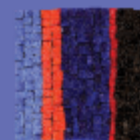


St. Helens Local Plan Examination

**Response to Inspector's Matters, Issues
and Questions**

**Matter 5: Housing Land Supply
Persimmon Homes North West (R01145)**

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1 Introduction

- 1.1 These representations are submitted on behalf of Persimmon Homes North West, who have an interest in the site '**Land South of Billinge Road, Garswood (1HA)**'. The site is currently within the Green Belt and has a draft allocation for residential development.
- 1.2 Persimmon have historically been active within the St. Helens local authority area, as evidenced by their recently completed schemes on brownfield sites at Vulcan Park, Newton-le-Willows and Deacon Trading Estate, Earle Street, Earlestown, and continue to pursue new opportunities across the Borough.

2 Issue 1: Components of Housing Supply

In response to preliminary questions the Council has indicated as follows:

- *Table 4.6 of the Plan (housing land requirements and supply) will be updated to reflect the tables in Appendix 5 to SD025 but as of 31 March 2021 and potentially including an extended Plan period up to 2037.*
- *The housing trajectory at Figure 4.3 would be replaced by an update reflecting that shown in Appendix 1 to SD025.*
- *SD025 also includes a more detailed trajectory showing how allocations and other major sites (including commitments and SHLAA sites) will deliver for each year over the Plan period.*
- *The above takes into account updated SHLAA site assessments (SHBC004).*
- *The Table at Appendix 2 of SD025 shows the key assumptions and parameters that will be relied on to calculate the 5-year HLS (5% buffer and the Sedgefield approach to dealing with shortfalls). This could be added to the reasoned justification to Policy LPA05.*

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)?

- 2.1 The approach to the presentation of information seems to be appropriate. Following the publication of the Updated Employment and Housing Land Supply Position as of 31.03.2021 (SHBC007), we assume that the trajectory will be now based on Appendix 1 of that document.

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?

- 2.2 Persimmon Homes are satisfied that the components of supply will be properly identified.

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

- 2.3 Looking at the last 5 years, the trend has been distorted by the abnormally high figure for 2018/19, without which the average would be 83. The Council has relied solely on past trends in putting forward its figure without commenting on its expectations for the future. In addition, gross figures are used and it is not uncommon for the development of small sites to involve losses.

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?

- 2.4 Persimmon Homes note that the site yields used within the SHLAA are net, and that the Council has advised in paragraph 4.7 of the Housing Needs and Supply Background Paper (SD025) that there are no significant clearance programmes planned for the Plan period so that demolitions are likely to remain 'relatively low'. However, it is not apparent that this justifies no allowance at all, and it remains unclear how losses on small windfall sites are accounted for, as per our response to Question 3.

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

- 2.5 Planning Practice Guidance (ID: 68-030-20190722) advises that, to be included as a contribution to completions, it would be for the authority to ensure that empty homes had not already been counted as part of the existing stock of dwellings to avoid double counting.
- 2.6 We have not identified references to empty homes in the evidence base for St. Helens. For them to be taken into account, it would be necessary to identify the scale of the issue of long-term voids as opposed to normal housing market turnover, the recent track record in bringing them back into use, and the future strategy for addressing the issue. Persimmon Homes reserve their position pending such 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)?

- 2.7 The Council's latest supply position in Appendix 1 of SHBC007 show the housing supply as of 31.03.21 as being 8,274 dwellings, with 7,835 shown in the trajectory once a discount for years 6-16 is applied. This compares with the residual requirement in Table 5.2 of 7,132. Should the Inspectors conclude that each of the sources of supply is realistic, Persimmon Homes consider that this will provide an appropriate level of flexibility.

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

- 2.8 Yes. Flexibility is appropriate to ensure not only that the housing target is achieved but to ensure choice and competition in the market for land. This issue was considered in the *Compton PC v Guildford BC 2019*] EWHC 3242 (Admin) judgement (parag. 91) ***"...in my judgment, once meeting the OAN is accepted as a strategic level factor contributing to "exceptional circumstances", as it has to be for the purpose of this Issue in the light of my conclusions on Issue 1, it follows that the provision of headroom against slippage and for flexibility to meet changes, "future-proofing" the Plan, as the Inspector put it, would also contribute to such circumstances."***

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

- 2.9 If there is sufficient evidence that a site meets the tests of developability, it would seem appropriate to allocate it. These tests would establish that the site is in a suitable location for development, that there would be a reasonable prospect of it becoming available, and that it could be viably developed at the point envisaged. Where this evidence exists, allocation would be a reflection of a positively prepared plan and could help to act as a catalyst for development. The plan's flexibility allowance should be sufficient to cater for the uncertainty in actual delivery.
- 2.10 The Council's answer at PQ52 does not provide any reason not to allocate SHLAA sites, only its view that this would not provide greater certainty where a site has planning permission. However, a permission may lapse or a developer may promote an alternative scheme, and the starting point in determining a future application will be the development plan.

3 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?

- 3.1 We note that Appendix 1 of SD025 is now superseded by Appendix 1 of SHBC007 and so have regard to this in our answers below.

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)?

- 3.2 The Council advises in PQ50 that it is not necessary to apply a lapse rate on site with planning permission for years 0-5 “because the majority of sites with planning permission in the Borough consistently commence on site”. It follows from this that a proportion do not commence on site, so it is unclear why an allowance for this should not be made. The purpose of the NPPF 5% buffer is to ensure choice and competition in the market for land, rather than simply to provide a buffer to compensate for under-delivery.

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

- 3.3 Persimmon Homes note that the Council has now provided updated site records for sites without permission, including its conclusions on suitability, availability and achievability. Whilst Persimmon do not wish to comment upon individual sites at this stage, the evidence and the basis of the conclusions reached now appears to be appropriate.

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

- 3.4 The remaining historically stalled sites are HL189, RH11 and TC43. PQ53 does not provide any evidence of discussions with landowners and stakeholders which have influenced the Council’s judgement and nor does this appear in the latest update SHBC007. The fact that they are assumed to deliver from 2030/31 indicates that standard assumptions have been made. Therefore, the evidence which has been made available is not robust.

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

- 3.5 We appreciate that, in the absence of site-specific information, the Council has used generic assumptions on matters such as net developable area, density and the number of units. However, where additional information is provided by site developers, this should be preferred where it is evidence-based.
- 3.6 Persimmon Homes have drawn attention to the assumptions made about the housing allocation 'Land South of Billinge Road, Garswood (1HA)' under Matter 4. In that particular case, detailed technical work along with a detailed layout has established that the net developable area is lower at 69% rather than 75%, but that a greater number of units can be achieved (242 rather than 216).
- 3.7 In the case of Site 1HA, along with several other major allocations, the Council has used the minimum density required of 30dph as the actual density to calculate capacity, whereas we would anticipate that this will be higher. It will be interesting to see what pattern emerged from the discussions on Matter 4, and it would be beneficial if the Council could provide an updated summary for all allocated sites following those sessions, where credible evidence exists for alternative assumptions.

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

- 3.8 The Council's standard lead-in times are reasonable as a starting point, assuming 1.5 years (full permission/reserved matters), 2 years (outline) and 2.5 years (no permission). In general terms, we would expect completions to be higher on larger sites in Year 2 than in Year 1 as a site becomes established, and it is not clear why the Council has not applied this approach consistently (ie. not to sites 6HA or 9HA in the trajectory in SHBC007).
- 3.9 More generally, it is apparent from paragraph 4.22 of SF025 that the Council has varied its standard approach in individual cases, and we agree that this is an appropriate approach where site-specific information becomes available. Again, this is likely to emerge under Matter 4 discussions about individual allocations.
- 3.10 For sites released from the Green Belt, the Council is assuming 40 completions per annum of sites up to 250 units and 45 per annum above that. The evidence in Appendix 6 of SD025 find an average build-out rate of 43 per annum. Whilst this is not specific to greenfield sites, it is nevertheless reasonable. For site 1HA, which has a capacity of between 216 dwellings (SHBC estimate) and 242 (Persimmon layout), Persimmon have assumed 20 completions in Year 1 and 40 thereafter, and so this is consistent with the Council's figure.

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)?

- 3.11 An important influence of the trajectory will be the rate of progress on sites which are currently in the Green Belt, but which will be allocated for housing by the Local Plan. Persimmon Homes endorse the Council's analysis of the effect of the release of Green Belt sites on the trajectory (paragraph 4.16 of SD025). It advocates use of a 2.5 year lead-in time for these, reflecting how developers will wait for the certainty of Local Plan adoption before submitting planning applications. However, it also notes that many development management issues will have been addressed through the plan making process so that the planning approval process should be speeded up. This is the case with Allocation 1HA controlled by Persimmon Homes, where a detailed illustrative layout has already been produced following technical work. Analysis of surface water flood risk and drainage options has confirmed the net developable area, and access designs in conjunction with an internal movement network have already been produced. It can be expected that other developers will be undertaking similar exercises. Therefore, it is appropriate to envisage a stronger contribution on these sites from 2022/23, with a subsequent growth in momentum.
- 3.12 The Council commented in PQ54 that the spike in 2025/26 and 2026/27 is due to Green Belt allocations featuring in the supply, but also because it was cautious about bringing forward sites for years 6-10 in the absence of a planning permission or active promotion, and that this would be reconsidered. However, the figures for SHLAA sites remain erratic to a degree which is not credible. In illustration of this, Appendix 1 of SHBC004 shows:
- SHLAA sites based on supply would fall from 208 in 2025/26, fall to 83 in 2026/27 and rise to 577 in 2027/28
 - Alternatively, if a 15% discount from years 6 to 16 is applied, they would contribute 208 units in 2025/26 before falling to 71 in 2026/27 and rising to 490 in 2027/28.
- 3.13 The resultant revised trajectory shows 890 completions dwellings in 2027/28, most of which come from SHLAA sites. Having regard to the fact that many SHLAA sites are not dependent on the progress of the Local Plan, the trajectory from this source overall is not currently realistic.

4 Issue 3: Five Year Housing Land Supply

The five-year housing requirement is based on the annual requirement of 486 dpa x 5 with a 5% buffer applied. There has not been any shortfall in provision since the start of the Plan period (2016). Supply is made up of large sites under-construction and those with planning permission, some SHLAA sites,

delivery from some LP allocations and a small sites allowance. Appendix 2 to SD025 shows a supply of 5 years.

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

- 4.1 Persimmon Homes agree that a 5% buffer is appropriate in accordance with paragraph 73 of NPPF as the proposed housing requirement has been substantially exceeded over the last 3 years.

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

- 4.2 In response to question 3, we noted how the trend has been distorted by the abnormally high figure for 2018/19, without which the average would be 83 which would justify a small sites allowance of 415 dwellings over 5 years. It would therefore be useful to understand the trend in the number of permissions for small sites, which will contribute early on to the 5 year supply.

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

- 4.3 St. Helens has achieved net completions of 601 dwellings over the last 5 years, at a time when Table 4.2 of SD025 shows that an average of 77% of completions have come from previously developed land. There is therefore a recent track record of successful delivery from SHLAA sites and commitments to which Persimmon Homes have contributed. In addition, there is an opportunity for allocated former Green Belt sites such as 1HA to make a greater contribution where there is already a housebuilder involved and technical work has been carried out in preparation for an application.

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

- 4.4 In comparison with the overall housing supply, there is a greater opportunity within a 5 year period to adapt standard assumptions to specific information received from developers. Therefore, particularly given the deficiencies within the 5 year supply position, we would urge the Council to provide updated analysis following Matter 4.

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

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

- 4.5 Planning Practice Guidance advises that a stepped housing requirement “*may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be*

delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs.” (ID: 68-021-20190722)

- 4.6 However, in the case of St. Helens the proposed housing requirement is significantly lower than has been achieved in recent years, and the Council considers that in 2027/28 there is an opportunity to bring forward 490 dwellings from SHLAA sites alone. The Council also advised that it has adopted a cautious approach to the inclusion of SHLAA sites within the first 5 years, but that interest in a number of sites has been demonstrated through pre-application inquiries. Mosaic Town Planning has submitted an application for 81 affordable dwellings on a site which is included in the SHLAA for year 6 to 10 with a yield of 57 dwellings (ref:150). Given the recent record of brownfield delivery in St. Helens, the priority must be for the Council to proactively work with developers to bring delivery of SHLAA opportunities forward into the 5 year supply. It is therefore considered that a stepped housing requirement is not appropriate.

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

- 4.7 Appendix 2 of SHBC007 now indicates that the expected 5 year supply has fallen to 4.6 years, with a shortfall of 190 dwellings. As Planning Practice Guidance confirms that strategic policies should identify a 5 year housing land supply from the intended date of adoption of the plan, it is apparent that this issue has not yet been adequately addressed. However, the shortfall is not substantial, and it may be that evidence of increased early delivery from sites such as allocation 1HA, and more rapid progress on SHLAA sites currently included in years 6-10, will be found to be sufficient to make up the gap as the Local Plan hearings proceed. This would enable the Inspectors to recommend Main Modifications in accordance with Practice Guidance.

5 Issue 4 The Wording of Policy LPA05

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

- 5.1 It is not necessary for Local Plans to repeat national guidance, and Planning Practice Guidance addresses the operation of the Housing Delivery Test. Therefore, the wording of Policy LPA05 is appropriate.