

Matter 9: Generic Policies

Issue 3: Environment and Resources Policies

Policies LPC06, LPC07, LPC08, LPC09, LPC10, LPC11, LPC12 and LPC13 deal with a range of environmental policies. Section 4 of Policy LPC13 is dealt with under Matter 7. In response to preliminary questions, the Council proposes modifications to:

- *Policy LPC06 (Biodiversity and Geological Conservation) and its explanation.*
- *Policy LPC07, the Site Profile for Site 4HA, Policy LPA05.1 and the Policies Map in relation to Greenways.*
- *The reasoned justification to Policy LPC09 (paragraph 7.15.1) to delete reference to 'valued landscapes' as none are identified within St Helens Borough.*
- *Section 6 of Policy LPC10 (Trees and Woodlands).*
- *Policy LPC11 (Historic Environment) so that it is consistent with, but does not repeat, national policy in Section 16 of the Framework.*
- *Policy LPC12 (Flood Risk and Water Management) so that it is consistent with, but does not repeat, national policy in Section 14 of the Framework.*
- *The reasoned justification to Policy LPC13 to delete reference to specific proposals for wind energy development (paragraph 7.27.5).*

5. Having regard to the proposed modifications, are Policies LPC06, LPC07, LPC08, LPC09, LPC10, LPC11, LPC12 and LPC13 positively prepared, clear to the decision maker and consistent with national policy?

The HBF does not wish to answer this question, at this time.

6. Whilst the achievement of net gains for biodiversity and enhancement of the natural environment is desirable, will a simple 2 for 1 replacement of any trees lost within Section 6 of Policy LPC10 be necessarily the most appropriate way of achieving gains and is it justified by any evidence (see Council's response to preliminary questions)?

This policy states that where any tree is justifiably lost its replacement will normally be required on at least a 2 for 1 ratio. The Council have highlighted that this is not solely to achieve biodiversity net gain but also to contribute to addressing climate change and improving health and well-being. The HBF would like to know what the justification and evidence is for this ratio of replacement. The HBF recommends that this part of the policy is deleted.

The HBF considers that the policy should be modified as follows in order to make the document sound:

- *'6. Development proposals must be designed and laid out in a manner that would not damage or destroy any tree subject to a Tree Preservation Order, any other protected tree, any other tree of value including any veteran tree, trees of value as a group, any tree of substantive heritage value or any length of hedgerow, unless it can be justified for good arboricultural reasons or there is a clearly demonstrated public benefit that would outweigh the value of the tree(s) and or hedgerow(s). Where any tree is justifiably lost its replacement will normally be required ~~on at least a 2 for 1 ratio~~, with impacts on woodlands mitigated in line with Policy LPC06. Any tree(s) planted must be replaced in the event of failure or damage during a prescribed period'.*

Issue 4: Development Management Policies

Policies LPD01, LPD02, LPD04, LPD05, LPD06, LPD07, LPD08 and LPD09 deal with a range of development management policies. In response to preliminary questions, the Council proposes modifications to:

- *Section 1 of Policy LPD01 (Ensuring Quality Development).*
- *Criteria 6 and 7 of Policy LPD02 (Design and Layout of New Housing).*
- *Sections 2 and 4 of Policy LPD04 (Householder Developments).*

7. Having regard to the proposed modifications, are Policies LPD01, LPD02, LPD04, LPD05, LPD06, LPD07, LPD08 and LPD09 positively prepared, clear to the decision maker and consistent with national policy?

The HBF does not wish to answer this question, at this time.

8. Are the requirements for developments to make provision for digital communication networks and make contributions to off-site broadband infrastructure within Policy LPD07 justified and consistent with national policy having regard to paragraph 112 of the Framework and the scope of the Building Regulations?

LPD07 states all new housing development should make provision for the latest generation of digital communication (ICT) networks to a standard that is compatible with the infrastructure available, or is likely to become available in the Plan period it goes onto state that subject to the requirements of Policy LPA08, contributions may also be sought from developers towards the cost of providing necessary off-site fast broadband infrastructure to serve the area.

The HBF generally considers that digital infrastructure is an important part of integrated development within an area. However, the inclusion of digital infrastructure such as high-speed broadband and fibre is not within the direct control of the development industry, and as such it is considered that this policy could create deliverability issues for development and developers. Service providers are the only ones who can confirm access to infrastructure. The house building industry is fully aware of the benefits of having their homes connected to super-fast broadband and what their customers will demand.

The HBF considers that in seeking to provide broadband the Council should work proactively with telecommunications providers to extend provision and not rely on the development industry to provide for such infrastructure. The Council should also note that Part R of the Building Regulations clearly sets the appropriate standards for high-speed electronic communication networks. It is not considered appropriate for St Helens to seek additional local technical standards over and above this requirement.

Home Builders Federation (HBF) response to the
St Helens Local Plan Examination
Inspector's Matters, Issues and Questions