

**St. Helens Borough Local Plan 2020-35
Examination
Hearing Statement – Matter 4
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 08 June 2021, covering Matter 4 – Allocations, Safeguarded Land and Green Belt Boundaries – Bold, Eccleston, Sutton Manor, Thatto Heath and St Helens Core Area.

1.2 The relevant Submission Plan policies are as follows:

- LPA05 – Meeting St Helens Borough’s Housing Needs
- LPA05.1 – Strategic Housing Sites
- LPA06 – Safeguarded land

1.3 With reference to document INSP007 – Inspectors Matters, Issues and Questions, the key issue is as follows:

Issue 3: Eccleston (3HS), Sutton Manor (6HS), and Thatto Heath (10EA, 9HA, 7HS)

The Plan proposes to safeguard the former Eccleston Golf Course (3HS), Land east of Chapel Lane, Sutton Manor (6HS) and Elton Head Road, Thatto Heath (7HS). There is a hybrid application pending at Eccleston Golf Course for some 830 dwellings and retail and children’s nursery.

The Former Linkway Distribution Park (9HA) is identified as a strategic site anticipated to deliver around 350 homes within the Plan period. It has planning permission so should be treated as a commitment rather than as an allocation.

Land at Lea Green Farm (10EA) is completed and therefore should be treated as such rather than as an allocation.

22. Does the Plan reflect the current status of Former Linkway Distribution Park (9HA) (with planning permission) and Lea Green Farm (10EA) (completed)?

23. What is the up-to-date position on the application for development at Eccleston Golf Course?

24. Do the Green Belt assessments support the safeguarded land (3HS, 6HS, 7HS) and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

25. If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?

26. *Is the configuration and scale of the safeguarded land justified taking into account long-term development needs and the Green Belt assessments?*

27. Should any of the safeguarded sites be allocated rather than safeguarded so that they can contribute to meeting needs in the Plan period?

28. *Are the requirements for the sites within Appendix 7 (Site Profiles) necessary, positively prepared and effective?*

29. Are the net developable areas, minimum densities and indicative site capacities within Table 4.8 justified and effective?

****the questions highlighted in bold are the most pertinent to our previous representations and the content of this hearing statement.***

- 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 As a starting point, support is expressed in principle for the allocation of the land south of Elton Head Road, Thatto Heath as safeguarded land for housing. The crux of previous representations and our position for consideration at the Examination 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.
- 1.6 This hearing statement is specific to the allocations / safeguarded land / Green Belt boundaries and the question raised as to whether any of the safeguarded sites should be allocated rather than safeguarded so that they can contribute to meeting needs in the Plan period.
- 1.7 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.

- 1.8 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 SOUNDNESS

- 2.1 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.
- 2.2 **Test 2 - Justified**
- 2.3 ***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.***
- 2.4 **Test 3 - Effective**
- 2.5 ***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.***
- 2.6 **Test 4 - Consistent with national policy**
- 2.7 ***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.***

3.0 ISSUE 3 – THATTO HEATH (7HS)

3.1 Questions raised in Inspector’s matters / issues / questions:

- ***Do the Green Belt assessments support the safeguarded land (3HS, 6HS, 7HS) and demonstrate exceptional circumstances for the removal of the land from the Green Belt?***
- ***Should any of the safeguarded sites be allocated rather than safeguarded so that they can contribute to meeting needs in the Plan period?***
- ***Are the net developable areas, minimum densities and indicative site capacities within Table 4.8 justified and effective?***

3.2 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.

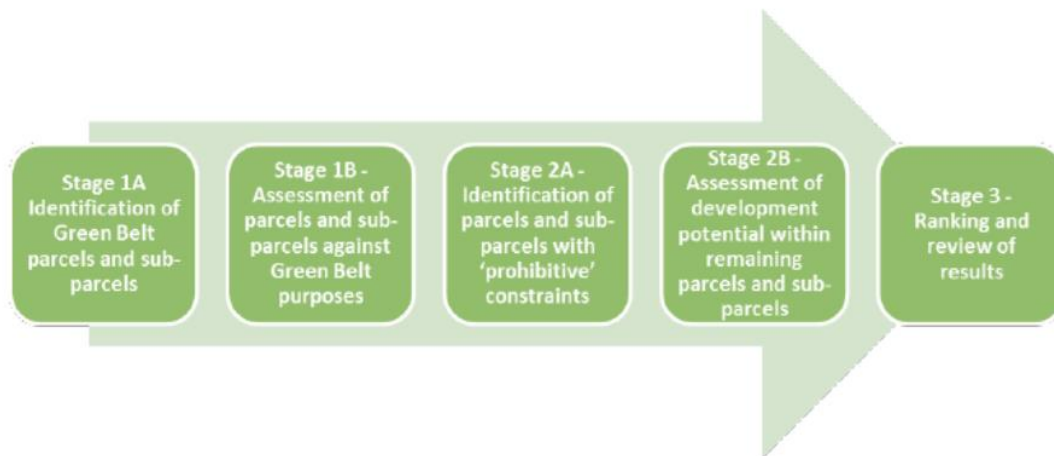
3.3 Allocated housing sites would come forward for development within the approaching plan period (2020 – 2035), whilst safeguarded sites would be reserved for development within the following 15 year plan period from 2033.

3.4 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.

3.5 ***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 series 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.***

GREEN BELT SITE ASSESSMENT

- 3.6 The Green Belt Review was published in December 2018 and sets out the LPA methodology of determining which parcels of land should be removed from the Green Belt.
- 3.7 As part of the Green Belt Review, candidate sites have been assessed through a five-step process set out below.



- 3.8 Following the above assessment methodology, Table 5.3 was produced which ranked a total of 56 residential sites that had progressed through the earlier 4 stages.
- 3.9 This ranking exercise combined the two scores from Stages 1B and 2B to create a new Overall Score with 6 being sites with the most potential for being removed from the Green Belt and 1 with the least potential.
- 3.10 This exercise resulted in 10 sites which were given the score of 6 and 8 sites were given the score of 5.
- 3.11 Of the sites given the score 6, 9 of these were allocated and one has been marked as a Green Belt Anomaly.
- 3.12 Of the sites given the score 5 all of these have been indicated as Safeguarded.
- 3.13 In turn these sites have been included within the St Helens Borough Local Plan 2020 -2035 Submission Draft Document (January 2019).
- 3.14 The following table indicates all of the allocated and safeguarded housing sites including non-Green Belt release sites.

Site	Allocation	Safeguarded	Currently Green Belt	Units 0-100	Units 100 - 300	Units 300+	Stage 1b Score	Stage 2b Score	GB review score
1HA	Yes	No	Yes		Yes		Low	Good	6
2HA	Yes	No	Yes			Yes	Low	Good	6
3HA	Yes	No	No			Yes	Na	Na	Na
4HA	Yes	No	Yes			Yes	Low	Good	6
5HA	Yes	No	Yes			Yes	Low	Good	6
6HA	Yes	No	No			Yes	Na	Na	Na
7HA	Yes	No	Yes		Yes		Low	Good	6
8HA	Yes	No	Yes		Yes		Low	Good	6
9HA	Yes	No	No			Yes	Na	Na	Na
10HA	Yes	No	No			Yes	Na	Na	Na
1HS	No	Yes	Yes		Yes		Medium	Medium	5
2HS	No	Yes	Yes		Yes		Medium	Good	5
3HS	No	Yes	Yes			Yes	Low	Medium	5
4HS	No	Yes	Yes		Yes		Low	Medium	5
5HS	No	Yes	Yes		Yes		Low	Medium	5
6HS	No	Yes	Yes		Yes		Low	Medium	5
7HS	No	Yes	Yes	Yes			Low	Medium	5
8HS	No	Yes	Yes			Yes	Low	Medium	5
<i>*highlighted line is the land south of Elton Head Road, the Jones' land that is the subject of these representations</i>									

3.15 As can be seen above, site 7HS, or GBP_085c as it is referenced in the Green Belt Review Document (December 2018), is the smallest of the sites included within the allocated or safeguarded sites.

3.16 Below is an extract from the Green Belt Review where the site is analysed and is indicated as having an overall score of 5 due its stage 2b score being only medium in regard to development potential.

GBP_085c	Land south of Elton Head Road, adjacent to St. John Vianney Catholic Primary School.	Low	Medium	5	84
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3.17 As can be seen above the site achieved the best score possible at stage 1b (Low) however received only the score of *Medium* at the Stage 2b Assessment resulting in an overall score of 5.

3.18 This score relates to the assessment of development potential in the remaining sites. The sites were assessed against constraints, accessibility to modes of transport and ownership and viability issues.

3.19 The LPA assessment of each parcel is set out in table 5.4, the comments on the decision relating to site GBP_085c are included below.

GBP_085c Land south of Elton Head Road, adjacent to St. John Vianney Catholic Primary School	Safeguarded (in part)	<p>This sub-parcel is located south of Thatto Heath and forms part of a larger area of land which was proposed by the Council as safeguarded land at the LPPO stage.</p> <p>A number of constraints affect the sub-parcel as a whole which impact on its overall NDA. These constraints, considered in the context of the reduced amount of new housing that is now identified as being required in the Borough, have led the Council to recommend a reduced NDA within the sub-parcel.</p> <p>The sub-parcel is sustainably located as it is within walking distance of a local convenience shop and readily accessible by users of public transport and the local highway network. The sub-parcel is also well self-contained visually, by the existing development to the north, a school to the north east, woodland and the new Waterside Village housing estate to the south east, and by higher ground to the west.</p> <p>However, development of the larger site proposed at LPPO stage would be likely to cover the prominent side of a scarp slope with characteristic rocky outcrops. As a result it would be likely to cause harm to the character and appearance of the area, within an area which scores Medium to High for landscape visual sensitivity. The resultant harm can be adequately addressed by</p>
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	<p>reducing the NDA so that it just covers the eastern portion of the sub-parcel. The NDA within the reduced area would also be well defined by a clear, robust field boundary which runs through the sub-parcel and by the woodland and primary school grounds to the east.</p> <p>Access to the sub-parcel can be provided from Elton Head Road, where there is a 20mph speed limit. Any development would also need to apply an appropriate buffer alongside the priority habitats woodland to the south east and alongside a priority habitat grassland.</p> <p>These constraints would not be sufficient to preclude the development of the sub-parcel within the reduced NDA referred to above.</p> <p>The sub-parcel constitutes mixed grade 3 agricultural land. The surrounding area includes substantial opportunities for re-development of previously developed sites including at the Suttons depot site a short distance to the east. To ensure an appropriate phasing of development within the Thatto Heath area it would be appropriate to delay any development within sub-parcel GBP_085c until after the end of the Plan period.</p> <p>The SA assessed the sub-parcel as part of the larger site proposed at LPPO stage. It concluded that its development would have a positive impact on the achievement of a number of SA objectives.</p> <p>Having regard to all the factors set out above, it is concluded that the eastern part of the sub-parcel only should be released from the Green Belt, and safeguarded to help meet potential housing development needs after the Plan period. .</p>
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- 3.20 It is clear from the above assessment that the individual site is still being assessed as part of the much larger allocation (HS24), which was considered at the LPPO stage.
- 3.21 Due to this there are a number of discrepancies where points relating to the wider site are identified as being negative however when considering the site in isolation these are not relevant.

INDEPENDENT STAGE 2B ASSESSMENT

- 3.22 In light of the above and for the benefit of these representations, we have undertaken an independent site assessment (equivalent of Stage 2B assessment), which follows the same methodology set out within the Green Belt Review. This is set out as follows:
- 3.23 Constraints are identified in the table below and an assessment is made against each element identified within the Green Belt Main Report.

Constraint type	Reason why this constraint was assessed	Assessment
Landscape and Visual Character	To Minimise impact on the landscape	Is identified within response as being well self-contained visually by existing development to the North, a School to the North East, Woodland and the new Waterside village housing estate to the South East.
Ecology	To minimise impacts of new development on biodiversity	The site is a green field site however there are no ponds on the site and although tree lined boundaries might form suitable habitats for bats it is not considered that this would unduly impact upon the developable area.
Agricultural Land Quality	To take into account the economic and other benefits of best and most versatile agricultural land	The site is Grade 3 agricultural Land and hence does not represent either the best of most versatile agricultural land
Heritage Assets	To consider the effects of development on the identified heritage assets	There are no Heritage assets within the setting of the site
Flooding	To implement national policy that areas within flood zone 2 or 3 should not be developed unless development needs cannot be met by use of land at lower flood risk.	The site is not within any identified flood zones

Trees and woodland	To minimise loss of important trees and woodlands	There will be minimal loss of trees to facilitate access
Open space and recreation	To avoid loss of open space and sporting facilities in areas of shortage	No open space or sporting facilities will be lost
Minerals	To ensure that important mineral resources are not sterilised by new development	The site is not identified as a minerals safeguarding zone
Infrastructure	To ensure that development does not jeopardise (a) the integrity of existing infrastructure or (b) the ability to deliver future infrastructure improvements.	Existing infrastructure is sufficient to accommodate the proposed site.
Ground Conditions	To identify any likely constraints related to landfill, contamination or subsidence.	No ground conditions issues have been identified
Air, Water and noise pollution	To identify whether the site is suitable for the proposed use in relation to these pollution issues	The site is a Greenfield site and is not subject to any of the pollutants identified.
Hazardous Installations	To identify whether occupiers of the site would be subject to unacceptable risks from such installations (including pipelines).	There are no hazardous installations on the site
Neighbouring uses	To ensure proposed use would be compatible with nearby land uses.	All of the surrounding uses are compatible with the nearby land uses

3.24 As can be seen above, due to survey work that has already been completed on the site, it is exceptionally well placed to be brought forward for residential development. ***These results are as good if not better than all of the sites included for allocation and awarded a High potential for being brought forward.***

3.25 The next element of assessment for stage 2B is in relation to accessibility to sustainable modes of Transport. The below table follows the guidelines set out within the methodology.

Modes of Transport	Guidance to differentiate between parcels/sub-parcels	Assessment
Walking	Within 600 metres safe and convenient walking distance of a district or local centre	Site is well located for walking as identified within LPA Green Belt Review Comments
Cycling	Within 1 mile safe and convenient cycling distance of a district or local centre	Site is well located for cycling as identified within LPA Green Belt Review Comments
Public Transport	Within 400 metres safe and convenient walking distance of a bus stop with a reasonable range of services to different destinations	Site is readily accessible by users of public transport as identified within LPA Green Belt Review Comments
Vehicular Traffic	Safe and convenient access can be provided for all vehicles that are likely to use the parcel/sub-parcel to and from (a) the public highway and (b) the strategic road network	Site is readily accessible by users of the local highway network as identified within LPA Green Belt Review Comments

3.26 The site is exceptionally well located for access to sustainable transport methods and meets all of the recommended guidance. ***As such this site must be considered to be awarded a High mark for this element of the Stage 2B assessment.***

3.27 The third and final element of assessment relates to ownership and viability issues. Within this element in the methodology it sets out 3 elements for consideration, these are covered below.

3.28 ***Whether there is active developer interest;***

The landowner has been approached repeatedly by house builders including those operating within close proximity to site.

3.29 ***Whether similar areas have been successfully developed in recent years;***

Directly to the South and east of the site is a residential development which is currently being built out by Morris Homes. Due to this sites close proximity and ongoing successful build out it is felt that if the proposed site were to be included as an allocation there might be opportunities for the new site to form a final phase for the emerging residential site.

This could give opportunities for shared facilities and infrastructure between the permitted and the new site if allocated

3.30 ***Whether there are any known abnormal development costs***

A number of surveys of the site have been completed and none of these have identified any potential abnormal development costs. As this is a green field site and has never been developed there are not expected to be significant abnormal site constraints including contamination or difficult constructions access.

CONCLUSION OF UPDATED SITE 2B ASSESSMENT

- 3.31 The aim of Assessment 2b is to reach overall conclusions on the development potential of each parcel/sub-parcel of land and consider the likelihood that those sites would come forward for development within the plan period if they are release from the Green Belt.
- 3.32 Site reference 7HS/GBP_085c is ideally located for Green Belt release and the above independent site assessment clearly sets out that when considered on its own rather than as part of a larger site the only possible score it should be given is High.

CHARACTERISTICS COMPARED TO OTHER SAFEGUARDED AND ALLOCATED GREEN BELT SITES

- 3.33 The allocated and safeguarded sites have been assessed by the Council in a manner based on certain characteristics, which have determined whether they are placed within one tranche or the other.

Allocated Sites

- 3.34 When assessing Land off Elton Head Road as an individual site, it is clear that the characteristics of the site(s) and their good deliverability is much more akin to the allocated rather than the safeguarded sites.
- 3.35 The site area of Land off Elton Head Road at 3.70 hectares is lower than some of the allocated sites (although it is acknowledged that some of these allocated sites are strategic allocated sites, which by their nature are of a significant size).

Safeguarded Sites

- 3.36 In comparison to the other safeguarded sites, the majority of these are significantly larger in area and do not relate as well to existing built forms. In addition, they are often much further away from local services and facilities and would have greater impact upon the landscape and purposes of the Green Belt.
- 3.37 Unlike several safeguarded sites, Land off Elton Head Road site does not score less in terms of deliverability. It has no prohibitive constraints and is under single ownership. There is clearly a positive relationship with the surrounding built forms and the site is in a sustainable location.
- 3.38 The development of the site would not have a detrimental effect on the amenities of neighbouring land uses. The proposed use will complement the neighbouring land uses, which are principally residential. The development of the site would have a limited impact on the character of the wider landscape. The development provides the scope to enhance and create a more appropriate settlement edge to the area.

IMPACT UPON OVERALL SCORE AND SUBSEQUENT IMPACT ON ALLOCATION

- 3.39 The landowner and the LPA both agree that site 7HS/GBP_085c should be awarded the best score at stage 1b (Low) and as such be allocated the full 3 points at stage 3. There is a difference in opinion however regarding the stage 2b score. The LPA marked this as medium rather than **High** as the above assessment concludes. Having reviewed the LPA comments it becomes clear that this low score can only be achieved due to the LPA considering it as part of the much wider site rather than considering the site on its own merits.
- 3.40 ***When the site is considered on its own merits it is clear the only correct score can be High with this in mind it should also be allocated the full 3 points at stage 3 resulting in an overall score of 6.***
- 3.41 As set out above all other sites with a score of 6 have been included as Allocated sites. It is our view that the site, when considered fairly is an incredibly logical piece of land for release from the Green Belt with limited impacts upon the purposes of including land within the Green Belt and also with no known constraints to prohibit efficient delivery of homes.

4.0 CONCLUSIONS

- 4.1 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.
- 4.2 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
- 4.3 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.
- 4.4 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.
- 4.5 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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