



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

### **MATTER 5 – HOUSING LAND SUPPLY**

### **ON BEHALF OF REDROW HOMES NORTH WEST AND WALLACE LAND INVESTMENTS**

Date: May 2021

Pegasus Reference:  
ST/P17-0098/R013v5  
+(P18-0592)

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Provided as separate documents:

APPENDIX 1 – HOUSING SUPPLY TABLES

APPENDIX 2 & 3 – IMAGES RELATING TO CERTAIN SHLAA SITES

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**1. INTRODUCTION**

- 1.1 This report considers Pegasus Group has been instructed on behalf of their client, Redrow Homes North West and Wallace Land Investments, to prepare Hearing Statements to the St Helens Local Plan Examination (EiP) in support of their land interests in the Borough.
- 1.2 Land promoted by Redrow is to the south of Burrows Lane, Eccleston. Land promoted by Wallace is located to the south of Mill Lane, Rainhill. Both are currently omission sites (i.e. is not allocated for development or safeguarded) in the emerging St Helens Local Plan.
- 1.3 This Statement deals with Hearing **Session 7 Matter 5 'Housing Land Supply'**.

**2. ISSUE 1: COMPONENTS OF HOUSING SUPPLY**

**Question 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 Yes. The adopted plan will need to include the latest housing supply position further to the outcome of the examination process. We note the latest May 2021 housing supply statement. We cannot agree to all of the content but agree that a base date of 31st March 2021 is the most appropriate for the Local Plan.
- 2.2 We agree that the Council is unable to demonstrate a 5 year housing land supply based on their own analysis, which now stands at 4.7 years. We consider the position to be starker than this. Either way, the plan must be regarded as being inconsistent with national planning policy and therefore unsound. We also consider the shortfall over the next 5 years and over the entire plan period to be much greater. We provide our own analysis in answering the following questions and provide tables at **Appendix 1**.

**Question 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?**

- 2.3 Presented information needs to be transparent and clearly cross referenced if based on data contained in other supporting reports/evidence. It would have been helpful if the Council had prepared tables that illustrates the supply from sites with planning permission, allocated sites, and other potential sites (i.e. SHLAA sites, windfall).
- 2.4 As addressed under Question 8, many of the named/listed housing sites in the Council's SHLAA and May 2021 paper that are anticipated to contribute to the Council's supply over the plan period are not specifically depicted or allocated in the plan so it is not instantly transparent to all. Some of these sites are currently identified as public open space, previously undeveloped land or have re-seeded to a significant extent and therefore we consider specific allocations would have been more open and transparent in this regard so communities could clearly see what is anticipated in their area.

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

- 2.5 Windfall development from small sites is likely to continue going forward but it is unlikely to continue at the same rates as before on the basis that such supply will begin to dwindle.
- 2.6 Table 4.4 in Housing Need and Supply Background Paper (**SD025**)<sup>1</sup> sets average of 103dpa (gross). It does not identify the net figure and it's not entirely clear why the Council have therefore opted for 93 dpa but we accept that a reduction on past trends is a reasonable assumption to apply.

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<sup>1</sup> Page 31

- 2.7 We note that the Council has not included small sites with planning permission as part of the supply and instead seek to apply 93 dpa throughout the plan period. Without having seen the information on how many small sites have planning permission, it is not clear if the 93dpa is appropriate but we agree that the Council approach does at least ensure double counting does not occur, particularly in the first few years of the plan.
- 2.8 We note that the 2019/20 supply from small sites was as low as 57 dpa<sup>2</sup>. We'd welcome the Council's data for the delivery in 2020/21. The pandemic could have had a further downward impact on smaller site delivery. **We believe a 20% reduction would be more fitting in light of the evidence and circumstances which would result in 75 dpa.**

**Question 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?**

- 2.9 The Housing Need and Supply Background Paper (October 2020) (**SD025**) describes some of the instances where large demolitions have occurred and notes the majority of previous demolitions have been undertaken by Registered Providers and that these providers do not have any significant clearance programmes ahead suggesting that demolitions are likely to remain low. However, there is no definition as to what exactly the figure for 'low' is and there is no confirmation on the Council's part that they have accounted for demolitions as part of the ongoing and anticipated net supply of homes throughout the plan period. We therefore have to assume that demolitions are not accounted for going forward when they should be.
- 2.10 Table 4.1<sup>3</sup> provides historic data from 2003 – 2020 of demolitions / conversion and over the course of 17 years provides an average of -51 dwellings demolished per annum. It is noted demolitions have reduced in more recent years. However, the Council's data is reflective of the last 17 years and the plan seeks to forecast for the next 15 which is clearly a similar timescale. We set out the consequences / totals based on these period/trends. As illustrated in Table 2.1 below, the 15-year trend is 35 demolition per annum.
- 2.11 This is not significantly different to the -29 dpa assumptions applied in the adopted Core Strategy. It is also worth noting that we have identified a development proposal in the Council's latest claimed supply document that would actually result in a loss of **-38** dwellings this year (site HLS271).

*Figure 2.1 - Demolition rates over remaining plan period based on past trends*

Trend	Total Demolitions	Average Annual Demolition Rate	x15 Year Remaining Plan Period
17 year trend	872	51	765
15 year trend	519	35	525
Core Strategy		29	435

<sup>2</sup> Table 4.4, p31 SD025

<sup>3</sup> Page 27 pf SD025

- 2.12 Accounting for a demolition rates within the range set out above (i.e. between 435 to 765 dwelling losses) would be a justified assumption to make. We have opted for the 15-year trend in our calculations on supply in latter questions. .

**Question 5 - Should empty homes be included as a component of supply?**

- 2.13 Paragraph 4.18.17 of the Plan rightfully notes that whilst the re-use of empty homes can make a contribution to housing needs, the Council has only limited control over the delivery of homes from this supply. Indeed, a degree of empty homes is an inevitability anywhere and an unavoidable part of the housing market with all buildings ultimately having a certain life span and property owners circumstances being varied. Without any clear local data provided, assumptions on empty homes coming back into use should not be accounted for in the supply of homes going forward. We note government data for St Helens<sup>4</sup> from 2004 onwards indicates the extent of empty homes in St Helens is not significant and there is not a particularly evident reducing or growing trend.

**Question 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 2035)?**

- 2.14 There will always be sites that do not come forward for unforeseen reasons and there is evidence of this in relation to housing allocations made in the St Helens UDP that have still not been developed and are highly unlikely to in the future. As such, it is appropriate to build in flexibility within a plan. The amount of flexibility / buffer allowed for really depends on how rigorous the assessment of sites that contribute to the supply as this will inform the level of confidence that can be applied to the suggested supply.
- 2.15 Where it is clear that some evidence is lacking or there are some plausible doubts about certain sites delivering over the plan period, the buffer should be higher. Where more rigid thresholds and assumptions are applied, the buffer can be less. However, as a general rule, we would normally advocate an overall buffer of around **20%** when comparing the residual requirement to the total supply in order to offer sufficient flexibility. The figures set out in the question above result in a buffer of **7.7%**.
- 2.16 Based on the latest information issued in May 2021, we note that the Council assume a 15% discount/reduction of delivery on urban sites and brownfield allocations between years 6-16 (-443 homes), a 20% uplift on the residual green belt requirement (+264 homes) and additional capacity assumed in the Green Belt sites, which results in a claimed supply of 7,831 homes against an overall residual requirement of 7,132 homes. This equates to an overall buffer of **10%** (699 homes) (See replicated/adapted Tables 5.1-5.5 at **Appendix 1** of this statement).
- 2.17 However, we consider the Council have been unduly conservative in relation to their need, too optimistic on their urban supply and there are a number of allocated sites we do not regard as

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<sup>4</sup> Live Table 615

being suitable or will deliver less than expected, plus there are various factors such as losses and demolitions not accounted for.

- 2.18 As illustrated in **Table 5 of Appendix 1**, we consider the shortfall in suitable and deliverable housing sites over the plan period actually amounts to **-3,601 dwellings (-40%)** based on an annual requirement of 570 homes per year (which we propose as a minimum) and our analysis of what can be regarded as a suitable supply of deliverable and developable sites.

**Question 7 - Is the flexibility in housing supply provided by the Green Belt sites justified?**

- 2.19 Allowing for flexibility in relation to the delivery of Green Belt sites is justified on the basis that there are serious deliverability issues with a number of the urban sites that the Council have raised, Moreover, some Green Belt sites could still stall due to unforeseen circumstances, site constraints and deliverability issues. Some may also not deliver as many homes as anticipated.
- 2.20 A pertinent example is site 7HA at Newton-le-Willows which now has a planning application lodged on half of the site for a school meaning its capacity will be reduced by half from 180 to 90 dwellings. We note that the Council do not account for this in their evidence but this particular issue needs to be addressed in the plan now. Other unforeseen issues relating to other Green Belt sites could equally transpire in the future, hence why it is important to allow for flexibility and choice.
- 2.21 We have also raised issues with Sites 4HA (Bold Forest) in principle. Even if the Inspector deems this site suitable, available and developable, the number of landowners involved is likely to cause unforeseen delays in its delivery if no evidence of agreements between the respective parties have been reached.
- 2.22 As such, we agree with the principle of applying a 20% increased allowance applied by the Local Planning Authority in their assessment but consider the resultant number of homes will be higher than what the Council have stated (i.e. more than just 264 homes). This is because the residual requirement of homes to be found from the Green Belt is much higher.

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

- 2.23 Yes. Additional confidence would be provided to developers and the local community alike if the SHLAA sites identified by the Council in their housing trajectory had been identified as specific housing allocations in a draft version of the Local Plan and subsequently adopted. Once adopted, allocations can help to provide a firm direction, a positive policy platform and importantly highlight where the Council will accept housing. However, the Council have not chosen this approach which raises doubt over the genuine suitability and deliverability of a number of the SHLAA sites that are relied upon in the Council's claimed housing supply.
- 2.24 Critically, allocations provide much greater transparency in the Local Plan process. Had all relevant SHLAA sites been allocated for housing in the Local Plan and clearly shown on the Proposals Map, we are confident other comments would have been raised throughout the preparation of the Plan

and in a number of cases are likely to have raised public objection if formally put forward. For example, we would anticipate that local objections would be raised towards the following sites given their open space/amenity space status and use by the respective local communities. This list is not exhaustive:

- **Site 1** is designated as open space on the UDP Proposals Map. It appears to be used informally and provides a connection to wider areas of open space and open countryside beyond. The Council make no mention of this in their assessment other than it being highlighted that the former use was allotments. We have to therefore question its suitability. The application referred to by the Council for 12 homes has also been withdrawn.
- **Site 84** at land adjacent to Church of Christ, Heather Brae is identified within the SHLAA and is noted as being informal open space. Whilst this site is not designated in the UDP or emerging plan for open space it clearly has the function of incidental open space. Google Street View images can be seen at **Appendix 1** and clearly show the open space being well maintained with a tarmacked path connecting the residential properties around Haydock Street to Heather Brae with some mature trees lining the roadside and fencing facing on to Heather Brae. There are even signs of goal posts painted on to a building facing on to the area of open space suggesting this is well used.
- **Site 135**, land at Newby Place is currently an area of open space unallocated in the UDP and in the proposals map. However, as can be seen at **Appendix 1** the area is well maintained and provides amenity for the adjacent bungalows.
- **Site 103** at Land rear of 39 – 67 Valentine Road is partly allocated within the existing UDP as open space. As part of the emerging plan, the council are seeking to remove the open space designation. However, **Appendix 1** provides Google Street View images showing the area as well maintained and providing pedestrian access with street lighting from Valentine Road to Legh Street.

### 3. ISSUE 2: THE HOUSING TRAJECTORY

#### Question 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 No. Insufficient evidence has been provided by the Council to determine if sites included in the trajectory can be classed as deliverable and developable in line with the definitions in the NPPF glossary and relevant parts of the NPPG<sup>5</sup>. We have requested more detail throughout our representations. In the absence of key evidence, we have had to undertake our own research on each site in line with the PPG.
- 3.2 We have provided our own version of the Council’s SHLAA site trajectory at **Appendix 1 – Table 2** based on the latest information issued in May 2021 (base date 31st March 2021). Over the plan period, the Council assume 3,068 homes will be developed on the identified SHLAA sites. Our assessment removes **-1,212** homes from the Council's supply generated from the SHLAA sites, leaving a total supply of 1,866 from this source.
- 3.3 The sites we have listed in Figure 3.1 below do not accord with the guidance and cannot be reasonably assumed to contribute to the Council’s future housing supply. We will provide further verbal reasoning at the Examination to support the notes provided below and certain images contained at **Appendix 2 and 3**.

*Figure 3.1 - Sites to be removed from trajectory or five-year supply as not being deliverable and/or developable.*

Site Ref	Site Name	Council's Suggested Capacity (Pegasus figure)	Summary Note (*BFR = Brownfield Register)
1	Land rear of 1-27 Station Road	12 (0)	<b>Removed</b> - Site is designated as open space on adopted policy map. Residential application (P/2019/0794/FUL) for 12 homes was withdrawn March 2021. Coal Authority raised fundamental objection at the outset and maintained objection even after applicant had submitted further details. The Local Flood Risk Authority also objected as confirmed the runoff rates were not acceptable. Various neighbour objections received as well.
18	Land at Somerset Street and Sussex Grove	66 (24)	<b>Removed in part</b> - Two separate sites and former housing clearance site that used to have 80 homes on it previously. Sussex St site was to accommodate 42 homes based on expired 2007 permission but has overgrown considerably and appears to have gone back to nature, remains open and accessible to public and provides a direct connection to Sankey Brook which is a designated Greenway Network and Open Space Area defined as a Natural and Semi Natural Green Space. The site needs to be considered in this context and whether it now forms part of this network. As such, it is not possible to concluded that all of the site is still suitable. <b>Remove 42 homes</b> and keep 24 homes for Somerset St site.

<sup>5</sup> Housing and Economic Land Section + Housing supply and delivery Section of NPPG.

23	Liverpool Arms & former Sacred Heart RC Church & School.	29 (29)	<b>Removed from 5 year supply</b> - Whilst on Brownfield Register there are no planning permissions in place so no evidence to demonstrate it is deliverable. Previous residential application expired in 2011. Remove from 5 year supply.
25	Alexandra Park - Former Pilkington HQ	162 (0)	<b>Removed</b> - Large site that is not being allocated for housing with Grade II listed building and cited as an employment use site in the emerging Local Plan Appendix 12 (LPA04). The Proposals Map also shows it as a Registered Park and Garden. Offices still seem to be in active use and are being marketed still.
27	Former Bethell Mission Bowling Green, Marsden Avenue	10 (0)	<b>Removed</b> - Expired permission, not allocated for housing and identified as existing Green Space in UDP. Even if the site has been deemed suitable in the past, two permissions have expired suggesting the site is not viable/deliverable. Site is poorly fenced and appears to be used informally by local residents and next to existing area of open space to the south.
58	Former Central Works, Church Road	48 (0)	<b>Removed</b> - Controlled by Tesco. Whilst there is past planning history for housing, this has never been delivered and have expired. This site forms part of Tesco's estate and offers future expansion land for Haydock Local Centre.
59	Site of former 56-120 Eccleston Street	13 (0)	<b>Removed</b> - Formerly cleared housing site which is narrow and lawned with some mature / semi mature trees on it. Provides some incidental amenity green space along main road. Question if there are any proposals from the Council to sell the land.
60	Vacant land adjacent to Rail Line, Elephant Lane	112 (0)	<b>Removed</b> - This is an allocated housing site in the UDP and has been around for a considerable period of time. There must be issues as to why it has not come forward to date. Potential bio-diversity issues as well as issues raised in the Council's paper. raises suitability, availability and viability issues
61	Land North and South of Corporation Street	169 (90)	<b>Removed in part</b> - This site has a significant number of trees on it. Loss of biodiversity. Allocated PDL part of the site is circa 0.75 ha. Assumed high density could be achieved so retained 90 units on site and <b>removed 79 units</b> .
63	Land at Waterdale Crescent	10 (0)	<b>Removed</b> - Not PDL site. Currently allocated green space. Some mature trees on the site.
64	BT Depot, Sutton Road	36 (0)	<b>Removed</b> - Whilst this site was included in the original outline application covering the Moss Nook area the approved Parameters plans does not include housing on it and only shows it as white land. No evidence that the site is genuinely available as original s73 application confirmed this would only represent potential Phase 3 development subject to land becoming available. Site is still occupied by businesses.
66	Land off Wargrave Road	7 (0)	<b>Removed</b> - Whilst this site is claimed to be a cleared former housing site, it is not on the BFR and has re-seeded and gone back to nature. Covered in trees some of which are protected. Even if deemed suitable should be included in Small Site Allowance / Windfall.
69	Site of former Parr Community High School, Fleet Lane	54 (0)	<b>Removed</b> - cleared site and in public ownership. Some re-seeding occurring but not significant. However, the site is identified as Educational Open Space on the UDP proposals Map and includes tennis courts. We note that the new school buildings were also built on existing playing pitches. Not clear if land is genuinely surplus and available for development or will become required to provide play space or expansion space for new school. Council need to provide clear evidence that the site is no longer required for sporting or educational purposes and demonstrate it is being brought to the market.

72	Site of former St. Marks Primary School, Willow Tree Avenue	18 (0)	<b>Removed</b> - The site is identified as Educational Open Space on the UDP Proposals Map and has re-seeded significantly. We note that the new school buildings were also built on previous playing pitches. Council need to provide clear evidence that the site is no longer required for sporting or educational purposes.
74	Site of former 119- 133 Crow Lane West	9 (0)	<b>Removed</b> - Very Small site in two ownerships on a very busy road junction. Front part of the site appears to be in public ownership and has had trees planted on it and looks like incidental roadside green space. Even if deemed suitable / developable, it should be included within Small Site Windfall allowance.
82	Land adjacent Laffak Road and Carr Mill Road	150 (150)	<b>Removed from 5 year supply</b> - The site is not allocated for housing and whilst on the BFR, there is no approved planning application on the site. The current live application is subject to a large number of objections including from the Council's transport office, United Utilities, MEAS, Network Rail and others. Whilst we anticipate there will be technical solutions to the points raised, there is insufficient evidence to state that the site can be classed as deliverable in the next 5 years.
84	Land adjacent Church of Christ, Heather Brae	9 (0)	<b>Removed</b> - not on BFR and whilst not a designated area of green space it clearly has the appearance and function of incidental open space. Some mature trees on site.
87	Land west of Vista Road	33 (0)	<b>Removed</b> - Greenfield site located outside adopted settlement boundary and not allocated for housing in the adopted or emerging plan. No planning permission in place. Surrounded by active commercial industrial uses including a mortar plant and metal salvage yard. Also 200m from main landfill site to the south. Not suitable.
91	Milton Street	25 (0)	<b>Removed</b> - Not suitable. The site is not allocated, not on BFR and no live applications. Whilst the Council are seeking to remove some of the existing UDP protected open space designation, the area that is to be designated as white land only relates to 0.5-0.6 ha and over 50% of this part of the site is in Flood Zone 2 and 3. The site was a former playing field for the school and could be protected under Sport England guidance. Also includes existing allotments. Access has been closed off from Milton Street by local residents at the end of the street. Site might need to be retained for education use for Sutton Manor Primary expansion following development of proposed allocated and Safeguarded sites 5HA and 6HS, which are located in close proximity.
95	Site of former Carr Mill Infants School, Ullswater Ave	53 (0)	<b>Removed</b> - Not all suitable. All of site is currently protected educational open space on UDP proposals map and most of the site is retained as protected open space on emerging Proposals Map. Pylons cross northern part of site, which will reduce developable area and permitted density.
96	Land rear of 350 Warrington Road	11 (0)	<b>Removed</b> - Not on BFR and no live applications. Site currently comprises of two rear gardens in separate ownership with no access. Even if site is deemed suitable, each ownership would deliver less than 10 homes and should be considered as part of small site windfall allowance.
102	Auto Safety Centre, Vicarage Road	9 (0)	<b>Removed</b> - Site is in active employment use. Council previously refused application in 2014 based on loss of existing employment floorspace and lack of justification. Should form part of small site allowance.
103	Land rear of 39-67 Valentine Road	10 (0)	<b>Removed</b> - Part of the site is allocated as Open Space on UDP maps not on BFR and no live applications. Site currently comprises of protected green space.

112	Land to the rear of Juddfield Street	41 (0)	<b>Removed</b> - Not available or viable. Site has been allocated for housing in UDP since 1998 and still not been developed for housing and has remained as a car brokage yard all this time. Still in active use. Not available or viable.
113	Land at Willow Tree Avenue	50 (0)	<b>Removed</b> - Not viable and not suitable. Site has been allocated for housing in UDP since 1998 and has still not come forward. Previous applications also refused albeit for larger site that sought to provide sports pitches on this site. The overhead power cables are an overriding constraint which was recognised by the Council in previous iterations of the SHLAA.
114	Land at 19 and 25 Sutton Moss Road	14 (0)	<b>Removed</b> - In existing residential use and three separate ownerships. Back land on each ownership excluding the existing homes means each the vacant back land is much smaller at 0.28 ha. However, direct access to an adopted highway to this land is not available.
129	Derbyshire Hill Family Centre, Derbyshire Hill Road	12 (0)	<b>Removed</b> - Question genuine availability and suitability if currently being used for a community centre. No assessment to suggest it is not required for ongoing community use.
135	Land at Newby Place	13 (0)	<b>Removed</b> - Not allocated in UDP maps, not on BFR and no live applications. Site currently comprises of informal greenspace that is well maintained and provides amenity for neighbouring bungalows.
NT03	Land to side and rear of 41-49 Old Wargrave Road	20 (0)	<b>Removed</b> - Despite having recent permission for 60 apartments, that application expired. Notably the applicant had to serve Certificate B and the site access required the acquisition of an end terraced property creating a ransom strip situation. Have to assume the site is not available for development in light of this. Site assessed in SHLAA / Housing Land supply cannot be accessed.
HL483	Ibstocks, Chester Lane	260 (260)	<b>Removed from 5 year supply</b> - Whilst part of site has commenced for works, there are no live Reserved Matter applications that have been approved or are before the Council. S73 application had a 4 year window which has now passed. New full planning permissions will be required.
HL525	Fishwicks Industrial Estate, Baxters Lane	93 (0)	<b>Removed</b> - Site does have outline permission. This expired in late 2019 and no Reserved Matter applications have been lodged. Raises availability and viability issues. Should not be in 5 year supply even if deemed developable.
HL189	Land Off Monastery Lane	80 (0)	<b>Removed</b> - Site retains brownfield elements but has re-seeded considerably and falls between existing and former rail infrastructure. The site has been around for a long time, previously benefited from an outline consent granted in 2010 and extended again in 2013 but both have now expired, and the site has still not come forward. Raises achievability and viability issues.
RH11	Land off Stonecross Drive	9 (0)	<b>Removed</b> - No location plan or planning history provided. Believe the site was subject to 4 applications around 1987/98 for between 46-57 homes. Circa 50 homes were built out around 2000. Not realistic to assume a developer will return after all this time to complete final few dwellings.
HL708	1 Millwood Av, Eccleston St Helens	36 (0)	<b>Removed</b> - Proposal includes the demolition of 4 existing apartment blocks comprising of 36 apartments and construction of 36 new larger dwellings. No evidence provided to confirm these were long term empty homes/apartments and it is noted in the application documents that some are still occupied.

HL721	Stables Court, Frontfield Court and Cross Meadow Court Appleton Road St Helens	38 (0)	<b>Removed</b> - The proposal includes a 28 unit shared C2 Use Class development. As such, the Council's claimed figure of 38 additional units is incorrect at the outset. C2 developments are to be included in the housing land supply but the NPPG [#63-016A] confirms the supply figure needs to be based on the average household size in the area based on census data. In St Helen's, the data confirms there are 1.808 people per household, so a single C2 unit/bed space equates to 0.553 dwellings. Based on 28 units, this equates to 15 dwellings. However, the existing site comprises of 53 existing C3 Use Class apartments which means the overall development actually results in a net loss of -38 homes.
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**Question 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)?**

- 3.4 With the NPPF and NPPG requiring greater scrutiny of 'deliverable sites', there is arguably less need when assessing 5 year supply but there is the potential for unforeseen issues that can arise on all sites which cause delay to the delivery of homes. As such, even for all those sites that remain defined as deliverable and developable it would be prudent to assume that lapses in the commencement and delivery of homes will occur. In doing so, this reinforces the case for a range and choice of sites to be allocated/safeguarded across SHBC to ensure a sufficient level of delivery/supply is provided for.
- 3.5 As part of our assessment, we have applied a 10% lapse rate to suitable brownfield sites within the SHLAA and brownfield allocations when concluding on supply across the entire plan period in **Appendix 1 – Table 5.**

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

- 3.6 See response to Question 9.
- 3.7 In short, we do not consider the evidence provided in relation to the SHLAA sites is sufficiently robust to confirm all sites identified are available, suitable and achievable/viable and therefore either deliverable or developable. For those sites without a live or extant planning permission, there is very little / no information provided on availability of the land and its genuine achievability. The SHLAA evidence also fails to pick up on all constraints which impact on suitability and even when a constraint is identified, there is no assessment as to how that constraint will be overcome (as advised by PPG para 3-02120190722).

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

- 3.8 No. Where a site has either had an allocation for a prolonged period or an historic planning permission but has yet to come forward, serious questions need to be asked and addressed within the SHLAA as to why this is the case. Indeed, the lack of delivery on such sites point to either availability, technical or viability issues being the cause. We see no evidence to demonstrate that

such issues have been explored in sufficient detail by the Council and have therefore omitted certain sites from the Council’s trajectory – as listed under Question 9.

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

3.9 We have provided our own version of the Council’s trajectory table for allocations at **Appendix 1 – Table 1** based on information provided in the Council’s May 2021 assessment. We recommend that **20 homes** are removed from the Council’s 5 year housing supply from the allocations and **509 homes** from the Council’s overall trajectory over the plan period as follows:

- **Site 4HA (Bold Forest)** is addressed in detail in our Matter 4 Statement. We do not consider sufficient evidence has been provided to demonstrate that the site is suitable for the delivery of 2,988 homes. Based on this position, **we omit the Council’s allowance of 360 dwellings from their trajectory during the plan period.**
- **Site 6HA (Cowley Hill)** has recently gained outline permission for up to 1,100 homes and the Council’s latest evidence has been updated to reflect this. The Council’s original trajectory allowed for 816 in total and 540 within the plan period. The site is being marketed and Pegasus Group have prepared testing layouts for two national housebuilders that deliver around 750-790 homes once all site constraints have been accounted for. As such, we consider the Council’s trajectory within the original evidence was robust. **The difference between our assessment and the Council’s latest is therefore restricted to the total capacity of the site and expected delivery beyond the plan period.**
- **Site 7HA** (Mill Lane, Newton-le-Willows) has a live planning application for a new school on half of the proposed allocation. This splits the site up somewhat awkwardly but assuming the remaining parcels of land are still available and deemed suitable **this reduces the site’s residential capacity from 181 dwellings to 90.** We also believe the school application and subsequent development is likely to cause delay to the delivery of homes on this site and question whether it can be classed as a deliverable site within the next 5 years. By pushing commencement back by a year, **20 homes are also removed from the Council’s 5 year supply.**
- **Site 9HA** has outline permission for 350 homes but is now subject to Reserved Matters application by Bloor Homes for 294 dwellings. The Council’s trajectory indicates that it will deliver 352 homes over the plan period. Whilst the RM application does not cover the entire site area covered by the outline, the only part omitted relates to a village green area. As such, **a reduction of 58 homes should be applied to the Council’s trajectory based on this latest available information.**

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

3.10 Some sites will build out more quickly and others more slowly depending on the type of housebuilders, the number of developers active on site at the same time and competition within the localised market areas. Whilst there appears to be a lack of consistency in the Council's approach, we consider that the lead in times and build our rates are broadly acceptable.

**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 As illustrated in Appendix 2 of the February 2020 response (**SHBC004**), the spike in trajectory is predominantly a result of expected SHLAA sites being delivered. We have questioned the suitability and achievability of a significant number of these sites and don't consider this level of increase is realistic based on the sites put forward by the Council.

3.12 We note that the Council's latest evidence issued in May 2021 (31st March 2021 base date), predicts a similar spike albeit it is pushed back to 2027/28 and tops out at 997 (or 890 with the 15% discount applied).

3.13 We compare the Council's suggested supply (with and without a 15% discount) to our predicted trajectory at **Tables 4.1 and 4.2 of Appendix 1**. Our trajectory results in a more subdued rise to 698 homes in 2027/28. What is more concerning is that our analysis shows significant under delivery in years 1-5 and 10-16 even if we assume the Council's annual housing requirement is correct. The only solution to rectify this is to allocate more housing sites.

3.14 Another concern around the Council's trajectory is that it illustrates a potential failure of the plan to maintain a five year supply throughout, namely at the end of the plan period. Notwithstanding our contention that the housing requirement should be a minimum of 570 dpa, the Council, by its own admission, will fail to deliver to the proposed requirement of 486 dpa in the final four years of the plan, and by our own trajectory, the final eight years. This will place significant pressure on the safeguarded land, which could be delivered within the plan period, rather than beyond it. As such, further release of Green Belt through new allocations and safeguarded sites should be identified to ensure that needs beyond the plan period are met in full and the safeguarded sites remain that until at least 2035. Both the sites at Burrows Lane, Eccleston and Mill Lane, Rainhill are suitable sites for delivery and would assist in meeting such a requirement for further land.

3.15 As illustrated in **Table 5 of Appendix 1**, we consider the shortfall in suitable and deliverable housing sites actually amounts to **-3,601 dwellings** over the plan period based on an annual requirement of 570 homes per year (which we propose as a minimum) and our analysis of the Council's supply.

#### 4. ISSUE 3: FIVE YEAR HOUSING LAND SUPPLY

##### **Question 11 - Is the use of a 5% buffer to calculate the housing land supply position appropriate?**

- 4.1 No. We accept that a 20% buffer is not required in the case of St Helens. However, a 10% buffer should be applied. Paragraphs 67 and 73 of the NPPF are relevant alongside paragraphs 68-008 to 010 and 022 of the NPPG.
- 4.2 Paragraph 67 of the NPPF clearly states:
- i. 'Planning policies should identify a supply of a) specific, deliverable sites for years one to five of the plan period(32)';*
- 4.3 Footnote 32 confirms *'With an appropriate buffer, as set out in paragraph 73'*.
- 4.4 Paragraph 73 confirms the 5% buffer is applied as a minimum and at any point when assessing the 5 year supply to provide choice and competition in the market for land. The 10% buffer is to be applied where the local planning authority wishes to demonstrate a 5 year supply of deliverable sites through an annual position statement or a recently adopted plan, to account for any fluctuations in the market during that year.
- 4.5 As highlighted by the NPPG (#068-022), the use of a 10% buffer is there to **'confirm'** a 5 year supply can be achieved (for a 1 year period) through evidence provided through an annual position statement or through a local plan process (assuming the 20% buffer does not need to be applied). At the outset of the paragraph, it is confirmed that this is to ensure there is a realistic prospect of achieving the planned level of housing supply and that the LPA should **'always add an appropriate buffer'**.
- 4.6 NPPG paragraph 68-010 notes that it will not be possible through the examination process of a Local Plan to test the supply as thoroughly as one might through an applications/appeal process. As such, it goes further and states **'a minimum 10% buffer to their housing requirement'** will need to be applied when confirming 5 year supply through a local plan process.
- 4.7 By not applying a 10% buffer, it must follow that the Council are not seeking to 'confirm' they have a 5-year supply upon adoption of the plan. However, throughout the preparation of the plan, the Council have sought to demonstrate a 5 year supply of housing. Only recently and based on the latest evidence, the Council now calculate a 4.6 year supply using a 5% buffer.
- 4.8 The Plan must therefore be regarded as being unsound because it does not meet the basic test applied at paragraph 67 of the NPPF.
- 4.9 In the event that a 5 year supply is not demonstrated, paragraph 68-008 of the NPPG confirms:
- ii. 'In plan-making, the Inspector examining the plan will test the evidence to **ensure** that the 5 year housing land supply identified in strategic policies is sound. If it is not, wherever*

*possible **the Inspector will recommend main modifications to the plan to ensure that the plan identifies a 5 year housing land supply from its date of adoption.***

- 4.10 The only solution in this instance is to apply the 10% buffer and allocate additional deliverable sites that then provide sufficient homes to meet the requirement in the first 5 years. Both Redrow's and Wallace's land interests would positively contribute to this requirement if allocated.

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

- 4.11 In the absence of information on small sites with planning permission it is difficult to comment but as per our assessment above, we consider the annual small sites allowance should be 75, equating to 375 homes over the 5 year period.

- 4.12 There should also be a discount for losses/demolitions at 35 per annum equating to 175 over the 5 year period.

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

- 4.13 No. We have removed 495 homes from the Council's 5 year supply based on explanations provided under Question 9 and from the following sites:

- Site 1 – 12 homes,
- Site 23 - 29 homes,
- Site 82 – 135 homes,
- HL483 – 135 homes,
- HL525 – 90 homes,
- HL708 – 36 homes,
- HL721 – 38 homes, and
- Allocation 7HA – 20 homes.

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

- 4.14 We do not take issue with the build out rates utilised apart from those sites that we consider are unrealistic to include as deliverable as highlighted under question 10d. in the previous section of this paper.

**Question 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.**

- 4.15 We don't believe it is necessary to provide a stepped housing requirement in St Helens. The Council could clearly allocate more sites to make the shortfall within the first 5 years, particularly if a

proactive approach was taken with respective landowners and developers. Redrow Homes and Wallace Land Investments would certainly respond positively to progressing early applications if revisions to the Plan were made and their sites were identified as allocations.

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

- 4.16 No. Even if we assume the Council’s Annual Housing Requirement of 486 homes is accepted, the Council’s latest claimed 5 year supply presented in Appendix 2 of the May 2021 housing supply paper is **2,362 (4.6 year supply)**. As such, the Local Plan does not meet one of the basic requirements of the NPPF and must therefore be regarded as being unsound.
- 4.17 If we apply the housing requirement advocated in the adopted Core Strategy and the minimum proposed in our Matter 2 statement at **570 dwelling per annum** plus 10% buffer (=627 per annum), the 5 year requirement would equate to **3,135 homes**. The Council’s shortfall based on their analysis of supply would be even more apparent at **-773 dwellings** and equate to a **3.8 year supply**.
- 4.18 However, as noted under Q12, small site allowance should be reduced to 375 and demolitions/losses should account for at -175 over the 5 year period. As noted under Q13, we have also removed 495 dwellings from the Council’s claimed 5 year supply from SHLAA sites and Allocations. As such, we calculate the Council’s 5-year housing supply to be no more than **1,621**.
- 4.19 If Pegasus’s position on supply is assumed to be correct and applied to the Council’s proposed annual housing requirement of 486 dpa, this equates to **3.2 years supply**. However, based on 570 dpa (as a minimum requirement), the 5 year supply based on our analysis stands at just **2.6 years and a shortfall of -1,514 dwellings** as illustrated in **Appendix 1 – Table 3** and copied below.

5 Year Supply	Council (5% buffer)	Pegasus (10% buffer)	Comparative Scenarios	
			Council Requirement with Pegasus Supply	Pegasus Requirement with Council Supply
Annual Requirement	486	570	486	570
5 year requirement	2430	2850	2430	2850
+% buffer	2552	3135	2552	3135
Annual Requirement with Buffer	510	627	510	627
5 Year Supply	2362	1621	1621	2362
<b>Nos of Years Supply</b>	<b>4.6</b>	<b>2.6</b>	<b>3.2</b>	<b>3.8</b>
<b>5 Year Shortfall</b>	<b>-190</b>	<b>-1514</b>	<b>-931</b>	<b>-773</b>

**5. ISSUE 4: THE WORDING OF POLICY LPA05**

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

- 5.1 We consider the wording of the policy will need to undergo a major modification to address matters we have raised in Matter 2 and this statement.
- 5.2 Critically, additional housing allocations and Green Belt release is required to meet the necessary housing requirements in the first 5 years, later parts of the plan period and beyond (including the identification of additional safeguarded sites). This should include land promoted by Redrow Homes at Eccleston and Wallace Land Investments at Rainhill.
- 5.3 Policy LPA05 should also categorically highlight that a consequence of not achieving a 5 year supply and/or failing the Housing Delivery Test 'will result in an early plan review and the release of reserve/safeguarded sites for development'. The final sentence in 4b, which states the following (with our emphasis) is too opaque in terms of what constitutes 'significantly below' and does not commit the Council to a review process:

*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.*