

St Helens Local Plan 2020-2035 Examination in Public

Hearing Statement on behalf of Story Homes

Matter 11 – Monitoring and Implementation

May 2021

Relevant Site:

Land south of A580 between Houghtons Lane and Crantock Grove, Windle (Ref: 8HS)

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1 Introduction

- 1.1 This statement has been prepared by Hive Land & Planning on behalf of Story Homes and responds to the Matters, Issues and Questions released by the Inspectors on 30th March 2021. In this submission Story Homes are responding to **Matter 11, Issue 6, Questions 26, 27 and 28**
- 1.2 The involvement of Story Homes in the St Helens Local Plan Examination relates to the continued promotion of the Land south of A580 between Houghtons Lane and Crantock Grove, Windle, Ref 8HS (hereafter referred to as 'Site 8HS'). Story Homes has promoted Site 8HS for the residential development of around 1,100 dwellings and has been undertaken following an agreement with the landowners.
- 1.3 Site 8HS is currently located within the Green Belt and has been identified as a Safeguarded Site within the Submission Draft St Helens Local Plan 2020 -2035, to be reserved for future residential development until after the plan period, unless a subsequent Local Plan Review proposes to allocate the land for development. In safeguarding Site 8HS, the Council has recognised that Site 8HS represents a suitable and sustainable location for housing and Story Homes welcome and support this recognition.
- 1.4 In the 2016 Preferred Options Draft of the Local Plan however, Site 8HS was identified as a Housing Allocation to come forward within the current Plan Period. This further confirms the Council's acceptance that Site 8HS, as a matter of principle, is a suitable location in which to locate this scale of new housing.
- 1.5 The Council has therefore acknowledged the acceptability of Site 8HS for residential development at every stage of the plan-making process.
- 1.6 This Hearing Statement should be read in conjunction with all the statements being submitted by Story Homes in response to **Matters 1, 2, 3, 4, 5, 7 and 10**.
- 1.7 We trust that this Statement assists the Inspectors in respect of the Examination.

2 Matter 11. Monitoring and Implementation

Issue 6: Monitoring and Implementation

Question 26. Taking into account any modifications is the Plan clear in indicating how the Plan's policies and proposals will be monitored?

2.1 The Local Plan (para 1.3.8) states "*The Council also has a duty to prepare regular Monitoring Reports that assess the effectiveness of adopted planning policies in addressing the key economic, social and environmental issues facing St. Helens Borough*".

2.2 A draft monitoring framework is provided at Appendix 4 which is a welcome addition to the Plan. However, Story Homes note that as drafted the Local Plan does not specify how often the regular monitoring will take place in respect of all elements. Story Homes are of the view the Plan should include a committed timeframe for carrying out and producing the Monitoring Reports. This would make the Plan clearer in indicating how and when progress against policies and proposals would be monitored and findings published. Story Homes would suggest that the Local Plan Monitoring Reports based on the Monitoring Framework should be produced on an annual basis (as they currently are in some instances) and that this commitment be written explicitly into para 1.3.8 of the Local Plan.

2.3 Our recommended change to the wording is as follows:

"The Council also has a duty to prepare regular Monitoring Reports that assess the effectiveness of adopted planning policies in addressing the key economic, social and environmental issues facing St. Helens Borough. *There is a commitment from the Council to ensure that any monitoring associated with housing and employment land supply is undertaken on an annual basis, at the very least.*"

2.4 The Local Plan (para 3.3.1) goes on to states that "*The monitoring framework in Appendix 4 identifies key targets that must be met if specific policies of the Plan are to be successful, how progress is to be measured, and what remedial actions will be undertaken if progress is not made at the required rate.*"

- 2.5 The monitoring framework has been modified since publication of the Local Plan. This was in response to the inspector's observations of the monitoring framework set out in the Inspectors Preliminary Matters & Issues and Soundness – Generic and DM Policies (examination library doc. ref. INSP004). In response to the observations, suggested modifications to the monitoring framework are set out in the St Helens Local Plan Draft Schedule of Modifications v1 (Doc Ref: SHBC010)
- 2.6 Story Homes note that in Doc SHBC010, Policy LPA01 Presumption in Favour of Sustainable Development has been deleted from the monitoring framework. This is presumably in line with the proposed deletion of Policy LPA01 from the Local Plan. Story Homes' view, as set out in our response to Matter 3, is that Policy LPA01 is a necessary policy inclusion for the soundness of the Plan. The presumption in favour of sustainable development is a fundamental planning policy objective that should carry full weight within the development plan. As such Story Homes are of the view that Policy LPA01 be reinstated and therefore also be included in the monitoring framework.

Question 27 Will the indicators in the monitoring framework be effective in monitoring the success of the Plan's policies and proposals

- 2.7 Broadly speaking Story Homes are of the view that the Indicators in the monitoring framework will be effective in monitoring the success of the Plan's policies and proposals. The Indicators are linked to the Policies and relevant to the objectives that policies and proposals are trying to achieve.
- 2.8 The exception to this is on the Indicator for Policy LPA06 – Safeguarded Land. Story Homes are of the view that following the inspector's modification to the trigger for this policy, the Indicator is no longer relevant and should be updated. This matter is addressed in more detail in the second part of the Story Homes answer to Question 28 of this Hearing Statement.

Question 28. Is the Plan clear as to when a need to update the Plan before five years would be triggered, for example for reasons relating to the delivery of housing?

- 2.9 Within Policy LPA05, Section 5b it is stated that '*If annual monitoring demonstrates the deliverable housing land supply falls significantly below the required level, a partial or full plan review will be considered to bring forward additional sites*'. This Policy is not time-specific, the triggers discussed are lengthy processes and so will not be reactive enough to a current situation and the mechanisms through which additional

sites can be brought forward is also not clear in the event that a full or partial Plan review is not considered necessary. Indeed, given that a five year housing land supply cannot currently be demonstrated in St Helens, it is a possibility that a review may need to be considered upon adoption of the Plan, which highlights the need to consider the introduction of new triggers.

- 2.10 Notwithstanding our following comments and as set out within our Matter 3 Hearing Statement, our view is that the triggers/mechanisms to 'bring forward additional sites' is not reactive enough and amendments to the wording of Policy LPA06 that will enable the early release of Safeguarded Land are necessary.
- 2.11 Firstly though, in relation to Policy LPA05, the action against the trigger of having less than 5 years supply (plus buffer) states: *Consider early review of the Local Plan if there is long-term underperformance against the 5 year supply.* In relation to LPA05.1 - Strategic Housing Sites: The action against the trigger of less than 75% of dwellings completed on Strategic Sites states: *Consider early review of the Local Plan if there is significant under-delivery on the strategic sites.*
- 2.12 The repeated use of the phrase '**consider a review**' means that the Plan will remain non-committal as to exactly when a Plan review is to be undertaken by the Council.
- 2.13 Continuing this theme, the Actions in the Monitoring Framework are vague in terms of specific actions that SHBC are willing to take post-plan adoption to deal with any future under delivery, particularly on housing delivery. There appears to be a lack of willingness to commit to updating the Local Plan once it has been adopted, even if the monitoring demonstrates that it is failing to deliver on key policy objectives. Policy LPA05 makes reference to the Housing Delivery Test and this, along with the five year housing land supply position, are established mechanisms through which monitoring of housing completions and future housing land supply is taking place on a regular basis. The Monitoring Framework should therefore be updated to make explicit reference to these monitoring mechanisms and be clear about the action that is to be taken should a shortfall in supply or delivery rates be identified. The specific wording changes suggested by Story Homes to achieve this are set out in Figure 3 later in this Statement.
- 2.14 Story Homes therefore suggest that the wording in the Monitoring Framework 'Contingency / Action' column be updated to provide more certainty that, even once adopted, SHBC are committed to targeted updates to the Local Plan at regular points post adoption, if the annual evidence collection finds that key policies and plans are not delivering for St Helens.

Effective monitoring of Policy LPA06 and effective action to address under delivery of housing

- 2.15 Notwithstanding the above comments, it is the view of Story Homes that a far more effective mechanism to release new sites to respond to shortfalls in housing delivery is through a revision to Policy LPA06. The change to the policy would see the introduction of a new trigger mechanism through which Safeguarded Sites could be brought forward immediately in order to address an identified shortfall in housing land supply.
- 2.16 Our Matter 3 Statement makes this point and the use of a mechanism similar to the 'Plan B' approach taken within the adopted West Lancashire Local Plan has been put forward by Story Homes and a number of other participants and it was specifically discussed within the Matter 3 Hearing Session held on Thursday 27th May 2021. With this in mind, Story Homes are of the view that further modifications are required to ensure that the Monitoring Framework is effective and responds positively to changes that may occur over time.
- 2.17 For ease of reference Story Homes have re-produced the Submission Draft version of the Monitoring Framework as it relates to Policy LPA06 and the Council's proposed modifications following the Inspector's Preliminary Questions contained within Doc SHBC010 are provided at Figures 1 and 2 respectively. Story Homes have then suggested additional modifications at Figure 3 which will assist in ensuring that the Monitoring Framework reflects the changes needed to the function of Policy LPA06.
- 2.18 Figure 1 demonstrates that the Council initially intended to only monitor Policy LPA06 Safeguarded Land in the narrowest of terms. They intended to do this by quantifying planning permissions granted on Safeguarded Land and should 10% of the identified Safeguarded Land have planning permission for built development then an early review of the Local Plan would be considered.

Figure 1: Extract from the Submission Draft version of the Monitoring Framework in respect of Policy LPA06

Submission Draft version of the Local Plan					
Policy	Indicator	Data Source	Target	Trigger for action	Potential action of contingency
LPA06 – Safeguarded Land	Number and extent of planning applications approved on land safeguarded for post-2035	Development Management Processes.	Zero	10% (or more) of land safeguarded granted planning consent for built development	Consider early review of the Local Plan

2.19 The Inspectors Preliminary Matters & Issues and Soundness (Doc: INSP003) then questioned at paragraph's 49 to 52 why such a trigger had been included when planning permission would be refused for housing and/or employment land when considered against the provisions of Policy LPA06 as currently drafted. The Council then proposed the following Modification in Document SHBC010 set out in Figure 2, in line with the Inspectors comments.

Figure 2: Extract from the Council's Draft Schedule of Modifications to the Monitoring Framework in respect of Policy LPA06

Draft schedule of modifications (page 115) (Modification made under trigger for action)					
Policy	Indicator	Data Source	Target	Trigger for action	Potential action of contingency
LPA06 – Safeguarded Land	Number and extent of planning applications approved on land safeguarded for post-2035	Development Management Processes.	Zero	10% (or more) of land safeguarded granted planning consent for built development Failure to deliver sufficient housing land	Consider early review of the Local Plan

2.20 Whilst the rationale for this change is in line with the Inspectors recommendation, Story Homes’ view remains that Policy LPA06 should still contain a trigger and that the ‘Trigger for action’ and ‘Potential action of contingency’ described above are not proactive or reactive enough to respond quickly to changes in circumstance during the plan period where a shortfall in housing land is identified. This is a particularly pertinent point given that the Council cannot currently demonstrate a five year supply of housing land. This brings in to question the ability of the existing urban area SHLAA sites to deliver their anticipated yield during the plan period (this issue is covered in detail within our Matter 5 Hearing Statement).

2.21 Story Homes therefore suggest that further changes need to be made to the Monitoring Framework as it relates to Policy LPA06 in order to align with the suggested changes to the policy itself, i.e. introducing the trigger mechanism for the early release of Safeguarded Land in the event that a five year housing land supply cannot be demonstrated. The suggested Story Homes modifications are set out in Figure 3 in blue/underlined text.

Figure 3: Story Homes suggested further changes to the Monitoring Framework in respect of Policy LPA06

Story Homes Suggested Modifications (text in blue / underlined)					
Policy	Indicator	Data Source	Target	Trigger for action	Potential action of contingency
LPA06 – Safeguarded Land	Number and extent of planning applications approved on land safeguarded for post 2035 <u>Five Year Housing and Supply position Housing Delivery Test result</u>	Development Management Processes: <u>St Helens Authority Monitoring Report (AMR) St Helens Housing Land Supply Position Statement Housing Delivery Test result Appeal Decisions</u>	Zero <u>Maintain a continuous five year housing land supply and a Housing Delivery Test result greater than 95%</u>	10% (or more) of land safeguarded granted planning consent for built development Failure to deliver sufficient housing land <u>to the extent that a five year housing land supply cannot be demonstrated, or the Housing Delivery Test result falls below 95%</u>	Consider early review of the Local Plan <u>Planning permission granted for suitable housing schemes on Safeguarded Land ‘Plan B’ sites and an early partial review of the Local Plan to address the shortfall in housing land supply/delivery and maintain sufficient Safeguarded Land</u>

- 2.22 To summarise, given the wider concerns over the deliverability and viability of sites identified by the Council in the urban area, Story Homes recommend the suggested amendments to the Monitoring Framework for Policy LPA06 as set out in Figure 3 above. By association, and as set out in our Matter 3 Hearing Statement, Policy LPA06 also needs modifying to contain a formal 'trigger' mechanism for considering the release of Safeguarded Sites in the event the allocated sites and SHLAA sites do not come forward as anticipated and a shortfall in housing land supply exists. This approach was endorsed by the Inspector conducting the Examination into the West Lancashire Local Plan and Policy RS6 of that plan, sets out the triggers that apply for 'Plan B' sites to be considered, which are related to housing delivery performance considered against the housing target.
- 2.23 Story Homes consider that land currently proposed to be safeguarded (specifically, Site 8HS which was identified as a Housing Allocation at the Preferred Options stage) should be identified as a housing allocation, or at the very least a 'Plan B' site to be brought forward early should the Council continue to not be able to demonstrate a Five Year Housing Land Supply.

Question 29. Is the Plan clear as to which SPDs will be updated and prepared to provide guidance on the implementation of the Plan?

- 2.24 A range of topic areas are stated in the Plan as requiring new, updated or revised SPDS. This includes regeneration areas, Developer Contributions, open space standards, travel, hot food takeaways. There is reference to three SPDS which may be needed or be updated, these are Earlestown, Health and Wellbeing and Hot Food Takeaways.
- 2.25 Story Homes are of the view that the Plan is clear in setting out the Council's intentions towards future SPDs.

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