons that are unjustified but that are suitable, available and achievable for development and would allow the Plan better align with the overarching objective of achieving sustainable development.



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