

**APPENDIX II EXTRACT OF LOVELL'S RESPONSE TO MATTER 3,  
ISSUE 2**

- 2.16 In order to make the plan sound in this regard, SHMBC should:
- I) Include a more appropriate mix of sites (brownfield and greenfield sites across a range of sizes and locations) as housing allocations to meet its housing requirement;
  - II) Allocate more viable housing sites to ensure that both affordable housing need and associated infrastructure requirements are met.
- 2.17 Further details on the deliverability of the Chapel Lane site, including a detailed Development Statement are provided in Lovell's Hearing Statement for Matter 4.

## **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)?**

- 2.18 Paragraph 11 (b) of the NPPF states that:

*“strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 2.19 St Helens Borough is tightly constrained by the Green Belt and the Green Belt boundaries in St Helens have remained substantially unchanged since being originally designated in 1983 (almost 40 years ago). The Green Belt in the Borough covers most of the countryside around its main towns and villages, and also 'washes over' individual buildings and small settlements. In many locations the Green Belt boundary tightly follows the edge of existing built up areas. The Local Plan proposes to release land from the Green Belt to enable the needs for housing and employment development to be met in full over the Plan period in the most sustainable locations. Other land is proposed to be removed from the Green Belt and safeguarded to allow for longer term housing and / or employment needs to be met beyond the Plan period.
- 2.20 Lovell's strongly held view is that the presence of Green Belt does not provide a reason for restricting the overall scale of development proposed by the Plan and that Green Belt release is necessary in appropriate locations in order to meet the Borough's open market and affordable housing and employment needs.
- 2.21 Any alternative that does not meet housing and employment needs during the Plan period would not deliver the strategic objectives of the Plan which include supporting regeneration and balanced economic growth and meeting housing needs within the Borough.

2.22 There are exceptional circumstances to justify further changes to the Green Belt boundaries – see our response to question 4 immediately below.

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

2.23 Paragraph 136 of the NPPF states that once the general extent of a Green Belt has been established, it should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans having regard to their intended permanence in the long term, so they can endure beyond the plan period.

2.24 The Green Belt Review (December 2018) sets out clearly the Council's position that exceptional circumstances exist to justify changes to the Green Belt boundaries which are as follows:

I) The St.Helens Unitary Development Plan (1998) and the St Helens Core Strategy (2012) both aimed to focus most new development onto previously developed land in urban areas. The Core Strategy states that 80% of new housing developed between 2003 and 2027 should be built on such land. However, the Core Strategy identified a potential need for Green Belt release to meet needs for new housing from 2022 onwards.

II) Substantial shortfalls have been identified in the overall quantity, quality and range of sites within existing urban areas that can be made available for housing and employment development over the Local Plan period, both within the Borough and in other nearby locations.

2.25 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 are proposed to be removed from the Green Belt and allocated for development in the period up to 2035. Some other sites are proposed to be removed from the Green Belt but, rather than being allocated for development, have been safeguarded to meet potential longer term development needs after 2035.

2.26 Lovell fully agrees with the Council's conclusion that exceptional circumstances exist to justify the release of land from the Green Belt. The Council's approach to identifying both allocated and safeguarded sites to attempt to ensure that the changes to the Green Belt can endure well beyond the Plan period will only be consistent with national policy, if it ensures that the needs are actually met (NPPF paragraphs 35a and 35c).

2.27 For reasons set out in further detail in Lovell's response to Matter 4, Lovell does not consider that the proposed allocations are sufficient or will be effective at meeting the Borough's overall housing needs and particularly affordable housing needs and therefore suitable sites proposed for safeguarding, such as the Chapel Lane site, should be upgraded to allocations to ensure that this need is met.

**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?**

2.28 It is Lovell's view that the quantum of proposed Green Belt release has not been supported by proportionate evidence. Whilst the Council has sought to maximise the use of brownfield sites before looking to the Green Belt, in doing so it has neglected to allocate a sufficient mix of sites to ensure that sites will both deliver early in the plan period and meet affordable housing needs as demonstrated in Lovell's response to Question 1 above.

2.29 Furthermore, Lovell does not agree that the housing requirement is justified for the reasons set out in detail in Lovell's Hearing Statements for Matter 2. In summary, Tetlow King's analysis of affordable housing supply identifies a huge deficiency in the supply of affordable homes to be delivered during the Plan period. Taking into account backlog needs accrued since 2016, there is a clear need for at least 176 net affordable homes per annum for the five-year period between 2020/21 and 2024/25.<sup>4</sup> Lovell considers that in order to achieve both its economic growth aspirations and to ensure its housing needs are met, it is appropriate for St Helens to plan for a higher level of need by substantially increasing the overall housing requirement and to allocate additional sites that are deliverable and can deliver policy compliant affordable housing, or better such as the Chapel Lane site which would be capable of delivering 100% affordable housing in the first 5 years of the plan period.

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

2.30 The Government has not set any prescribed approach for LPAs to follow when undertaking a Green Belt Review. The Council's Preferred Options consultation, which was undertaken in 2016, was supported by a Draft Green Belt Review 2016 ('the 2016 Green Belt Review'), the findings of which were used to inform the Council's then preferred options for Green Belt release. The 2016 Green Belt Review methodology comprised the following:

- Stage 1: Green Belt Parcel Assessment of all the Green Belt in St. Helens against the five purposes (99 parcels);
- Stage 2: Site Assessment of Prohibitive Constraints;
- Stage 3A: Constraints Assessment;
- Stage 3B: Accessibility Assessment;
- Stage 3C: Developability Assessment;
- Stage 4: Site Summary.

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<sup>4</sup> Tetlow King Report para. 4.14

- 2.31 As shown on the Map of combined Stage 1 Green Belt parcels assessment and associated site proforma contained at **Appendix I**, the Chapel Lane site was assessed at Stage 1 of the 2016 Green Belt Review as part of a wider parcel (Ref: GBP\_082) also incorporating further land to the south and west (Site Refs: GBS\_049 and GBS\_111). The Stage 1B Parcel Assessment score for parcel ref: GBP\_082 gave a score of 'Medium' against all 3 purposes assessed (Purposes 1, 2 and 3) and an overall significance score of 'Medium'.
- 2.32 The site was then assessed in isolation (Site Ref: GBS\_140) through the subsequent Stages 2 and 3 which included the following assessment:
- Landscape - Woodland trees provide significant visual amenity value. Provided these are retained the landscape impact would be low.
  - Ecology - Western side of site is affected by a large TPO and borders LWS.
  - Heritage - Northern portion of the site falls within the 200m buffer of an ancient monument.
  - Other Constraints - Small part of the site in FZ2 and 3.
  - Highways Access - Suitable access possible subject impacts on trees being addressed.
  - Sustainable Access - Good accessibility.
  - Viability – Good Viability.
- 2.33 The Stage 4 site summary concluded that the Chapel Lane site ranks 1 of 3 in the hierarchy of the other sites within the parcel (sites GBS\_049 and GBS\_111) and that the impact on Green Belt if the site is allocated would be **low**. It concluded that there will be **low Green Belt impact** provided woodland is preserved which screens the site from the west and that the site should be promoted for allocation.
- 2.34 The red line boundary for site GBS\_140 included the whole site including the woodland area.
- 2.35 Further to the 2016 Green Belt Review, a subsequent Green Belt Review (December 2018) ('the 2018 Green Belt Review') was undertaken which the Council states (within Chapter 2 of the 2018 Green Belt Review), followed a similar step-by-step approach as follows:
- 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.
- 2.36 Stage 2b assessed various attributes of each parcel/sub-parcel to form an understanding of the likelihood or otherwise of them coming forward for development if released from the Green

Belt including consideration of physical or policy constraints and transport accessibility. A total of 69 parcels and sub-parcels were assessed at Stage 2B. Of these:

- 18 were identified as having 'good' development potential;
- 11 were identified as having 'medium' development potential; and
- 40 were identified as having 'limited' development potential.

2.37 The Council then attributed an overall numerical score, by adding the score for Stage 2B to that for Stage 1B in accordance with the ranking tables below (included at paragraphs 2.54 and 2.55 and Table 2.10 of the 2018 Green Belt Review).

Overall significance of the parcel/sub-parcel to the 3 Green Belt purposes assessed in the Review	Score attributed
Low	3
Medium	2
High	1
High +	0

Overall development potential of the parcel/sub-parcel	Score attributed
Good	3
Medium	2
Limited	1

**Table 2.10: Tier ranking of overall scores**

Tier number	Overall score from stages 1B and 2A
1	6
2	5
3	4 (excluding parcels/sub-parcels scoring only 1 for either of Stages 1B or 2B)
4	Other parcels/sub-parcels scoring 4
5	3
6	2
7	1

2.38 Within the 2018 Green Belt Review, the site (Parcel Ref: GBP\_082a - Land East of Chapel Lane and South of Walkers Lane, Sutton Manor), the site was assessed again. At Stage 1b (Purposes of the Green Belt) it scored 'Low' and at Stage 2b (Developability Assessment) it scored 'Medium'.

2.39 The Chapel Lane site was given an overall score of 5 (just one point below all of the sites that were allocated).

2.40 However, whilst the Council includes detailed pro-formas for individual sites assessed for Stage 1b of the review, all that is included for Stage 2b is a template pro-forma (At Appendix F) that lists several considerations that will be taken into account when carrying out the Stage 2b developability assessment (including suitability, transport accessibility, availability, and

- achievability). The template pro-forma is included at **Appendix II** of this statement for reference.
- 2.41 Therefore, without any evidence or justification presented as to how the Council has arrived at its tier ranking scores in Table 2.10, it is impossible to assess whether these scores are robust and/or justified for each site, or indeed whether the scores have been retrofitted to match the Council's proposed allocations.
- 2.42 What is absolutely clear to Lovell, is that the developability score of 'medium' or '2' for the Chapel Lane site, is incorrect. The only apparent justification for the Council's decision to safeguard the site, rather than allocate it for housing within the plan period, is provided in the commentary in Table 5.4 (at page 111 of the 2018 Green Belt Review) which states that:
- "The sub-parcel was proposed by the Council as an allocated housing site at LPPO stage. However, its characteristics, 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 change its conclusions relating to it."*
- 2.43 The commentary then goes on to state that the site is:
- "further from the nearest local centre than is the case for example for the nearby parcel GBP\_080. It is now seen as being more suitable to form a longer term extension of the urban area, which could contribute to meeting housing needs after the end of the Plan period."*
- 2.44 The main justification for this downgrading therefore appears to be that it is a result of the reduced overall housing requirement for the Borough and due to the site's proximity to the nearest Local Centre when compared to Site 5HA. However, as demonstrated in the Development Statement attached to Lovell's response to Matter 4, the site is in a sustainable location within walking distance of local services. For example, there is a general store approximately 0.6km to the east of the site on Feeny Street and a Texaco Garage with Spar store approximately 0.8km to the east of the site on the B5419. Furthermore, there is no evidence or justification as to how the Council has assessed the site at stage 2b against over 60 other considerations listed in the template pro-forma at **Appendix II**.
- 2.45 Lovell strongly disputes the Council's overall score of '5' for the site and its decision to discount the site on this basis given the site's highly sustainable and accessible location and overall 'good' development potential, which is further demonstrated in the detailed Development Statement provided in Lovell's Hearing Statement for Matter 4.
- 2.46 Furthermore, as shown in the site assessment summary enclosed at **Appendix III**, the red line boundary for Parcel ref: GBP 082a covers the same area as the red line previously assessed under the 2016 Green Belt Review. However, as a result of representations made previously by the landowner, the woodland area in the middle of the site has been excluded from the part of the site that is proposed to be safeguarded. Lovell is supportive of the boundary of this part of site to be safeguarded as this will provide SHMBC with the comfort and clarity that the

remainder of the site i.e. the wooded area will not only be preserved but will remain within the Green Belt and thus be subject to the strict policy restrictions that a Green Belt designation affords. As demonstrated in the Development Statement which forms part of Lovell's Hearing Statement for Matter 4, the woodland area within the site is proposed for retention as well as the provision of adequate buffers between this area and the development.

### **Comments on Soundness in respect of Issue 2**

2.47 When considering the tests of soundness set out in Paragraph 35 of the NPPF in the context of Issue 2 of Matter 3, the Plan as drafted is not sound.

2.48 The Council has demonstrated that, overall, there are exceptional circumstances to justify changes to the Green Belt boundary. However, its approach to site selection through the Green Belt Reviews has not been robust, particularly in relation to the Chapel Lane site. Therefore, the plan as submitted is not sound because it is not justified or effective:

- I) There is a distinct lack of justification within the 2018 Green Belt Review as to why the Chapel Lane site scored only 'Medium' on deliverability and has been downgraded from an allocation to a safeguarded site;
- II) The 2016 Green Belt Review assessed the entire site and concluded that there would be low Green Belt impact provided woodland is preserved which screens the site from the west and that the site should be promoted for allocation;
- III) Within the 2018 Green Belt Review, the Council appears to have changed its conclusions in respect of the site without reasonable evidence to justify this. The concerns as to the site's features are not justified. The context of the overall reduction in housing numbers does not provide a basis for reaching a different view on the site's inherent sustainability. There has been no material change in circumstances. The site's suitability for Green Belt release has actually been strengthened between the 2016 and 2018 Green Belt Reviews as the proposed safeguarded site boundary now excludes the brook and woodland area. This means that the potential developable area has been reduced. Masterplanning shows that buffers can also be included, such that the woodland and areas immediately abutting the brook will remain undeveloped. Furthermore, Lovell has an additional parcel of land adjacent to the site which will remain in the Green Belt and will provide further compensatory benefits in the context of Paragraph 138 of the NPPF.

2.49 In order to make the plan sound in this regard, SHMBC should revisit the 2018 Green Belt Review and update their assessment / conclusions based upon the robust evidence of the site's 'good' development potential and what Lovell is proposing at the site i.e. consider the retention of the woodland and suitable buffer which will ensure a strong level of visual containment. In doing so, the Chapel Lane site should be upgraded to an allocation as per the recommendations of the 2016 Green Belt Review to ensure that SHMBC's housing and



**APPENDIX III EXTRACT OF CASE LAW RELATING TO EXCEPTIONAL CIRCUMSTANCES**

Newmarket v Forest Heath District Council [2011] J.P.L 1233 at [15 to 18] and R (Friends of the Earth) v Welsh Minister [2016] Env. L.R. 1 at [88xi]. Although the SA had considered a range of housing targets, the lowest considered had been 9,600 dwellings and so the matter needed to be revisited;

- (iv) The Inspector and the Council had failed to consider the implications of point (ii) above for the review of green belt boundaries.

### *Discussion*

141. Under ground 1 I have rejected the challenge to IR 29. In part that was because the Inspector found that there were doubts about the reliability of the ONS 2016 projections. That was a matter for her judgment. Accordingly, I accept the Council's submission that ground 2 goes nowhere. There was no obligation on the Council to take the projections into account in the manner suggested by the Claimant or to carry out any further SEA work on this aspect. It also follows that point (iv) falls away. I will nonetheless briefly address the submissions made for the Claimant.
142. The guidance given to local planning authorities makes it plain that the household projections are used as a starting point in the assessment of the OAHN and are subject to the making of a number of adjustments, related to local circumstances and requiring the use of expert judgment. The guidance gives no indication as to how household projections might be used to adjust the OAHN figure which is the outcome of this process, if the decision-maker has decided (lawfully) not to use them as a starting point. Given that it is common ground that household projections are not an expression of need and require adjustments so that need can be identified, it is difficult to see how logically they could be relied upon to make an alteration to the OAHN figure arrived at, whether upwards or downwards. The size of any adjustment might be arbitrary. In any event, it is plain from the CPRE case and from basic principles of judicial review, that it is not for the court to express a view on whether a numerical adjustment should be made or a qualitative comment applied to the OAHN figure. These are matters of planning judgment and the court's supervision of the rationality of decision-making cannot be used to justify interference on issues of this kind. It also follows that the legal argument which the Claimant advances has no implications for the legality of the SEA process or the review of green belt boundaries undertaken by the Council.
143. For these reasons ground 2 must be rejected.

### **Ground 3**

144. The Claimant's challenge relates to the basis upon which the Inspector accepted that there were exceptional circumstances to justify revising the green belt boundary so as to remove site BE2 from it at IR 153 to 155:-

“153. Land at Hollands Farm is allocated for the construction of 467 dwellings, a primary school and associated public open space. The site is situated in the Green Belt and comprises some 23 hectares of agricultural land which is enclosed on all sides by built development and located within the Tier 2 settlement of Bourne End/Wooburn. The findings of the GB2 Assessment

indicate that the allocated site only fulfils the Green Belt purposes defined in the NPPF relatively weakly, is in a sustainable location, is capable of being removed from the Green Belt without adversely impacting on the wider designation and is suitable for the proposed use.

154. The NPPF indicates that the first purpose of Green Belts is to check the unrestricted sprawl of large built up areas. The Buckinghamshire Green Belt Assessment, defines ‘large built up areas’ as being the Tier 1 settlements within constituent authority areas. In this case, the land proposed for removal is located adjacent to the Tier 2 settlement of Bourne End/Wooburn, and so therefore has correctly been adjudged not to fulfil the requirements of the first purpose.

155. The Settlement Hierarchy Study does not identify either Hawks Hill/Harvest Hill as a separate settlement and considers that it is, functionally, part of the Tier 2 settlement. As such, I do not consider that the proposed allocation would materially alter this situation or promote the coalescence of separate settlements. As for encroachment, the proximity of the surrounding built development, gives the site the appearance of being semi-urban, and as such, I do not consider that its removal from the Green Belt would result in the loss of, or promote development in, the countryside. Based on the foregoing, the evidence presented and having regard to my conclusions on Issue 1 and 4, I consider that exceptional circumstances exist to justify the alteration of the Green Belt boundary to remove the site for housing development.”

145. In summary the Claimant submitted:-

- (i) Unmet housing need cannot by itself amount to “exceptional circumstances” justifying an alteration in the boundaries of the green belt;
- (ii) The Inspector misinterpreted “exceptional circumstances” in paragraph 83 of NPPF 2012 by accepting that unmet housing need alone justified the review of the green belt boundary;
- (iii) Alternatively, the Inspector’s application of this aspect of green belt policy was irrational;
- (iv) The Inspector failed to give legally adequate reasons.

#### *Discussion*

146. I begin by summarising principles set out by Sir Duncan Ouseley in Compton Parish Council v Guildford Borough Council [2020] JPL 661 at [68]-[72]:-

- (i) There is no definition of the policy concept of “exceptional circumstances”. The expression is deliberately broad and not susceptible to dictionary definition. The matter is left to the judgment of the decision-maker in all the circumstances of the case;
- (ii) Whether a factor is *capable* of being an exceptional circumstance may be a matter of law, as an issue of legal relevance. But whether it amounts to such a circumstance in any given case is a matter of planning judgment;
- (iii) But the suggestion that a factor is legally incapable of amounting to an exceptional circumstance will generally require caution and judicial restraint. The breadth of the phrase and the array of circumstances which may qualify as “exceptional” indicate that judicial emphasis is very much more on the rationality of the judgment made by the decision-maker than on seeking to define what can or cannot amount to “exceptional circumstances”;
- (iv) “Exceptional circumstances” is a less demanding test than the “very special circumstances” test (as explained in paragraphs 87-88 of NPPF 2012 and now paragraphs 143-144 of NPPF 2019) used in development control in the green belt;
- (v) There is no requirement that green belt land may only be released as a last resort,
- (vi) There is no requirement to show that the assumptions upon which a green belt boundary was originally drawn up have been falsified by subsequent events;
- (vii) Exceptional circumstances may comprise one factor or a combination of factors of varying natures;
- (viii) General planning needs, for example general housing, are not excluded from amounting to exceptional circumstances. The need does not have to relate to a special form of housing or to a particular level of intensity.

147. Although Mr Burton appeared to make oral submissions contrary to principle (v), they were not pleaded (without any good reason) and were unsupported by any authority. There has been no opportunity for detailed argument on the point. This is one of the additional matters which, as I have explained above, it would be inappropriate to allow the claimant now to raise. But for my part, I see no reason to disagree with principle (v), as stated both in R (I M Properties Development Limited) v Lichfield District Council [2014] PTSR 1484 at [91] and in Compton.

148. It is also necessary to recall the warning which the court gave in Compton of the “danger of the simple question of whether there are ‘exceptional circumstances’ being judicially over-analysed” [77] and which underlies principle (iii). That warning is reinforced by the statements made by Lord Carnwath in Hopkins at [23]-[25]. In Samuel Smith he explained that the meaning of some broad policy expressions may be wholly or partly non-justiciable [21-[22]. For example, in relation to another part of national green belt policy Lord Carnwath said at [39]:-

“... the matters relevant to openness in any particular case are a matter of planning judgement, not law.”

**APPENDIX IV EXTRACT OF LOVELL'S RESPONSE TO MATTER 3,  
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affordable housing needs are met. The site should be scored '6' overall and allocated for housing within the plan period.

### **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?**

- 2.50 NPPF paragraph 139c states that when defining Green Belt boundaries, 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.
- 2.51 8 sites are proposed to be removed from the Green Belt and safeguarded to meet potential housing development needs after 2035, including the site at Chapel Lane (Site 6HS). Policy LPA06 (Safeguarded Land) makes clear that the sites identified as Safeguarded Land on the Policies Map have been removed from the Green Belt in order to meet longer term development needs well beyond the Plan period and that planning permission for the development of the safeguarded sites will only be granted following a future Local Plan review that proposes such development.
- 2.52 Lovell do not oppose safeguarding in principle. The decision to include safeguarded sites and the overall quantum of safeguarded sites identified is an attempt to ensure that the new Green Belt boundaries should not need to be revised again for a substantial period after 2035.
- 2.53 However, in certain cases, including Chapel Lane, safeguarding is the wrong approach. Allocation is the appropriate way forward. Our analysis concludes that the 10 proposed Local Plan allocations and the other claimed sources of supply in the Council's trajectory will deliver significantly fewer dwellings than the Council claims in the 5 year supply (Document ref: SHBC004 – Appendix 2 - Trajectory), and in particular will deliver far fewer affordable dwellings than are needed to meet the overriding need in the Borough (see Lovell's Hearing Statement for Matter 4).
- 2.54 Therefore, as currently submitted, the Council will not be able to demonstrate a 5 year supply upon adoption of the plan and will therefore need to allocate additional deliverable sites such as the Chapel Lane site to meet immediate rather than longer term development needs, including affordable housing need.

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

- 2.55 We echo our response above at Question 5.
- 2.56 In its response to the Inspectors' preliminary questions (PQ45) (Document reference: SHBC001), the Council stated that in the absence of national guidance, the Council have sought to use a practical and balanced approach to the designation of safeguarded land.

However, as referenced in the Council's response to PQ45, it has not used a specific methodology for calculating post-plan period needs and has instead undertaken what we would respectfully describe as a somewhat rudimentary calculation. This takes the estimated combined capacity of the sites safeguarded for housing and gives a rough figure of between 5.4 and 6.5 years supply.

2.57 Whilst the Council has sought to identify an amount of land to be safeguarded in order to meet future development needs and avoid further changes to the Green Belt boundary, the overall supply of housing land identified is insufficient to meet both the Borough's overall housing need and specifically its affordable housing need.

2.58 As such, as a suitable and deliverable site, the Chapel Lane site should be allocated now to ensure that shorter term development needs are met. Therefore, it may be necessary to identify additional safeguarded sites to ensure an adequate quantum is provided (see Lovell's Hearing Statement for Matter 4).

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

2.59 Lovell is generally supportive of the distribution and location of the sites proposed to be safeguarded and notes that an appropriate distribution of the sites in sustainable locations across the Borough should be sought. The Chapel Lane site is sustainably located in proximity to a range of local facilities and services, public transport links and employment opportunities.

2.60 In addition, as detailed in Tetlow King's Affordable Housing Statement (January 2021) the Bold ward (where the Chapel Lane site is located) includes some of the most deprived areas, being within the most 1% deprived nationally. Furthermore, this must be viewed in the context of the 6,444 households on the Housing Register in St Helens, a 26% increase just since the previous year's figure, plus the increase in house prices in both St Helens and Bold. As such, the Chapel Lane site is also ideally located to meet specific local affordable housing need within the Bold ward. However, for these reasons coupled with the huge deficiency in affordable housing land supply and no effective strategy to address this, the site at Chapel Lane should be allocated now in order to contribute to meeting this need in the short term.

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

2.61 Lovell considers that the policy wording of Policy LPA06 (Safeguarded Land) is generally consistent with the NPPF in that it seeks to identify sites to be removed from the Green Belt in order to meet longer term development needs well beyond the Plan period, subject to its overarching submission that it seeks a modification to convert this to an allocation. Lovell therefore requests that site 6HS be removed from the list of safeguarded sites identified in Policy LPA06 and subsequently added to Policy LPA05 as a proposed allocation.

### **Comments on Soundness in respect of Issue 3**

2.62 When considering the tests of soundness set out in Paragraph 35 of the NPPF in the context of Issue 3 of Matter 3, the Plan as submitted risks being found not sound i.e **not positively prepared, not justified, not effective and not consistent with national policy** for the following reasons:

I) The Council has identified a number of safeguarded sites to meet development needs beyond the plan period however these have been identified based on a somewhat basic calculation of estimated supply and capacity;

II) In order to meet its housing during the plan period, and specifically chronic affordable housing need, the Council needs to allocate additional sites for housing to come forward during the plan period, prioritising proposed safeguarded sites, such as the Chapel Lane site, which have already been identified by the Council as suitable for Green Belt release.

2.63 In order to make the plan sound in this regard, the Council should allocate additional sites, such as the Chapel Lane site, to ensure that the Borough's needs for housing, including affordable housing, can be met during the plan period.

2.64 It should then calculate the remaining supply of safeguarded sites and ensure that this is sufficient to meet the Borough's needs beyond the plan period, thus enabling the Green Belt boundaries to endure.

2.65 If following this exercise, there is insufficient capacity within the proposed safeguarded sites to meet the projected need then further safeguarded sites should be identified for removal from the Green Belt through the plan.

### **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?**

2.66 NPPF paragraph 138 requires that Plans set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

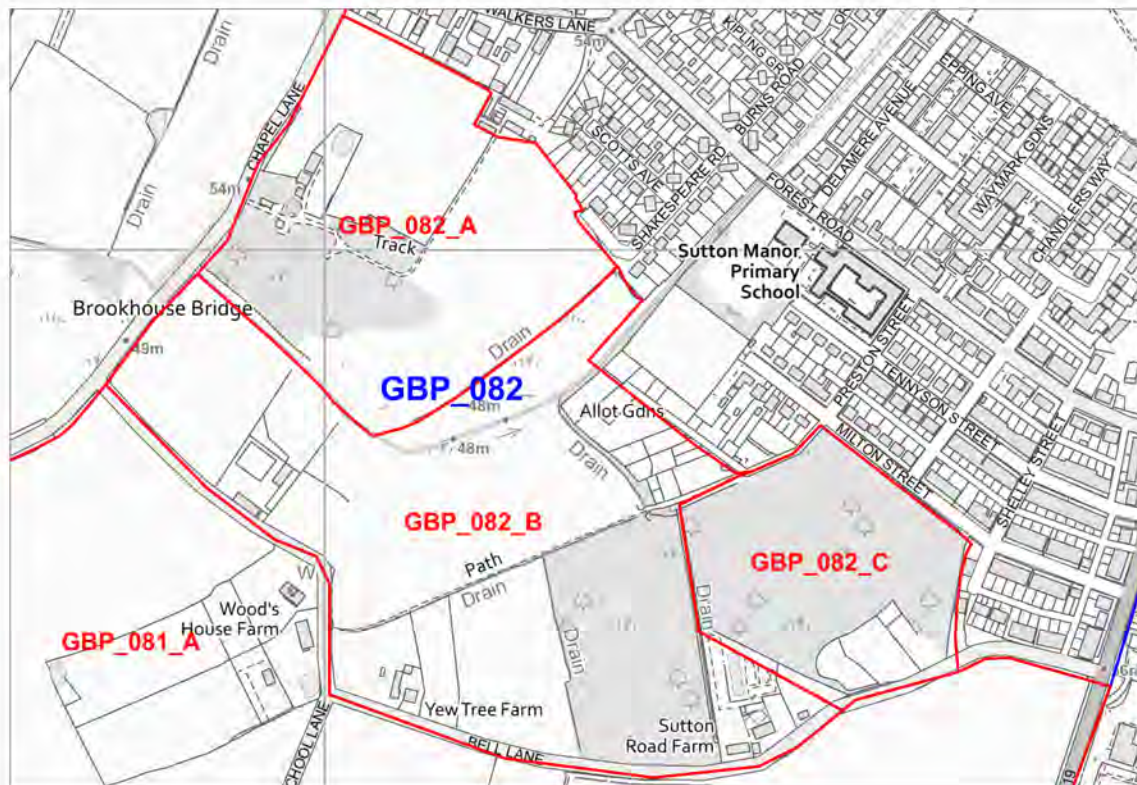
2.67 As detailed in the Council's response to the Inspectors' Preliminary Questions (PQ47), the Council's proposed strategic compensatory improvement to offset the impact of removing land from the Green Belt is the implementation of the Bold Forest Park AAP (2017). The BFP Area Action Plan (AAP) forms part of the St. Helens Development Plan and provides a framework for the development of the BFP area which occupies an area of 1,800 hectares of Green Belt land in the southern-most part of St Helens Borough. The Council's response to PQ47 also states:



## **APPENDIX V COUNCIL'S STAGE 2B ASSESSMENT**

## STAGE 2B DEVELOPABILITY ASSESSMENT

Parcel Ref and Location	GBP_082 - Land south of Sutton Manor, east of Chapel Lane
Sub-parcels discounted at stages 1B or 2A	None
Area covered by stage 2B assessment	GBP_082_A – 7.33ha GBP_082_B – 13.64ha GBP_082_C – 4.1ha



## SUITABILITY

Landscape and visual character	<i>The landscape character type is Floodplain Farmland and the area is Sutton Manor Fringe. Landscape land and visual sensitivity is low to medium. Development on these sub-parcels would not lead to enhancement of a derelict or previously developed site.</i>
Ecology	<i>Pendlebury Brook (LWS112) a designated LWS, divides sub-parcels GBP_082_A and GBP_082_B. MEAS have advised that the woodland / scrub area within sub-parcel GBP_082_A should be retained as it provides a habitat corridor to LWS (Pendlebury Brook). MEAS also commented that the parcel is currently regenerating willow scrub and grassland which may have botanical and invertebrate value and provide breeding bird habitat. An Ecological Appraisal would be required with any future planning application should the parcel come forward for development.</i>
Agricultural Land Quality	<i>Grade 3: good to moderate agricultural land (approximately 10% not recorded).</i>
Heritage Assets	<i>There is a heritage asset (listed building) to the south of sub-parcel GBP_082_B, development of the sub-parcel may lead to harm to the character, appearance or setting of the building.</i>

	<p><i>In addition, sub-parcel GBP_082_A falls within an Ancient Schedule Monument (ASM) buffer zone, and similarly any development of the sub-parcel, would have to take this heritage asset into consideration. However, due to the distance involved and the built development between this sub-parcel and the ASM it is not considered to be a potential problem. MEAS advises that this parcel can be allocated with no archaeological work considered necessary.</i></p>
<p><b>Flooding</b></p>	<p><i>Only 3.5% of sub-parcel GBP_082_B lies within flood zone 2 and 2.6% lies within flood zone 3. Small parts of the parcel fall within 30, 100 and 1,000-year surface water areas, with the most significant surface water flooding event experienced in sub-parcel GBP_082_C and GBP_082_B adjacent to Bell Lane. Due to flooding issues in the past the Council have carried out extensive flood attenuation schemes in that area, therefore any development coming forward would have to retain surface water.</i></p> <p><i>LLFA Comments:</i></p> <p><i>All sites would require full SuDS assessment including full management and maintenance proposals. Greenfield run-off rate. Watercourse main discharge point, minimum of 40% climate change allowance. Full SuDS components preference of open swale/pond systems. Avoid culverting. Easement required from top of bank for maintenance. Easement needs to be accessible, minimal / no private ownership and be able to convey plant machinery. Currently on sub-parcel GBP_082_A there are storage attenuation and drainage lines to the east of the development which links to another development, this must not be altered or connected to for the new development. No housing should be built on the existing drainage scheme and it should be accessible for maintenance.</i></p>
<p><b>Trees and Woodland</b></p>	<p><i>Small strip of protected woodland on the north-western boundary within sub-parcel GBP_082_A. No Ancient Woodland.</i></p>
<p><b>Open Space and Recreation</b></p>	<p><i>Sub-parcel GBP_082_B contains a small area designated as allotments, mid-north of the sub-parcel.</i></p> <p><i>The Open Space Assessment Report (June 2016) states that although the provision of allotments for the borough is above the national average, waiting list numbers suggest that continuing measures should be made to provide additional plots in the future where possible.</i></p> <p><i>Therefore, if this sub-parcel were to come forward as an allocation for development, the allotments should be retained, or replacement provision should be made.</i></p>
<p><b>Minerals</b></p>	<p><i>The entire parcel lies within a proposed coal and clay Mineral Safeguarding Area.</i></p>
<p><b>Infrastructure</b></p>	<p><i>The parcel is not affected by any pipeline easements that would restrict development.</i></p> <p><i>UU has advised that as Sankey Brook lies to the south east and south west of the parcel discharge to the watercourse would be expected before a mains sewer, should any of these sub-parcels come forward for development. A combined sewer also runs through the parcel.</i></p> <p><i>The parcel as a whole is not affected by any known existing or future transport or other infrastructure projects.</i></p>
<p><b>Ground conditions</b></p>	<p><i>The parcel as a whole is not within 250m of an active or former landfill site. The parcel as a whole is not affected by any known sources of contamination. The majority of the parcel falls within the Coal Authority's 'Low Risk' area of known subsidence from mining, however a small area in the western corner falls within the Coal Authority's 'High Risk' area.</i></p>

Air, water and noise pollution	<i>There are no identified issues.</i>
Hazardous installations	<i>There are no identified issues. The parcel is not located within a Health and Safety Executive consultation zone.</i>
Neighbouring uses	<i>Residential development. Creating access to these sub-parcels would not lead to amenity issues for the wider area.</i>
Any other constraints	<i>A Public Right of Way (footpath) runs through the centre of sub-parcel GBP_082_B, and to the north of sub-parcel GBP_082_C. Sub-parcels GBP_082_A and GBP_082_B lie within 1.2km walking distance of the nearest primary school, and sub-parcel GBP_082_C is within a 400m walking distance of a primary school. The parcel is within a 40-minute bus drive to the nearest secondary school.</i>

### TRANSPORT ACCESSIBILITY

Walking	<i>The parcel as a whole is not within an 800m safe and convenient walking distance of a district or local centre (approx. 1.6km from Marshalls Cross Local Centre). However, the parcel lies within 800m walking distance of a convenience store.</i>
Cycling	<i>Majority of the parcel is not within a 1 mile safe and convenient cycling distance of a district or local centre, only the south-eastern side is within the radius of Clock Face local centre.</i>
Public Transport	<i>The parcel is within 400m of a safe and convenient walk to a bus stop. There is a minimum of 4 services an hour in this location, predominantly to and from St. Helens Town Centre. The parcel is not within 800m walking distance of a train station.</i>
Vehicular Traffic	<i>GBP_082_A – this sub-parcel could be accessed via either Chapel Lane or Shakespeare Road. There could possibly be a ransom strip on Shakespeare Road. Shakespeare Road is 5.5m in width with 2m footways on either side, but the existing cul-de-sac is 141m in length, leaving only 80m for a potential new road. Chapel Lane is 5m in width and has a footway on only one side, both of which would likely need widening. Chapel Lane is adopted along its length and would be considered suitable to access a limited number of dwellings.  GBP_082_B - has highway frontage with Chapel Lane and the farm access track. The farm access track is unadopted and unlikely to be built to adoptable standards, so wouldn't be considered suitable for access. Access could possibly be obtained via Chapel Lane but would also be restricted by the maximum cul-de-sac length, which may restrict the number of dwellings that could be accessed.  For GBP_082_A and GBP_082_B, it would be worth looking at pedestrian links across the Linkway to connect to Rainhill High School.  GBP_082_C - if the sub-parcel were to be designated only a single access would be required. Bell Lane is very narrow and only wide enough for one vehicle so without improvement wouldn't be acceptable for anything more than an emergency access.  Alternative access to the sub-parcel would be off Milton Street, which is more appropriate. Adequate separation distances could be achieved</i>

	<i>between junctions to enable access and good visibility splays, provided it is planned properly.</i>
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#### AVAILABILITY

Ownership	<p><i>Mixed Ownership:</i></p> <p><i>GBP_082_A - Mr George Haslam, represented by Kingsland Strategic Estates Ltd (Call for Sites Form 2016_052)</i></p> <p><i>GBP_082_B – part Mr F. McMahon, represented by Nathaniel Lichfields &amp; Partners (Call for Sites form 2013_052)</i></p> <p><i>GBP_082_C - Bell Lane Plots - numerous ownerships</i></p>
Existing use	<i>Agricultural land</i>
Current planning status	<i>Green Belt – No relevant planning history</i>
Use(s) promoted by landowner(s)	<p><i>Residential</i></p> <p><i>Some land has not been promoted by landowners</i></p>

#### ACHIEVABILITY

Viability Considerations	<i>The sub-parcels lie within EVA Zone 3, therefore are considered viable for development.</i>
Gross Developable Area	<p><i>GBP_082_A – 5.04ha (excluding protected woodland)</i></p> <p><i>GBP_082_B – 13ha (excluding flood zone 3)</i></p> <p><i>GBP_082_C – 4.1ha</i></p>
Net Developable Area	<p><i>GBP_082_A – 3.78ha (75%)</i></p> <p><i>GBP_082_B – 9.8ha (75%)</i></p> <p><i>GBP_082_C – 3ha (75%)</i></p>
Notional Development Capacity	<p><i>GBP_082_A – 113 units (75% net developable area and 30dph)</i></p> <p><i>GBP_082_B – 293 units (75% net developable area and 30dph)</i></p> <p><i>GBP_082_C – 92 units (75% net developable area and 30dph)</i></p>

#### CONCLUSIONS ON DEVELOPABILITY

Summary of Developability Assessment	<p><u><i>GBP_082_A</i></u></p> <p><i>The sub-parcel lies within a Schedule Ancient Monument buffer zone, however MEAS nor the Council’s Conservation Officer have raised no concerns regarding the proximity of this site with the ancient scheduled monument. There is an area of protected woodland which would need to be taken into consideration should the sub-parcel be designated for development, including an appropriate buffer.</i></p> <p><i>Highways to access the site would need widening to facilitate development.</i></p> <p><u><i>GBP_082_B</i></u></p> <p><i>Only a small section of the sub-parcel has been promoted by the landowner and could potentially be in the ownership of a number of</i></p>
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	<p>landowners. The existing allotments within the sub-parcel would have to be retained or replaced. Significant works have been carried out in this area by the Council's Flood Risk Engineers, and therefore any development would need to ensure that this work is not compromised.</p> <p><u>GBP_082_C</u></p> <p>The sub-parcel is in the ownership of a number of landowners that may lead to a time delay in the sub-parcel coming forward, if at all. A masterplan would be required for the whole site to ensure development came through as one and not piecemeal development here and there.</p> <p>An Ecological Appraisal would be required with any future planning application, as an LWS runs through the parcel, which would also require protection and a buffer zone.</p> <p>A combined sewer passes through the parcel.</p> <p>The parcel is not within an 800m walking distance of a local or district centre.</p>
<b>Preferred use (to be considered in stage 3)</b>	<i>Residential</i>
<b>Notional development capacity (to be considered in stage 3)</b>	<p><i>GBP_082_A – 113 units</i></p> <p><i>GBP_082_B – 293 units</i></p> <p><i>GBP_082_C – 92 units</i></p>
<b>Developability Score</b>	<p><i>GBP_082_A – Medium Development Potential</i></p> <p><i>GBP_082_B – Limited Development Potential</i></p> <p><i>GBP_082_C – Limited Development Potential</i></p>

**APPENDIX VI LOVELL'S ASSESSMENT OF THE SITE USING  
COUNCIL'S STAGE 2B PROFORMA**

	<b>SHMBC'S COMMENTARY</b>	<b>LOVELL'S COMMENTARY / RESPONSE</b>
<b>Parcel Ref and Location</b>	GBP_082 - Land south of Sutton Manor, east of Chapel Lane	GBP_082A - Land south of Sutton Manor
<b>Sub-parcels discounted at stages 1B or 2A</b>	None	N/A
<b>Area covered by stage 2B assessment</b>	<p>GBP_082_A – 7.33ha            GBP_082_B – 13.64ha            GBP_082_C – 4.1ha</p> <p>The Council has not fully assessed the Chapel Lane site in isolation but as part of a wider parcel (GBP_082 which includes GBP_082_A, GBP_082_B and GBP_082_C)</p>	<p>GBP_082_A – 5.13ha</p> <p>Lovell's assessment below relates to the area of the site that is proposed to be safeguarded only as shown in Figure 01 of the Development Statement.</p>
<b><u>SUITABILITY</u></b>		
<b>Landscape and visual character</b>	The landscape character type is Floodplain Farmland and the area is Sutton Manor Fringe. Landscape land and visual sensitivity is low to medium. Development on these sub-parcels would not lead to enhancement of a derelict or previously developed site.	The landscape-led design approach will ensure that the proposed development would not harm landscape character, rather it would provide an opportunity to restore and enhance the character of the urban edge by softening the interface with the surrounding woodland and integrating green links into the site. Subject to appropriate design, layout and massing at the planning application stage, there are no significant landscape or visual constraints that would preclude the development of the site.
<b>Ecology</b>	Pendlebury Brook (LWS112) a designated LWS, divides sub-parcels GBP_082_A and GBP_082_B. MEAS have advised that the woodland / scrub area within sub-parcel GBP_082_A should be retained as it provides a habitat corridor to LWS	As shown on the Opportunities and Constraints Plan (Figure 05) contained at page 17 of the Development Statement and the Illustrative Masterplan (Figure 06) contained at page 23 of the Development Statement, generous provision has been



	<p>(Pendlebury Brook). MEAS also commented that the parcel is currently regenerating willow scrub and grassland which may have botanical and invertebrate value and provide breeding bird habitat. An Ecological Appraisal would be required with any future planning application should the parcel come forward for development.</p>	<p>made for existing and proposed woodland buffers and an embankment to protect the LWS (Pendlebury Brook) as well as new woodland creation to the south of the brook. The area of the proposed safeguarded site boundary excludes the brook and woodland area, such that that the woodland and areas immediately abutting the brook will remain undeveloped. A Biodiversity Enhancement Measures Report has been prepared by Amenity Tree Care Ltd. which provides a scheme for biodiversity enhancement measures across the site (including the land edged blue). There are therefore no ecology constraints that would preclude the development of the site and the ecological sensitive areas are excluded from the site boundary.</p>
<b>Agricultural Land Quality</b>	<p>Grade 3: good to moderate agricultural land (approximately 10% not recorded).</p>	<p>No comments.</p>
<b>Heritage Assets</b>	<p>There is a heritage asset (listed building) to the south of sub-parcel GBP_082_B, development of the sub-parcel may lead to harm to the character, appearance or setting of the building. In addition, sub-parcel GBP_082_A falls within an Ancient Schedule Monument (ASM) buffer zone, and similarly any development of the subparcel, would have to take this heritage asset into consideration. However, due to the distance involved and the built development between this subparcel and the ASM it is not considered to be a potential problem. MEAS</p>	<p>There are no Scheduled Monuments, Listed Buildings, Registered Battlefields or Registered Parks and Gardens within the site. The proposed development is not considered to impact the Scheduled Monument or the Listed Building as no upstanding remains are extant for the monument and there is no inter-visibility between the site and either of these Heritage Assets. There are therefore no heritage constraints that would preclude the development of the site.</p>

	<p>advises that this parcel can be allocated with no archaeological work considered necessary.</p>	
<p><b>Flooding</b></p>	<p>Only 3.5% of sub-parcel GBP_082_B lies within flood zone 2 and 2.6% lies within flood zone 3. Small parts of the parcel fall within 30, 100 and 1,000-year surface water areas, with the most significant surface water flooding event experienced in sub-parcel GBP_082_C and GBP_082_B adjacent to Bell Lane. Due to flooding issues in the past the Council have carried out extensive flood attenuation schemes in that area, therefore any development coming forward would have to retain surface water.</p> <p>LLFA Comments:  All sites would require full SuDS assessment including full management and maintenance proposals. Greenfield run-off rate. Watercourse main discharge point, minimum of 40% climate change allowance. Full SuDS components preference of open swale/pond systems. Avoid culverting. Easement required from top of bank for maintenance. Easement needs to be accessible, minimal / no private ownership and be able to convey plant machinery. Currently on sub-parcel GBP_082_A there are storage attenuation and drainage lines to the east of the development which links to another development, this must not be altered or connected to for the new development. No housing should be built on the existing drainage scheme and it should be accessible for maintenance.</p>	<p>The majority of the site is located in Flood Zone 1 with only a small proportion of the site immediately adjacent to Pendlebury Brook being located within Flood Zones 2 and 3. This area is not proposed to be developed for housing. Surface water drainage from the development will be adequately managed via Sustainable Urban Drainage Systems (SUDS) and the potential to provide compensation storage within the site, to alleviate up-stream flooding and drainage issues will be fully investigated. An area of lower land at the eastern corner of the site appears suitable for use as a surface water attenuation area. There are therefore no flood risk constraints that would preclude the development of the site.</p>

<p><b>Trees and Woodland</b></p>	<p>Small strip of protected woodland on the north-western boundary within subparcel GBP_082_A. No Ancient Woodland.</p>	<p>The proposed development will retain all trees on the site, including the entirety of the woodland area (which is to remain in the Green Belt outwith the allocation boundary) thus maintaining the long term wider visual public amenity associated with the trees on this site in both the wider landscape and on the Chapel Lane frontage. A Woodland Management Plan will also be implemented to address any threats to plant health and prescribe an appropriate planting and management regime. There are therefore no trees and woodland constraints that would preclude the development of the site.</p>
<p><b>Open Space and Recreation</b></p>	<p><i>Sub-parcel GBP_082_B contains a small area designated as allotments, midnorth of the sub-parcel. The Open Space Assessment Report (June 2016) states that although the provision of allotments for the borough is above the national average, waiting list numbers suggest that continuing measures should be made to provide additional plots in the future where possible. Therefore, if this sub-parcel were to come forward as an allocation for development, the allotments should be retained, or replacement provision should be made.</i></p>	<p>The Council's assessment appears to only refer to sub parcel GBP_082_B and not relate to the Chapel Lane site. However, the development of the Chapel Lane site will result in the provision of on-site POS in excess of the Council's emerging standards as set out in further detail at <b>Appendix IX</b>.</p>
<p><b>Minerals</b></p>	<p>The entire parcel lies within a proposed coal and clay Mineral Safeguarding Area.</p>	<p>No comments.</p>
<p><b>Infrastructure</b></p>	<p>The parcel is not affected by any pipeline easements that would restrict development. UU has advised that as Sankey Brook lies to the south east and south west of the parcel discharge to the watercourse would be expected before a mains sewer, should any</p>	<p>The site is located at the edge of Sutton and adjacent to existing properties and therefore it is anticipated that appropriate services including electricity and broadband will be available. A number of providers have been contacted, including United Utilities and SP</p>

	of these sub-parcels come forward for development. A combined sewer also runs through the parcel. The parcel as a whole is not affected by any known existing or future transport or other infrastructure projects.	Energy Networks to discuss a new supply to this site, and there are no identified utilities constraints to prevent the development of this site. Further work in relation to infrastructure capacity will be undertaken as part of the detailed development of this site. There are therefore no infrastructure constraints that would preclude the development of the site.
<b>Ground conditions</b>	The parcel as a whole is not within 250m of an active or former landfill site. The parcel as a whole is not affected by any known sources of contamination. The majority of the parcel falls within the Coal Authority's 'Low Risk' area of known subsidence from mining, however a small area in the western corner falls within the Coal Authority's 'High Risk' area.	A Phase I and Phase II Geo-Environmental Site Assessment has confirmed that the site can be developed without requirements for any contamination mitigation measures.  The site is located within a Coal Authority Development High Risk Area, but a coal mining risk assessment has confirmed that there are no known coal mine entries within or within 20 metres of the site boundary and the site is not within a surface area that could be affected by past underground mining. There are therefore no ground conditions constraints that would preclude the development of the site.
<b>Air, water and noise pollution</b>	There are no identified issues.	No comments.
<b>Hazardous installations</b>	There are no identified issues. The parcel is not located within a Health and Safety Executive consultation zone.	No comments.
<b>Neighbouring uses</b>	Residential development. Creating access to these sub-parcels would not lead to amenity issues for the wider area.	No comments.
<b>Any other constraints</b>	A Public Right of Way (footpath) runs through the centre of sub-parcel	The site lies within 0.3km walking distance of the nearest primary school (Sutton Manor

	<p>GBP_082_B, and to the north of sub-parcel GBP_082_C. Sub-parcels GBP_082_A and GBP_082_B lie within 1.2km walking distance of the nearest primary school, and sub-parcel GBP_082_C is within a 400m walking distance of a primary school. The parcel is within a 40-minute bus drive to the nearest secondary school.</p>	<p>Community Primary School) and is within a 15-minute bus drive to the nearest secondary school (Sutton Academy). Please refer to Figure 07 - Sustainability Plan in the Development Statement.</p>
<b><u>TRANSPORT ACCESSIBILITY</u></b>		
<b>Walking</b>	<p>The parcel as a whole is not within an 800m safe and convenient walking distance of a district or local centre (approx. 1.6km from Marshalls Cross Local Centre). However, the parcel lies within 800m walking distance of a convenience store.</p>	<p>There is a general store approximately 0.6km to the east of the site on Feeny Street and a Texaco Garage with Spar store approximately 0.8km to the east of the site on the B5419. Please refer to Figure 07 - Sustainability Plan in the Development Statement.</p>
<b>Cycling</b>	<p>Majority of the parcel is not within a 1 mile safe and convenient cycling distance of a district or local centre, only the south-eastern side is within the radius of Clock Face local centre.</p>	<p>There is a general store approximately 0.6km to the east of the site on Feeny Street (2 minute cycle) and a Texaco Garage with Spar store approximately 0.8km to the east of the site on the B5419 (3 minute cycle). Please refer to Figure 07 - Sustainability Plan in the Development Statement.</p>
<b>Public Transport</b>	<p>The parcel is within 400m of a safe and convenient walk to a bus stop. There is a minimum of 4 services an hour in this location, predominantly to and from St. Helens Town Centre. The parcel is not within 800m walking distance of a train station.</p>	<p>The site is well served by the existing public transport network with bus stops located in direct proximity to the site on Walkers Lane to the north and on Forest Road to the north-east, which are approximately 150 metres and 190 metres from the site respectively. Please refer to Figure 07 - Sustainability Plan in the Development Statement.</p>
<b>Vehicular Traffic</b>	<p>GBP_082_A – this sub-parcel could be accessed via either Chapel Lane or</p>	<p>As shown on the Opportunities and Constraints Plan (Figure 5) contained at</p>

	<p>Shakespeare Road. There could possibly be a ransom strip on Shakespeare Road. Shakespeare Road is 5.5m in width with 2m footways on either side, but the existing cul-de-sac is 141m in length, leaving only 80m for a potential new road. Chapel Lane is 5m in width and has a footway on only one side, both of which would likely need widening. Chapel Lane is adopted along its length and would be considered suitable to access a limited number of dwellings.</p>	<p>page 17 of the Development Statement and the Illustrative Masterplan (Figure 6) contained at page 23 of the Development Statement, safe access can be achieved to the site via a new priority junction off Chapel Lane with a potential secondary access extending from the recent 'Forest Green' development off Walkers Lane which has been informed by professional transport advice from Eddisons. The local highway network has the capacity to accommodate the additional traffic generation that will arise from the proposed development, however, any future planning application would ensure that off-site highways improvements will be delivered if deemed to be necessary to mitigate any impacts on the transport network.</p>
<b><u>AVAILABILITY</u></b>		
<b>Ownership</b>	<p>GBP_082_A - Mr George Haslam, represented by Kingsland Strategic Estates Ltd (Call for Sites Form 2016_052)</p>	<p>Lovell would bring forward this development through a Joint Venture with the Together Housing Group. Lovell – Together Corporate Joint Venture LLP is an existing special purpose vehicle under which this site would be delivered.</p>
<b>Existing use</b>	<p>Agricultural land</p>	<p>Agricultural land</p>
<b>Current planning status</b>	<p>Green Belt – No relevant planning history</p>	<p>Green Belt – No relevant planning history</p>
<b>Use(s) promoted by landowner(s)</b>	<p>Residential Some land has not been promoted by landowners</p>	<p>Several previous representations have been made by various parties throughout the Local Plan preparation process.</p>
<b><u>ACHIEVABILITY</u></b>		

<b>Viability Considerations</b>	The sub-parcels lie within EVA Zone 3, therefore are considered viable for development.	A viability assessment of the site has been undertaken including land values, market demand and potential sales within the Borough and found that the site is viable for a residential development for 100% affordable housing.
<b>Gross Developable Area</b>	GBP_082_A – 5.04ha (excluding protected woodland)	5.13ha (excluding protected woodland)
<b>Net Developable Area</b>	GBP_082_A – 3.78ha (75%)	4.1ha (80%)
<b>Notional Development Capacity</b>	GBP_082_A – 113 units (75% net developable area and 30dph)	150 units (80% NDA and 37dph)
<b><u>CONCLUSIONS ON DEVELOPABILITY</u></b>		
<b>Summary of Developability Assessment</b>	<p>GBP_082_A</p> <p>The sub-parcel lies within a Schedule Ancient Monument buffer zone, however MEAS nor the Council's Conservation Officer have raised no concerns regarding the proximity of this site with the ancient scheduled monument. There is an area of protected woodland which would need to be taken into consideration should the sub-parcel be designated for development, including an appropriate buffer. Highways to access the site would need widening to facilitate development.</p>	<p>As demonstrated at Section 5.0 of the Development Statement, the site is in a suitable area for housing and there are no physical or environmental constraints preventing its development early in the plan period. The site will be brought forward through a Joint Venture between Lovell and Together Housing Group who have secured an agreement with the landowner of the site. The site is therefore in control of a major reputable housing developer and Registered Provider and can be developed to provide up to 150 affordable dwellings to meet the critical affordable needs of the Borough.</p> <p>It is not clear from the Council's Stage 2B assessment why the site has only scored 'medium' or a numerical score of '2' on developability though from the commentary, it appears to relate primarily to the LWS / protected woodland and access to the site. Both of these technical matters have been</p>

		robustly addressed within the Development Statement. A safe access to the site can be achieved via Chapel Lane and the entirety of the woodland / LWS will remain in the Green Belt and thus be protected from development. Furthermore, generous buffers will be provided between the woodland / LWS and the built development.
<b>Preferred use (to be considered in stage 3)</b>	Residential	Residential (100% affordable)
<b>Notional development capacity (to be considered in stage 3)</b>	GBP_082_A – 113 units	150 units
<b>Developability Score</b>	GBP_082_A – Medium Development Potential	<b>High Development Potential (numerical score = 3)</b>



## **APPENDIX VII TOGETHER HOUSING LETTER OF SUPPORT**

20 May 2021

**To whom it may concern**

Together Housing Association (THA), part of Together Housing Group, is keen to partner and build long term relationships with St Helens Metropolitan Borough Council (SHMBC) of to provide affordable homes for the Borough.

**Meeting St. Helens' Affordable Housing Need**

Together Housing can support SHMBC in delivering new affordable homes to contribute to the Borough's housing needs over the period of the proposed 2020-2035 local plan. We are aware that this includes a need for 117 affordable homes per year and would work in partnership with St Helens to help meet this critical need. We are able to vary our dwelling types dependent on need, so in the case of St Helens providing 2-3 bedroom houses for affordable homeownership and a range of a house types for affordable rent, where this is the most effective solution.

The proposed project at Chapel Lane, Sutton Manor is a major opportunity to contribute to the delivery of the affordable housing needs of the Borough and supports our strategy of providing affordable homes of varied tenure. THA is keen to support the allocation and development of around 150 affordable homes comprising a mix of 2, 3 and 4 bedroom homes which will deliver a scheme of 50/50 shared ownership and affordable rent. This is a truly exceptional opportunity to allocate a large site for 100% affordable housing in a Borough and Ward that generally experience high levels of deprivation compared to the national average.

**Commitment to Delivery**

THA has an established joint venture arrangement with Lovell Partnerships Ltd which has been effective in mobilising and complementing projects across the North of England to provide good quality, mixed tenure housing provision. Both Lovell and THA have a strong track record for housing delivery and quick build out rate, thus would ensure that the proposed development would be delivered in a timely manner within the early years of the plan period.

Our objective is to provide choice and quality in the provision of affordable homes to customers who cannot effectively compete in the housing market. This is achieved by providing progression along the housing ladder, creating a broad range of tenure options which will assist in overcoming existing barriers to ownership. As a Strategic Partner with Homes England we are establishing provision across the North of England and have secured funding to increase housing supply to achieve our growth objectives. Working across Lancashire and having established a partnership with Sefton MBC, our experience of the regional housing markets is well placed to meet the housing needs in the Borough.

## Working with THG

Together Housing aims to ensure our customers can sustain their tenure of choice, being able to maintain their obligations as a valued tenant and good neighbour. We offer our customers brilliant service, providing support and advice should they seek to progress further with home ownership.

To that end, Together Housing is keen to pursue a mutually beneficial relationship with SHMBC, offering good value and a quality service, expected in anticipation of becoming a long term partner of choice in offering affordable housing provision on mixed tenure schemes and in the satisfaction of planning obligations.

Together Housing offers a range of tenure products including affordable rents, rent to buy and shared ownership. The selection process for these products is provided by a combined sales and lettings team led by a dedicated Head of Service. This team are highly skilled in verifying applications including affordability assessments ensuring that customers have choice and are targeted to the right product for their circumstances.

For rented properties we have a tenancy agreement which outlines the landlord/tenant obligations. This is explained to new tenants during the sign up process. For shared ownership products we guide purchasers through the process explaining the terms of the lease and liaising with mortgage providers and solicitors to help customers through the purchasing process.

We pride ourselves on being easy to do business with. We would provide a dedicated Project Manager for all liaison with SHMBC during the development phase of the site responding to all property related queries and providing support in any discussions with the authority relating to the provision of affordable units.

Your faithfully



**Kevin Ruth**  
**Deputy Chief Executive**

**APPENDIX VIII BIODIVERSITY ENHANCEMENT MEASURES REPORT  
(MAY 2021)**

# Biodiversity Enhancement Measures

Sutton Manor

Report prepared for Lovell

Prepared by Simon Brain. Chartered arboriculturist. PGCE (Bio. Rec.)

**Final**

**14.05.21**

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#### **Appendix**

- Appendix 1 Proposed development and outline biodiversity enhancement plan
- Appendix 2 Native tree and shrub listings

## **1. Introduction**

### **1.1 Background to the project**

The client is seeking to promote the site known as Chapel Lane, St Helens for removal from the Green Belt and housing allocation in the St Helens local plan.

This report seeks to support the development by providing a scheme for Biodiversity enhancement measures to assist in the provision of biodiversity across the site that are designed to support the planning application.

The proposal is included in Appendix One and generally consists of dwellings, associated infrastructure and environmental improvements.

### **1.2 Site Location and Context**

The site is located within Sutton Manor area of St Helens in a rural environment and enclosed by existing agricultural, residential, and commercial land uses. The habitat on site comprises of semi natural woodland, scattered trees, arable, running water, dry ditch and open water habitats.

### **1.3 Existing ecological reporting and purpose of this report**

Enhancement measures shall be using the base ecological data contained in the Ecological Assessment dated 27.04.21 which followed CIEEM guidelines (*Guidelines for Preliminary Ecological Appraisal*) and with specific reference to section 5.

*“Opportunities for biodiversity enhancement are present within the S41 woodland. The now defunct habitats adjacent to Pendlebury Brook LWS (Lowland Meadow and Lowland Fen) could be reinstated. Further opportunities exist amongst the scattered trees on the Chapel Lane frontage for biodiversity enhancement. Opportunities for tree planting will be available within the development infrastructure. A significant area of sub parcel land to the south of the S41 woodland can be improved from arable to high quality habitat which would provide a further buffer to the LWS.*

*Opportunities for biodiversity enhancement are also present off site, as the area of land abutting the red line planning boundary to the east of site was once designated as lowland meadow and neutral grassland which had also found to have been succeeded by scrub. Enhancements can aim to restore this habitat”.*

Section 40 of the Natural Environment and Rural Communities Act 2006 places a statutory duty on all public authorities in England to conserve biodiversity. Therefore, the purpose of this report is to outline the biodiversity enhancement measures proposed for the redevelopment of this site.

### **1.3.1 Author information**

Simon Brain has attained a Post Graduate Certificate in Biological Recording and has attended residential FSC Field Courses for Land mammal identification, Songbird identification, Barn Owls (CIEEM) and Advanced Bird Survey Techniques (Level M) and various bat mitigation and training courses and European workshops. He holds a NE Class 2 bat license (17334-CLS). He has attended various designated sites and carried out vascular plant identifications with verifiers. He has been working as an appointed person trapping Great Crested Newt and has experience with amphibians and carrying out reptile surveys. In addition, he is a Chartered arboriculturist.

## **1.4 EXECUTIVE SUMMARY – PROPOSED BIODIVERSITY ENHANCEMENTS**

The site contains habitats that are classed as priority habitats as defined by the 2006 Natural Environment and Rural Communities (NERC) Act. These types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity and are referred to as Section 41 habitats. These habitats are present on site and they consist of pond, woodland and lowland fen. Lowland fen is a designated habitat located on the edges of the existing Local Wildlife Site (Pendlebury Brook). The Section 41 habitats occupy significant areas of site, however the woodland is in a poor state of degradation due to a lack of any management and lowland fen has almost receded from site completely. Without management lowland fen will be lost from site and woodland degradation will occur.

The biodiversity enhancement measures are designed to facilitate a significant, measurable and sustainable improvement as required by the National Planning Policy Framework to existing NERC Act Section 41 habitats present which



include the Local Wildlife Site which will include management and monitoring for a ten year period to ensure the enhancements are achieved.

The individual areas of enhancement described below will deliver integrated habitat and species diversity across plant and animals kingdoms including vascular plants, trees and invertebrates allowing protected mammal, avian and amphibian species to flourish. Many of these species are named species under the NERC Act and therefore the improvements directly accord with this legislation. The introduction of lowland meadows adds NERC Act S41 habitats to the site that are not currently present further reinforcing the biodiversity credentials of the enhancement proposals

### Woodland

The WMP seeks to manage biodiversity enhancements by eradicating non-native vascular plants and creating conditions favourable for the development of native protected plants including Bluebell. Favourable conditions for native vascular plants will be created by selective felling and tree planting using species that foster native flora development. The current species diversity is poor and as well as restructuring the species mix glade creation from coupe felling will develop areas suitable for invertebrates. The creation of deadwood, both standing and fallen, will assist in the increasing of avian diversity and features suitable for woodland bats. Conifer introduction will further add to invertebrate interest which will add woodland bird species such as Goldcrest and add a food source for bats. Fruit tree planting assists in the development of the woodland for badger and hedgehog. Artificial nesting and roosting provision provide for breeding sites. The woodland site will be linked to the existing pond habitat through native planting.

### Lowland meadow creation within the sub parcel of land and to act as buffer from development to woodland

This area is to be developed into a lowland meadow which has a high biodiversity value and shall provide an environment where the woodland communities interact with the grassland habitat species between the housing and green infrastructure. This eco tone is of intrinsic value to flora and fauna and is set to become highly attractive for invertebrates providing foraging, nesting and shelter opportunities for biodiversity to flourish. Defined footpaths shall restrict public access and enhance biodiversity

### Local Wildlife Site (LWS) Pendlebury Brook

Lowland Meadow and Lowland Fen are Section 41 priority habitats, and it shall be the aim of enhancements to provide a sustainable S41 habitat to include rubbish removals, aquatic and marginal plantings within site. LWS enhancements are designed to benefit a wide range of biodiversity but specifically for water vole

## Potential lowland meadow creation off site between site and the LWS

The area contains very few remnants of the previous plant communities such as neutral grassland. It is aimed to reinstate this area into lowland meadow to include selective scrub felling and brook improvements. The existing scrub is a high value habitat and only elements of it shall be removed allowing retention of this important habitat and promotion of the original lowland.

## **2. Existing ecological interest**

### **2.1 Existing ecological appraisal – opportunities for enhancement**

The existing ecology report identified the following general biodiversity measures could apply to the sites re development:

- Habitats. Retention of mature trees
- Woodland Management Plans
- Non natives vascular plants. Japanese knotweed and Indian Balsam eradications
- Fauna, bats. Suitable lighting provision, artificial roosting provision
- Fauns, birds. Artificial nesting provision
- Grassland introductions to buffer development from the woodland and create eco tones between the built and green infrastructures to include boundary features
- Native tree and shrub planting through a landscaping plan
- Local Wildlife Site (LWS) Pendlebury Brook improvements to include rubbish removals, aquatic and marginal plantings within site
- Lowland meadow creation within the sub parcel of land to the south of the woodland
- Potential lowland meadow creation off site between site and the LWS eastern site boundary.
- Improvement of pond habitat by the use of native aquatic planting, water restorations and links to existing woodland habitat

### **3. Ecological aims and objectives**

#### **3.1 Aims and objectives**

The aim of this plan is to provide a specification, guidelines and proposals for general and site specific biodiversity enhancements as mentioned in section 2.2.

These measures shall be aimed at European protected species and also nationally protected or locally important species.

### **4. Site specific enhancement measures**

#### **4.1. Habitat and species measures – site specific proposals**

#### **4.2 Habitats. Retention of mature trees**

The implementation of retained tree protection measures shall mean the retention of the arboriculture assets located on the western boundary. The retention of these trees shall be managed by the following means:

- A site visit shall be carried out by the arboricultural clerk of works to delineate the actual RPA in accordance with BS5837:2012.
- The position of the RPA shall become the Construction Exclusion Zone and be fenced off with hears fencing securely staked to the ground.
- The clerk shall receive digital images to demonstrate the CEZ is fit for purpose prior to any other work commencing on site.
- All works shall conform to the approved Arboricultural Impact Assessment and Method Statement

#### **4.3 Woodland Management Plans (WMP)**

An existing woodland management plan has been compiled to support the sites re development (Version 1 dated 28.04.21). The broad principles of this plan are that the woodland growing on the site shall be retained and enhanced over a ten year period using silvicultural practices.

The WMP seeks to recognise the threats to plant heath over the WMP term and prescribe an appropriate planting regime, engage local stakeholders, and

establish a management committee using residents of the proposed development to fund the WMP. The installation of footpaths allows education development of the site whilst maintaining the floral interests.

The WMP recognises the status of the woodland in terms of it being NERC Act Section 41 priority habitat and the presence of a protected Local Wildlife Site within the woodlands southern boundary.

The WMP seeks to manage biodiversity enhancements by eradicating non native vascular plants and creating conditions favourable for the development of native protected plants including Bluebell. Favourable conditions for native vascular plants will be created by selective felling and tree planting using species that foster native flora development. The current species diversity is poor and aswell as restructuring the species mix glade creation from coupe felling will develop areas suitable for invertebrates. The creation of deadwood, both standing and fallen, will assist in the increasing of avian diversity and features suitable for woodland bats. Conifer introduction will further add to invertebrate interest which will add woodland bird species such as Goldcrest and add a food source for bats. Fruit tree planting assists in the development of the woodland for badger and hedgehog. Artificial nesting and roosting provision provide for breeding sites. The woodland site will be linked to the existing pond habitat through native planting.

Monitoring of improvements is included within the WMP which can relate to vascular plants, avian and bat communities.

#### **4.4 Non natives vascular plants. Japanese knotweed and Indian Balsam eradications in the woodland areas and Sympocaris within the main development site.**

The impact of these plants in the woodland is to remove the possibility of native flora and fauna developing in the areas in which the non natives are growing. The areas of Japanese knotweed are extensive and the control of them is essential for native flora and fauna to flourish.

Eradications plans are required across the site for all non native plants.

#### **4.5 Fauna, bats. Suitable lighting provision, artificial roosting provision and planting**

The provision of artificial roosting opportunities within buildings under suitable lighting provision will be central to the maintenance of a healthy bat population. Bat species utilise a variety of roosting opportunities and do use many different roost sites throughout the year depending on the time of year. Roost purposes can range from simple day roosts to roosting positions used in the night-time for short periods and therefore the provision of different artificial roosts using different thermal properties will best suit the bats annual cycle and therefore create conditions for the sustainable development of a bat population.

Typically, 30% of consented units are to be fitted with artificial roosting provisions and other tree based bat boxes will be fitted to trees. This will provide the mosaic of roosting conditions required for a bat population at this site. Woodland roosting will be provided by schwegler 2F bat boxes and Ibstock enclosed bat boxes will be used (C or D) within properties. All boxes will face south and be installed by a bat expert.

Planting of tree and shrub species shall include *Acer campestre* and *Sorbus torminalis*. When new planting is planned for the site, native tree and shrub species of local provenance are recommended in preference to non-native, ornamental species. Planting of tree and shrub species that support a high insect biomass and provide a potential food source for bats throughout the bat activity period (spring to autumn) such as rowan, buckthorn, dogwood, crab apple and wild plum are recommended.

A short compliance report will be generated following provisions installation and suitable lighting provision will be met by the compilation of a bat sympathetic lighting plan in the vicinity of the building roost points.

#### **4.6 Fauns, birds. Artificial nesting provision and avian friendly planting**

Breeding bird habitat shall be provided using ground shrubs and trees within the development but also the buffer between development and woodland. Shrubs shall consist of the following species: Viburnum opulus, Juniperus communis, Ulex europaeus and Euonymus europaeus and those provided in Appendix 2.

To accord with local plan and policy, typically 30% of consented units are to be fitted with artificial nesting provisions and other tree based bat boxes will be fitted to trees within the woodland.

In addition the following shall be supplied and fitted to trees:

- Schwegler 1B boxes for Tits
- Schwegler 2H boxes, open fronted boxes for robins (to be installed on trees with ivy).
- Schwegler 3S boxes for starlings.
- 2 no. Schwegler 1N boxes for wrens (to be installed on trees with ivy, or with planted climbers).

The following shall be fitted to properties:

- Ibstock Swift boxes
- House Sparrow terraces (1SP Schwegler)

#### **4.7 Grassland introductions to buffer development from the woodland and create eco tones between the built and green infrastructures to include boundary features**

The Illustrative Masterplan shows an area of land buffered between the woodland and the core development areas on the northern boundary of the woodland.

This area is to be developed into a lowland meadow which has a high biodiversity value and shall provide an environment where the woodland communities interact with the grassland habitat species between the housing and green infrastructure. This eco tone is of intrinsic value to flora and fauna and is set to become highly attractive for invertebrates providing foraging, nesting and shelter opportunities for biodiversity to flourish. Defined footpaths shall restrict public access and enhance biodiversity.

The stand off distances between the housing and S41 habitats / LWS are considered appropriate because there is a proposed introduction of S41 lowland habitats between them. In addition the topography of the land including higher areas within the woodland and dry ditches around the development areas preclude direct and indirect pollution to the LWS as the dry ditch is connected to the proposed SUDS areas. The benefits to the LWS of the environmental improvements are considerable both at species and habitat levels.

The key to the sustainable development of lowland meadows is in the preparation of the soils, particularly making them nutrient poor. This can be achieved by ensuring the top-soils are removed and the clay based sub soils are used to sow seed into. <http://www.landis.org.uk/soilscapes/> describes the soils as Soilscape 18: Slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils.

Emorsgate provide the following EM4 mix for clayey soils that shall be utilised at the rate of 16Kilo per acre.

%	Latin name	Common name
0.5	<u><a href="#">Achillea millefolium</a></u>	<u>Yarrow</u>
0.5	<u><a href="#">Agrimonia eupatoria</a></u>	<u>Agrimony</u>
3.5	<u><a href="#">Centaurea nigra</a></u>	<u>Common Knapweed</u>
1.4	<u><a href="#">Daucus carota</a></u>	<u>Wild Carrot</u>
0.2	<u><a href="#">Filipendula ulmaria</a></u>	<u>Meadowsweet</u>
1.3	<u><a href="#">Galium album - (Galium mollugo)</a></u>	<u>Hedge Bedstraw</u>
0.1	<u><a href="#">Geranium pratense</a></u>	<u>Meadow Crane's-bill</u>
0.7	<u><a href="#">Knautia arvensis</a></u>	<u>Field Scabious</u>
0.1	<u><a href="#">Leontodon hispidus</a></u>	<u>Rough Hawkbit</u>
3	<u><a href="#">Leucanthemum vulgare</a></u>	<u>Oxeye Daisy - (Moon Daisy)</u>

%	Latin name	Common name
3	<u>Medicago lupulina</u>	<u>Black Medick</u>
0.1	<u>Primula veris</u>	<u>Cowslip</u>
3.5	<u>Prunella vulgaris</u>	<u>Selfheal</u>
0.5	<u>Ranunculus acris</u>	<u>Meadow Buttercup</u>
0.5	<u>Rumex acetosa</u>	<u>Common Sorrel</u>
0.5	<u>Sanguisorba officinalis</u>	<u>Great Burnet</u>
0.1	<u>Silaum silaus</u>	<u>Pepper Saxifrage</u>
0.5	<u>Vicia cracca</u>	<u>Tufted Vetch</u>
20		
%	Latin name	Common name
10	<u>Agrostis capillaris</u>	<u>Common Bent</u>
2	<u>Alopecurus pratensis</u>	<u>Meadow Foxtail (w)</u>
2	<u>Anthoxanthum odoratum</u>	<u>Sweet Vernal-grass (w)</u>
3	<u>Briza media</u>	<u>Quaking Grass (w)</u>
29	<u>Cynosurus cristatus</u>	<u>Crested Dogstail</u>
24	<u>Festuca rubra</u>	<u>Red Fescue</u>
10	<u>Poa pratensis</u>	<u>Smooth-stalked Meadow-grass</u>
80		

#### 4.8 Native tree and shrub planting through a landscaping plan

The provision of a detailed landscaping plan will be based on the provision of native trees and shrubs as contained in Appendix 1.

#### 4.9 Local Wildlife Site (LWS) Pendlebury Brook improvements

The Pendlebury Brook has been shown on phase 1 studies provided by the Local Records Centre in 2000 as Lowland Meadow and Lowland Fen (although the PEA survey confirmed the habitat types had been succeeded by woodland regeneration).

Lowland Meadow and Lowland Fen are Section 41 priority habitats, and it shall be the aim of enhancements to provide a sustainable S41 habitat to include rubbish removals, aquatic and marginal plantings within site.

Initially the LWS shall undergo non-native plant removals. Ground preparation shall be made for the installation lowland meadow vegetation as described in section 4.7 which shall occupy the banks of the brook up to 10m either side of the watercourse within the redline application boundary.



Marginal plantings on the site shall consist of *Phragmites australis*, *Lysimachia vulgaris*, *Eupatorium cannabinum*, *Sium latifolium*, *Cicuta virosa*, and *Cladium mariscus* plantings installed with appropriate size plugs.

Tree management will occur to remove unwanted regeneration to allow sunlight filtration.

LWS enhancements are designed to benefit a wide range of biodiversity but specifically for water vole, which is still a rapidly declining species in the UK.

#### **4.10 Lowland meadow creation within the sub parcel of land to the south of the woodland**

The sub section land parcel to the south of the S41 woodland and LWS is to be planted as a lowland meadow to maximise biodiversity as described in section 4.7. In addition, woodland planting will occur using native species on the northern boundary of this site to provide the LWS with a further buffer zone.

#### **4.11 Potential lowland meadow creation off site between site and the LWS eastern site boundary**

The Ecological Network mapping indicates the area of land to the east of development off site as lowland meadow and neutral grassland which had been found to have been succeeded by scrub during the PEA walkover.

The area contains very few remnants of the previous plant communities such as neutral grassland. It is aimed to reinstate this area into lowland meadow as per section 4.7 to include tree felling and brook improvements as listed in section 4.10. The existing scrub is a high value habitat and only elements of it shall be removed allowing retention of this important habitat and promotion of the original lowland meadows alongside the scrub.

#### **4.12 Improvement of pond habitat by the use of native aquatic planting, water restorations and links to existing woodland habitat**

The existing pond habitat on the site is a NERC Act section 41 priority habitat and it is intended to enhance the feature. It is currently in poor health, exhibits poor water quality, extensive duckweed and is overgrown with trees and shrubs. There are no submerged plants due to the extensive layer of floating duckweed and intensive land use is occurring directly adjacent which is contributing to the ponds eutrophication.

Vegetation management, change of land use and marginal aquatic planting as described in section 4.9 will create an environment to halt the ponds eutrophication. Mechanical removal of duckweed will further assist the pond water quality improving.

Native planting can link the pond to the woodland providing foraging opportunities for amphibians.

## Appendix One – Enhancement plans



## Ecological enhancements

 Woodland Enhancement

 Woodland creation

### WOODLAND MANAGEMENT DETAILS

The WMP seeks to manage biodiversity enhancements by eradicating non-native vascular plants and creating conditions favourable for the development of native protected plants including Bluebell. Favourable conditions for native vascular plants will be created by selective felling and tree planting using species that foster native flora development. The current species diversity is poor and as well as restructuring the species mix glade creation from coupe felling will develop areas suitable for invertebrates. The creation of deadwood, both standing and fallen, will assist in the increasing of avian diversity and features suitable for woodland bats. Conifer introduction will further add to invertebrate interest which will add woodland bird species such as Goldcrest and add a food source for bats. Fruit tree planting assists in the development of the woodland for badger and hedgehog. Artificial nesting and roosting provision provide for breeding sites. The woodland site will be linked to the existing pond habitat through native planting


 Lowland meadow creation

### LOWLAND MEADOW CREATION

The area contains very few remnants of the previous plant communities such as neutral grassland. It is aimed to reinstate this area into lowland meadow to include selective scrub felling and brook improvements. The existing scrub is a high value habitat and only elements of it shall be removed allowing retention of this important habitat and promotion of the original lowland meadows alongside the scrub.

 Pond Enhancement

 LWS enhancement

 Non native plant eradication

Client:  
Lovell

Project:  
Sutton Manor

Detail:  
Ecological Enhancements

Drawn By: SB Date: 04.05.2021 Scale: NTS

Org No: TR-01 Revision: V2

KEY:

-  Site boundary
-  Existing vegetation
-  Existing watercourse
-  Proposed pedestrian route
-  Proposed open space
-  Proposed indicative tree planting
-  Indicative buildings
-  Proposed primary road
-  Proposed secondary / tertiary road
-  Proposed SuDS
-  Proposed play area



Existing vegetation retained to provide strong Green Belt boundary

Retained pond

Play area extending into woodland

Retained woodland

New area of woodland planting and lowland meadow, designed to maximise biodiversity. Off-road path benefits local community.

Existing and proposed woodland buffers protect Local Wildlife Site (Pendlebury Brook)

Pendlebury Brook

Pendlebury Brook, steep embankments and woodland provide strong Green Belt boundary

**DRAFT**

**Lovell Homes**

**Chapel Lane, St Helens**

Illustrative Masterplan

Drwg No: 877A-06  
 Drawn by: NJ  
 Rev by:  
 QM Status: Checked  
 Scale: 1:2000 @ A3

Date: 14.04.21  
 Checker: NJ  
 Rev checker:  
 Product Status:  
 Client issue

## Native tree species list

Common name	Latin name
Field maple	<i>Acer campestre</i>
Common alder	<i>Alnus glutinosa</i>
Strawberry-tree	<i>Arbutus unedo</i>
Silver birch	<i>Betula pendula</i>
Downy birch	<i>Betula pubescens</i>
Box	<i>Buxus sempervirens</i>
Hornbeam	<i>Carpinus betulus</i>
Dogwood	<i>Cornus sanguinea</i>
Hazel	<i>Corylus avellana</i>
Midland hawthorn	<i>Crataegus laevigata</i>
Hawthorn	<i>Crataegus monogyna</i>
Spindle	<i>Euonymus europaeus</i>
Beech	<i>Fagus sylvatica</i>
Alder buckthorn	<i>Frangula alnus</i>
Common ash	<i>Fraxinus excelsior</i>
Sea buckthorn	<i>Elaeagnus rhamnoides</i>
Holly	<i>Ilex aquifolium</i>
Juniper	<i>Juniperus communis</i>
Crab apple	<i>Malus sylvestris</i>
Scots pine	<i>Pinus sylvestris</i>
Black poplar	<i>Populus nigra</i> subsp. <i>Betulifolia</i>
Aspen	<i>Populus tremula</i>
Wild cherry	<i>Prunus avium</i>
Bird cherry	<i>Prunus padus</i>
Blackthorn	<i>Prunus spinosa</i>
Plymouth pear	<i>Pryrus cordata</i>
Sessile oak	<i>Quercus petraea</i>
Pedunculate oak	<i>Quercus robur</i>
Purging buckthorn	<i>Rhamnus cathartica</i>
White willow	<i>Salix alba</i>
Goat willow	<i>Salix caprea</i>
Grey willow	<i>Salix cinerea</i>
Crack willow	<i>Salix fragilis</i>
Bay willow	<i>Salix petandra</i>
Purple osier	<i>Salix purpurea</i>
Almond willow	<i>Salix triandra</i>
Common osier	<i>Salix viminalis</i>
Elder	<i>Sambucus nigra</i>
English whitebeam	<i>Sorbus anglica</i>
Common whitebeam	<i>Sorbus aria</i>
Arran whitebeam	<i>Sorbus arranensis</i>
Rowan	<i>Sorbus aucuparia</i>
Bristol whitebeam	<i>Sorbus bristoliensis</i>
Devon whitebeam	<i>Sorbus devoniensis</i>
Service-tree	<i>Sorbus domestica</i>

## Native tree species list

Round-leaved whitebeam	<i>Sorbus eminens</i>
Irish whitebeam	<i>Sorbus hibernica</i>
Lancastrian whitebeam	<i>Sorbus lancastriensis</i>
Grey-leaved whitebeam	<i>Sorbus porrigentifformis</i>
Arran service-tree	<i>Sorbus pseudofennica</i>
Rock whitebeam	<i>Sorbus rupicola</i>
Somerset whitebeam	<i>Sorbus subcuneata</i>
Wild service-tree	<i>Sorbus torminalis</i>
Bloody whitebeam	<i>Sorbus vexans</i>
Wilmott's whitebeam	<i>Sorbus wilmottiana</i>
Yew	<i>Taxus baccata</i>
Small-leaved lime	<i>Tilia cordata</i>
Large-leaved lime	<i>Tilia platyphyllos</i>
Wych elm	<i>Ulmus glabra</i>
Field elm	<i>Ulmus minor</i>

<b>Common name</b>	<b>Latin name</b>
<b>Large shrubs</b>	
Dogwood	<i>Cornus sanguinea</i>
Spindle	<i>Euonymus europaeus</i>
Sea Buckthorn	<i>Hippophae rhamnoides</i>
Wild privet	<i>Ligustrum vulgare</i>
Rhamnus cathartica	<i>Buckthorn</i>
Rosa canina	<i>Dog rose</i>
Purple willow	<i>Salix purpurea</i>
Eared willow	<i>Salix aurita</i>
Welsh whitebeam	<i>Sorbus leptophylla</i>
	<i>Sorbus minima</i>
Wayfaring tree	<i>Viburnum lantana</i>
Guelder rose	<i>Viburnum opulus</i>
<b>Medium shrubs</b>	
Broom	<i>Cytisus scoparia</i>
Field rose	<i>Rosa arvensis</i>
Soft downy rose	<i>Rosa mollis</i>
Sweet briar	<i>Rosa rubiginosa</i>
English whitebeam	<i>Sorbus anglica</i>
Gorse	<i>Ulex europaeus</i>
Western gorse	<i>Ulex gallii</i>
<b>Small shrubs</b>	
Burnet rose	<i>Rosa pimpinellifolia</i>
Butchers broom	<i>Ruscus aculeatus</i>
Dwarf willow	<i>Salix herbacea</i>
Woolly willow	<i>Salix lanata</i>
Creeping willow	<i>Salix repens</i>