



ST HELENS
BOROUGH COUNCIL

**ST HELENS BOROUGH
LOCAL PLAN 2020-2035**

**ST HELENS BOROUGH COUNCIL'S RESPONSE
TO INSPECTORS MATTERS ISSUES AND
QUESTIONS**

Matter 5 – Housing Land Supply

SESSION 7 – 9:30 TUESDAY 15 JUNE 2021

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Matter 5: Housing Land Supply

(Policies Covered: LPA05, LPA05.1)

Issue 1: Components of Housing Supply

- 1. Having regard to the Council's responses referred to above, will the up to date housing supply position be clearly shown in the Plan (base date of 31 March 2021)?*

Yes, proposed main modification MM009 (SHBC010) indicates that the 5 year supply tables shown in Annex 4 of SHBC010 (showing the position as at 31 March 2021) will be added to the end of the reasoned justification of Policy LPA05 under a new sub-heading 'Five year housing land supply'. This will ensure the housing land supply position is clearly shown in the Plan.

- 2. Having regard to Council's responses referred to above, will the components of the housing supply that will meet the housing requirement be clearly shown in the Plan?*

Yes, proposed main modification MM007 (SHBC010) seeks to replace Table 4.6 in the Plan with Tables 5.2–5.5 (SHBC010, Annex 3). These tables present each of the components of the housing supply in a simpler and more concise structure.

Further, main modification MM008 proposes to update Table 4.7 and Figure 4.3 in the LPSD with an updated housing trajectory. This proposed modification itself refers to Appendix 1 of SD025. However, this needs updating to ensure that the aforementioned table and figure is replaced with those shown in SHBC007, Appendix 1, as these provide the latest information.

- 3. Is the small sites allowance of 93 dpa justified by compelling evidence (see paras 4.10 to 4.13 of SD025)?*

Yes, the small sites allowance of 93 dwellings per annum is set out in the SHLAA 2017 (in particular paragraphs 3.53-3.56). It sets out that the proposed small sites allowance was based upon the historic completions on small sites (below 0.25ha) over a ten year period (2007-2017).

Paragraphs 4.10-4.13 of the Housing Need and Supply Background Paper (SD025) build on this to provide further supporting justification. Table 4.4 in paragraph 4.10 showing completions from small sites (below 0.25ha) over the period 2010/11 – 2019/20 is particularly useful. It should be noted that this does provide a case to increase the small sites allowance from 93 to 103 dwellings per annum. However, the Council has acknowledged a particularly high delivery in 2018/2019, based on a high number of apartment schemes delivered.

There is no evidence to suggest that this allowance for small sites cannot be maintained over the Plan period, particularly when the evidence of completions on small sites through the SHLAA and the Background Paper shows that this has been sustained over a 13 year period (2007-20), and there is no pattern over this timeframe to suggest that the completions on small sites has been reducing.

The Council has therefore taken an evidence based and realistic approach to the small sites allowance, which is entirely justified.

4. Should the supply shown within the Plan make an allowance for demolitions or are they accounted for within the net number of homes anticipated to be delivered from each site?

There is no need to make an allowance for demolitions. Estimated yield on sites takes account of the net developable areas, densities and any constraints on site that may limit the supply.

Further, the demolition of housing is not considered to be a significant issue for the sites identified as contributing to the supply over the Plan period. As can be seen in the SHLAA, and the description of sites, there are a number of already cleared housing sites included. Such losses have already been accounted for in net completions from previous years. Therefore future supply does not need to take account of these losses. Likewise, this is not an issue in the proposed allocations.

Paragraph 4.7 of housing background paper (SD025) states that the rate of demolitions is likely to remain relatively low through the Plan period. In summary, the majority of the demolitions over the last ten years have been undertaken by Registered Providers, who have confirmed that there are no significant clearance programmes planned for the Plan period.

As such, there is no justification to make an additional allowance for demolitions within the supply.

5. Should empty homes be included as a component of supply?

No, empty homes are already part of the existing housing stock. Therefore, bringing them back into use, whilst of benefit for various reasons, will not assist in delivering the new net homes identified as needed to meet the housing requirement, as set out in the Council's evidence.

6. Does the Plan show sufficient flexibility in the supply to ensure that the housing requirement will be met over the Plan period (the Council's latest figures show a residual requirement of 7778 units and potential housing supply of 8384 units assuming a Plan period until 2037)?

An updated position in terms of the residual housing requirement and proposed supply is set out in Annex 3 of the Draft Main Modifications Schedule (SHBC010). The residual housing land requirement (1 April 2021 and 31 March 2037) is 7,132 units. The proposed total housing land supply for 2021-2037 is 7,831. This provides flexibility of 699 units.

This must also be put in the context of a contingency allowance being built into the supply for both SHLAA sites (15%) and Green Belt sites (20%). This is sufficient flexibility to meet the housing requirement over the Plan period. This position is further strengthened in view of the fact that any further flexibility in the housing supply would require further release of the Green Belt (due to a shortage of urban land), and would therefore require exceptional circumstances to be demonstrated, which do not exist.

7. Is the flexibility in housing supply provided by the Green Belt sites justified?

Yes. As stated in paragraph 4.18.11 of the LPSD, a 20% contingency allowance has been applied to those proposed sites allocations that are currently designated as Green Belt land (i.e. site 1HA, 2HA, 4HA, 5HA, 7HA and 8HA) to allow for potential delays in site delivery due to factors such as infrastructure requirements being addressed prior to commencement on site.

This recognises that the Green Belt allocations are all beyond the urban area, outside the existing boundaries of Key Settlements, and therefore may not have the advantage of so easily linking in to the existing infrastructure as those sites within the urban area.

Also, generally speaking the Green Belt site allocations are of a larger scale than the SHLAA sites (it is acknowledged this is a generalisation and there are some exceptions). The generally larger scale of such sites may require greater infrastructure requirements, which could potentially lead to some degree of delay / longer lead in times.

The flexibility provided by the 20% contingency for Green Belt sites is therefore justified.

8. Would greater certainty be provided within the Plan if SHLAA sites (or the larger sites) were to be allocated (see SHBC001 – PQ52)?

As stated in response to PQ52 (SHBC001), it is not considered that the allocation of additional SHLAA sites would provide greater certainty with regard to the delivery of site to meet the Borough's housing requirement over the plan period. Detailed reasons are set out in SHBC001.

¹ SHBC001 - PQ25

In summary, many of the large sites in the SHLAA supply already having an existing planning permission, providing a high degree of certainty of site delivery. In addition, the Council acknowledges that there will likely be some delays to the delivery of some of the brownfield sites, hence the application of a 15% delivery discount applied to the SHLAA supply (including proposed allocations 3HA, 6HA, 9HA and 10HA). Combined with the 20% Green Belt allowance, there is confidence that the supply can be maintained over the Plan period. Finally, the proposed approach has been found elsewhere.

Issue 2: The Housing Trajectory

9. Is the evidence that supports the Housing Trajectory (Figure 4.3 as amended by Appendix 1 to SD025) based on realistic assumptions?

Yes, in preparing the housing trajectory, the Council has given detailed consideration regarding each component (allocations, and SHLAA sites at different stages, ie. with planning permission and under-construction, and a small sites allowance) supply trajectory and the likely contribution each will make over the plan period. Factors such as determining likely lead in times, including infrastructure requirements have been built in accordingly.

A variety of information sources, such as the Strategic Housing Land Availability Assessment (SHLAA) 2017, (HOU002), have been analysed as well as the latest annual monitoring information to enable realistic rates of delivery to be determined. Appendix 6 of the Housing Background Paper (SD025) provides an analysis of build out rates over the last ten years on sites of varying scales. This analysis supports the delivery rates proposed in the detailed site by site trajectory.

In addition, in response to INSP003 (paragraph 67), updated SHLAA proformas were produced, enabling the latest position of SHLAA sites without planning permission to be updated. This exercise enabled the Council to re-evaluate the delivery timescales for each site which has ultimately ensured that the updated housing trajectory as shown in appendix 1 of SHBC007 is based on realistic assumptions.

10. In particular:

- a. Should a lapse rate be applied to sites expected to deliver in the next 5 years as well as those delivering later in the Plan period (see SHBC001 – PQ50)?*

No, this would not be justified. In accordance with PQ50 (SHBC001), 18 of the 31 sites with planning permission and expected to deliver within years 0-5 are currently under construction. A lapse rate for these sites is not considered justified as these sites are considered deliverable within 5 years, and the majority of sites with planning permission in the Borough consistently commence on site.

There is no specific support for, or requirement to apply, a lapse rate in national policy or guidance. Instead, the focus is on the identification of deliverable sites, which the Council

has reflected in the supply, with an additional buffer applied to the five year housing supply. This has been done (5%).

Council's detailed response to this is provided in PQ50, SHBC001.

Notwithstanding the Council's view on this matter as set out above, if an alternative view is taken that a lapse rate ought to be applied, this should only be applied to the sites that have a planning permission that have not yet commenced and are expected to be under construction in years 0-5.

b. Is the evidence about the delivery of SHLAA sites contained within the SHLAA together with SD025 and SHBC004 robust?

Yes, the Council considers that the evidence which supports the delivery of SHLAA sites is robust.

The updating of the SHLAA proformas in SHBC004 enabled the re-evaluation of the delivery timescales for each site which has ultimately ensured that the updated housing trajectory provided in Appendix 1 of SHBC007 is based on realistic assumptions.

c. Is the evidence about delivery from stalled sites robust (see SHBC001 – PQ53)?

As outlined in response to the Inspectors preliminary questions (SHBC001, PQ53), the historically stalled sites in Appendix 1 of SHBC007 (site reference: HL189, RH11 and TC43) are still considered to be developable as they have each stalled for unique site-specific reasons that are capable of being addressed.

This is supported by the status of another historically stalled site which is now under construction (HL363), and is now anticipated to be delivered within 5 years in the housing trajectory (Appendix 1, SHBC007).

Discussions with landowners and stakeholders have informed the delivery assumptions. Therefore, the Council considers that the delivery assumptions regarding the three remaining historically stalled sites are robust.

d. Are the assumptions about delivery from allocations robust (discussed under Matter 4)?

Yes, the assumptions have been informed by the evidence, including the Green Belt Review (SD020), the Infrastructure Delivery Plan (SD013) and the Transport Impact Assessment (TRA003). Assumptions have also been informed through correspondence with landowners / site promoters.

As referenced previously, the build out rates for the allocation sites in the trajectory are based on the evidence of what has been achieved on other sites within the Borough (SD025, Appendix 6), as well as site specific circumstances.

e. Are lead in times and build out rates realistic?

Yes, paragraphs 4.18 to 4.20 of the Housing Background Paper (SD025) indicate that the Council has taken a cautious approach to assumed build out rates. Nevertheless, they have been informed by the analysis of historic build out rates over a 10 year period (Appendix 6 of SD025). In addition, the build out rates utilised in the SHLAA 2017 (HOU002, paragraphs 3.49 to 3.50 and Figure 3.11) have been applied for those sites allocated in the urban area and those sites counted in the SHLAA supply.

Factors such as potential infrastructure requirements to support site delivery, current market uncertainty surrounding the economic impact of COVID19 and an awareness that many of the large former Green Belt sites are likely to come to the market at the same time, have been considered. Taking these factors collectively into account, a slight lower build out rate has been applied.

Consequently, the Council is confident that a realistic approach has been applied to build out rates within the housing trajectory.

With regard to lead in times, paragraph 4.21 of the housing background paper (SD025) indicates that the approach set out in the 2017 SHLAA (HOU002) has been applied. It should be noted that the lead in times for proposed site allocations 2HA and 4HA, are an exception to this. Due to site-specific considerations, they have been given longer lead-in times.

f. Is the significant spike in delivery shown in the trajectory between 2025/26 and 2026/27 realistic and supported by evidence (see SHBC001 – PQ54)?

As a result of the updated housing land supply information provided in SHBC007 (Appendix 1), the spike in delivery rates has shifted to years 2027/28 and 2028/29. As outlined in response to the Inspectors preliminary questions (SHBC001, PQ54), the Council acknowledges that these spikes occur as it is anticipated that the proposed Local Plan allocations, specifically from the Green Belt supply, will start to feature more predominantly in the overall annual housing supply once appropriate lead-in times have been allowed for.

In addition, as the Council has taken a cautious approach when assessing sites as deliverable, there are a number of sites in the 6-10 year period that do not have any significant site constraints preventing them from coming forward within the 0-5 year period, but because they do not currently have a planning permission or are not being promoted actively through the development management process at present, they have not been counted in the 5 year supply. Instead, they are considered developable and are counted in the 6-10 year period.

It is not unreasonable to consider that there could be a couple of particularly high years of housing delivery following adoption of the Plan (and associated release of Green Belt sites). Notwithstanding this, it is also acknowledged that the spike may smooth out a little for the reasons provided, with some sites potentially starting to deliver a little sooner than anticipated.

Issue 3: Five Year Housing Land Supply

11. Is the use of a 5% buffer to calculate the housing land supply position appropriate?

Yes, the record of housing delivery in St Helens Borough and the lack of any shortfall in housing provision since the beginning of the Plan period (2016) justifies the use of the 5% buffer in the housing land supply calculation.

12. Is the inclusion of 465 units from small sites in the 5-year supply justified?

Yes, as indicated in response to question 3 above, the Borough historically has a strong delivery rate for 'small sites'. This is evidence in the housing background paper (SD025, paragraph 4.10). Resultantly, the applied small sites allowance of 93dpa is considered to be a justifiable inclusion within the 5-year housing land supply components.

As set out in paragraph 4.13 of SD025, to avoid duplication between those units with planning permission and the small sites allowance, only large sites (over 0.25ha or delivering 5 units or more) have been counted in the housing supply. As of July 2020, there were 135 small sites in the Borough with permission for 486 units. Given the scale of these sites, it is likely the majority of these would be delivered within the first five years. However, they have not been counted in the supply.

Therefore, the Council is relying on the small sites allowance of 93 units per annum, and considers this justified on the basis of what currently has permission (there is a clear alignment in scale between the small sites allowance and actual permissions) and historic small site delivery. If the 465 units are to be removed from the 5 year supply, the permissions from small sites would need to be added in to ensure the contribution from small sites over the five year period is not ignored.

13. Generally, are the assumptions about the delivery from commitments, SHLAA sites and allocations within the 5-year supply realistic?

Yes, a cautious and sensible approach has been taken when assessing sites as deliverable in the first 5 years. Consideration has been given to a range of factors including land type and infrastructure requirements in order to assess how build out rates could be affected.

As mentioned above in response to questions 10 part b-d, assumptions regarding site delivery have been informed by the evidence, and the current planning status of the sites.

14. Are lead in times and build out rates within the 5-year supply realistic?

Yes, in accordance with the previous responses, the lead in times and build out rates are based on local evidence and understanding of site specific matters. All of the sites within the five year supply are considered deliverable and able to come forward in the timescales and at the pace envisaged in the trajectory.

15. Are there any measures that the Council can take to provide more elbow room in terms of the 5-year supply?

Note - SHBC001 – PQ55 refers to the possibility of a stepped housing requirement and/or increasing the small sites allowance.

Yes, on the basis of the response to the following question, that the Council cannot currently demonstrate a five year supply (it is currently calculated as 4.6 years), it would be sensible to consider stepping the housing requirement, whereby there is a slightly lower level of housing delivery for the first 5 years of the Plan period (with a lower annual requirement) and then an increased annual requirement over the remaining years of the Plan. This would reflect the anticipated higher delivery rates after the initial five year period, once the released Green Belt sites come to the market.

Additionally, as set out in section 4.10 of SD025 there is evidence to support increasing the small sites allowance from 93 to 103 units per annum and providing a further 50 units in the 5 year supply.

16. Will there be a five-year supply of deliverable housing sites on adoption of the LP?

As requested, Annex 4 of the Draft Main Modifications Schedule (SHBC010) provides an updated housing supply position statement. It provides the position as at 31st March 2021, and indicates a 4.6 year housing land supply.

Issue 4: the wording of Policy LPA05

17. Will Policy LPA05 as worded be effective in maintaining delivery through the Plan period?

Yes, because the Policy ensures that a sufficient quantity of housing will be brought forward to meet the identified needs over the Plan period, setting out the various sources that this will be comprised of, including the allocation of a sufficient amount of sites.

Notwithstanding the ability of the Policy to deliver a sufficient amount of homes over the Period, it also refers to the use of monitoring to illustrate whether sufficient housing is being delivered and refers to the need for a partial or full Plan review to bring forward additional sites should a need for such action be identified.