

**St. Helens Borough Local Plan 2020-35
Examination
Hearing Statement – Matter 3
REP ID – RO0935 (on behalf of Mr A Jones)**

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1.0 INTRODUCTION

- 1.1 This statement is submitted on behalf of Mr A Jones, in advance of the hearing session on 27 May 2021, covering Matter 3 – Spatial Strategy & Strategic Policies.
- 1.2 The relevant Submission Plan policies are as follows:
- LPA01 – Presumption in favour of sustainable development
 - LPA02 – Spatial Strategy
 - LPA03 – Development Principles
 - LPA05 – Meeting St Helens Borough’s Housing Needs
 - LPA06 – Safeguarded land
- 1.3 With reference to document INSP007 – Inspectors Matters, Issues and Questions, the key issue is as follows:

Issue 2: Green Belt & 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)?

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

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?

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

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?

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

9. *In general terms is the safeguarded land in the right place 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?*

Issue 5: The spatial distribution

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

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

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?*

Issue 7: Policies LPA03 and LPA01

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

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

1.4 The Council has submitted the Local Plan to the Government for Examination, during which, amongst other matters, the Inspectors must be satisfied that the Local Plan is positively prepared, justified, effective and consistent with national policy – these being the tests of soundness. The purpose of these representations is to highlight the fact that we do not consider the Plan, as submitted, to meet the tests of soundness and what changes need to be made to rectify this position.

1.5 Whilst these representations, as a starting point, support in principle the allocation of the land south of Elton Head Road for housing, the crux of them is that the land would be better placed as an allocated site under Policy LPA05.1: Strategic Housing Sites, as opposed to Policy LPA06: Safeguarded Land. The site is deliverable and can be brought forward for residential development without delay within the early stages of the Plan. This hearing statement is specific to the strategic policies at play in the matter – separate hearing statements will be submitted at the appropriate

junctures specific to the allocations / safeguarded land / Green Belt boundaries

- 1.6 It is noted that, for the purpose of assessment and the Green Belt review documentation, the land in question has predominantly been considered in conjunction with a wider landholding to the west, the Gascoyne land. In summary, it is evident that the Gascoyne land has been discounted from allocation or safeguarding and the Jones' land has been supported in isolation – referred to as 'in-part' in the Green Belt Review documentation. As will be evidenced through these representations, we are of the view that the assessment of the combined Gascoyne / Jones site has in essence, and incorrectly been detrimental to the 'scoring' of the Jones' land for consideration as release from the Green Belt and supported for allocation or safeguarding. We are of the view, and as will be evidenced in further hearing statements, considered in isolation, the Jones' land should score higher than has been shown and so promoted to the allocations under Policy LPA05.1 as opposed to safeguarded land under Policy LPA06. So ensuring the soundness of the Plan against the tests of being justified and effective.
- 1.7 The question lies as to whether the promotion of the land to the allocations should be done to the detriment of one or more of the sites currently supported for allocation in the submission draft document. Alternatively, there could be a consideration against one or more of the supported sites and the associated projected delivery numbers, which could be reduced to accommodate the additional allocation so endorsing the effectiveness of the Plan and the associated deliverability of sites over the Plan period. All of which is critical to the Inspector's assessment of soundness of the Plan.

2.0 ISSUE 5 – SPATIAL DISTRIBUTION

- 2.1 Policy LPA02 identifies a number of key settlements for the focusing of regeneration and growth. The Thatto Heath / Sutton Heath area is on the direct periphery of the St Helens Core Area and so should be considered a focus of growth and regeneration accordingly.
- 2.2 A significant amount of new residential development to the south west of the area has left areas land partially enclosed and as such failing to fully serve the purposes of Green Belt land.
- 2.3 Lea Green provides an appropriately sized conurbation to accommodate future development and is well related to the main urban centre of St. Helens to benefit from the services and facilities it offers, in conjunction with the strong supply of services and facilities specific to Lea Green itself.
- 2.4 Both within the settlement itself and the immediate locality provides employment opportunities, leisure facilities and a wide range of other services. The area is a focus for development activity and services catering to a large surrounding area. The settlement has the ability to accommodate larger scale housing developments without having a detrimental impact on the surrounding environment.



Extract from Local Plan Submission Draft Policies Map (Jan'19)

3.0 SOUNDNESS

- 3.1 Soundness is explained in paragraph 35 of the National Planning Policy Framework (NPPF) (Feb. 2019). The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.
- 3.2 **Test 1 - Positively prepared**
- 3.3 This means that the Plan should be prepared based on a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
- 3.4 **Test 2 - Justified**
- 3.5 The Plan should be an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- 3.6 ***Our view is that real alternatives have not properly been considered and the Plan is not clear and consistent in its selection of sites for allocation.***
- 3.7 **Test 3 - Effective**
- 3.8 The Plan should be deliverable over the plan period and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred, as evidenced by a statement of common ground.
- 3.9 ***Our view is that deliverability of sites (allocations) is key to ensuring the soundness of the Plan. The deliverability of all allocated sites is questioned. In assessing whether the Local Plan is effective the Inspector will assess whether it is deliverable within the timescale set by the Local Plan.***
- 3.10 **Test 4 - Consistent with national policy**
- 3.11 The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.
- 3.12 ***Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. It is our view that the Council's approach to strategic allocations is too biased towards large scale sites, which can prove problematic in terms of deliverability. The Jones' land is the only site identified for under 100 units, which sits comfortably***

in the small / medium sized sites definition and so should be prioritised through the Local Plan.

4.0 ISSUE 3 – PRINCIPLE OF SAFEGUARDED LAND TO MEET LONGER-TERM NEED

- 4.1 Some of the SHLAA sites are subject to physical or other constraints that could affect their rate of development, for example due to the need to deal with contamination caused by previous industrial activities. An allowance of 15% has been made for reduced delivery on the SHLAA sites over the later years of the SHLAA period. Total delivery from sites in the urban area is expected to fall substantially short of the total housing delivery required under Policy LPA05. As a result, the proposed land supply includes a number of allocated sites that have been released from previous designation as Green Belt. This element of the supply includes a contingency of 20% to allow for potential delays in development, for example to allow for the provision of essential infrastructure in currently undeveloped areas and other issues that may affect supply.
- 4.2 In accordance with Policy LPA02, the housing land supply will be distributed across the Borough, albeit with a concentration in existing urban areas and the major urban extension planned at Bold. In total, the allocated brownfield sites (3HA, 6HA, 9HA and 10HA) have an estimated capacity of 2,029 dwellings in the Plan period. The location of sites that have been released from the Green Belt has been determined by the St. Helens Green Belt review (Dec. 2018). In total, the former Green Belt sites (1HA, 2HA, 4HA, 5HA, 7HA, and 8HA) have an estimated capacity of 2,056 dwellings in the Plan period.
- 4.3 A range of sites are being proposed for removal from the Green Belt. These have been split into either 'Safeguarded' housing sites or 'Allocated' housing sites.
- 4.4 Allocated housing sites would come forward for development within the approaching plan period (2020 – 2035), whilst safeguarded sites would be reserved for development within the following 15 year plan period from 2033.
- 4.5 The Submission Draft Plan states Green Belt Review document states that, in accordance with Policy LPA02, the safeguarded sites listed for housing have been safeguarded to meet potential long term development needs. Whilst they have been removed from the Green Belt, they are not allocated for development before 2035. Their purpose is to ensure that the new Green Belt boundaries set by this Plan can endure well beyond 2035.
- 4.6 ***The reasons why specific sites are safeguarded rather than allocated for development before 2035 are set out in the St. Helens***

Green Belt Review 2018. It is with reference to this that we raise serious question as to the 'selection of sites' for release from the Green Belt and their support for either allocation or safeguarding within the Plan. As seen through the following, a critical analysis of the Green Belt Review leads to the Council's site selection category to be greatly questioned, which in turn raises questions over justification of the Plan, i.e. the second test of soundness.

5.0 ISSUE 6 – SITE SELECTION

- 5.1 Paragraph 4.6.10 of the Plan summarises the approach to the selection of sites to be removed from the Green Belt to meet development needs. The GB assessments referred to under Issue 2 are an important part of this process but other factors such as accessibility, infrastructure and deliverability have been taken into account.
- 5.2 Deliverability in relation to housing land is a term which has arisen out of the preparation of SHLAAs. It is used to compare different sites, determine how soon sites are likely to be available for development, how suitable they are and how achievable the development is, when based on a range of likely obstacles.
- 5.3 Our view is that, taking into account the range of factors considered in site selection, the Council's selection process has not been robust and ultimately not all of the sites supported for allocation are justified above others.
- 5.4 With specific to the land off Elton Head Road, Lea Green - the land would be better placed as an allocated site under Policy LPA05.1: Strategic Housing Sites, as opposed to Policy LPA06: Safeguarded Land. The site is deliverable and can be brought forward for residential development without delay within the early stages of the Plan.
- 5.5 This hearing statement is specific to the strategic policies at play in the matter – separate hearing statements will be submitted at the appropriate junctures specific to the allocations / safeguarded land / Green Belt boundaries, setting out the key factors in why the site in question scores above others.

6.0 COMMENTS ON STRATEGIC POLICIES

6.1 A range of draft strategic policies are being proposed to guide and determine development at a strategic level. Our comments on certain strategic policies are outlined below:

6.2 **Policy LPA02 – Spatial Strategy**

6.3 Part of this policy states:

1. The sustainable regeneration and growth of St. Helens through to 2035 and beyond will be focussed (as far as practicable, having regard to the availability of suitable sites) on the Key Settlements, namely St. Helens Core Area; Blackbrook and Haydock; Newton-le-Willows and Earlestown; Rainford; Billinge; Garswood; and Rainhill.

2. New development will be directed to sustainable locations that are appropriate to its scale and nature and that will enable movements between homes, jobs and key services / facilities to be made by sustainable non-car modes of transport.

4. This Plan releases land from the Green Belt to enable the needs for housing and employment development to be met in full over the Plan period from 1 April 2020 until 31 March 2035, in the most sustainable locations.

6.4 ***Land off Elton Head Road falls within Lea Green within the proposed St. Helens Core Area as seen in Figure 4.1 – Diagram of Key Settlement Areas.***

6.5 ***Lea Green provides an appropriately sized conurbation to accommodate future development and is well related to the main urban centre of St. Helens to benefit from the services and facilities it offers, in conjunction with the strong supply of services and facilities specific to Lea Green itself.***

6.6 ***We are in agreement with Policy LPA02, in that development across the borough should be directed towards sustainable locations, particularly the Key Settlements and the St. Helens Core Area. However, we are of the view that there is potential conflict with point 4 in consideration of the sites identified for release from the Green Belt and supported as allocations, i.e. are they the most appropriate and deliverable and are they best suited to meet the needs for housing in full over the Plan period. As has been highlighted through these representations, we are of the view that there are alternatives, proven to be deliverable, better placed to satisfy the spatial strategy and so endorse the soundness of the Plan.***

6.7 Policy LPA05 – Meeting St. Helens Borough’s Housing Needs

"In the period from 1 April 2016 to 31 March 2035 a minimum of 9,234 net additional dwellings should be provided in the Borough of St. Helens, at an average of at least 486 dwellings per annum".

6.8 The proposed figure of 9,234 for housing provision over the Plan period is too low. The figure for housing provision for the Plan period represents a considerable reduction on any of the proposed figures for Strategic Growth Options put forward at the Preferred Options stage of the Plan’s adoption process.

6.9 As presented for Examination in its current format, we are of the view that the Council are susceptible to critique on housing land supply, the associated restrictive strategy on the location of future development and the impact upon the delivery of affordable housing.

6.10 It is submitted that, in light of the above comment, the local authority must ensure that the shortfall in the supply of housing land is addressed and that a higher figure of new homes over the course of the plan period sought.

6.11 It is submitted that the housing provision figure now being proposed would not support the Council’s preferred Strategic Growth Option and in turn this would also not support economic growth aspirations within the proposed LP. The figure pursued in the Deposit Plan would not provide housing for levels of population growth in any range over historic periods.

6.12 In simple terms the proposed figure in the Deposit Plan would almost certainly result in a shortfall in housing land supply and will ultimately result in the plan being found ‘unsound’ by a Planning Inspector during Examination.

6.13 Critical analysis of Table 4.6 – housing land requirements and supply 2016 to 2035 raises serious concerns, with particularly reference to the following:

- SHLAA 2017 supply – too strong a reliance on untested sites without the benefit of planning permission and stalled sites that benefit from planning permission. Deliverability of sites is strongly questioned.
- Allocations – too strong a reliance on large-scale strategic sites either currently designated Green Belt or not. Again, deliverability of sites is strongly questioned.
- Safeguarded land - too strong a reliance on large-scale strategic sites. Again, deliverability of sites is strongly questioned.

6.14 It is requested that table 4.5, cross-referenced within Policy LPA05 – Meeting St. Helens Borough’s Housing Needs is altered to include Land off Elton Head Road, as an individual site with an area of 3.70 hectares and an indicative capacity of a minimum of 84 units.

6.15 **Policy LPA06 – Safeguarded Land**

6.16 Subject to acceptance of the site as an allocation, it is requested that table 4.8 – Safeguarded Land for Housing is updated to exclude reference 7HS.

7.0 CONCLUSIONS

- 7.1 From a spatial strategy perspective, we are of the view that the approach taken by the Council on the alteration of the Green Belt boundaries as an exceptional circumstance seeking to meet its housing and employment needs is justified. The key question being asked is the robustness of the site selection.
- 7.2 As a starting point, we support in principle the allocation of the land south of Elton Head Road for housing, the crux of the matter is that the land should be an allocated site under Policy LPA05.1: Strategic Housing Sites, as opposed to Policy LPA06: Safeguarded Land. The site is deliverable and can be brought forward for residential development without delay within the early stages of the Plan. This hearing statement is specific to the strategic policies at play in the matter – separate hearing statements will be submitted at the appropriate junctures specific to the allocations / safeguarded land / Green Belt boundaries
- 7.3 For the reasons outlined within this document, it is requested that the site is then transferred from the Safeguarded Sites list (Policy LPA06) to the Allocated Sites list (Policy LPA05), to be brought forward for residential development within the approaching 2020 – 2035 plan period, rather than being reserved for the following 2033 plan period.
- 7.4 With full control over the land and an interest already expressed by housebuilders, it is submitted that the land is 100% deliverable. This deliverability means the site can make a valuable contribution, sooner rather than later to the housing supply within St. Helens.
- 7.5 The question lies as to whether the promotion of the land to the allocations should be done to the detriment of one or more of the sites currently supported for allocation in the submission draft document. Should the housing supply figures be deemed too low, clearly there is justification to simply add the site to the existing allocations. Alternatively, there could be a consideration against one or more of the supported sites and the associated projected delivery numbers, which could be reduced to accommodate the additional allocation so endorsing the effectiveness of the Plan and the associated deliverability of sites over the Plan period. All of which is critical to the Inspector’s assessment of soundness of the Plan.

Cassidy+ Ashton

C+A

Chester Office:

10 Hunters Walk, Canal Street,
Chester, CH1 4EB

T: +44(0)1244 402 900

E: chester@cassidyashton.co.uk

Preston Office:

7 East Cliff, Preston,
Lancashire, PR1 3JE

T: +44(0)1772 258 356

E: preston@cassidyashton.co.uk

Email us:

architecture@cassidyashton.co.uk

surveying@cassidyashton.co.uk

planning@cassidyashton.co.uk

Follow us on:



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