



NEXUS
PLANNING

St Helens Local Plan Examination

Matter 5 Housing Land Supply

On behalf of Eccleston Homes

May 2021

Contents

1 Introduction.....	2
2 Response to Matter 5 Questions	4
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)?.....	4
9. Is the evidence that supports the Housing Trajectory (Figure 4.3 as amended by Appendix 1 to SD025) based on realistic assumptions?	5
10. In particular:.....	6
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)?	6
b. Is the evidence about the delivery of SHLAA sites contained within the SHLAA together with the SD025 and SHBC004 robust?	6
c. Is the evidence about delivery from stalled sites robust (see SHBC001 – PQ53)?	7
d. Are the assumptions about delivery from allocations robust (discussed under Matter 4)?	8
e. Are lead in times and built out rates realistic?.....	8
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)?	8
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.	8
3 Summary and Conclusions	10

1 Introduction

- 1.1 This hearing statement is submitted on behalf of Eccleston Homes in relation to Matter 5, Housing Land Supply of the St Helens Local Plan Examination.
- 1.2 This statement follows on from Nexus's Planning representations to the Submission Draft consultation in March 2019 (document ref. RO1957). Additionally, this Hearing Statement also builds on the Site specific representations in relation to Station Road, Haydock, prepared by McAteer Associates on behalf of Eccleston Homes (document ref. RO0565).
- 1.3 This statement only responds to the following questions posed by the Inspectors in relation to Matter 5 (Housing Land Supply) of the examination and hearing sessions:

Issue 1: Components of Housing Supply

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)?

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?
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)?
 - b) Is the evidence about the delivery of SHLAA sites contained within the SHLAA together with the SD025 and SHBC004 robust?
 - c) Is the evidence about delivery from stalled sites robust (see SHBC001 – PQ53)?
 - d) Are the assumptions about delivery from allocations robust (discussed under Matter 4)?
 - e) Are lead in times and built out rates realistic?
 - 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)?

Issue 3: Five Year Housing Land Supply

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.

Summary

- 1.4 Our principal concern is that the St Helens Local Plan as currently drafted does not meet the National Planning Policy Framework ('NPPF') test of 'soundness'. Most particularly, in respect of the four criteria identified at paragraph 35 of the NPPF, we do not believe that the proposed St Helens Local Plan is either 'positively prepared' (as it does not seek to meet the area's objectively assessed needs) or 'justified' (as it does not represent the most appropriate strategy when considered against reasonable alternatives) or 'consistent with national policy' (as it fails to accord with the requirements of the NPPF) or 'effective' (as the strategy proposed is not considered to be deliverable over the plan period).

2 Response to Matter 5 Questions

Issue 1: Components of Housing Supply

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)?

2.2 Nexus agree with the Council's starting position as set out in Section 3 of SD025, that the housing requirement is the Local Assessment of Housing Need (LHN) and that it is the expectation that local authorities can increase the standardised methodology to provide more homes, with an expectation that any such increase would be deemed to be a sound approach, unless there are compelling reasons to indicate otherwise. However, we have demonstrated in the Matter 2 statement that the housing requirement of 486dpa set out in the Submission Local Plan is inadequate and there is a need to increase the housing requirement to 547dpa.

2.3 In addition, in the submissions to Matter 3 it has been demonstrated by a number of parties that the Council is over-reliant on SHLAA sites within the built up area to meet the residual requirement, which is not justified nor effective plan-making.

2.4 As set out in Nexus Submission Draft representations (document ref. RO1957), a significant proportion of the identified SHLAA sites do not have planning permission, have currently active uses, have been identified for housing since the 2012 SHLAA without coming forward and are in areas facing viability constraints as evidenced by the Council's own viability assessment.

2.5 It is therefore considered the Council should seek to positively increase the amount of Safeguarded Land designated in the Local Plan to a similar level to that proposed in the Preferred Options Draft Local Plan (December 2016). The Plan proposed to designate a total of 7,895 dwellings as safeguarded land, including land at Station Road, Haydock.

2.6 The Council considers that exceptional circumstances have been met to revise Green Belt boundaries as per Paragraph 135 of the Framework. It has been established by Nexus Planning's Matter 3 submission that the Council has fully evidenced and justified the exceptional circumstances required. Green Belt land is required to be released for allocation and safeguarding for housing, to meet the needs for the proposed plan period and beyond. There is however, a disconnect with the Council's aspiration to align economic growth and housing need. Whilst SD025 states that through the ELNS and the SHMA, the Council have sought to consider the locally specific issues likely to affect growth,

this is not born out in the allocations and identification of safeguarded land at Haydock. The Council's own evidence states that 60% of workers in St Helens also reside within the Borough and given the Climate emergency declared by the Council in 2019, the relationship between local employment opportunities and new homes is even more important.

- 2.7 The NPPF requires that when local planning authorities define Green Belt boundaries, they, where necessary, identify areas of safeguarded land to meet longer term needs stretching well beyond the Plan period. The Council state in SD025 (3.51) that they have sought to use a practical and balanced approach to the designation of safeguarded land. SHBLP Policy LPA06 identifies 8 sites to be removed from the Green Belt and safeguarded in order to meet longer term development needs beyond the Plan period.
- 2.8 As set out in our submission on Matter 3 Nexus highlight that the Local Plan Preferred Options (2016) identified 24 safeguarded sites capable of delivering 7,895 dwellings (equating to 13.8 years' worth of supply), yet the submitted plan identifies just 8 sites for 2,641 dwellings (equating to just 5.4 years supply against the Council's current target. This point has been highlighted by other participants and this represents a significant stark reduction in the number and capacity of safeguarded sites, with 19 previously safeguarded sites removed.
- 2.9 Nexus Planning's Matter 4 Hearing Statement confirms that the site at Station Road is suitable to be safeguarded for housing and brought forward sooner if required as a reserve site.

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?

- 2.10 The Council set out in SD025 4.14 that they consider the housing trajectory to be realistic and is based on sensible judgements being made about lead in times and build rates. Within the Plan period housing supply there is a good mix of types and size of site. Nexus so not disagree with that starting assumption, and indeed that a steady delivery rate early in the Plan period followed by high completions as the plan progresses is desirable.
- 2.11 Nexus, however, consider that the evidence about delivery of SHLAA sites and stalled sites is not robust and would disagree with the Council who assert that many of the urban sites on brownfield land are considered developable, although there is a recognition that there will be a delay even if they are deliverable.

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)?**

2.12 It is considered a lapse rate should be applied to sites which are expected to deliver in the next 5 years as well as those delivering later in the Plan period. This will include the SHLAA sites which do have planning permission and are considered deliverable.

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

2.13 Nexus consider the evidence about delivery of SHLAA sites is not robust. The Council are particularly reliant on SHLAA sites in the first and later years of the plan period. The delivery rate from allocations peaks in 2026/2027 and tails off towards the end of the plan period when the 'Other Supply' sites are anticipated to be delivered. An allowance of 15% has been made for reduced delivery on these SHLAA sites over 6-15 years.

2.14 We have demonstrated more fully in our previous representations (document ref. RO1957) that the majority of SHLAA sites in the supply without permission have been retained since the 2012 SHLAA with no material change in the circumstances.

2.15 To supplement our representations to the Submission Draft, the updated assessments of SHLAA sites (ref. SHBC004) and the housing trajectory identifies an additional 3 new sites which have been added to the supply. We consider these sites are deliverable and therefore likely to come forward in the next 5 years as they all have recent full planning permission, comprise 16 units or less (and therefore could be built out in 5 years), and construction has either started on site or discharge of condition applications indicate that the developer intends to build the site out.

2.16 75 sites are now included in the housing trajectory at SD025, and comprise 2017 SHLAA sites, sites with planning permission both under construction and not started, and sites with planning permission that are historically stalled.

2.17 The majority of sites which do not have planning permission have no compelling evidence of recent developer interest nor do they appear developable. To be considered developable, Annex 2 of the NPPF states that "sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged".

- 2.18 Furthermore, some sites are in active alternative uses, several where planning policy would seek to restrict redevelopment for housing. These include 'Land west of Vista Road', ref. 87 which is currently in use as a scrap yard and 'Derbyshire Hill Family Centre', ref. 129 which is an active community centre. There is insufficient evidence in the updated assessments to give confidence that these sites will become available despite these active uses and it is considered unrealistic to expect all of these sites to be made available for housing as anticipated.
- 2.19 There are also several identified sites which do not currently have planning permission that form formal or informal open green space in the urban area ('Land rear of 2-24 Massey Street' ref. 133; 'Land at Newby Place' ref. 135; 'Land at Waterdale Crescent' ref. 63 and 'Land adjacent Church of Christ, Heather Brae' ref. 84', where national policy restricts development (Paragraph 97 of the NPPF). There is also insufficient evidence that these SHLAA sites are deliverable.
- 2.20 Additionally, many of the sites which still do not have planning permission as of the 2021 update are identified as facing significant technical constraints likely to have impacts on net developable area, such as 'Site of former 56-120 Eccleston Street' ref. 59 which was expected to be delivered in 5 years at the time of the 2012 SHLAA. 'Milton Street' ref. 91 was not considered deliverable in the 2012 SHLAA and has allotments on part of the site and is in Flood Zone 3, with no evidence of developer interest.
- 2.21 There are other examples of sites which were identified as deliverable in the 2012 SHLAA yet are now pushed back to 6-10 years (e.g. 'Former Sutton Arms PH, Elephant Lane' ref. 31 and 'Vacant land adjacent to Rail Line, Elephant Lane' ref. 60) without evidence that the sites could be viably developed, as the updated 2021 site assessments confirm.
- 2.22 Nexus' Submission Draft (ref. RO1957) provides additional evidence of our concerns with specific sites in the SHLAA which when taken together contribute to an overall picture that the delivery from a significant number of sites is highly uncertain.
- 2.23 It is considered the evidence about delivery of SHLAA sites is not robust. Furthermore, Nexus consider that a 15% lapse rate will not encapsulate the number of homes which are likely to drop out of the supply.

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

- 2.24 No, as the Council set out in SD025 there are 4 historically stalled sites (HL189, RH11, HL363 and TC43) counted in the housing supply (in years 11-15) totalling 235 units. The Council are relying on

the updated SHLAA site assessments to provide an update to the assessments for these sites placing more doubt on the deliverability and suitability of some of the SHLAA sites. As set out in the response to PQ50 an allowance of 15% has been made for reduced delivery on the SHLAA sites over the later years of the Plan period (6-15 years). We understand the position that applying a separate lapse rate for historically stalled sites may involve double counting but feel that the evidence is currently not sufficiently robust.

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

2.25 Yes.

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

2.26 Yes. A number of the allocations would be required to undertake on site and/or off-site contributions towards the provision or enhancement of transport and other infrastructure to serve the needs of the development. Allocations 2HA, 4HA, 5HA, 9HA and 10HA are likely to be required to provide financial contributions for education; off-site highway works; bus services; and on-site infrastructure provision for education to make the development acceptable in planning terms. Infrastructure requirements which necessitate the signing of Section 106 agreements to secure financial contributions could also delay the delivery of new homes on these sites.

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)?

2.27 Yes. The recognised spike in the 2025/26 and 2026/2027 years is when the proposed Local Plan allocations (from the Green Belt supply) start to filter into the supply once appropriate lead-in times have been allowed for. We believe that the spike may appear sooner if the target date of adoption is adhered to and the economy experiences the Covid and Brexit bounce.

Issue 3: Five Year Housing Land Supply

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.

2.28 The Council acknowledges that there is likely to only just be a 5 year supply on adoption of the Local Plan, due to the lead in times and infrastructure requirements to support the large allocations. Due to this, only 647 dwellings (contributing to 25.3% of the supply) are identified to come forward from allocations in the first 5 years.

- 2.29 To meet this shortfall, the Council are heavily relying on SHLAA sites within the five-year supply, some of which do not have planning permission in place. 268 homes (equivalent to 10.4% of the supply) are expected to come forward from currently un-permissioned sites. 25.3% of the supply is expected to come from large sites (including SHLAA sites which have planning permission but development has not commenced). As we have already demonstrated in our Matter 2 submission and previous Submission Draft representations (ref. RO1957) there is a significant element of uncertainty around the delivery of SHLAA sites within the urban area due to active uses, viability concerns. Furthermore, the majority of these sites would not be required to provide any affordable nor specialist housing.
- 2.30 It is therefore considered the Council should seek to positively increase the amount of Safeguarded Land designated in the Local Plan to a similar level to that proposed in the Preferred Options Draft Local Plan (December 2016). The Plan proposed to designate a total of 7,895 dwellings as safeguarded land, including land at Station Road, Haydock.

3 Summary and Conclusions

3.1 In order for development plan policy to be found 'sound', it should conform to the criteria specified at paragraph 35 of the NPPF. As this Hearing Statement has identified, we do not believe that the Green Belt release and safeguarded land proposed by the Council meets the tests of soundness in the NPPF. Principally, the Plan is not:

- **Positively prepared:** In order to stabilise and increase the boroughs population, allow for more housing choice and competition; support planned economic growth; and reflect the higher levels of housebuilding achieved in years before and after the 2008-2009 recession, the housing requirement in the Local Plan should be increased.
- **Justified:** Green Belt land which is assessed in the evidence base as performing poorly against the purposes of including land within the Green Belt should be released. The proposed distribution of homes will lead to a clear imbalance in housing distribution across the borough, by over-relying on SHLAA sites within the core urban area. The Submission LP therefore does not provide a balanced spatial distribution of growth to support the key settlements.
- **Effective:** The release of Green Belt land is not considered sufficient to meet the boroughs housing requirement for the plan period and after.
- **Consistent with national policy:** The plan as currently proposed fails to accord with the requirements of the NPPF with respect of promoting sustainable patterns of development when reviewing Green Belt boundaries; directing Green Belt release to land which is well-served by public transport; and where necessary, identify areas of safeguarded land between the urban area and the Green Belt to meet development needs.

Nexus Planning

Manchester

Eastgate
2 Castle Street
Castlefield
Manchester M3 4LZ

Tel: 0161 819 6570

nexusplanning.co.uk