

Barton Willmore on behalf of Miller Homes (Representor ID RO1244)**Examination into the St. Helens Local Plan****Matter 4 (Session 5): Allocations, Safeguarded Land and Green Belt Boundaries
Rainford, Billinge, Garswood and Haydock****Issue 1: Land to west of Sandwash Close, Rainford (9EA) and land south of Higher Lane, Rainford (8HA)**

Site 9EA has an extant planning permission for industrial development. Site 8HA is allocated for housing with an indicative site capacity of around 250 dwellings.

Q1 Do the Green Belt assessments support the allocation of Site 8HA and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

1. Our Client 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), insofar as they relate to site 8HA.
2. The 2016 Assessment assesses proposed allocation 8HA under reference GBS_079, and concludes that the site scores low against the Green Belt purposes, noting a high degree of containment and screening, in addition to other technical considerations. The assessment confirms that the land parcel is suitable and should be promoted for allocation.
3. The 2020 Assessment provides a more detailed consideration of the land south of Higher Lane, Rainford, and gives the site a new reference number (GBP_019), which comprises of two sub-parcels, these being GBP_019_A and GBP_019_B. 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.
4. Taken together, the two assessments are considered to paint a comprehensive picture of the site which, subject to technical considerations being addressed, could be developed without having a detrimental effect on the character, appearance and function of the Green Belt. Our Client is fully supportive of the conclusions made by the Council in this respect.
5. With respect to the second part of Q1, our Client considers that the strategic exceptional circumstances for the amendments to the Green Belt boundary within the Borough have already been established (as set out within our Client's response to Matters 2 and 3), and that, as a Key Settlement, Rainford has a role to play in meeting the development needs of

the Borough (for which it has already been demonstrated that Green Belt land is required). 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).

6. It follows, therefore, that having accepted that Green Belt land is required to deliver the Vision and growth ambitions of the Local Plan, and meet the development needs of the Borough, the Council 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. In relation to the proposed allocation 8HA (which represents part of our Client's land interest), our Client welcomes the findings of the Green Belt assessment, which note a high degree of containment owing to established site boundaries and adjoining development, as well as being suitably accessible and sustainably located. Our Client agrees with the findings of the Green Belt assessment in this respect which indicates the Site's suitability for allocation.

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

7. At paragraph 4.6.9 of the Plan, the Council states 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.
8. 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 Q1 above, as well as their Matter 2 and 3 responses, that the approach the Council has 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.

Q3 Is the configuration and scale of allocation 8HA justified taking into account development needs and the Green Belt assessments?

9. Yes. As per our Client's response to Q1 above, it is clear that site 8HA is well contained and

screened, owing to the woodland and residential dwellings to the north, the tree belt to the east, the well-established employment area to the south and the existing urban area of Rainford to the west. Coupling this with the fact that the Site comprises a single land parcel, our Client considers that it would be illogical for anything less than all of the Site to be allocated.

10. Given the clear and pressing need for housing land in the Borough (as above and per Matter 2 and 3 Statements), Rainford's status as a Key Settlement, and the sustainable location of the site, our Client considers that the scale of allocation 8HA is justified. It also provides the opportunity to create a strong defensible boundary to the south east of the settlement, where currently it is open to the south east of Rookery Lane.
11. In order to provide a clear indication of the suitability of allocation 8HA in this respect, our Client has commissioned an updated Development Framework Document, enclosed with this Statement at **Appendix 1**. This provides a contextual analysis of the site and its surroundings, as well as providing one option of how the site could be developed in the future, having regard to the technical considerations outlined above and within the Green Belt Assessments and demonstrates how the Site would assimilate into its surroundings and would not compromise the integrity of the Green Belt.
12. Notwithstanding this, the aforementioned development needs dictate that additional development land is required and that, additional Green Belt land provides the only realistic option for meeting this need. Previous representations to the Submission Draft consultation, and the enclosed Development Framework document demonstrate the suitability of the parcel to the south, between Rookery Lane and Pasture Lane (GBS_080) to accommodate additional development (noting that the Council previously considered the site suitable for safeguarding for future development), as an extension to site 8HA and on land which is no less deliverable than site 8HA. Again, this layout has had regard to the site characteristics and the context of the surrounding area. It has been cognisant of the adjoining conservation area at the north-west of the site and the flood zones to the south. It clearly demonstrates that a wider development could be brought forward to the south east of Rainford that would make a significant contribution to meeting local and Borough wide housing needs (noting our Client's comments regarding the uplift in the housing requirement that is clearly necessary, set out in their Matter 2 and 3 Hearing Statements).
13. Notwithstanding the clear benefits that both the allocation, and the wider site (including GBS_080) would bring in terms of market and affordable housing, the aforementioned Development Framework document also highlights the potential for an improved access, to the proposed adjacent employment allocation (9EA). This provides an excellent opportunity

to both deliver the much-needed housing, whilst also improving the market attractiveness of both the existing industrial area as well as the proposed employment allocation; allowing Rainford to capitalise on its excellent locational and accessibility credentials. Doing so would foster the economic growth and prosperity which forms a key aspect of the Council's Vision.

Q4 Would the adverse impacts of developing Site 8HA (Green Belt impacts, highway safety, proximity to industrial development) outweigh the benefits?

14. No. Our client considers that the benefits of the scheme, including the provision of much needed market and affordable housing to the north of the Borough, and Rainford in particular, would far outweigh any perceived harm.
15. The Green Belt Assessments referred to above serve to demonstrate that the site performs poorly as an area of Green Belt, and its development would not compromise the integrity of the wider Green Belt. Indeed, the development of the site would serve to strengthen the Green Belt boundary, whilst also making a significant contribution to meeting the Borough's housing needs.
16. Whilst the 2020 Green Belt Assessment highlights some technical considerations that would need to be addressed. Our Client does not consider these to be a constraint to development, and notes that these could be adequately addressed through the detailed design process, appropriate technical assessment and through discussions with the Council and statutory consultees during the course of pre-application and planning application discussions. They would not undermine the principle of allocating site 8HA for residential development. Indeed, it is noted that whilst the 2020 assessment highlights these technical matters, the Council remains of the view that the site represents a suitable candidate for allocation, and so the Council must consider that any technical points are capable of being addressed based on the information available at this time.
17. In terms of the proximity to the industrial development, our Client notes that such a relationship is not uncommon and again considers that this position does not act as a constraint to development. The development can be designed such that it is adequately screened from the industrial development and includes any mitigation measures considered appropriate by the relevant officers of the Council and statutory consultees. This would, however, be dealt with during the evolution of a detailed scheme and again does not undermine the suitability of the site for allocation.
18. In order to allay any potential concerns in this regard, our Client would highlight the Development Framework Document which accompanied their earlier Representations to the

Plan at the Submission Draft consultation stage. Whilst the document does not provide a detailed design for the site, it does set out where housing could potentially be located, having regard to the site characteristics and its surrounds. It also details the relationship of the proposed housing to the neighbouring industrial development. Whilst this is for illustrative purposes only, it clearly demonstrates that a suitable layout could be brought forward which preserves the amenities of the future occupiers of the dwellings. Furthermore, the Development Framework Document also includes technical site information at its Appendix 2 and updated flood zone information at its Appendix 4, all of which serve to demonstrate the suitability and deliverability of the Site.

19. Our Client has also prepared an additional Development Framework, which focusses on the deliverability of the southern parcel (GBS_080). This document is enclosed at **Appendix 1** of this Statement.
20. In addition to the above, it is also important to note that our Client has now engaged in detailed pre-application discussions with Officers at the Council, which has included meetings and discussions around the site's deliverability alongside the submission of the following documents:
 - Transport Assessment;
 - Noise Constraints Assessment;
 - Non-breeding Bird Survey;
 - Preliminary Ecological Appraisal;
 - Illustrative Masterplan; and
 - Indicative Layout Plan.
21. Further to the aforementioned pre-application discussions, our Client has also engaged with specific technical consultees at the Council in order to further evolve the proposals and address any technical matters.
22. Our Client is a highly experienced housebuilder, who will have encountered all of the issues applicable to the Site on numerous occasions and is therefore very capable of addressing them and delivering development on the Site at the earliest opportunity.
23. Taking the above (and attached) into account, therefore, our Client considers that there are clear and demonstrable benefits to both the housing allocation (8HA), and the allocation of the wider land parcel that far outweigh any perceived and unquantified adverse impacts. Notwithstanding this, evidence previously submitted during the Local Plan process, the attached Development Framework document and information submitted to the Council Matter 4 (Session 5). Representor ID: RO1244

through recent pre-application discussions, clearly demonstrate that such technical concerns can be addressed whilst securing a high-quality, highly sustainable and accessible development.

Q5 Is Site 9EA justified taking into account vacant land/units nearby on Rainford Industrial Estate?

24. The allocation of site 9EA for employment uses provides an opportunity for Rainford to deliver modern, high-quality employment space tailored to modern-day requirements and end users.
25. As stated above, site 9EA benefits from a historic planning permission (P/2006/1115). A further previous planning permission (P/2012/0043) approved an access into the site from Pasture Lane, passing through our Client's land at GBS_080. Such a dedicated access from the A570 clearly represents an excellent opportunity to provide land that would be highly attractive to the market and would pave the way for Rainford to capitalise on its highly accessible location and excellent range of local services and facilities.
26. Notwithstanding the above, it is important to ensure that, coupled with the envisaged growth in employment development in Rainford, the settlement is suitably served by additional housing growth to accommodate it, providing future employees with the choice to live in Rainford and ensuring the delivery of truly sustainable development.

Q6 Can a safe and suitable access be achieved to Sites 9EA and 8HA?

27. Yes. Please refer to our Client's response in relation to Q4 and Q5 above and the supporting information relating to the delivery of site 8HA in previous submissions. In relation to site (GBS_080) to the south, the enclosed Development Framework document demonstrates how the site can be accessed safely, utilising the route of the previously approved access from pasture lane would provide an additional benefit to the scheme.

Q7 Are the requirements for Sites 9EA and 8HA within Appendix 5 (Site Profile) positively prepared and effective?

28. Our Client considers that the requirements set out within Appendix 5 site profile for 8HA, when read alongside other Local Plan policies, are appropriate, positively prepared and effective for ensuring that a high quality development, compliant with the Local Plan, will be delivered.

Q8 Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1 and 4.5 justified and effective?

29. Our Client has no comment to make on the indicative site areas, and appropriate uses of site 9EA, as set out within table 4.1 of the Plan.
30. In terms of site 8HA, table 4.5 sets out that the site extends to 11.49 hectares, with a net developable area of 75%. The table indicates a minimum density of 30 dwellings per hectare and that the full allocation (an indicative 259 dwellings) will be delivered before the 31st March 2035. The emerging detailed site layouts prepared during the pre-application discussions with the Council, indicate that the Site has the potential to accommodate approximately 324 dwellings, at an approximate density of 35 dwellings per hectare. It is important to note that the figures stated within Table 4.5 are not rigid, and do not represent maxima. It is also important to note that the Framework advocates that development should make efficient use of land (Paragraph 122). Consequently, it is important to highlight that Table 4.5 should be treated as indicative only, albeit broadly representative of what is achievable.
31. On this basis, our Client does not disagree with the assumptions made at table 4.5, noting that these are largely based on indicative assumptions and so there may be some fluctuations as proposals progress, as demonstrated by the evolution of the proposal for our Client's land interest at Rainford. 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.

Q9 Will infrastructure to support the allocations be delivered at the right time and in the right place?

32. In terms of the delivery of development at their land interests in Rainford, our Client notes that suitable infrastructure will be provided to adequately serve the development. This will be negotiated through pre-application discussions and through the subsequent determination of any planning application. The provision of infrastructure may also be secured via the imposition of suitable planning conditions or via legal agreement as necessary.
33. Our Client would again emphasise that, as a highly experienced housebuilder, they have dealt with such matters on a number of occasions and are well placed to deliver much needed homes, along with any required infrastructure to serve said homes, in a swift manner.

Q10 Are there any barriers to Site 8HA coming forward as anticipated by the housing trajectory?

34. Table 4.7 of the Plan sets out the housing trajectory for the plan as a whole, with a visual representation of this being provided at Figure 4.3 of the Plan. This details that there will be no delivery of the allocated sites between 2020 and 2021/22, with an anticipated delivery of approximately 160 dpa being delivered from allocations for the remaining years of the Plan.
35. The Plan does not currently provide a specific trajectory for site 8HA other than at table 4.5 which states sets out that the entire allocation will be delivered before 2035. We do note however that the Council's Housing Need and Supply Background Paper, October 2020 (Doc. Ref. SD025), indicates that site 8HA will begin delivering homes in 2024/25 with the final homes being delivered in 2029/30. Our Client envisages however that a planning application for the development of the Site will be submitted before the end of 2021, upon the adoption of the Local Plan and, assuming that planning permission is granted, will be on Site delivering homes between 2023/24.
36. Our Client would reiterate that, as an established volume housebuilder they are well-placed to progress with a planning application and deliver the development in a timely fashion, within the Plan period. To this end they would stress that, they have already engaged in pre-application discussions with the Council and are significantly advanced in their evolution of the detailed designs of the Site.

Issue 2: Land to south of Billinge Road, Garswood (1HA) and land to south of Leyland Green, Garswood (1HS)

Site 1HA is allocated for housing with an indicative site capacity of around 215 dwellings. The Plan proposes safeguarding Site 1HS.

Q11 Do the Green Belt assessments support the allocation of Site 1HA and the safeguarding of Site 1HS and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

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

Q12 If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?

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

Q13 Is the configuration and scale of allocation 1HA justified taking into account development needs and the Green Belt assessments?

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

Q14 Would the adverse impacts of developing Site 1HA (Green Belt impacts, highway safety) outweigh the benefits?

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

Q15 Are the requirements for Sites 1HA and 1HS within Appendices 5 and 7 (Site Profiles) positively prepared and effective?

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

Q16 Are the indicative site areas, net developable areas, minimum densities and indicative site capacities within Tables 4.5 and 4.8 justified and effective?

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

Q17 Will infrastructure to support the allocations be delivered at the right time and in the right place?

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

Q18 Are there any barriers to Site 1HA coming forward as anticipated by the housing trajectory?

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

Issue 3: Florida Farm North (2EA), land north of Penny Lane (3EA), land south of Penny Lane (4EA), land to west of Haydock Industrial Estate (5EA), land west of Millfield Lane, Haydock (6EA), land at Florida Farm, Haydock (2HA), and land north-east of Junction 23 (M6), Haydock (2ES)

Sites 2EA and 3EA have been completed and are occupied and therefore should be treated as such rather than as allocations.

Sites 4EA, 5EA and 6EA are allocated for employment with Site 6EA comprising a strategic site. The Council has indicated that MMs could be put forward relating to access to Sites 5EA and 6EA in response to preliminary questions.

Land at Florida Farm (2HA) is identified as a strategic site anticipated to deliver around 520 homes most of which would be within the Plan period.

Site 2ES is safeguarded to meet St Helens long term needs. An outline planning application was considered at a public inquiry in January 2021.

Q19 Does the Plan reflect the current status of Florida Farm North (2EA) and land north of Penny Lane (3EA) (completed sites)?

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

Q20 Do the Green Belt assessments support the allocation of Sites 4EA, 5EA and 6EA and Site 2HA and the safeguarding of Site 2ES and demonstrate exceptional circumstances for the removal of the land from the Green Belt?

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

Q21 If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?

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

Q22 Should Site 2ES be allocated rather than safeguarded so that it can contribute to meeting needs in the Plan period?

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

Q23 Is the configuration and scale of the allocations and safeguarded land justified taking into account development needs and the Green Belt assessments?

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

Q24 Would the adverse impacts of developing Sites 4EA, 5EA and 6EA and Site 2HA (Green Belt impacts, landscape impacts, highway safety, flood risk, agricultural land, air quality) outweigh the benefits?

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

Q25 Are the requirements for Sites 4EA, 5EA, 6EA, 2HA and 2ES within Policies LPA04.1 and LPA05.1 and Appendices 5 and 7 (Site Profiles) positively prepared and effective?

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

Q26 How should the requirements for Sites 5EA and 6EA be modified to provide clarity on access arrangements?

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

Q27 Are the indicative site areas, appropriate uses, net developable areas, minimum densities and indicative site capacities within Tables 4.1, 4.5 and 4.8 justified and effective?

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

Q28 Will infrastructure to support the allocations, including improvements to Junction 23 (M6), be delivered at the right time and in the right place?

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

Q29 Are there any barriers to Site 2HA coming forward as anticipated by the housing trajectory?

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

Issue 4: Other Green Belt Boundaries

Q30 Are the Green Belt boundaries elsewhere in Rainford, Garswood, Billinge and Haydock justified?

56. Our Client considers that, generally, the Green Belt boundaries elsewhere within Rainford are justified, other than where previously identified above. If, however, there is to be an uplift in the housing requirement, as per the case presented by our Client in their response to Matters 2 and 3, or the Inspectors find that the Plan will not provide sufficient housing land supply to meet the stated requirement, then additional Green Belt land will need to be released. 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 Key Settlements if the Plan is to truly meet the needs of the *whole* Borough, in the most sustainable manner.
57. Our Client would stress again that they do not consider the proposal to retain their southern land parcel (GBS_080) as Green Belt land is justified, noting that the initial Green Belt assessment (Doc. Ref. GRE001) concluded that the Site performed poorly in Green Belt terms and should be safeguarded for future development. The subsequent Green Belt assessment Matter 4 (Session 5). Representor ID: RO1244

(Doc. Ref. SD020 & SD021) sought the retention of the land within the Green Belt for non-Green Belt purposes, i.e. on grounds of flood risk, heritage and accessibility. None of these grounds are Green Belt considerations.

58. To this end, our Client included (within their Development Framework Document referred to above and in previously submitted technical information) a suite of flooding evidence which demonstrated that the area of the Site identified at risk was at the southern extent and that a development could be delivered on the Site which would be outside of the areas of risk, and provide appropriate mitigation so as to not increase the risk of flooding elsewhere. Furthermore, the land that is at risk of flooding can be utilised to provide extensive public open space and/or sports pitch provision to the benefit of the wider community.
59. With regard to heritage considerations, enclosed at **Appendix 2** of this Statement is a Heritage Technical Note prepared by Barton Willmore's specialist Heritage team. and the Note concludes that whilst the Site forms part of the wider rural setting of Rainford Conservation Area, it has not been identified to make any notable contribution to its significance, nor is it considered to be integral to the sense of rural, open countryside within the wider landscape. Therefore, it is not considered that the heritage assets adjacent to the Site would preclude the allocation of the Site for residential development. The conclusions of the Council's Heritage Background Paper in relation to site GBS_080 are not supported by the adopted Conservation Area Appraisal and the Technical Heritage Note explains why this is the case.
60. In terms of accessibility, the Council conclude that the Site is not accessible as it is not within 800 metres of the nearest identified centre, despite being located adjacent to the existing urban area of Rainford, designated as a key settlement within the Plan.
61. On this basis therefore, our Client would reiterate that their additional land holding, south of Rainford and adjacent to sites 8HA and 9EA represents a suitable and sustainable candidate for allocation (or at the very least for safeguarding for future development). This case is supported by the original Development Framework Document (and associated appendices) as submitted as part of our Client's earlier representations, as well as the updated document enclosed at **Appendix 1**, which provides an indication of how the wider development could come forward and the opportunities it affords. It demonstrates that parcel GBS_080 would represent a logical extension to the proposed allocation and to Rainford itself, and, in the context of a need for deliverable sites within sustainable locations such as Rainford, highlights how a high-quality, comprehensive, sustainable and accessible development, with an indicative capacity of approximately 300 dwellings, could be delivered, and meet the growth and economic prosperity as set out within the Council's Vision.

62. The NPPF is clear that when defining Green Belt boundaries, plans should not include land which it is unnecessary to keep permanently open (paragraph 139b). The Council has undertaken a review of Green Belt boundaries around Rainford and concluded that site GBS_080 does not fulfil Green Belt purposes. Furthermore, we have demonstrated through our submissions that the Council's reasons for retaining the site within the Green Belt are not justified and found on robust evidence. Consequently, the land in question should be removed from the Green Belt and either safeguarded for future development or allocated for housing now to meet the needs of the Borough in a sustainable location.