

Barton Willmore on behalf of Jones Homes (North West) Ltd (Representor ID
RO1955)

Examination into the St. Helens Local Plan

**Matter 4 (Session 6): Allocations, Safeguarded Land and Green Belt Boundaries
Parkside and Newton-le-Willows/Earlestown**

Issue 1: Parkside East (7EA) and Parkside West (8EA), Newton-le-Willows

Sites 7EA and 8EA are allocated for employment and comprise strategic sites. Policy LPA10 identifies Parkside East as suitable in principle for a SRFI. The National Policy Statement for National Networks (NPSNN) references the Planning Act 2008 and that SRFI sites qualifying as NSIPs must be capable of handling 4 goods trains per day as a minimum (paragraph 4.89).

A public inquiry in January 2021 considered applications for employment floorspace at Parkside West and the Parkside Link Road. At the time these MIQs were prepared the Inquiry had closed but the outcome is not yet known. The Council have also commissioned a study which will look at the potential capacity of the rail network to serve the Parkside site. This is expected to be published in April 2021.

Q1 Do the Green Belt assessments support the allocation of Sites 7EA and 8EA and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

1. Our Client has no comments to make in response to this question.

Q2 If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?

2. Our Client has no comments to make in response to this question.

Q3 Is the configuration and scale of the allocations and safeguarded land justified taking into account development needs and the Green Belt assessments?

- a) Is the allocation of a SRFI of the scale proposed in the Plan justified?***
- b) Would a facility of a smaller scale (for example handling up to 8 to 10 trains daily) achieve similar benefits whilst minimising potential impacts (for example a reduced amount of Green Belt land needing to be released as these smaller options would only utilise land to the east of the M6 for road and rail infrastructure)?***
- c) Could the Plan's aim of seeking to maximise the opportunities of delivering an SRFI of regional and national significance still be achieved?***

3. Our Client has no comments to make in response to this question.

Q4 Would the adverse impacts of developing Sites 7EA and 8EA (Green Belt impacts, landscape impacts, highway safety, flood risk, agricultural land, air quality) outweigh the benefits?

4. Our Client has no comments to make in response to this question.

Q5 Are the requirements for Sites 7EA and 8EA within Policies LPA04, LPA04.1 and LPA010 (Site 7EA) and Appendix 5 (Site Profiles) positively prepared and effective?

5. Our Client has no comments to make in response to this question.

Q6 Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Table 4.1 justified and effective?

6. Our Client has no comments to make in response to this question.

Q7 Will infrastructure to support the allocations be delivered at the right time and in the right place?

7. Our Client has no comments to make in response to this question.

Q8 Would there be delivery implication for sites 7EA and 8EA if a suitable connection to J22 (whether via the proposed Link road or an alternative link) is not delivered during the Plan period?

8. Our Client has no comments to make in response to this question.

Q9 In terms of feasibility and deliverability, will the future capacity of the rail network be capable of facilitating the delivery of an SRFI at Parkside?

9. Our Client has no comments to make in response to this question.

Q10 What level of certainty is there that there will be sufficient capacity and is that sufficient to demonstrate that the proposed facility will be deliverable during the Plan period?

10. Our Client has no comments to make in response to this question.

Q11 Are there any barriers to Sites 7EA and 8EA coming forward as anticipated?

11. Our Client has no comments to make in response to this question.

Issue 2: Newton-le-Willows/Earlestown (7HA, 2HS, 4HS, 5HS)

Site 7HA is allocated for housing with an indicative site capacity of around 180 dwellings. The Plan proposes safeguarding Sites 2HS, 4HS and 5HS.

Q12 Do the Green Belt assessments support the allocation of Site 7HA and the safeguarding of Sites 2HS, 4HS and 5HS and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

12. Our Client's response to this question relates solely to their interest at Newton-le-Willows (site 4HS).
13. Our Client generally welcomes the findings of the two Green Belt Assessment documents, these being the St Helens Local Plan Draft Green Belt Review 2016 (Doc. Ref. GRE001), as well as the subsequent St Helens Local Plan Green Belt review Stage 2B Assessments 2020 (Doc. Ref. SD021).
14. The 2016 Assessment assesses proposed safeguarded site 4HS under reference GBS_067, and concludes that the site performs poorly against the Green Belt purposes, noting a high degree of containment owing to the railway line which defines the eastern boundary of the site. The Assessment also highlights a number of technical considerations, and concludes that the site should be safeguarded for future development, beyond the Plan period.
15. The 2020 Assessment provides a more detailed consideration of the land to the east of Newlands Grange, and gives the site a new reference number (GBP_044). It is noted however that the 2020 assessment focusses on the deliverability of the site as opposed to its performance as an area of Green Belt.
16. Taken together, the two documents conclude that the site has medium development potential, but that the extent of the proposed Safeguarded Land should be curtailed to the south of the site in order to protect the setting of the neighbouring Vulcan Village Conservation Area (our Client's comments in relation to this particular point are set out in subsequent questions). Notwithstanding our Client's comments in relation to the Conservation Area, they welcome the Council's recognition that the site is suitable for release from the Green Belt and for development; albeit beyond the current Plan period.
17. With respect to the second part of Q1, our Client discusses the strategic exceptional Matter 4 (Session 6). Representor ID: RO1955

circumstances resulting in the necessity to amend the Green Belt boundaries within their Matter 2 and 3 Statements, and that Newton-le-Willows has a role to play in meeting the needs of the Borough, as a key settlement. The purpose of the Green Belt assessment is to assess and identify sites for their function against the purposes of the Green Belt prescribed by paragraph 134 of the NPPF, in order to identify sites which could be released in the event that said exceptional circumstances are demonstrated (as is the case here).

18. It follows therefore that, having accepted that Green Belt land is required if the Council is to deliver its Vision and meet the development needs of the Borough, that it should seek to utilise Green Belt sites which perform poorly against the prescribed functions, in order to preserve the better performing sites and strengthen Green Belt boundaries in the process, whilst also delivering upon its Vision and growth ambitions. In this respect, our Client considers that the Green Belt assessment has done its job and identified those sites which could be released without compromising the integrity of the Green Belt. The Green Belt Assessment does not demonstrate exceptional circumstances for releasing Green Belt, and would not be expected to. Our Client is therefore supportive of the approach taken by the Council in this respect.

Q13 If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?

19. At paragraph 4.6.9 of the Plan, the Council state that it will give continued priority to the development of suitable and available sites within urban areas. However, it also notes that due to the lack of sufficient capacity on these sites to meet needs, and the lack of scope of the need being met by any of the neighbouring Boroughs, some sites have been removed from the Green Belt for development and for safeguarding for future development.
20. Whilst this does not explicitly frame this context as 'exceptional circumstances', it is clear that the Council is treating them as such (which, as stated above, our Client is fully supportive of). For the avoidance of doubt, it may be preferable for the Council to define these exceptional circumstances, however our Client considers that, as per their response to Q12 above, as well as their Matter 2 and 3 responses, that the approach the Council have taken in this respect is justified and sound and that there are clearly exceptional circumstances for this Local Plan to remove land from the Green Belt.

Q14 Should Sites 2HS, 4HS and 5HS be allocated rather than safeguarded so that they can contribute to meeting needs in the Plan period?

21. Within their Matter 3 Hearing Statement, our Client expressed significant concerns with the deliverability of Newton-le-Willows' sole housing allocation (site 7HA). This is because the site is currently subject to a live planning application (LPA Ref. P/2021/0028/FUL) which will see the site retained as a school. The application forms submitted as part of said planning application state that the site area is 2.8 hectares. We note, however, that the site location plan has been amended during the course of the application and believes that this measurement is no longer accurate. A measurement taken from satellite imagery indicates that the site area is closer to 3.87 hectares (see **Appendix 1** for the application site boundary).
22. Table 4.5 of the Plan states that the total area of the allocation is 8.03 hectares, and proposes a minimum density of 30 dwellings per hectare (dph). Taking the site area of 2.8 hectares proposed by the applicant of the above application, if approved, the development would deliver only 118 dwellings. When taking the revised site area of the planning application of 3.87 hectares, the development would only deliver 94 dwellings; approximately half of the number of dwellings that the Local Plan claims.
23. In either case, the application, if approved, will result in a significant loss to the capacity of allocation 7HA which, as written, is not compensated for in the Plan.
24. Our Client notes the consultation response from the Council's Planning Policy team in response to the aforementioned planning application, which states that the approval of the application will not prejudice the remainder of the site being developed for residential purposes. Whilst our Client does not disagree with this, it is clear that the approval of the application, which is recommended by officers, will have a significant impact on the quantum of new homes delivered within Newton-le-Willows (noting that the Planning policy consultation response makes no mention of this). The Plan must, therefore, identify additional housing land in Newton-le-Willows in order to compensate for this. At the time of writing this application is yet to be determined, but has been recommended for approval at the Council's Planning Committee meeting of the 25th June.
25. If approved, this could mean that Newton-le-Willows has a significantly reduced (or no) market and affordable housing delivery over the Plan period, despite proposing over 200 hectares of employment space at the settlement and its highly sustainable credentials.
26. Should the aforementioned planning application be approved, the Council will, at the very least, need to replace the allocation in order to ensure that the Plan is sound. This being the Matter 4 (Session 6). Representor ID: RO1955

case, the safeguarded sites, which have already been considered suitable for development by the Council, would represent the most logical solution as a natural extension to an existing, nearly complete housing site. Our Client remains firmly of the view that their site (4HS) would represent the most suitable of the safeguarded sites to be brought forward and allocated for housing development within the Plan period. This is due to the site's high degree of containment, relationship with the existing settlement and, as stated above, its natural progression from the existing development site where our Client has already delivered a high quality scheme.

27. Notwithstanding the above, our Client would reiterate their comments within the Matter 2 and 3 Statements within which they discuss the compelling case for adopting a significant uplift in the housing requirement owing to historic delivery rates and the economic circumstances of the Borough. This is particularly pertinent in the case of Newton-le-Willows given the extent of employment land that is proposed at Parkside East and West. It is clear that the Council considers Newton-le-Willows to be a sustainable location owing to the employment land proposed and so it follows that such a sustainable location should benefit from housing development to match.
28. If the Plan is to truly meet the long-term needs of its residents, then it should meet the needs of *all* residents, and should not leave the most sustainable settlements constrained without room to expand. Having two centres and two train stations nearby, with Newton-le-Willows station having undergone significant investment in recent years, as well as significant proposed employment space, there can be no doubt as to the Key Settlement status of Newton-le-Willows and our Client considers therefore that Newton-le-Willows has a greater role to play in meeting the development needs of the Borough than it does currently.
29. Accordingly, our Client considers that additional land should be allocated within the Plan period, by bringing forward our Client's site (4HS) for allocation, which is deliverable now). In addition to ensuring that local needs for market and affordable housing are met, the increased allocations will also foster competition in the market, which is not currently present by providing only one development site in such a sustainable location.

Q15 Is the configuration and scale of allocation 7HA and safeguarded site 4HS justified taking into account development needs, the Green Belt assessments and, in the case of 4HS, the effects on the setting of the Vulcan Village Conservation Area and recreational facilities?

30. Our Client has no comments to make in respect of site 7HA, beyond the comments made above regarding the ongoing planning application on the site and the fact that the housing Matter 4 (Session 6). Representor ID: RO1955

allocation proposed is unlikely to be delivered. As such, our Client's response to this question focusses primarily on site 4HS.

31. As per our Client's response to Q12 above, it is clear that site 4HS is well contained and benefits from clear, defensible boundaries, particularly to the east where the boundary is defined by the railway line. Notwithstanding this, the 2020 Green Belt assessment notes concerns raised by Historic England as to the impact the development of the site would have on the neighbouring Vulcan Village Conservation Area. The result of this is the re-drawing of the boundary from the Preferred Options stage, reducing the extent of the site to the south and the creation of an artificial southern boundary to the proposed safeguarded area in perceived attempt to minimise the impact on the Conservation Area. In this regard, our Client would reiterate their concerns (as per their earlier Representations) that Historic England's comments on the Preferred Options consultation made no reference to our Client's Site, and so to restrict the developable area of our Client's Site on this basis is unfounded.
32. Our Client has previously raised concerns regarding this approach within their representations to the Submission Draft Local Plan and wish to reiterate that Vulcan Village exists because it was constructed to house the workers and families of the adjacent former Vulcan Works. It was not constructed in this location due to its rural setting, or desire for "quietness", as inferred in the HIA (noting our earlier comments regarding the validity of Historic England's comments). If the Vulcan Works had not been constructed, neither would the Village. With the Vulcan Works now gone, a main component of the Village's historical significance and setting has been lost. Furthermore, the replacement of the Vulcan Works with a modern housing development of circa 630 dwellings, wrapped tightly around the northern perimeter of the Village, dominating street scene vistas in some areas, has maintained the area's identity, but has introduced a suburban characteristic in that it abuts an urban area, albeit maintaining its inward-looking qualities and relative quietness. To therefore seek to avoid the development of a significant portion of our Client's Site on the basis of an alleged need to retain openness around the Village, is at odds with its established setting.
33. Notwithstanding this, the Village has a very strongly landscaped eastern boundary, meaning that if our Client's Site were to be developed to utilise the full extent of the promoted boundary, it would maintain an internal sense of isolation in the Conservation Area – aside from the northern part of the Village, which is now consumed by modern housing. It is only on 'plan' view that there could potentially be any sense of encroachment.
34. Our Client has previously provided a number of plans and supporting documents which demonstrate how the site could be developed whilst preserving the setting of the Conservation Area, and remains firmly of the view that there is no benefit in heritage terms

to the curtailing of site 4HS. The previously submitted Masterplan bolsters this point further and indicated a strong landscape buffer between the Site and the conservation area, whilst also maintaining open views towards it as a result of the separation between the new development and the conservation area. When coupling this with both the potential for Newton-le-Willows to lose its only proposed allocation, as well as the compelling case for an uplift in the housing requirement, our Client does not consider that there is any legitimate basis for restricting the extent of development at the southern point of the site.

Q16 Would the adverse impacts of developing Site 7HA (Green Belt impacts, highway safety, loss of playing field) outweigh the benefits?

35. Our Client has no specific comments to make in relation to this question but would reiterate their significant concerns around the deliverability of the allocation owing to the live planning application for the site, as discussed at Q14 above.

Q17 Are the requirements for Sites 7HA and 2HS, 4HS and 5HS within Appendices 5 and 7 (Site Profiles) positively prepared and effective?

36. Our Client's response to this question relate solely to their interest at Newton-le-Willows (site 4HS).
37. In general terms, our Client has no objection to the requirements set out at Appendix 7 of the Plan, recognising that these are matters which are capable of being address during the evolution of detailed planning proposals for the site, and through dialogue with the Council's Planning Officers and statutory consultees.
38. Point 4 of the requirements for 4HS require significant landscaping to the south of the proposed allocation, in order to screen the future development from the neighbouring Conservation Area. For the reasons discussed in our Client's response to Q15 above, the Concept Masterplan that accompanied our Clients representations to the Draft Local Plan consultation in 2019 demonstrates that this can be achieved; albeit this is only one of a number of ways that the layout of the site could be designed to ensure the sensitive treatment of the relationship of the site to the conservation area.

Q18 In particular in relation to Site 7HA, will the Plan ensure that any playing fields lost will be replaced by the equivalent or better provision?

39. Our Client has no specific comments to make in relation to this question, but would reiterate their concerns around the deliverability of the allocation owing to the live planning application for the site, as discussed at Q14 above. It is unclear how this proposal will affect the deliverability of housing on the Site but it clearly has the potential to reduce the overall quantum of new housing development proposed for Newton-le-Willows. Our Client would welcome further clarification from the Council in this regard.

Q19 Are the indicative site areas, net developable areas, minimum densities and indicative site capacities within Tables 4.5 and 4.8 justified and effective?

40. In terms of site 4HS, table 4.8 sets out that the site extends to 9.76 hectares, with a net developable area of 75%. The table indicates a minimum density of 35 dwellings per hectare and that on this basis, the site has an indicative capacity of 256 dwellings. Noting at footnote 37 that this would be assessed further prior to any decision to allocate the site in a future Local Plan.
41. Notwithstanding our Client's concerns regarding the Council's justification for the chosen boundaries of the proposed safeguarded allocation, our Client does not disagree with the assumptions made at table 4.8, noting that these are largely based on indicative figures and so there may be some fluctuations as proposals progress. Our Client would stress that, as a well-established, national house builder, that they are well placed to ensure swift delivery on site, and make a meaningful contribution to the Borough's housing needs.

Q20 Will infrastructure to support the allocation be delivered at the right time and in the right place?

Notwithstanding our Client's response to the requirements of Appendix 7 discussed within their response to Q17 above, any infrastructure required to support the allocations will be secured via legal agreement or planning condition during the determination of any planning application for either site. There is therefore no planning impediment on the appropriate level of infrastructure being provided in the right place, at the right time to serve either development.

Q21 Are there any barriers to Site 7HA coming forward as anticipated by the housing trajectory?

42. Yes; please refer to our Client's response to Q14 above. If the aforementioned planning application to relocate a school to the site (which currently comprises an existing modern, albeit vacant secure school) is approved, then there will be no way of delivering allocation

7HA as it is currently proposed. Our Client would reiterate the need for clarification from the Council in this regard.

43. It is important therefore that, if the application is approved, a suitable alternative is found. Our Client remains of the view that the currently proposed safeguarded sites represent a suitable solution for replacement for site 7HA. This would however necessitate the identification of additional safeguarded sites however, for the reasons stated above, and within our Clients Matter 2 and 3 Statements, they consider it would be prudent to identify additional housing allocations in addition to sites safeguarded for future development.

Issue 3: Other Green Belt Boundaries

Q22 Are the Green Belt boundaries elsewhere in Parkside and Newton-le-Willows/Earlestown justified?

44. Our Client considers that the Green Belt boundaries elsewhere in Parkside and Newton-le-Willows are justified in terms of the Council providing sufficient land in order to meet the housing requirement currently proposed. Our Client considers however that the Council needs to ensure that it releases sufficient land from the Green Belt now, to ensure that it does not need to review the Green Belt Boundaries again in the future. This means releasing all land which performs poorly against the Green Belt purposes as prescribed by the Framework.
45. If however, there is to be an uplift in the requirement, as per the case presented by our Client in their response to Matters 2 and 3, then additional Green belt land will be required. In such circumstances, the Council should look to allocate and safeguard Green Belt parcels which are poorly performing (in the context of the NPPF). Said parcels should be distributed across all settlements if the Plan is to truly meet the needs of the *whole* Borough.
46. Notwithstanding this, our Client remains of the view that there is a compelling case for a significant uplift in the housing requirement. In the event that such an uplift is to occur, the Council will need to identify additional Green Belt sites for both allocation as well as safeguarding.
47. Furthermore, the pending planning application at site 7HA could necessitate amendments to the Plan including the promotion of safeguarded sites to allocations and/or the identification of additional sites for both allocation and safeguarding. As stated previously, in this context, our Client considers that their site at Newlands Grange would represent a suitable candidate for allocation and, being a national, volume housebuilder, they are well placed to deliver the site within the Plan period.