APPLICATION NUMBER:	**P/2020/0791/HYEIA**
PROPOSAL:	**Hybrid Planning Application comprising of Outline Consent for up to 617 dwellings (Parcels 1(a), 2, 4, 5, 6 & 7) up to 4,000 Sq ft of Convenience Retail (E(a) Use) and up to 7,100 Sq ft E(f) Nursery and up to 11,507 Sq ft E(e) Health Centre. Detailed planning permission for 162 dwellings (Parcel 1) and 183 dwellings (Parcel 3), including access road in detail from Rainhill Road and Portico Lane, landscaping, scale, design, and associated infrastructure (EIA Development) (Revised proposals)**
LOCATION:	**Eccleston Park Golf Club Eccleston Park Drive Rainhill St Helens**
WARD:	**Eccleston Ward**
APPLICANT:	**Mr A Brown**
CASE OFFICER:	**Mr Kieran Birch**
RECOMMENDATION:	**Refuse Planning Permission**

1. APPLICATION SITE

1.1 The application site is the former Eccleston Park Golf Club, which surrounds a small number of existing residential properties on Ryder Court. Those properties do not form part of the application boundary. Eccleston Park Golf Club was formerly an 18-hole golf course with driving range and shop that was available for use by both members and visitors. The golf course closed in 2018.

1.2 The site comprises 49.7 hectares. The majority of the site comprises amenity grassland, with areas of semi-improved grassland, scattered trees, scrub and hedgerows. In the centre of the site is Ryder Court and the clubhouse. Four electricity pylons are within the site. There are waterbodies (ponds and ditches) within and adjacent the site, including a watercourse which leads to Pendlebury Brook towards the south of the site which is classed as a main river. None of the site is in a flood zone. The topography of the site is predominantly flat, with gentle undulations and small embankments across the site, created as golf course features.

1.3 The site is identified as being wholly within the Green Belt in the adopted St Helens Local Plan Core Strategy (2012). Within the emerging Local Plan, the site is safeguarded for future development.

1.4 The site is largely surrounded by residential areas and is bounded by undeveloped land and railway lines to the north, undeveloped land and the B5413 Rainhill Road to the east, Two Butt Lane and residential properties to the south and Portico Lane and residential properties to the west. The eastern boundary is defined by St Benedict's Wood to the north and surrounding green amenity land, which forms part of the Mersey Forest.

1.5 The site is located close to two train stations, Eccleston Park adjacent the site to the north on Portico Lane and Rainhill which is approximately 1km to the south via Rainhill Road. The site is located approximately 500m from Longton Lane Community Primary School and 2km from Rainhill High School. The nearest doctors are Longton Medical Centre and The Crossroads Surgery in Rainhill, both approximately 1km away. Sutton leisure centre is 3km away. There are a range of shops and services within the surrounding urban areas.

1.6 A Public Right of Way (SN 207) runs along the southern boundary adjacent to the rear boundaries of the properties on Nottingham Close. The site is currently accessed by an access point off Rainhill Road.

1.7 There are no listed buildings within the site. The nearest being 130-132 Portico Lane to the north of the site beyond the hospice.

1.8 The site is at the south of Eccleston Parish and is situated such that the site's south-east boundary forms the boundary with Knowsley Authority to the west, its southern boundary forms the boundary with Rainhill Ward, and on the opposite side of Rainhill Road to the east is Thatto Heath Ward.

2. PROPOSAL

2.1 The application has been submitted as a hybrid application, meaning that it seeks full planning permission for some elements, and outline planning permission for others. An application for outline planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission can be granted subject to conditions requiring the approval of one or more 'reserved matters'. Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application but can submit for approval at a later date. Planning legislation defines Reserved Matters as being: access; appearance; landscaping; layout, and scale.

Full Planning Permission

2.2 Full Planning Permission is sought for a residential development of 162 dwellings, including retirement accommodation and a 30-space car park on Parcel 1, and a residential development of 183 dwellings on Parcel 3 with associated landscaping, scale, design, and infrastructure

2.3 Parcel 1 is situated to the northwest of the main site adjacent to the railway line and Portico Lane. A new access road via Portico Lane is proposed. Parcel 1 comprises of a mixture of 77no 1 & 2-bed apartments in the retirement accommodation, 9no 2-bed bungalows, 10no 2-bed semi-detached dwellings, 18no 3-bed townhouses, 31no 3-bed semi-detached dwellings, 5no 3-bed detached dwellings, and 12no 4-bed detached dwellings

2.4 Parcel 3 is situated to the east of the main site and is adjacent to Ryder Court, Wedgewood Gardens, and Rainhill Road. A new access road via Rainhill Road is proposed. Parcel 3 comprises of a mixture of 24no 2-bed apartments, 8no 2-bed semi-detached dwellings, 20no 3-bed townhouses, 36no 3-bed semi-detached dwellings, 16no 3-bed detached, 68no 4-bed detached dwellings and 11no 5-bed detached dwellings.

2.5 The application proposes two main access points, with one from Portico Lane to the west, and from Rainhill Road to the east.

Outline Planning Permission

2.6 Outline Planning Permission is sought for residential development for 617 dwellings on Parcels 1(a), 2, 4, 5, 6, & 7 and is shown on an indicative masterplan how it could be laid out.

2.7 Permission is also sought for a convenience Retail Store (Use Class E(a)) up to 4,000 sq. ft with 20 customer parking spaces on Parcel 1(a). Also proposed within that parcel is a Children's Nursery (Use Class E(f)) up to 7,100 sq. ft (0.2ha land take up).

2.8 Also proposed is a Health Centre (Use Class E(e)) up to 11,507 sq. ft on Parcel 6 to be accessed of Two Butt Lane to the south of the site.

2.9 Two access points have been applied for as part of the full element of the hybrid application. A spine road is proposed, which is capable of accommodation bus service movements, that will link accesses on Rainhill Road and Portico Lane. This road will have two bus stops within the development site.

2.10 Within the site a network of shared cycle/footpaths (5.5m wide) are proposed, along with allotments, public open space, play and areas.

Supporting information and documentation

2.11 The application is accompanied by the following information:

Planning Statement
Supplementary Planning Note
Spatial Design Code
Environmental Statement
Environmental Statement Addendum
Noise and Vibration Assessment

Arboricultural Impact Assessment
Arboricultural Impact Assessment Update
Design and Access Statement
Framework Travel Plan
Transport Assessment
Community Involvement Report
Ground Investigation Report

Environmental Impact Assessment (EIA)

2.12 In accordance with the requirements of Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) an Environmental Statement (ES) may be required in support of applications which exceed certain thresholds. On the basis the proposed development comprises more than 150 dwellings and the overall area of the development exceeds 5 hectares, an ES was considered necessary in accordance with Category 10(b) of Schedule 2.

2.13 The ES submitted with the application provides an examination of the potential effects of the development upon a number of key receptors. An addendum was also provided to update the ES following amendments to the application and comments received from consultees. The information contained within the addendum does not alter the overall conclusion of the ES which is that there are no major adverse impacts as a result of the proposed development.

2.14 The ES reports the findings of the EIA undertaken in respect of the proposed development and includes the following sections;

Ecology
Landscape and Visual Impact
Arboriculture
Drainage
Air Quality
Noise
Transport & Access
Ground Conditions
Socio-economics
Cumulative Effects
Summary of Mitigation Measures & Residual Effects

2.15 Following submission of additional details regarding the impact the development will have on climate change it is considered that the Environmental Statement is lawfully adequate in relation to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and as such if found acceptable a development can lawfully be granted, even if the Local Planning Authority disagrees with any planning judgements on which the Environmental Statement is based.

Planning Statement and Very Special Circumstances (VSC)

2.16 The applicants upon submission of the revised plans include a Supplementary Planning Note (SPN) which sets out their response to consultees views to the original scheme to explain how they have addressed their points or why they do not consider it necessary to make amendments. They also outline what they consider to be the VSC (in the terms of NPPF 147 and 148) to justify the development, applying the sustainability tests set out in the Framework. This VSC note was updated with an addendum Supplementary Planning Note Addendum (SPNA) on 30 November 2021 to include further details and supersede some of the proposed VSC. The VSC case and the benefits put forward by the applicants in both these documents comprise the following strands:

1. Department for Health and Social Care (DHSC) overage payment

1.1 The DHSC is the beneficiary of an overage clause in relation to the future development value of the site – this is recorded on the title. Discussions have been ongoing between the applicant, NHS Property Services (NHSPS), the DHSC and the Secretary of State for Health (SoSfH) regarding the valuation process to understand the level of payment likely to be received by the DHSC should this site be developed. The Applicant entered a Deed of Variation with the SoSfH on 31 October 2017 in relation to the overage provisions which are legally binding.

1.2 The overage period is defined as being 21 years from the date of the Deed of Variation (this would therefore run to 25th September 2038). The Trigger Date for a payment is defined as “the date of implementation of a Reserved Matters Approval during the Overage period”. Reserved Matters Approval definition is:

a) the grant of all Reserved Matters (this does not include pre-commencement conditions) pursuant to a Planning Permission and/or
b) the grant of a Planning Permission to the extent that it comprises a detailed or full planning permission for the development of the Property and/or
c) the grant of separate detailed planning permission permitting development of the Property.

1.3 The Additional Payment becomes due on each Trigger Date (see above) and is payable on the Payment Date (which is 20 working days after each payment is either agreed or determined). Therefore, in all probability this will result in phased payments as each parcel comes forward up to 25th September 2038.

1.4 Calculation of the payment - The applicant is currently finalising Heads of Terms with NHSPS and the DHSC to allow instruction of solicitors regarding the appropriate Net Present Value for the DHSC overage. It would be the intention of all parties involved that a proportion of the overage payment is used to deliver a health project in St Helens that does not currently have a funding stream. At this time, the “in principle” Heads of Terms between the applicant and the DHSC set out an overall payment of £8.7m to satisfy the overage, from this a payment of £3.25m will be passed to the CCG to meet the development costs of a new Health Centre on Parcel 7 adjacent to Two Butt Lane. The Parcel 7 land will be transferred

by the Applicant to the DHSC for the purchase price of £1.00. This would be secured by way of a contractual agreement with the DHSC and a s.106 Legal Agreement or Unilateral Undertaking. The balance of the payment (£5.45m) will benefit the wider DHSC pot. I.e., it would be used nationally for health-related developments.

1.5 These payments would be subject to planning and payable on implementation of the planning permission. Under this proposal the payment would be made to the DHSC who would then fund the new medical facility as set out above.

1.6 Non-payment/reduction of Overage - The applicant is fully committed to the overage payment; this can be evidenced by the on-going discussions with the DHSC. The agreement with the DHSC to fund this proposal relates only to this planning application. The only risk to any overage payment would be if planning permission is not granted prior to the expiry of the overage (25th September 2038).

1.7 The applicants SPNA outlines that the £3.25 million contribution rather than being used to construct the health centre, can be used to deliver a further health benefit in St. Helens and that they will construct the health centre themselves. This is expanded on below.

2. Investment in St Helens – Identified health need.

As part of the emerging Local Plan, a range of evidence base documents have been prepared to inform and underpin emerging policy. A key component of this evidence base is the Infrastructure Delivery Plan (IDP).

The IDP clearly illustrates the health and social care issues that are prevalent in St Helens today and how this compares with the national average. The headline themes include:

- Within the borough there is an 11-year difference in life expectancy between the most and least deprived areas for females and a 6-year difference for males.
- Almost 40% of people not in work are economically inactive due to long-term sickness, much higher than the national average of 21%.
- The areas of highest deprivation are in the south of the borough.
- The rate of alcohol-related harm hospital stays is 850 (per 100,000 people) – worse than the average for England and equates to 1,481 stays per year.
- The rate of self-harm hospital stays is 387 (per 100,000 people) – worse than the average for England and equates to 670 stays per year.
- The rate of smoking related deaths is 371 (per 100,000) people – worse than the average for England.
- Estimated levels of adult excess weight and physical activity are worse than the England national average.

General Practitioners' Provision - the registered population served by St Helens Clinical Commissioning Group (CCG) is 196,6275. This exceeds the overall

population of the borough by 9% for various reasons including the existence of cross-boundary patients. NHS St Helens CCG is made up of 34 general practices, with approximately 73 GP Principles. 16 of the practices are small with only one or two GP's. Nationally there is an average of 65 GPs per 100,000 head of weighted population (including registrars and retainers). The figure for St Helens CCG is considerably lower with only 52 GPs per 100,000 (27% of whom are aged over 55 years), this is likely to present significant recruitment challenges over the next 5-10 years across current GP practices. The CCG has not objected to the allocation of Strategic Sites. However, it is clear from the IDP they have stressed that budgets for funding are limited and there are significant disparities around the borough that would need to be addressed should development come forward in those areas. Whilst the IDP identifies need for expansion or otherwise of health services in wards where there are proposed Strategic Sites, it does not identify the current position for those areas where Strategic Sites are not proposed at this time.

The Site / Opportunity - The CCG and private providers of Health Care facilities have confirmed within the Rainhill area of St Helens there is a large practice population of around 15,000 patients which are covered by 3 GP's. The CCG has confirmed the GPs are operating from premises that are too small for the current population and not suitable for long term use. As a minimum, significant refurbishments to all premises are required, however, due to varying site constraints this approach would not future proof respective facilities for long term use. For this reason, Rainhill has been identified as the priority for the borough as an area that requires new healthcare premises, at the heart of the Rainhill Community. In addition to GP provision, there are facilities in Rainhill that support community schemes such as Adult Social Care and adults Learning Disabilities. The CCG has confirmed the borough prides itself on integrated health and care strategy, and residents would gain the best support if an integrated health care hub could be delivered in this area. It is of note that the CCG has been unable to identify a suitable alternative site within Rainhill for new health care facilities.

The applicants state CCG has confirmed whilst Rainhill is a priority area for new healthcare premises, the opportunity to access NHS capital is severely limited and it is not expected that such funding could be secured for a new development. As such the opportunity presented by the proposals at the former golf course would provide much needed facilities within an area where there is a very significant need and where current services are stretched beyond capacity.

The application site offers the only opportunity to provide critical funding for the additional GP services / out of hospital health care delivery referred to above thereby facilitating a better and improved service. As already highlighted, the site is subject to an overage in favour of the DHSC. Agreement has been reached between DHSC, St Helens Council and the CCG that circa 37.5% of the overage will be used to provide new and enhanced facilities / services within the site. Land adjacent to Two Butt Lane (originally shown as containing residential development) will be 'gifted' to either St Helens Council / CCG or the DHSC for the provision of a new health facility that will meet locally identified needs including provision of GP services in new high-quality buildings to replace the current outdated premises.

The gifting of the land and the provision for circa 37.5% of the overage is a very significant benefit that will result in substantial local betterment of local health services which cannot be delivered from existing or known future capital funding.

Why this site? – As mentioned above, the CCG have been unable to identify a suitable site and the applicant is not aware of any other sites in St Helens Borough that have such an overage arrangement in place with DHSC, this includes non-allocated, allocated and proposed to be safeguarded sites in the emerging Local Plan. The opportunity of capital investment and land, presented by this site is unique and offers a time limited opportunity to secure a very substantial payment towards health services in St Helens. It is important to note the payment to DHSC is time limited. The agreement expires in 2038. Therefore, if planning permission is not granted before this time, the overage will lapse and there will be no mechanism for DHSC to secure this payment after that time and the opportunity will be lost entirely.

As outlined above, discussions are on-going with relevant persons from the DHSC regarding the overage payment. The final monetary figure will only be determined once planning permission is granted. However, the payment will run into many millions of pounds and is likely to be close to £9 million. In terms of how the overage payment would be spent, should the payment be made to the wider 'DHSC pot', it is clear this would be a very significant benefit in its own right – that is because the funding for the DHSC comes from the Treasury's annual central distribution of funds to the various branches of the public service, of which the DHSC is one. If £9M went into a central DHSC pot, it would mean that payments which were directed to the local area would be from a pot that had increased by that amount – and would be of particular benefit in these very challenging times – this would be wholly in line with NPPF paragraph 92 and would form a significant material planning consideration when determining this planning application.

3. Scheme specific benefits (Social and Environmental) –

   a) Mix of family housing including first time buyer opportunities and the provision of bungalows.

   b) Affordable housing (289 dwellings) with a variety of housing tenures. Whilst many sites in St Helens will need to provide affordable housing, the emerging Local Plan has a focus on redeveloping previously developed sites for housing, this includes the allocation at Cowley Hill for which there is now a resolution to approve 1,100 dwellings. However, the Council (based on viability arguments advanced by the applicant) has accepted nil provision of affordable housing at Cowley Hill. This will be a common issue with many previously developed land sites across the borough and such sites will not make any contribution towards meeting the historic shortfall of affordable housing, neither will they make any contribution towards meeting on-going affordable housing needs which as set out in the emerging Local plan equates to 117 affordable homes per annum. The proposed development would deliver 289 affordable homes and would therefore meet the equivalent affordable need for nearly 2.5 years.

c) Housing suitable for elderly occupants (care home). This is provided in Parcel 1 which is applied for in detail. This will result in the very early delivery of much needed elderly accommodation.

d) Children's nursery

e) Convenience retail provision.

f) Car parking for Eccleston Park train station. The lack of car parking provision at the station is well documented. There is no opportunity to provide further parking at the station itself. The application site therefore offers the unique opportunity to deliver additional parking in an attractive location (in terms of walking distance) to users of the train station. 30 car parking spaces are provided just inside the site adjacent to Portico Lane, this delivers a clear benefit that will ease parking issues in neighbouring residential streets to the train station

g) On-site public open space – more than 20 hectares of open space is proposed, This is above policy requirements and will consist of a mix of typologies, ranging from formal equipped areas of open space to informal amenity open space along with meandering pathways and cycleways that permeate throughout the site. In addition, the applicant proposes a payment of more than £900,000 towards off-site recreational needs.

h) Health Ranger for the site. – agreement has been reached with the Land Trust to provide a Health Ranger for the site – the Ranger will also interact with the new Health Facility to be provided on site. In addition, the Land Trust will maintain the following within the wider site:

- Attenuation basin, ponds, and SUDS
- Streams
- Tree management
- Amenity grasslands
- Hedges
- Playgrounds
- Bridges
- Signage
- Site cleansing and presentation
- Walking / cycling trails (excluding east to west cycle track in central spine, which is to be adopted)

i) Footpaths and cycle links through the site - provision of footpaths and a dedicated cycle link throughout and around the development that fully integrates with the surrounding residential area and the provision of linkages to adjacent woodland

j) Ecological and landscape enhancements

k) Financial contribution towards education provision.

4. Economic benefits -
   a) Construction related activity represents an investment of more than £120m and would directly support up to 328 jobs in St Helens for 6 years and 622 jobs across the supply chain.
   b) The incremental and early years nursery provision is expected to employ 48 people locally, when multipliers are considered will generate £1.78m in GVA each year for the St Helens economy.
   c) Additional resident expenditure also drives economic growth, and this is expected to add an additional £4.4m to the local economy and add another 66 jobs after multipliers or £2.5m in GVA each year for the St Helens economy.
   d) The scheme will house around an additional 1,203 working people and it has the potential to reduce in bound journeys by 5.4% per day.
   e) The proposals could provide around £12m New Homes Bonus plus £1.9m in Council Tax per annum.
   f) New developments such as this, provide renewal and confidence, but they can also address ageing demographics. The proposals are part of the solution to avoid a decline in working age population.

For the reasons set out above, the applicant asserts that it is their very firm view that Very Special Circumstances have been overwhelmingly demonstrated.

2.17 The SPNA outlines that the applicants now proposed to deliver the Health Centre at their own expense, in addition to the gifting of the land and the £3.25 million overage payment. This overage payment would be to deliver a further health project in St. Helens. The specification of the Health Centre has not been agreed, but the applicant states it is committed to delivering a Health Centre that meets all industry and technical specifications. Its states the applicant will explore appropriate wording for a S106 Legal Agreement concerning the building specification and phasing for the delivery of the Health Centre.

3. CONSULTATIONS

Consultations were carried out based on the originally submitted plans and on the revised plans which included the amendments to the application.

3.1 Eccleston Parish Council. Objections raised. Eccleston Parish Council wishes to make the following comments:

We strongly object to proposals to develop the Eccleston Park Golf Course site. The land in question sits entirely within the Green Belt and therefore any plans to develop the site would constitute ‘inappropriate development’ according to St Helens Council's own adopted Local Plan (Core Strategy - 2012). Inappropriate development is, by

definition, harmful to the Green Belt and should not be approved under any circumstances.

The site is also so-called ‘safeguarded’ within the emerging Local Plan (Submission Draft) until at least 2035, which has just been submitted to Government. This means that any development proposals should be refused outright by St Helens Council.

In our assessment, there is no evidence to suggest that ‘very special circumstances’ exist to justify building on the Eccleston Park Golf Course site. Unlike most areas, St Helens has an abundance of brownfield land, and a ready supply of sites available for housing. Instead of being viewed as a hindrance to future development, this land should be viewed as an opportunity to assist in regenerating our borough, to help revitalise St Helens Town Centre, to improve our local environment and protect our Green Belt.

The site has significant infrastructure constraints, namely highway issues. Apart from the proposed new road linking Rainhill Road to Portico Lane, which is what you would expect on a development such as this, there is no reference to any major improvements to the local road network. The local road network surrounding the site is already grid-locked and the introduction of over 1200 extra vehicles onto Rainhill Road, Portico Lane, Two Butt Lane, and others (UK average: 1.2 cars per household) would be highly irresponsible from a road safety perspective.

Rainhill Parish Council – Objections raised. Rainhill Parish Council is objecting to the planning application in the strongest possible terms, for the following reasons.

1. If allowed to proceed, this development would severely exacerbate traffic congestion on roads that are already nearing their safe capacity. Council officers have previously declared at the Local Plan Roadshow, that both the Skew Bridge (Warrington Rd/Rainhill Rd) and the Prescot Rd/Portico Lane junction are already operating at full capacity. The Skew Bridge itself is grade 2 listed because it is an internationally renowned structure that needs protection and preservation.

2. St Helens Council have commissioned Mott McDonald to assess ways to alleviate traffic concerns and issues arising from the proposed development. This act in itself is indicative of the many unnecessary negative impacts that the development would have on local traffic systems.

3. One of the recommendations made by the aforementioned company is to create a feeder lane on Warrington Rd, leading into Rainhill Road, utilising the existing lay-by and access road to the businesses located there. This suggestion is, we believe, wholly inappropriate. Car parking within Rainhill is already at a premium, with no obvious options to improve the situation. This feeder lane proposal would remove vital and invaluable parking spaces for Rainhills dentist surgery, a chemist and 6 local businesses. We must object in the strongest possible manner to this proposal. This feeder lane cannot be allowed to go ahead.

4. Rainhill Road, between the Coach and Horses public house and the Skew Bridge is a bottle neck. Any increase in traffic levels here could cause traffic to trail back substantially in both directions. There is a genuine risk of tailbacks stretching back to Warrington Road and causing traffic jams throughout Rainhill Village.

5. Previous roadworks around Rainhill, which increased traffic flow substantially in much the same way that the development of Eccleston Park Golf Club would, gave a concerning insight into the detrimental effect on highway safety, for vehicles and pedestrians alike, with regular gridlock and an increase in road traffic accidents.

6. The Golf Course site acts as a lung to help clear up the ever increasing and unsatisfactory levels of toxic air pollution that is prevalent throughout St Helens. The site contains thousands of trees which cleanse our air and contribute positively to our fight against climate change.

7. This area of greenbelt provides a natural buffer between the settlements of Rainhill, Eccleston, Whiston and Nutgrove. Rainhill, which is a village of international significance due to its rail history, would be in serious danger of losing its identity and its village status, should it become part of one huge urban sprawl. Greenbelt was established, in part, to prevent such urban sprawl.

8. There are substantially increased flood risks due to the proposed development being in a flood risk area. Each winter the land regularly gets waterlogged and floods. This slowing of the flow of water run off by holding it on the land reduces the risk of flooding elsewhere on nearby developments. A permitted development here would see that water rapidly running off into storm drains and into the Pendlebury Brook watercourse, massively increasing flood risk. Within the flooding and hydrological reports prepared by the developer, it can be seen that a number of onsite flooding, drawing and hydrological tests have actually failed. There are 4 in particular that give cause to serious concern. The site has significant issues with water drainage and flood control. Any development of this site would dramatically worsen this situation.

9. Any development would undoubtedly increase the existing pressures on schools and nurseries, which are already over-subscribed.

10. Any development would increase the existing pressures on social infrastructure e.g. doctors' surgeries, dentists and A&E, that are in many instances, already suffering.

11. The golf club site is an established ecological habitat to a vast and diverse array of wildlife, fauna and flora. These habitats and ecosystems have developed over centuries with the land previously being farmland before it became a golf course.

12. The application site sits wholly within the Green Belt and should therefore be protected from inappropriate development. It is therefore by definition harmful to the Green Belt and should not be approved, except in very special circumstances (NPPF 2019 para 143). The Parish Council do not believe that very special circumstances have been demonstrated. This proposed development of houses would be completely

against the council's published commitment to protecting all forms of open green spaces -Policy LPC05: Open Space "The Council will seek to ensure that the Borough's network of open spaces is protected, managed, enhanced and where appropriate expanded. To achieve this, it will support the implementation of programmes and strategies to manage and enhance all forms of open space, including where applicable through the use of Green Flag or similar designations".

13. There is a well documented global climate emergency. St Helens Council has openly recognised this. To give permission for this area of greenbelt, 1000's of trees and habitat for a vast array of fauna and flora, St Helens Council would be acting in contravention of its own pledge.

Rainhill Parish Council believes that St Helens Council should practice its policy of 'brownfield development first' before any greenbelt is considered for development

3.2 **Highways** – A number of formal comments have been received, with the below a summary of the comments received in each response. Formal comments received on 16.12.2021 and in Technical Notes 415187-529 dated 21.12.20, 415187-772 dated 12.03.21, 415187-855 dated 16.04.21, 415187-1099 dated 04.08.21 and 415187-1281 dated 18.11.21.

Highways officer response 21.12.20, summary of key points:

- No details of scoping discussions have been submitted with the planning application covering dialogue with Knowsley Council (KC) or Highways England (HE) with regard to the Strategic Road Network (SRN). This information should be provided to ensure compliance with agreed measures for consideration and inclusion in the application.
- A review of the development proposals in the context of the policy noted in the TA will be undertaken as part of a subsequent TA review, upon receipt of technical points of clarity raised in this note.
- Full base survey data is included but no summary information has been provided to enable the peak hours calculated to be checked easily. It is not clear from the traffic flow figures whether they refer to vehicles or PCUs.
- No base year (2018) junction assessments have been carried out to enable the validity of the models to be checked against observed conditions. This information would be expected.
- The 3 committed development sites included in the TA accord with the recommendation made at the pre-application scoping stage, however clarity on cross-boundary sites is required.
- Clarity is requested as to SCP's determination of no ancillary use Trip Generation for the food store and nursery. Without further information, it is Mott MacDonald's opinion that the rail station car park will need to be considered within the overall site Trip Generation.
- Chapter 5 outlines the Accessibility of the site however it is unclear from the chapter if all locations within the site are within acceptable walk thresholds (300m ideally) of existing bus stops. If any locations within the site do not benefit from Accessibility to this level, then this will lead toward consideration of the siting for a new bus stop within the site.

- The Public Transport and Active Modes accessibility of the site is crucial to justification of the trip rates proposed. As noted in preapplication scoping discussions, it is incumbent upon the applicant to justify these trip rates, otherwise 85th percentile rates should be adopted instead. It is recommended that the applicant provides further clarity and affirmation as to their proposed trip rates. A comparative analysis with other similar sites would present a useful technique.
- Default HGV figures (of 2%) are included in the PICADY/ARCADY models not observed figures.
- The PICADY models use the “one lane with flare” mode. Most of the junctions have very little flare to enable more than one vehicle to queue side by side at the stop line and it would be more appropriate to use the “one lane” mode.
- It is not clear whether existing signal timing data has been used.
- To be able to check the LINSIGs fully the full input/output printouts should be provided.
- There is no reference to the pedestrian facilities which are provided at many of the junctions, and whether the results assume that the pedestrian stage has been called or not.
- At the A570 St Helens Linkway/Elton Head Road signals Mere Grange is close to the signals but has not been included within the model.
- The application includes measures for cyclists and pedestrians across the proposed development site. The following clarifications are required to enable further review:
- Details of when the proposed cycle route and network of footpaths within the development are to be constructed should be provided
- A cross-section of the cycle route is required as it will be used by pedestrians too and will need to be segregated
- It is noted that the northern end of the cycle route ties into Portico Lane at the location of a sharp bend. Further details of the proposed design at this location are required to ensure cyclists join the carriageway safely.
- Further details should be provided of how the cycle route at each end of the site will join existing facilities
- Confirmation of the design, proposed future ownership and future maintenance of the cycle route and the network of footpaths within the site should be provided
- The permeability of the site to residents outside of the development should be confirmed
- It is noted that a contribution has been agreed with Merseytravel for a bus service to be provided over a 5-year period. Further details are required as to when this bus service will become operational and where it will run from/ to. A new bus service may be required within earlier phases of the development, and not only when a full connecting spine road is completed.
- To fully understand collision trends within the study period it is recommended that detailed collision data is obtained from the local highway authorities and a more detailed analysis undertaken.
- A series of comments in relation to the Portico Lane and Rainhill Road site accesses have been raised within this technical note, relating to various aspects of their design and impact on the surrounding highway network. These should be addressed in the requisite level of detail by the applicant.
- For Parcel 1 with 77 apartments, the provision would be only 73 spaces i.e., 0.9 spaces per apartment. Justification for the shortfall of around 40 spaces should be provided. There should be a provision of 2 spaces per house throughout the site

The applicants subsequently produced a technical note (18706 15/1/21) in response to these comments.

Highways officer response 12.03.21, provided a table setting out a review to the technical note provided. Areas which the officers still considered further action necessary as follows:

- No details of scoping discussions have been submitted with the planning application covering dialogue with Knowsley Council (KC) or Highways England (HE) with regard to the Strategic Road Network (SRN). This information should be provided to ensure compliance with agreed measures for consideration and inclusion in the application.
- A review of the development proposals in the context of the policy noted in the TA will be undertaken as part of a subsequent TA review, upon receipt of technical points of clarity raised in this note.
- No base year (2018) junction assessments have been carried out to enable the validity of the models to be checked against observed conditions. This information would be expected.
- The 3 committed development sites included in the TA accord with the recommendation made at the pre-application scoping stage, however clarity on cross-boundary sites is required.
- Chapter 5 outlines the Accessibility of the site however it is unclear from the chapter if all locations within the site are within acceptable walk thresholds (300m ideally) of existing bus stops. If any locations within the site do not benefit from Accessibility to this level, then this will lead toward consideration of the siting for a new bus stop within the site.
- The Public Transport and Active Modes accessibility of the site is crucial to justification of the trip rates proposed. As noted in pre application scoping discussions, it is incumbent upon the applicant to justify these trip rates, otherwise 85th percentile rates should be adopted instead. It is recommended that the applicant provides further clarity and affirmation as to their proposed trip rates. A comparative analysis with other similar sites would present a useful technique.
- The PICADY models use the “one lane with flare” mode. Most of the junctions have very little flare to enable more than one vehicle to queue side by side at the stop line and it would be more appropriate to use the “one lane” mode.
- It is not clear whether existing signal timing data has been used.
- To be able to check the LINSIGs fully the full input/output printouts should be provided.
- At the A570 St Helens Linkway/Elton Head Road signals Mere Grange is close to the signals but has not been included within the model.
- The application includes measures for cyclists and pedestrians across the proposed development site. The following clarifications are required to enable further review:
- Details of when the proposed cycle route and network of footpaths within the development are to be constructed should be provided
- A cross-section of the cycle route is required as it will be used by pedestrians too and will need to be segregated

- It is noted that the northern end of the cycle route ties into Portico Lane at the location of a sharp bend. Further details of the proposed design at this location are required to ensure cyclists join the carriageway safely.
- Further details should be provided of how the cycle route at each end of the site will join existing facilities
- Confirmation of the design, proposed future ownership and future maintenance of the cycle route and the network of footpaths within the site should be provided
- The permeability of the site to residents outside of the development should be confirmed
- It is noted that a contribution has been agreed with Merseytravel for a bus service to be provided over a 5-year period. Further details are required as to when this bus service will become operational and where it will run from/ to. A new bus service may be required within earlier phases of the development, and not only when a full connecting spine road is completed.
- To fully understand collision trends within the study period it is recommended that detailed collision data is obtained from the local highway authorities and a more detailed analysis undertaken.
- For Parcel 1 with 77 apartments, the provision would be only 73 spaces i.e., 0.9 spaces per apartment. Justification for the shortfall of around 40 spaces should be provided. There should be a provision of 2 spaces per house throughout the site unless appropriate justification can be supplied.
- A phasing plan for the entire site is required so that it is clear when each development parcel is anticipated to be brought forward, and when transport facilities will become operational (link road, cycle and walking facilities, public transport).

  Portico Lane -

- Confirmation of the width of footways along Portico Lane and proposed extents of improvements. Existing footways are narrow and may not be suitable to support the expected footfall between the development site/ station car park and the station
- Confirmation of the location and design of bus stops.
- Details of boundary treatment between the site and Portico Lane
- A series of comments in relation to the Portico Lane and Rainhill Road site accesses have been raised within this technical note, relating to various aspects of their design and impact on the surrounding highway network. These should be addressed in the requisite level of detail by the applicant.
- Comments on drawing comments on Drawing Ref: SCP/18706/SK03 Rev B New access on Portico Lane
  • A bus turning left into the site from Portico Lane is very close to the adjacent pedestrian island.
  • The lack of an exit taper results in a bus overrunning the right turning pocket into the site. • A swept path analysis has not been undertaken for a Pantechnicon (Recycling Vehicle) as set out in the Mott MacDonald review document 415187-95 dated 18/05/20
  • Tactile paving at the proposed controlled crossing should be red in colour not buff.
  • There is an existing bus stop on the southbound side of Portico Lane to the south of the new access which will need relocating as part of proposals. Station car park access
  • Passing large cars at throat could touch. Widen access to 6m at pinch point

• Swept path analysis is for small cars in Appendix D. A large car should be used to demonstrate a worst case
• All car park bays shown are standard with no disabled bays allocated. The above points should be addressed about the proposed accesses on Portico Lane and the new station car park.
Rainhill Road -

- Review visibility splays against 85th percentile speeds
- Has bus stop provision on Rainhill Road been discussed with Merseytravel?
- Rainhill Rd/Elton Head Rd Junction improvement
- An interim / Framework Travel Plan will be required

General Layout

- The alignment of some of the roads in the first phase appear sub-standard. A review needs to be undertaken to demonstrate adequate forward visibility

Highways officer response 16.04.21

This response considers the following submission by the applicants:

A. Transport Assessment dated October 2020, document reference CT/18706/TA/01
B. Framework Travel Plan dated October 2020, document reference: CT/18706/FTP/00
C. Coloured Masterplan dated October 2020, drawing reference 017-031-P009
D. Spine Road Plan dated October 2020, drawing reference 017-031-P008
E. Mott MacDonald TA Review #1 - 21.12.20
F. SCP Technical Note - 15.01.21
G. Mott MacDonald TA Review #2 - 12.03.21
H. SCP Email - 22.03.21

It provides a comprehensive review of the submitted transport evidence, relating in this instance to traffic forecasting, modelling and any mitigation currently proposed. Residual traffic impacts as they may be perceived at this stage have also been commented upon. It should be noted that this review focusses solely on the assessment of the junction modelling, and the layouts of site access junctions or any mitigation will be subject to separate commentary

Site Access

Vehicular access will be provided from three locations:
● *Site Access 1 - B5413 Rainhill Road Site Access (to/from the east)*
– *Realigned priority access in place of the existing golf course access*
● *Site Access 2 - B5413 Rainhill Road Site Access (to/from the west)*
– *New priority junction formed on the western site boundary from Portico Lane*
● *Site Access 3 - Two Butt Lane Site Access*
– *Two priority junctions formed on the southern site boundary from Two Butt Lane*

Site accesses 1 and 2 will link internal via a spine road. Access(es) 3 from Two Butt Lane are each a residential cul-de-sac leading to a small number of dwellings in the southern area of the site.

Spine Road
Site Accesses 1 and 2 will be connected by an internal spine road which will be designed to accommodate a bus service. The internal spine road will be designed to accommodate a bus service routing between the B5413 Rainhill Road in the east and the B5201 Portico Lane to the west.
The internal spine road has been designed with a 7.3m wide carriageway connecting the B5413 Rainhill Road with Portico Lane, in accordance with SHC design requirements, which accords with Merseytravel's requirements for a bus route.

The early phases which are subject of the full application will be delivered before the spine road is formed through the site. In this early scenario traffic in the eastern and western areas of the site will be assigned to route via Site Access Junctions 1 and 2 respectively regardless of the trip origin/destination. An additional sensitivity scenario has been presented for each site access to consider the impact of this arrangement in early phasing.

Phasing
The applicant has confirmed that a maximum of 250 dwellings would be constructed from either access (Site Access 1 and Site Access 2) prior to the spine road being formed through the site and connecting the accesses internally.

SCP subsequently provided trip generation traffic flow figures which represent the road network prior to formation of the spine road. Traffic has been distributed across the network to represent traffic flow increases. A comparative traffic flow figure has been presented which shows the impact of 500 dwellings (up to 250 dwellings via Site Access 1 and 2) compared to the main assessment (up to 1,000 dwellings).

The impact of the proposed phasing has been considered in the junction modelling review, as discussed under each junction in Chapter 4 under the sub-heading 'Sensitivity'.

Traffic Forecast Review

Scenarios
The Transport Assessment considers consistent baseline scenarios (2017/2018) at all junctions. The future year assessments are based on the predicted opening year (2020) + 5 years for local junctions (2025) and + 10 years for 'A Road' junctions (2030) as agreed at scoping stage.

Traffic survey data
Manual classified turning count surveys were undertaken on neutral weekdays in April 2018, which were outside of the Easter school holiday period. The survey extents were as follows:
Junction 1 – B5413 Rainhill Road / B5204 Elton Head Road

Junction 2 – B5201 Delph Lane / B5201 Portico Lane / Scotchbarn Lane / Two Butt Lane
Junction 3 – B5201 Portico Lane / B5201 Old Lane / Portico Lane
Junction 4 – A58 St. Helens Road / A58 Prescot Road / Portico Lane
Junction 5 – A57 Warrington Road / B5413 Rainhill Road
Junction 6 – B5413 Nutgrove Road / B5413 Thatto Heath Road / Elephant Lane / Scholes Lane
Junction 7 – Two Butt Lane / Holt Lane
Junction 8 – A57 Warrington Road / Holt Lane
Junction 9 – A57 Warrington Road / B5201 Delph Lane
2017 peak hour traffic flows for the following two junctions were obtained from the TA associated with a planning application (Application Reference: P/2018/0060/FUL) for 360 dwellings on the former Linkway Distribution Park:
Junction 10 – B5204 Elton Head Road / Lowfield Lane / Sutton Heath Road
Junction 11 – A570 St Helens Linkway / B5204 Elton Head Road
Further peak hour traffic flows were extracted from a SATURN model covering the following junction(S):
Junction 12 – A57 Warrington Road / Longton Lane / Old Lane junction

For ease of reference all junctions have been numbered, which is reflected throughout the remainder of this report.

Scope of Traffic Surveys and Assessment
The traffic survey data appended to the Transport Assessment has been reviewed. The observed peak flow (hour start) shown in Table 3.2 reflects the observed rolling peak hour at each junction surveyed (not including three junctions where secondary data was used).

The manual check correlates with the peak flow periods summarised in the Transport Assessment. The baseline traffic flows are contained on Traffic Flow Figure 1. This has been reviewed against the observed and extracted flows. Additional clarity is requested from SCP in relation to the traffic flow data at junction 12, provided from the St Helens SATURN model. On review of the Warrington Road flows into the junction from the east and west, in comparison to the westbound flows from Junction 5 and eastbound flows from Junction 8, there is a potential discrepancy in the SATURN flows which would require correction. This is outlined further in the Junction 12 review later in this report. With the exception of Junction 12 all baseline traffic flows, and the corresponding Traffic Flow Figures are acceptable.

No queue length surveys were gathered with the original data (commissioned by others), and so not model validation against observed queue lengths has been possible throughout.

Traffic Growth
TEMPro factors are provided in the submitted Transport Assessment and have been extracted in Table 3.3 below.

Table 3.3: Submitted TEMPro Growth Rates

Period	AM Peak	PM Peak
2017 to 2025	1.0790 (+7.90%)	1.0719 (+6.19%)
2018 to 2025	1.0657 (+6.57%)	1.0601 (+6.01%)
2025 to 2030	1.0267 (+2.67%)	1.0255 (+2.55%)

The submitted growth factors have been reviewed on TEMPro using the following filtering criteria:

Years (as submitted)
Area definition: St Helens 018 MSOA
Transport mode: car driver
Trip end type: Origin/Destination
Road type: separate rates for urban and minor

The rates extracted by Mott MacDonald are comparable to the submitted rates and would result in a slightly lower level of traffic growth when compared to the submitted rates. The submitted rates are robust and acceptable.

Committed Development
Committed development traffic flows have been checked against the associated Transport Assessments submitted with eh applications and have been transcribed and assigned correctly. Trip generation associated with committed development 7HS has been calculated and assigned correctly. Committed development traffic flows and the associated traffic flow diagrams are acceptable.

We are aware that Knowsley Council have requested two additional committed developments are included in the assessment. Based on cursory review we do not believe the small traffic volumes associated with these would have any bearing on the junction assessments, however it is recommended that SCP provide KMBC with a simple demonstration as to the limited change in demands expected from these committed sites.

Development trip generation

The proposed development comprises:
Up to 894 no. residential dwellings
Up to 167 no. retirement accommodation units
371 sqm food retail unit
660 sqm nursery school
30 space rail station car park

Trip generation has been based on 1,061 dwellings, whereas the proposals only seek permission for up to 1,000 dwellings.
Average trip rates were commented on by StHC during Scoping discussions where it was recommended that the trip rates be refined to omit sites in Ireland and to increase the range in terms of dwellings captured by the search. The average trip rates submitted at scoping stage have been revised as recommended.
Multi-modal trip rates have been provided for the 'residential' and 'retirement accommodation' uses in the Transport Assessment report as shown below.

Trip generation for the food retail unit and the nursery school has not been calculated. This has been justified in the Transport Assessment which explains that trips to the food retail will predominately be either trips from within the site or pass-by trips. In terms of the nursery school the Transport Assessment explains that the provision of a nursery school will capture trips that would otherwise leave the site. Omission of trips associated with both these uses is acceptable given the scale of the proposals and the likelihood of pass-by trips to the retail or linked trips (with an onward journey already captured by residential trip rates).

Trip rates have not been provided for the rail station car park. The car park expansion will cater for demand from areas of the site that are beyond recommended distances for journeys on foot. It is acknowledged that trip generation has been calculated for 1,061 dwellings however and that the assessment does not take account of any net traffic impacts by deducting the former golf course traffic generation from the assessment. On this basis, the absence of trips associated with the additional railway station parking is acceptable.

Residential trip rate generation

The submitted residential trip rates are acceptable and are transcribed in Table 3.7 for clarity

Table 3.7: Submitted Residential Trip Rates

		AM		***PM***
Mode	***Arr.***	***Dep.***	***Arr.***	***Dep.***
Vehicles	*0.122*	*0.360*	*0.333*	*0.158*
Cycles	*0.003*	*0.011*	*0.007*	*0.004*
Pedestrians	*0.021*	*0.094*	*0.031*	*0.023*
Public Transport	*0.003*	*0.026*	*0.021*	*0.004*

The proposals comprise up to 894 residential dwellings. The trip rates (above) have been used to calculated trip generation as shown in Table 3.8.

Table 3.8: Residential Trip Generation (Calculation Check)

		AM		***PM***
Mode	***Arr.***	***Dep.***	***Arr.***	***Dep.***
Vehicles	*109*	*322*	*298*	*141*
Cycles	*3*	*10*	*6*	*4*
Pedestrians	*19*	*84*	*28*	*21*
Public Transport	*3*	*23*	*19*	*4*

The residential trip generation has been calculated correctly. Residential trip generation is acceptable.

Retirement accommodation trip generation

The submitted retirement accommodation trip generation has been calculated correctly. Retirement accommodation trip generation is acceptable.

Trip generation summary

Trip generation associated with the residential and retirement accommodation uses has been independently reviewed and is acceptable. The lack of consideration of trips

associated with complementary uses within the site is also acceptable given the scale of the site and likelihood of trips being secondary (pass-by/multi- purpose). Trip generation associated with the rail station car park has not been considered; however, given the trip generation is inflated (based on 1,061 dwellings) compared to the application this is not likely to have a material impact.
Additional analysis has also been provided by SCP in an email dated 22.03.21. This analysis provides further justification for the use of average trip rates and is summarised below.
Total person trip rates have been obtained for the residential element of the site using the search criteria in the submitted TA and applied to the method of travel to work split (68% travel to work by car) based on the MSOAs that the site falls within (St Helens 017 and 018 and Knowsley 009), as summarised below.

Table 3.12: Person Trip Rates Summary

Total Person Trip Rates (Per Unit) Associated with the Proposed Residential Element				
Mode	***Weekday AM Peak Hour***		***Weekday PM Peak Hour***	
	Arrivals	***Departures***	***Arrivals***	***Departures***
Total Person	*0.180*	*0.701*	*0.541*	*0.255*
833 Dwellings	*150*	*584*	*451*	*212*
Vehicles (68%)	*102*	*396*	*306*	*144*

When compared to the residential trip generation estimates submitted within the TA (see below which excludes the retirement element of the site), the multi-modal methodology results in an increase in vehicular trips, although it is not considered a material increase that would alter the conclusions within the TA (circa 1 two-way vehicle movement per minute in the AM peak hour and negligible increase in the PM peak hour).

Once assigned across the two accesses and then the wider highway network, this further demonstrates that the increase in flows, when compared to those assessed within the TA, is not material and would not change the overall conclusions of the TA.

Table 3.13: Multi-Modal Trip Generation Summary

TA / Multi-modal Trip Generation Comparison				
Mode	***Weekday AM Peak Hour***		***Weekday PM Peak Hour***	
	Arrivals	***Departures***	***Arrivals***	***Departures***
TA Trip Gen	*109*	*322*	*298*	*141*
Multi-modal	*102*	*396*	*306*	*144*
Difference	*-7*	*74*	*8*	*3*

It should also be noted that this methodology is considered overly robust as it only considers journeys to work (often far from home and typically made by car), and not other journey types which occur in the peak hours such as trips to nurseries or primary

schools which are often located close by (as is the case for this site) and therefore, such journeys are more likely to be made on foot. This is further supported by the total person trip rates which are much lower in the PM peak hour, which doesn't coincide with the school PM peak, when compared to the AM peak hour which includes the school AM peak.
On the basis of the above analysis, the Trip generation previously considered appropriate at pre-application scoping has been further verified and is acceptable.

Development Traffic Distribution and Assignment

Trip distribution has been carried out on the main site, which will provide an internal spine road linking the Rainhill Road and Portico Lane access junctions. The distribution calculations show 53% of traffic routing via Rainhill Road (east) and 47% via Portico Lane (west).

A separate distribution calculation has been prepared for the southern Two Butt Lane site access which serves a small number of dwellings on two cul-de-sacs from Two Butt Lane. Mott MacDonald has reviewed the development only traffic flow diagrams and confirm that development traffic has been distributed and assigned appropriately.

Traffic Flow Figures
The surveyed base and future flows for junctions 1-11 have been transcribed correctly and are regarded acceptable. However, analysis of the vehicular flow arriving at junction 12 from the adjacent junctions (5 and 8 to the east and west, respectively), demonstrates significant discrepancies.
The table below compares the total flow arriving from Warrington Road East and West for junction 12 against the total flow leaving Warrington Road East of junction 8, and Warrington Road West of junction 5. For clarity, it is reiterated that junction 12 has been modelled with flows derived from the 2017 Local Plan SATURN model, whereas junctions 5 and 8 have been modelled with 2018 traffic survey data.
As presented in Figure 3.1, junctions 12 and 5 are situated within proximity to each other (approximately 160m separates them). Between these two junctions, there are no intermediate junctions, and therefore no opportunities for vehicles to turn and, essentially, leave the network. Therefore, the difference of -157 vehicles in the AM peak, and -102 in the PM, arriving at junction 12 in the base scenario is not justified/explained.
Junction 8 is positioned approximately 740m to the west of junction 12. Whilst there are numerous opportunities for vehicles to turn out of the network, side roads are predominantly used for residential access, as well as Rainhill Rockets Football Club to the north, and are not likely to account for the substantial difference in vehicles leaving the network. Thus, the difference of -271 vehicles in the AM peak, and -163 in the PM peak, arriving at Junction 12 in the Base scenario is not representative of observed flows at adjacent junctions.
Whereas it is appreciated that the traffic flow inputs for Junction 12 have been supplied from the St Helens SATURN model, this was done on a no prejudice basis, and the right to review the data was reserved for the application stage. Without further commentary from SCP, it is recommended that Junction 12 flows are factored up to reflect the surrounding network traffic.

Proposed Development Flows

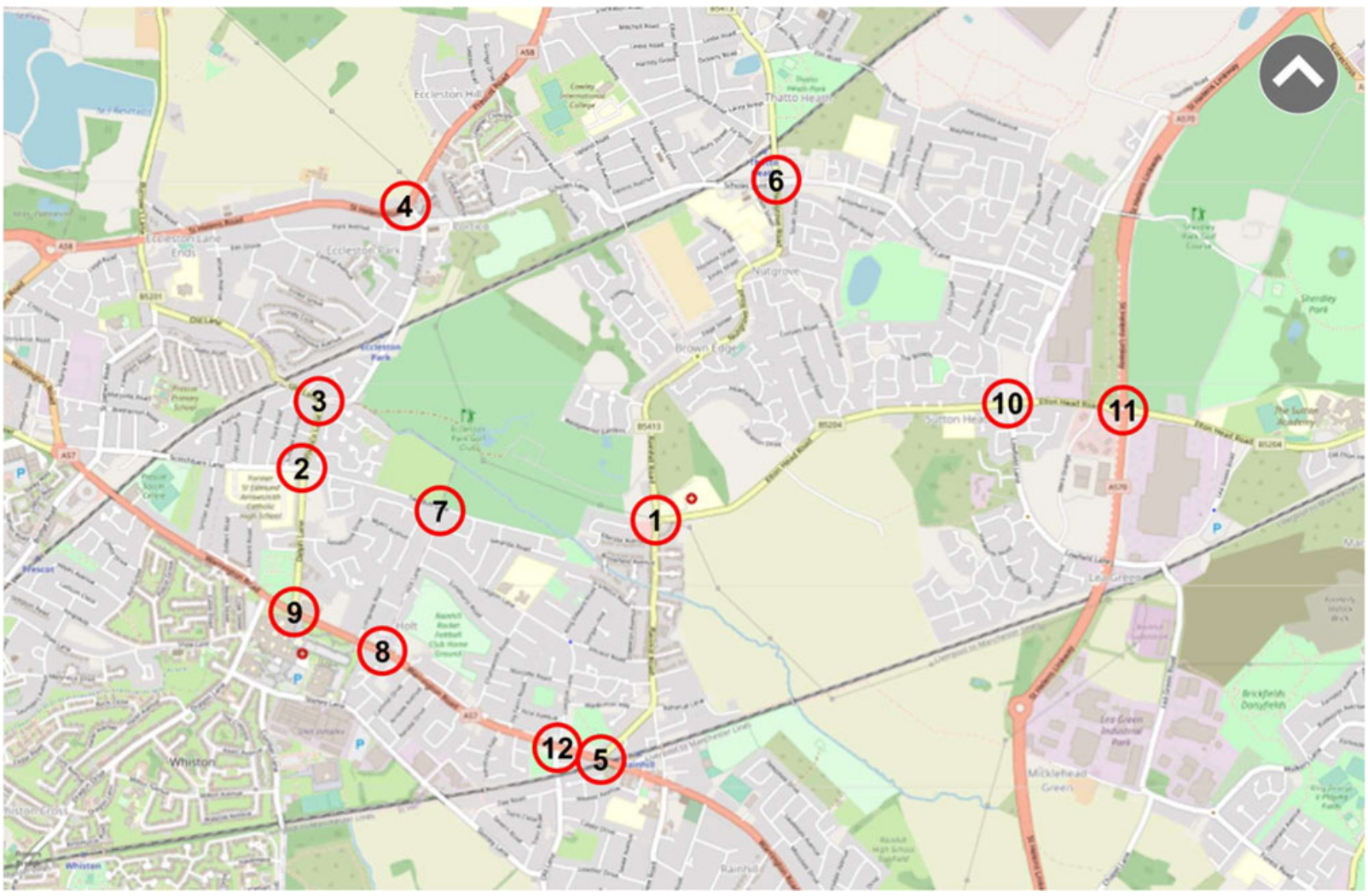
Traffic Flow Figures 11 to 14 of the Transport Assessment provide the flows for the residential traffic generation of the proposed development. Mott MacDonald have stated that the total number of trips generated by the proposed development, and the distribution of these trips is acceptable for this assessment.

It is also considered that data presented in the Transport Assessment for the total traffic generated by the residential and retirement aspects of proposed development is acceptable.

Total Traffic Flows

The 'total' column of Table 3.8 essentially refers to the '2025/2030 Do Something' flows provided in Traffic Flow Figures 17 and 18 of the Transport Assessment. These scenarios comprise of the '2025/2030 Base' (Figures 2 -3) + 'Total Committed Development' (Figure 8) + 'Total Traffic Generation' (Figure 14). Upon a review of the 'Do Something' flows it is confirmed that the assessment adequately represents the total amount of vehicles arriving at each individual junction in these scenarios.

Junction Modelling Review



A thorough review of all junction models has been undertaken. This includes model geometry, traffic flows and scenarios, model validation, and forecast operation. A summary of the review of each junction is provided in the following sub sections.

All junctions include an assessment of forecast operation based on full build out of the site. Local junctions have a future forecast up to 2025 (+ 5 years) and A-Road junctions have a future forecast up to 2030 (+10 years).

The two site access junctions also consider a further sensitivity test, which assesses forecast operation at the two main site access junctions prior to the spine road being formed.
Upon request SCP provided copies of all modelling files that had been used/prepared to support the assessment. In many cases the models had been provided to SCP, and as such SCP also provided covering commentary on any model changes

Site Access 1 - B5413 Rainhill Road Site Access
The existing access off the B5413 Rainhill Road will be upgraded to provide a 7.3m wide carriageway with 6m radii and 2m footways on both sides of the road which will tie into the existing pedestrian infrastructure. The mainline will be widened to facilitate a ghost island right turn lane from Rainhill Road North. The junction arrangement is shown on SCP Drawing SCP/18706/SK02 Rev B.

Model Build- The proposed junction has been modelled using Junctions 9 (PICADY). The junction has been modelled as a 'one lane plus flare' junction. The junction provides no flare beyond the curve of the nominal corner radius. The estimated flare length is 1 pcu which reflects the limited capacity before blocking.
Model Validation - Proposed site access junction that will be amended. No validation required
Forecast Operation - The junction is forecast to experience a maximum queue of 1 vehicle in the 2025 Do Something scenario with an associated maximum RFC of 0.39 in the worst-case AM peak hour
Sensitivity Test - The junction is forecast to experience a maximum queue of 1 vehicle in the Sensitivity Test (pre-spine road formation) with an associated maximum RFC of 0.47 in the worst-case AM peak hour.

Site Access 2 - B5201 Portico Lane Site Access - The proposed access off Portico Lane will be a new access. The site access will be a 7.3m wide carriageway with 6m radii and 2m footways on both sides of the road which will tie into the existing pedestrian infrastructure. The mainline will be widened to facilitate a ghost island right turn lane from Portico Lane South. The junction arrangement is shown on SCP Drawing SCP/18706/SK03 Rev B.

Model Build - The proposed junction has been modelled using Junctions 9 (PICADY). The junction has been modelled as a 'one lane plus flare' junction. The junction provides no flare beyond the curve of the nominal corner radius. The estimated flare length is 1 pcu which reflects the limited capacity before blocking.
Forecast Operation - The junction is forecast to experience no queuing in the 2025 Do Something scenario with an associated maximum RFC of 0.25 in the worst-case AM peak hour.
Sensitivity Test- The junction is forecast to experience a maximum queue of 1 vehicle in the Sensitivity Test (pre-spine road formation) with an associated maximum RFC of 0.31 in the worst-case AM peak hour.

Site Access 3 - Two Butt Lane Site Access
The southern part of the site is located north of Two Butt Lane and will be accessed via two new priority from Two Butt Lane. The accesses have been designed to typical

residential standards, measuring 5.5m in width, with 6m corner radii and 2m footways on both sides of the road which tie into the existing pedestrian infrastructure. The junction arrangements are shown on SCP Drawing SCP/18706/SK01 Rev A.

The junction is forecast to experience no queuing in the 2025 Do Something scenario with an associated maximum RFC of 0.02 in the worst-case AM peak hour. Forecast junction operation demonstrates no significant impacts.

Junction 1 – B5413 Rainhill Road / B5204 Elton Head Road (Existing)

The junction modelling results indicate that development traffic has a significant impact upon the operation of the junction. The findings are presented in the table below:
Table 4.6: Junction 1 Existing Layout - Development Impact upon PRC

Period	2025 Do Min (PRC%)	2025 Do Some (PRC%)	Difference
AM	17.2	1.1	-16.1%
PM	0.9	-13.1	-14%

Whilst the 2025 Do Something AM scenario operates within theoretical reserve capacity, the impact of the proposed development should be considered. The longest queue recorded in the 2025 Do Minimum AM peak is 11.3 PCU on Rainhill Road South. This increases to 17.4 PCU with the addition of development traffic. This equates to a queue length of 95.7m and would block back to Ellerslie Avenue.
In PM peak, the junction is just about within theoretical capacity, with a PRC of 0.9%. The addition of development traffic has a significant impact upon the operation of the junction, with a PRC of -13.1%. The longest queue in the 2025 Do Minimum scenario is located on Rainhill Road, with 16.1 PCU. This increases to 21.9 PCU in the 2025 Do Something scenario, equating to a queue length of 120.45m.
It should be noted that there is a proposed improvement scheme at this junction, which is discussed in Section 4.6.
Sensitivity
SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 1 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
118 trips in the AM peak hour
119 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

An improvement scheme has been identified for this junction to mitigate the impact of the development. This involves widening the B5413 Rainhill Road arm to provide a two-lane approach. The proposed improvement scheme has a beneficial impact upon the operation of the junction. It operates within existing theoretical capacity in the 2025 Do Something scenarios. It is evident that the proposed improvement scheme has a beneficial impact on the operation of the junction in the future year. However, it should

be noted that in the PM peak, a queue of 10.1 PCU has been recorded, equating to approximately 55m. This, in turn, would impact upon the upstream junction between Rainhill Road / Ellerslie Road.

Junction 2 – B5201 Delph Lane / B5201 Portico Lane / Scotchbarn Lane / Two Butt Lane (Existing)

Junction 2 is a 4-arm signalised junction with one lane in each direction. In the worst-case scenario (2025 Do Something AM), the model operates with substantial capacity. It has a PRC value of 20.5%, and the highest degree of saturation is recorded on Portico Lane (74.7%). This has an associated queue of 13.6 PCU, which equates to approximately 74.8m. However, it is unlikely that this will impact upon any downstream junctions. Comments are subject to the geometric checks query raised previously.
SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 2 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
-59 trips in the AM peak hour
-58 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 3 - B5201 Portico Lane / B5201 Old Lane / Portico Lane (Existing)
Junction 3 is an existing compact roundabout where Portico Lane meets Old Lane and Delph Lane. All approaches are single lane. The junction is forecast to experience a maximum queue of 1 pcu in the 2025 Do Minimum scenario with an associated maximum RFC of 0.42 in the worst-case PM peak hour. With the addition of development traffic, the junction is forecast to experience a maximum queue of 1 pcu in the 2025 Do Something scenario with an associated maximum RFC of 0.47 in the worst-case PM peak hour. Forecast junction operation demonstrates no significant impacts, subject to the geometric comments noted previously. SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 3 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
-142 trips in the AM peak hour
-144 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 4 - A58 St. Helens Road / A58 Prescot Road / Portico Lane (Existing)
Junction 4 is a 3-arm signalised junction, comprising of 1-lane approaches on the eastern and southern arm, and a 2-lane approach on the western arm.

The junction operates over capacity in both the 2025 Do Minimum AM and PM scenarios. Whilst the addition of development traffic does exacerbate the operation of the junction, it does not have a material impact.

A review of the 2030 Do Minimum and 2030 Do Something (worst-case) AM scenario indicates an increase of 33 vehicles with development traffic added. This additional traffic has only a minor impact upon the metrics of the worst performing arm (St Helens Road East). Queues increase from 21.9 PCU to 22.8 PCU, whereas the degree of saturation increased from 96.1% to 98.7%, the impact is considered minor.

SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 4 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:

-11 trips in the AM peak hour

-11 trips in the PM peak hour

This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 5 – A57 Warrington Road / B5413 Rainhill Road (Existing)

Junction 5 is a 3-arm signalised junction, comprising of 1-lane approaches on each arm.

In the worst-case scenario (2030 Do Something PM), the junction operates with a PRC of -18.2%. When compared with the 2030 Do Minimum PM scenario, this equates to a decrease in PRC of 11.1%.

Paragraph 8.30 of the Transport Assessment notes, "When a junction is already forecasting at or near to capacity any increase in traffic results in an exponential increase in DoS and queue length. Having regard to this and given the low % impact at this junction, no mitigation measures are considered necessary ".

Notwithstanding this, the results presented to date are considered to present a concerning impact and further consideration of direct or indirect measures to alleviate this may be necessary, particularly on Warrington Road West. In the 2030 Do Minimum PM scenario the arm has a degree of saturation of 88.5% and an associated queue of 19.7 PCU. With development traffic added, the degree of saturation increases to 106.4% (which is over theoretical capacity), and the queue increases by 8.5 PCU (approximately 46m) to 28.2 PCU, equalling circa 155m. These queue extents could potentially block back to Station Street, as well as Station Road to the west.

SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 5 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:

-13 trips in the AM peak hour

-14 trips in the PM peak hour

This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 6 – B5413 Nutgrove Road / B5413 Thatto Heath Road / Elephant Lane / Scholes Lane (Existing)
Junction 4 is a 4-arm signalised junction. The northern arm (Thatto Heath Road) comprises of 2-lanes, with an additional flare for left turning traffic. All other arms are 1-lane on approach to the junction. The junction is forecast to experience a maximum queue of 11.2 PCU on Nutgrove Road in the 2025 Do Nothing AM scenario. With the addition of development traffic, the queue increases slightly to 11.6 PCU, with an associated degree of saturation of 87.3%. This indicates that the forecast junction operation functions within theoretical capacity, and no significant impacts have been noted subject to confirmation regarding the street phase minimums. SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 6 was not reassessed in the sensitivity test due to nominal increase of traffic at

the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
+4 trips in the AM peak hour
+9 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 7 – Two Butt Lane / Holt Lane (Existing)
Junction 7 is an existing simple priority junction where Two Butt Lane meets Holt Lane. Both the minor and major roads are single carriageway roads with no widening.
The junction is forecast to experience a maximum queue of 1 pcu in the 2025 Do Minimum scenario with an associated maximum RFC of 0.35 in the worst-case AM peak hour. With the addition of development traffic, the junction is forecast to experience no material increase in terms of queuing or RFC. Forecast junction operation demonstrates no significant impacts. SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 7 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
10 trips in the AM peak hour
9 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 8 – A57 Warrington Road / Holt Lane (Existing)
Junction 8 is a 3-arm signalised junction with 1-lane on all approaches. The junction is forecast to experience a maximum queue of 14.6 PCU on Warrington Road West in

the 2030 Do Nothing AM scenario. This queue does not increase or decrease with the addition of development traffic. This can be attributed to the fact that the development generates a total 5 additional vehicles which travel through this junction. This indicates that the forecast junction operation functions well within theoretical capacity, and no significant impacts have been noted.

SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 8 was not reassessed in the sensitivity test due to a nominal increase of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:

+6 trips in the AM peak hour
+6 trips in the PM peak hour

This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 9 – A57 Warrington Road / B5201 Delph Lane (Existing)
Junction 9 is a signalised left-right stagger. Delph Lane consists of 1-lane plus a flare for left turning traffic. Warrington Road East consists of 2-lanes, with an additional flare for right turning traffic. Dragon Lane and Warrington Road West both comprise of 2-lanes. The junction is forecast to experience a maximum queue of 11.9 PCU on the westbound intermediate arm between Warrington Road East and Dragon Lane in the 2030 Do Nothing AM scenario. With the addition of development traffic, this increases slightly to 12.2 PCU (approximately 68m in length). This indicates that the forecast junction operation functions well within theoretical capacity, and no significant impacts have been noted. However, it should be noted that this is very close to queueing back to Delph Lane, which is situated approximately 75m to the east of this stop line.

SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 9 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:

-28 trips in the AM peak hour
-29 trips in the PM peak hour

This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 10 - B5204 Elton Head Road / Lowfield Lane / Sutton Heath Road
Junction 10 is a 4-arm signalised junction. Each approach is 1-lane, with a dedicated flare for right turning traffic. The only exception is on the southern arm (Lowfield Lane), where the flare accommodates left turning and ahead traffic movements.

The junction modelling results indicate that development traffic has a minor impact upon the operation of the junction. The 2025 Do Minimum AM scenario operates just over practical capacity with a maximum DoS of 70.0%. This increases to 77.8% in the 2025 Do Something scenario. The corresponding maximum queue lengths in the

respective scenarios is 12.7 PCU, increasing to 15.7 PCU. AM impacts are marginal with a maximum queue increase of 3 vehicles on any approach.
In the PM the corresponding maximum queue lengths is 18.6 PCU in the 2025 Do Minimum scenario, increasing to 23.4 PCU with development in the 2025 Do Something scenario. This shows a slightly increased impact in the PM peak hour with a maximum queue increase of 5 PCU.
The development impact is forecast to take the junction to levels of operation that reach the practical capacity. SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 10 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
-105 trips in the AM peak hour
-106 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 11 – A570 St Helens Linkway / B5204 Elton Head Road
The junction modelling results indicate that development traffic has a minor impact upon the operation of the junction. The 2030 Do Minimum AM scenario operates just over practical capacity with a maximum DoS of 93.6%. This increases to 97.7% in the 2030 Do Something scenario. The corresponding maximum queue lengths in the respective scenarios is 22.7 PCU, increasing to 25.5 PCU. Although the junction is forecast to operate over capacity with development, impacts are marginal with a maximum queue increase of 3 vehicles on any approach lane. In the PM the corresponding maximum queue lengths is 24.0 PCU int eh 2030 Do Minimum scenario, increasing to 25.7 with development in the 2030 Do Something scenario. This shows a lesser impact in the PM peak hour. The junction assessment demonstrates that development impacts are not forecast to have a severe impact on operation. SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 11 was not reassessed in the sensitivity test due to a lesser impact of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
-74 trips in the AM peak hour
-77 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Junction 12 – A57 Warrington Road / Longton Lane / Old Lane junction
The junction modelling results indicate that development traffic has a minor impact upon the operation of the junction. The 2030 Do Something AM scenario operates within theoretical reserve capacity, the impact of the proposed development should be

considered. The longest queue recorded in the 2030 Do Minimum AM peak is 9.6 PCU on Warrington Road East. This increases to 10.0 PCU with the addition of development traffic which is a nominal impact. In the Pm the corresponding maximum queue lengths is also experienced on the Warrington Road East arm, at 12.5PCU in 2030 Do Minimum scenario and increasing to 13.1 PCU in the 2030 Do Something scenario. This also represents a nominal impact on the junction. Alterations have been made to the model (to reflect comments made in section 4.17.1) and the model results indicate the junction remains within theoretical operational capacity. The worst-case performing scenario is the 2030 PM peak, whereby the Do Minimum position operates with 5.3% PRC and the Do Something position operates with 1.7% PRC. Changes to queues and delays between the Do Minimum and Do Something scenarios are considered minimal. The junction modelling demonstrates that development impacts are not forecast to have a severe impact on operation and are therefore acceptable.

SCP provided phasing analysis showing forecast traffic flows across the network prior to formation of the spine road, where up to 250 dwellings could be accessed from Site Access Junctions 1 and 2 (up to 500 dwellings in total). Junction 12 was not reassessed in the sensitivity test due to a nominal increase of traffic at the junction in the sensitivity test when compared to the main assessment with all development. For clarity, forecast traffic at the junction, when compared to the main assessment, is:
+12 trips in the AM peak hour
+13 trips in the PM peak hour
This demonstrates that the main assessment is robust and adequately captures impacts that would not be any worse prior to formation of the spine road.

Highways officer response 04.08.21

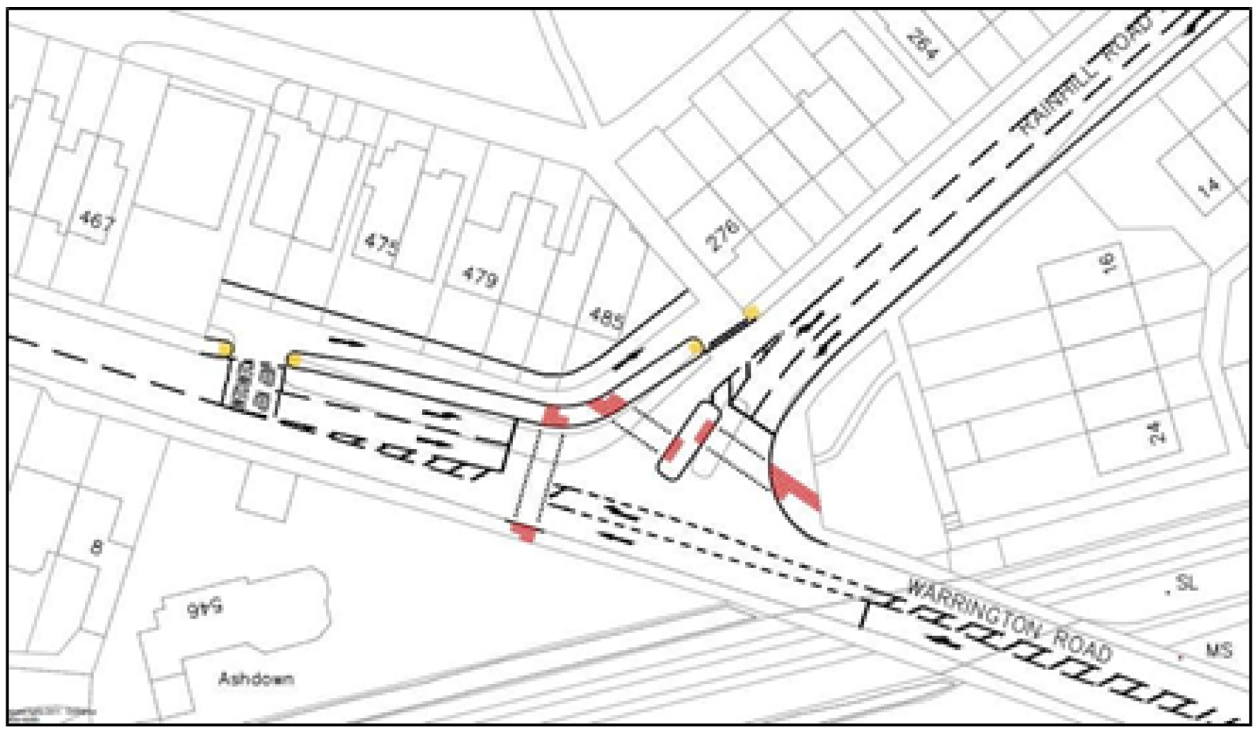
This note focused primarily on mitigation measures already considered as well as additional measures considered necessary to support and deliver the development proposals from a transport perspective.

Mott MacDonald have reviewed the Technical Note 2 and the Transport Assessment submitted with the Eccleston Park application.
The following key points have been derived from this review.

- *Cycle provision internal of the site – it would be preferable if segregated provision could also be provided alongside the main road running through the site. At present the proposed route provides a scenic opportunity (and is welcomed) but has limited connectivity. Providing cycling infrastructure along the main spine road as well the as 'scenic' route would be ideal.*
- *The cycle route through the site, tying into Portico Lane is of limited onward connection value and is unlikely to support onward active travel trips at present. A preferable amendment would be for a connection to run through the station parking location and form a new controlled crossing over to the vehicular station access point (if possible based on bridge visibility constraints).*
- *The location of the new access on Portico Lane will likely require VMS or illuminated signage to make drivers aware of the junction, again based on bridge visibility issues.*

- *The access to the station parking spaces is considered to be too close to the new Portico Lane junction, as is the access to the driveway on the opposite side of the road. These should be moved further away from the junction to avoid vehicle conflict at the mouth of the junction.*
- *The chicane and gate arrangement on the 'scenic' cycle route should be replaced with something that is LTN1/20 compliant.*
- *East-West cycle and active travel connectivity needs to be enhanced as part of these development proposals. Those inherent to the site cannot be considered truly appropriate unless they can connect to onward destinations. We would ask that you consider the feasibility of a light segregation scheme or any other appropriate measures to aid active travel connectivity on Two Butt Lane connecting Warrington Road/Kemble street (via Scotchbarn Lane) to the Elton Head Rd/Rainhill Rd junction. Thereby providing a full route enhancement, appropriate to the scale of development proposed.*
- *As part of the above point and linked to the proposed Elton Head Rd/Rainhill Rd junction improvements, we would ask the applicant to consider the feasibility of an enhanced cycle/pedestrian crossing at the junction tying into the active travel route to the north of the Black Horse Inn.*
- *A57 Warrington Road / B5413 Rainhill Road junction – consideration of these results has determined that a mitigation scheme is required. Opportunities for this have been presented in this note.*
  It can be seen that there is a very notable worsening of operation between the Do Minimum and the Do Something scenarios for both the AM and PM periods in both the 2025 and 2030 assessment years. Mott MacDonald are therefore of the opinion that there is an unacceptable impact on the junction operation and mitigation should be considered. By way of example, MMQ increases from 25.7 pcu to
  70.8 pcu represents a queue increase of ~260m and would in our opinion be a severe impact. Despite the applicant stating that "there are not considered to be any physical opportunities to significantly improve the junction without undertaking works that are disproportionate to the scale of the impact associated with the proposed development", Mott MacDonald deem a mitigation scheme essential.

  Mott MacDonald propose that a dedicated left-hand turning lane is added to Warrington Road West, as well as the addition of a new lane on Rainhill Road South on the approach to the junction to increase the overall capacity. This is shown in the sketch below, which is for guidance only purposes and consideration of the applicant at this stage.



Highways officer response 18.11.21

Mott MacDonald has been commissioned by St Helens Council to undertake a review of the Eccleston Park P/2020/0791/HYEIA planning application, and specifically in response to the submitted September 2021 Transport Assessment Addendum [TAA] Doc Ref: PT/18706/TAA/01. This note focusses primarily on proposed measures for development mitigation including those proposed previously by the applicant and those now included in the latest TAA. The TAA identifies that the development proposals have been amended slightly from the prior iteration of the submission and involve the replacement of 30 dwellings previously proposed for access off Two Butt Lane with a medical centre.

The development proposals have been revised from those submitted with the original planning application and now include a medical centre accessed off Two Butt Lane, rather than 30 dwellings as previously proposed. This element of the development is submitted in outline with all matters reserved except for access. However, the medical centre is anticipated to have a Gross Floor Area (GFA) of up to 1,069 sq. m.

The proposed medical centre would generate demand in a different manner to that of 30 residential units, and this has been noted by the applicant.

A revised Trip Generation exercise has been provided in the TAA to demonstrate the differences when compared to the original TA. The applicant has undertaken an appropriate TRICS assessment to derive medical centre trip rates. A comparison of the Trip Generation of a 57 employee Medical Centre and 30 residential units is provided below.

Comparative Vehicular Trip Generation Analysis

Residential Trip Rates (per unit)			
AM Arr	*AM Dep*	*PM Arr*	*PM Dep*
0.122	*0.360*	*0.333*	*0.158*
4	*11*	*10*	*5*

Medical Centre Trip Rates (per employee – 57)			
1.210	*0.584*	*0.533*	*0.802*
69	*33*	*30*	*46*
Net Differences			
+65	***+22***	***+20***	***+41***

The increases in vehicular demand are sufficient to necessitate revisit of the junction assessments, and the applicant has noted this. Material changes have been recorded at the following junctions.

- *Two Butt Lane Site Access*
- *Two Butt Lane / Holt Lane*
- *B5201 Delph Lane / B5201 Portico Lane / Scotchbarn Lane / Two Butt Lane Signal Controlled Junction*

A revised assessment has been provided for each of the above 3 junctions in the TAA

The following key points, relating to matters still considered outstanding, have been derived from this review.

- *Cycle lanes approaching Portico Lane and Two Butt Lane will need to include provision of features aimed at ensuring cyclists do not approach at high-speed causing issues for pedestrians or other road users. It is noted that this can be appropriately conditioned and derived at detailed design stages.*
- *The provision of a Toucan style crossing on Portico Lane for enhanced access to the rail station is welcomed however the location suggested is constrained by the existing footway width (<1.5m), and solutions to ameliorate this are requested.*
- *Gradients along Portico Lane should be checked to ensure that 1 in 12 is not exceeded as per the requirements of the Traffic Signs Manual Chapter 6*
- *Further consideration will be needed around whether the crossing should be a Toucan facility or perhaps simply a Pelican. Cyclists cannot join the footway due to width constraint so would need to be directed to join the carriageway under the current proposed arrangement. Cyclist dismount signage would be needed if a crossing form other than a Toucan were provided.*
- *The existing street lighting column would likely require relocation to accommodate the crossing at the proposed Portico Lane location.*
- *Details of the specific number and type of cycle parking/storage provision at Eccleston station need to be determined in order to understand the contribution required.*
- *The addition of a Toucan crossing to the Rainhill Road / Elton Head Road junction is considered a positive enhancement to the junction scheme and ties into the Active Travel route connecting to Two Butt Lane. There would now be two crossings over Rainhill Road, and further consideration will need to be given during Detailed Design as to how they could operate, through either independent calling or an all-red stage.*
- *Bollards outside black horse pub to be retained / replaced as per the direction of the Highway Authority.*

- *At present the proposed Warrington Road / Rainhill Road scheme does not represent a deliverable solution to the impacts presented, and further work would be needed to resolve the queries raised.*

  – A proposed improvement scheme is provided by the applicant at drawing number SCP/18706/SK11 and comprises an additional left-turn only lane on Warrington Road West and an additional lane on the B5413 Rainhill Road to increase the overall capacity at the junction.
  LINSIG software has been used to assess the proposed A57 Warrington Road / B5413 Rainhill Road signal-controlled junction improvement scheme.
  The results demonstrate that the junction is predicted to operate within capacity in the future assessment years in the PM peak hour, with the proposed development and proposed improvement scheme in place. In the AM peak hour, the junction is predicted to operate slightly over capacity, with the proposed development and proposed improvement scheme in place.
  the proposed improvement scheme evidently more than mitigates the impact of the development proposals, particularly given that all links were predicted to operate close to or over 100% DoS in the 2025 and 2030 baseline scenarios detailed in the submitted TA.

  The applicant has provided a design for a proposed improvement scheme at this junction which represents a slightly updated version of a sketch originally provided by MM in our prior response. This sketch was provided on a non-prejudicial basis as means of a 'conversation starter' and not necessarily as a ready-made solution.
  The applicant has appropriately demonstrated, through their LinSig analysis, that the capacity enhancements would more than alleviate the development impact however concerns remain with regards to some of the design aspects of the proposed scheme.
  MM has undertaken a review of how the proposed scheme has been taken forward by the applicant, and the following comments have been derived:
  Lane widths on Rainhill Road (3m) would cause issues for two large vehicles queuing side-by-side, and an overall carriageway width of 13m (inc footway) is considered inappropriate for 3 lanes of traffic.
  The scheme would potentially involve narrowing of the footway on Rainhill Rd.
  The pedestrian crossing provision over Rainhill Rd does not include a sufficient stagger, potentially allowing pedestrians to cross in one movement.
  Greater thought would need to be given to the service road in terms of footway removal, land-take, shared use provision, proximity to existing buildings, signage and access and the types of vehicles able to use the road.
    The above comments can be seen illustratively on the sketch provided at Appendix A of this response. The comments in the sketch are not provided as a design recommendation, but merely as an aid to understanding the issues.
  At present the proposed scheme cannot represent a deliverable solution to the impacts presented, and further work would be needed to resolve the queries raised. It is not immediately clear from the additional work undertaken by the applicant that a physical scheme could be adequately derived to ameliorate these issues.
  Furthermore, it is now noted that the MerseyTravel Green Bus Routes enhancement proposes measures for Warrington Road and the Warrington Road / Rainhill Road junction specifically. This is part of the Liverpool City Region Bus Service Improvement

Plan and MM understand this would now represent a committed scheme for the corridor.
The applicant could consider provision of a monetary contribution to the scheme, perhaps related to provision of a MOVA signal control contribution, however details around funding status and third-party contributions would need to be further understood before that could be a solution.
A more holistic People movement strategy may also need to be considered, in relation to demand heading to/from the Eccleston site to Rainhill and the train station.

Recommendation
On the basis of the above key points, it is recommended that the highways objection is maintained, primarily related to the following two items.

- *Deliverability of the proposed improvements at Warrington Road / Rainhill Road.*
- *Adequacy of the proposed Toucan crossing provision on Portico Lane.*

Although the above points are considered reasonable cause to maintain objection at this present time, it is also considered that adequate solutions could be derived by the applicant, particularly when considering the appropriate work undertaken to date to resolve other issues raised throughout the post-application process.

Highways officer response 15.12.21

Current Mitigation Measures
The following measures have been discussed and broadly agreed in previous correspondence and technical reviews throughout post-application discussions, between Mott MacDonald and SCP working on behalf of the applicant. Reference should be made back to Mott MacDonald Technical Notes 415187-1099 dated 04.08.21 and 415187-1281 dated 18.11.21.

- *£150k per annum for new bus service,*
- *2 new bus stops (internal to the development),*
- *Internal connecting link road (indirect alignment),*
- *Junction raised tables,*
- *7.5t weight limit on internal link road - TRO to be funded by the applicant,*
- *3m segregated Cycle Route - Rainhill Road to Portico Lane,*
- *A 2m wide footway and 3m wide cycle route connection onto Two Butt Lane,*
- *B5413 Rainhill Road / B5204 Elton Head Road junction improvement,*
- *Portico Lane Boundary Treatment - replacement of hedgerows where required,*
- *Connecting footway/cycleway between the two early phases of development doubling as an emergency access,*
- *Rail station car park (30 spaces),*
- *Pedestrian crossing on Portico Lane,*
- *Provision of additional cycle parking spaces at Eccleston Rail station,*
- *The applicant is willing to provide additional measures to further improve connectivity to onward destinations and encourage travel via sustainable transport (specifics TBD),*

- *A contribution to allow for improved signage, surfacing and widening (where land availability permits) to the existing PROW located to the east of Two Butt Lane and connecting to Rainhill Road (details TBC),*
- *A Toucan crossing has also been proposed where the aforementioned PROW connects to the Rainhill Road / Elton Head Road signalised junction (as part of the aforementioned B5413 Rainhill Road / B5204 Elton Head Road junction improvement),*
- *Framework Travel Plan, and*
- *Site access junctions on Two Butt Lane, Portico Lane, and Rainhill Road.*

The range of measures listed above is considered appropriate for an application of this size, with a varied focus on vehicular, cycle, walk and public transport modes.

The combined provision of the above mitigation and design related measures is considered positive to the overall delivery of the site proposals, but further clarity is requested in relation to points around additional sustainable travel measures.

This technical note focusses on two outstanding points related to a pedestrian crossing provision on Portico Lane and impacts and solutions for Warrington Road / Rainhill Road junction. These being the only outstanding points raised from Mott MacDonald note 415187-1281.

2 Further Mitigation Measures

3.1 Eccleston Station Connectivity

Context – enhanced connection to Eccleston rail station is a key aspect for these development proposals and the applicant has recognised this early on in proceedings with the provision of dedicated parking spaces within the development boundary for the rail station. A commitment has also been made to provision of a new pedestrian crossing from the site over Portico Lane, providing a more direct connection route for walking trips to the station than using the site access junction on Portico Lane.

Commentary was provided by Mott MacDonald in prior technical notes on this aspect, and a revised layout has been provided by the applicant in drawing SCP/18706/SK09 Rev D. The proposed crossing arrangement provides a 2m wide footway on the western side of Portico Lane, thereby ensuring sufficient footway width on both sides of Portico Lane. This has been achieved through the minor realignment and widening of Portico Lane, using land solely within the site's frontage. The existing width of the Portico Lane carriageway has been retained as existing.

MM Response – The consideration and provision of a Toucan style crossing is welcomed, and the commitment of the applicant to enhance connections to the station based on the needs of the development proposals is recognised. Whether a Toucan style crossing is the most appropriate arrangement given that the maximum available footway width is 2m, is raised by Mott MacDonald. Provision as a Puffin crossing may be more appropriate if cyclists cannot go onto the footway. On this basis, the following points will need addressing by the applicant.

- *The drawing will need to be updated to show that cyclists should stay on carriageway rather than join the footway, for onward travel on Portico Lane.*
- *Signage (dismount / end of cycleway etc, will need adding to the drawing),*
- *Confirmation should be provided on the drawing that the existing Eccleston Park Rail Station Bus Stop A will be relocated to a suitable location. The stop is currently located fronting 87 Portico Lane, on the corner with Portico Court. It is considered that a stationary bus could curtail visibility between pedestrians on the west side of the crossing and southbound vehicles on Portico Lane. Any relocation of the bus stop would be subject to agreement with MerseyTravel.*

Addressing the above 3 bullet points would provide satisfactory resolution to this point.

3.2 A57 Warrington Road / B5413 Rainhill Road Signalised Junction

Context – as previously discussed, it is concluded that the impact of the development at the A57 Warrington Road / B5413 Rainhill Road junction is potentially severe. This is due to significant queue/delay increases in both the AM and PM periods disrupting existing users at the immediate junction as well as having knock-on effects along the A57 Warrington Road corridor including for example the A57 Warrington Road/ Longton Lane/ Old Lane junction.

Due to this impact, the applicant has explored potential physical mitigations which have been discounted due to concerns around suitability and deliverability. It is also understood that that the MerseyTravel Green Bus Routes enhancement proposes measures for Warrington Road and the Warrington Road / Rainhill Road junction specifically. This is part of the Liverpool City Region Bus Service Improvement Plan and MM understand this would now represent a committed scheme for the corridor. Provision of MOVA operation has been considered to complement this scheme, however we do not believe this adds much value for St Helens as the Green Bus Routes project is already delivering this and it would likely only relate to a fractional sum of the overall budget for that scheme. There would also be no guarantee that any savings would be reinvested in the St Helens section of the route.

On the basis of the above, the applicant has explored a more holistic people movement strategy for alleviation of impacts on Warrington Road. They have stated that they are "willing to provide additional measures to further improve connectivity to onward destinations and encourage travel via sustainable transport", as well as offering to provide the following:

- *Upgraded crossing points at the Ellerslie Avenue, Brookfield Avenue, Stapleton Avenue and Vincent Avenue to provide dropped kerbs and tactile paving.*

In addition, we note that a number of the mitigation measures already agreed would form part of a people movement or travel demand management strategy, such as:

- *Funding for additional cycle storage at Rainhill Railway Station*

- *Improved signage, surfacing and widening (where land availability permits) to the existing PROW located to the east of Two Butt Lane and connecting to Rainhill Road*
- *New bus service.*

Notwithstanding this, Mott MacDonald would recommend that a formal travel demand management strategy, based around the applicant's further commitment to improve connectivity to onward destinations and encourage travel via sustainable transport is developed, as the measures listed above would not target a large enough catchment to provide the mode shift required to avoid the increase in congestion at the junction.

MM Response – Our suggestion is for the applicant to provide more detail on the content of the "additional measures" proposed. Firstly, to ensure the measures are substantial enough to mitigate the impacts at the A57 Warrington Road/ B5413 Rainhill Road junction and for St Helens to agree that they are enforceable, relevant, and reasonable in accordance with NPPF.

Proposed measures would be used by the Council solely to implement schemes, works, or initiatives designed to improve capacity, traffic flow or safety on the highway network within a pre-defined Study Area in accordance with a set of principles and objectives to be defined in the existing Framework Travel Plan.

The Framework Travel Plan would require update to incorporate an area wide aspect and initiatives linked to an agreed funding package from the applicant for area wide travel plan measures.

These measures should aim to reduce the number of peak hour traffic movements on the local highway network particularly movements related to the A57 Warrington Road / B5413 Rainhill Road junction. The specific objectives set for the Area Wide Framework Travels Plan could be:

- *To maximise opportunities for resident/employees within a defined Study Area to use transport modes other than the private car*
- *To be complementary to other sustainable travel initiatives promoted by St Helens Council and MerseyTravel, such as the Green Bus Routes project*
- *Targets and monitoring*

Measures which we consider could be effective, over and above that already considered by the applicant, should relate to walking, cycling, public transport and smarter choice initiatives, including but not limited to:

- *Fund improved bus services (already committed to)*
- *Fund real-time passenger information within a TBD defined study area*
- *Fund improvements to existing bus stops through introduction of shelters, timetable information*
- *Fund 'virtual bus lane' technologies at TBD locations (feasibility dependent)*
- *Fund discounted bus passes to targeted residents within the TBD study area*
- *Fund discounted rail passes to targeted residents within the TBD study area*
- *Fund a public transport marketing scheme*
- *Fund Smart Integrated smart ticketing technology*

- *Fund a walking marketing campaign*
- *Pedestrian and cycle infrastructure (specific new pedestrian/cycle crossings) – (already committed to)*
- *Cycling measures – implement additional parking within the study area, additional cycle parking at Eccleston station (already committed to)*
- *Fund cycle loans*
- *Fund improved signage and lighting along cycle routes (already committed to for Two Butt lane route)*
- *Fund cycle parking in local schools*
- *Fund Personalised Travel Planning to households across the study area*
- *Fund car sharing solutions for the study area (database etc)*
- *Fund the Council in introducing Employer Travel Plans within St Helens and specifically within the TBD study area*
- *Fund the council in implementing and expanding School Travel Plans within the TBD Study Area*

Defining the study area should be agreed with St Helens Council and target locations of vehicular trip distribution, particularly those using Warrington Road.

It is our view that with such measures in place, the number of local trips contributing to congestion at the junction can be reduced and the development impact can be mitigated.

The suggested measures would also complement developing plans to increase bus patronage along the A57 Warrington Road corridor (Green Bus Route).

Summary and Recommendation

Summary
Mott MacDonald have reviewed the TAA submitted with the Eccleston Park application, along with additional information provided by the applicant in relation to further mitigation proposals.
The applicant has proposed consideration of additional measures to further improve connectivity to onward destinations and encourage travel via sustainable transport, with the specifics of those aspects to be determined.
Those additional measures could form a Travel Demand Management strategy seeking to reduce the number of peak hour traffic movements on the local highway network particularly movements related to the A57 Warrington Road / B5413 Rainhill Road junction.
Recommendation
The applicant should consider the points raised in this note, particularly those around the development of an Area Wide Travel Plan, complementing the Framework Travel Plan already produced, including a commitment to measures to control and reduce motor vehicle reliance.

It is recommended that the applicant engage with St Helens Council regarding the development of this approach and the details therein in order to secure satisfactory resolution to this review.

Highways Officer correspondence 21/12/21

Portico Lane Access and Pedestrian Crossing

The updated drawing is sufficient and addresses the concerns raised. The applicant hasn't determined a new location for the Eccleston station bus stop; however, they have noted on the drawing it will require relocation, and as such the onus is now on them to determine that in consultation with MerseyTravel during delivery of the crossing. They haven't marked on the drawing that a Toucan may not be possible and that cyclists may need to remain 'on carriageway' when crossing, however by stating 'proposed Toucan crossing' on the drawing this should provide enough flexibility to revert to a Puffin style if that is deemed more appropriate.

Travel Plan and Contribution to wider measures

The addition of text relating to a contribution for wider Travel Demand Management measures is welcomed. I have the following minor comments on their updated Framework Travel Plan, which should be addressed by the applicant.

1. *The final bullet point in section 7.16 should be removed, as the applicant is no longer providing a physical highway capacity enhancement scheme at the Warrington Road / Rainhill Road junction,*
2. *The Action Plan in Chapter 9 should include an initial task, prior to appointment of the Travel Plan co-ordinator, for determining a study area within which Travel Demand Management measures could be targeted,*
3. *Paragraph 7.15 should be updated to also state that the measures listed are not an exhaustive list,*
4. *The bullet points under paragraph 7.15 should also definitively include "Fund discounted bus passes to targeted residents within the TBD study area". This is considered to be the most effective way of targeting new residents,*
5. *The objectives set in Chapter 6; Section 6.3 should be adjusted to account for the following points.*
    - *To maximise opportunities for resident/employees within a defined Study Area to use transport modes other than the private car*
    - *To be complementary to other sustainable travel initiatives promoted by St Helens Council and MerseyTravel, such as the Green Bus Routes project*
    - *Targets and monitoring*
6. *The Travel Demand Management section (7.14 to 7.16) should include a statement from the applicant confirming that the measures they are proposing are enforceable, relevant, and reasonable in accordance with the National Planning Policy Framework.*
7. *Reference to 'Funding Smart Integrated smart ticketing technology' should be removed from the bullets in paragraph 7.15 as this is considered not deliverable associated with funds secured from one development site.*

With regards to the s106 contribution itself, please see the attached simple spreadsheet I have put together this morning. The values I have included in the spreadsheet do not account for the following items which would be delivered via condition, s278/38 and/or as part of the development construction.

- *Crossing provision on Portico Lane*
- *Crossing provision on Rainhill road (at Rainhill Rd / Elton Head Rd junction)*
- *30 parking spaces (site internal) for Eccleston station*
- *Site internal cycleways.*

The view I take is that there is a need for a transport related contribution of ~£1.8million. Split as follows.

- *£150,000 * 5years for new bus service(s) = £750,000*
- *Bus Travel subsidisation = £280,000*
- *Upgraded bus stops and RTPI = £230,000*
- *PT Marketing Scheme = £50,000*
- *Personalised Travel Planning = £50,000*
- *Cycle parking at Eccleston station & other locations (local schools etc) = £20,000*
- *Improved signage and lighting on cycle routes and PRoWs = £60,000*
- *Funding Cycle Loans = £50,000*
- *Active Travel Marketing Scheme = £20,000*
- *Car sharing marketing campaign / car sharing solutions = £50,000*
- *School & employer Travel Plans = £50,000*
- *Travel Plan co-ordinator / TDM Manager = £175,000*

Highways officer correspondence 10/1/2022

Having reviewed the latest monetary offering as part of the Travel Plan in respect of the impact at A57 Warrington Road / B5413 Rainhill Road junction and the Travel Demand Management solution, we are of the clear view that the monetary sum attached to a new bus service (£150k per annum x 5 years (£750k)) represents the ask of the Combined Authority (MerseyTravel) with respect of providing funding support to secure an appropriate level of bus provision to the development for a period of five years. This would not allow for other sustainable travel improvements, "potentially to include Bus Travel subsidisation, upgraded bus stops, RTPI, etc" as the applicant has suggested.

The request of St Helens Council and Mott MacDonald is related solely to a monetary contribution in accordance with the items suggested in the applicants Framework Travel Plan. The final not exhaustive TDM list is as follows.

1. *Provide funding to improve local bus stops, including the introduction of shelters and real-time passenger information,*
2. *Further funding for improved signage and lighting along cycle routes,*
3. *Fund a public transport marketing scheme,*
4. *Fund discounted bus passes to target residents within the development,*
5. *Fund Smart Integrated smart ticketing technology,*
6. *Fund an active travel marketing campaign,*
7. *Fund a car sharing marketing campaign / car sharing solutions,*
8. *Fund cycle parking in local schools,*
9. *Fund the Council in introducing Employer Travel Plans locally,*

10. *Fund the Council in implementing and expanding School Travel Plans locally,*

In our opinion, the key items for alleviation of impact at the A57 Warrington Road / B5413 Rainhill Road junctions are no's 1 and 4, and as noted above the basic difference of opinion between ourselves and the applicant is that we believe additional monetary contributions are needed for those items and the applicant believes they should be derived from the £750k contribution (see their bullet point #1). This is not considered an acceptable approach as that full amount will be needed to prime a new service and/or divert an existing one appropriately and/or extend services into off-peak hours.

We would also disagree with the applicant's assertion regarding impact and the manner of categorising it. Firstly, it should be noted that if a severe impact were not being felt at the A57 Warrington Road / B5413 Rainhill Road junction then the applicant would not be seeking to mitigate it, either with an engineering solution or a TDM approach. Secondly, the use of % impact to determine whether an impact is severe or not, is not an accepted approach. This was rejected in the DfT 2007 Guidance on Transport Assessments (paragraph 4.92). The DfT GTA is now a withdrawn document but most importantly the NPPF and associated Gov.UK Guidance on Travel Plans, Transport Assessments and Statements does not make allowance for materiality as a measure for determination of impact. Thirdly, the targeting of discounted bus passes is the key TDM measure that all the other measures are built from, and this is why we calculated a bespoke amount (£280k) based on the number of development vehicle trips going through the junction.

Finally, the Gov.UK Guidance on Travel Plans, Transport Assessments and Statements notes that Travel Plans "should also consider what additional measures may be required to offset unacceptable impacts if the targets should not be met". This is the process we are now in. The current FTP does not set any targets, given that the applicant proposes a monitoring approach through the Travel Plan co-ordinator, however this would mean that travel characteristics could be engrained before any attempt to initiate modal shift has occurred, and this is another reason why we are requesting TDM measures to mitigate the severe impact from the outset.

We are happy to accept the applicants' revised figures for the other complementary TDM measures listed in the FTP, however our determination is that bus travel subsidisation and improvement to stops should be dedicated lines in the measures with the values as follows;

1. *A financial contribution to Mersey Travel of £750,000 with these monies used to add a new service and/or modify existing bus services e.g., increased service at weekends and in the evenings on existing routes etc*
2. *Bus travel subsidisation £280,000*
3. *Improve bus stops (RTPI etc) £230,000*
4. *PT Marketing Scheme £25,000.*
5. *Personalised Travel Planning £30,000.*
6. *Cycle Parking £10,000.*
7. *Improved Signage and Cycling on Cycle Routes and PRoWs £30,000.*

8. *Active Travel Marketing Scheme £15,000.*
9. *Car sharing marketing campaign/car sharing solutions £30,000.*
10. *School and Employer Travel Plans £ 25,000.*
11. *Travel Plan co-ordinator/TDM Manager £125,000*.

3.4 **Highways England** – No objections (22.12.2020)

3.5 **Lead Local Flood Authority –** Objections raised**.**

14/01/2021 - *LLFA Stance: Objection*

Thanks for the information supplied, there are still outstanding issues still not resolved from our consultant comments and new comments from further assessment work and issues brought to the LLFA attention.

LLFA comments 24/12/21

- *The site does not lie within Environment Agency fluvial flood outlines, however, Pendlebury Brook doesn't appear to be modelled upstream of B5413 Rainhill Road. As part of the detailed design the level and extent of flooding from Pendlebury Brook will need to be determined and the developer should demonstrate appropriate finished floor levels incorporating freeboard. This is to provide confidence that proposed houses in southern areas of the site in close proximity to the watercourse are not at flood risk.*

APPLICANT RESPONSE #1: 07/01/22
The Environment Agency Flood Maps do not show any flooding within the upstream length of Pendlebury Brook and as such, residential development in Flood Zone 1 areas would be considered appropriate. Further consultation with the EA and LLFA would be undertaken at detailed design stage to establish and agree anticipated flood levels along this length of the Brook if appropriate, and thereby ensure the 300mm freeboard previously advised by the LLFA is applied to these levels when determining the FFLs for the proposed development. Subject to further consultation with the EA and their requirement to do, it may be possible to undertake some preliminary hydraulic modelling of the length of watercourse upstream of the B5413 to determine likely flood levels and use this to inform the proposed FFLs within the nearby development. This modelling may require additional topographical survey along the length of the watercourse being modelled, and agreement on the methodology with the EA. If felt necessary, we would anticipate this being subject to a Planning Condition requiring the Applicant to agree the methodology with the EA and model the length of the Brook from its source at Portico Lane to the B5413, to determine predicted flood levels for a variety of storm events, up to and including the 1% annual probability event including an allowance for climate change.

LLFA follow up (14/01/22)
The LLFA would be open for this detail to be provided as a condition.

LLFA comments 24/12/21

- *Review of the surface water flood maps shows that there are surface water flow routes into the site. The developer should show how these will be managed and that displacement of surface water will not lead to flooding of existing development. While the developer has indicated that the section of house/road development is to contain a drainage system, the development does not show how the land level change will affect the surrounding land and how it will change the flows around the site and towards the railway receptor. The changing of the levels at this location can lead to localised ponding and pushing current water flows in unknown directions. Assessment of the land level changes are surface water flows need to be investigated.*

APPLICANT RESPONSE #2: 07/01/21
The Environment Agency Pluvial Flood Maps (below) appear to show an overland flood flow route entering the Site from the north, presumably across the existing railway line. There are very few other overland flood flow routes that enter the Site from outside of the Site boundary. As outlined in response #3 below, levels along the northern part of the Site, adjacent to the railway, are proposed to be raised for development purposes to achieve acceptable gradients for gravity drainage systems and acceptable highway gradients within the development. This will then prevent any surface water flooding from entering the Site and impacting the residential dwellings.
All other existing overland flood flow routes will be intercepted by the proposed development itself and surface water run-off generated by the development itself will be collected and managed through the installation of an appropriately designed positive drainage system, incorporating adequate attenuation to ensure the development is not subject to surface flooding during a variety of storm events, up to and including the 1% annual probability event including an allowance for climate change. Sensitivity testing of the proposed drainage system would be undertaken to determine points of surcharge in the event of the drainage system being subject to a storm event that exceeds the design capacity of the system, and surface flooding permitted in low-risk areas of amenity (landscaped areas, POS, non-residential areas etc.) where surface ponding would not impact the proposed residential dwellings.

LLFA follow up (14/01/22)
LLFA concern not the new dwellings but existing railway line and the movement of water either east or west of this location without control. Response in full below for developer comment 2 and 3.

LLFA comments 24/12/21

- *The FRA report states that a low-risk surface water flood route is shown to flow from the railway line into a topographical depression and that depressions will be engineered out. However, the developer does not explain how this offsite flow will be managed through the site.*

APPLICANT RESPONSE #3: 07/01/22

There is an overland flood flow route shown to enter the Site from the north, presumably across the existing railway line. Levels along the northern part of the Site, adjacent to the railway, are proposed to be raised for development purposes to achieve acceptable gradients for gravity drainage systems and acceptable highway gradients within the development. This will then prevent any surface water flooding from entering the Site and impacting the residential dwellings. This raising of levels on the northern part of the Site will inevitably prevent water from entering the Site resulting in a slightly greater accumulation of flood waters on the northern side of the railway tracks, within the playing fields. This would ordinarily be considered acceptable from a flood risk perspective and an acceptable use of an open area.

We would add, our development does not cause issues upstream as we are taking action to prevent neighbouring land flooding our land, which under Common Law requires them not to flood our land. This aspect should also be considered as part of our response to # 2 above.

LLFA follow up (14/01/22)

LLFA are requesting that the land levels both pre and post development around the north section of the site to be provided and confirm how this will be altered and how it will affect the flow and potential review of the land around the railway. There is potential that the railway line is already lower at this point than surrounding land and that flow is coming from the development site to network rail line naturally which would assist the application. Is there any scope in the design with space available to see if flow routes in the site towards the brook can still be maintained to reduce future flood risk to the railway receptor? Happy to have sites meetings just to go this area and the other locations when your engineers are available. Unable to view or see any comments from network rail. The LLFA acknowledge the situation with common law but there is the receptor which could be affected by the changes to the development.

LLFA comments 24/12/21

- *While the development is looking to use pond basins for the SuDS hierarchy and storm water storage. The location and placement of the ponds need further discussions and changes as long-term maintenance is a key assessment. The placement of the ponds near the overhead lines will mean restrictions of the plant / machines used to maintain the ponds. Due to the pond shape and size this will mean large plants will be required which may not be possible with the overhead lines present. The ponds themselves should not be classed as within Public Open Space as St Helens Council does not currently adopt SuDS, these ponds should remain in private land and maintained as part of the drainage system.*

APPLICANT RESPONSE #4: 07/01/22

Consultations were undertaken with ENW prior to developing the Drainage Strategy for Planning and discussions held regarding the proposed locations of the ponds and any

constraints imposed by the overhead cables and pylons which related to construction or future maintenance of the ponds. Whilst ENW were not overly concerned about the pond locations being beneath their cables, they did confirm that they would require certain access arrangements for future maintenance and would also impose certain restrictions and exclusions in relation to any proposed development around the base of their pylons (including the construction of attenuation ponds). The proposed location and shape of the attenuation ponds is indicative at this stage and will be adjusted to suit ENW requirements during the detailed design stage.

The attenuation ponds were, to a large extent, also proposed to be within the landscape areas to appear more 'natural' and improve the aesthetics and natural appearance of these areas, whilst at the same time creating wet ponds with standing water to improve and enhance the biodiversity offering within the local area.

The 'Sewerage Adoption Code' dated April 2020 does make provision for Developers to offer any attenuation features for Adoption to United Utilities under a S104 Agreement, subject to them being designed to Adoptable Standards and UU are now taking a far more proactive approach to Adopting such features. This provides opportunity for the Developer to undertake further consultations with United Utilities and ensure the attenuation ponds meet both their requirements in terms of design parameters and also ENW requirements for future maintenance and ensure all required H&S matters have been addressed. If the attenuation ponds did not prove eligible for Adoption by UU, it would be our intention to set up or procure a Management and Maintenance Company, in consultation with ENW, to ensure future maintenance is undertaken in a safe and secure manner. If required, the Land Trust will take responsibility for all SuDS features.
LLFA follow up 14/01/21

No further comment with this response. If the developers believe that an appropriate solution can be undertaken. This would be covered by a Council standard condition for the management and maintenance details of the site to be provided.

LLFA comments 24/12/21

- *The development has not yet provided an assessment of all the current existing drainage the area including the EA identified watercourses, and the channels that have been altered by the Golf Course over the years. On site to the south of the Wedgewood Gardens Estate (image 1) there is a small reservoir in which it is believed to drain to the ponds to the south and then down towards either east towards Rainhill Road or to the West of Nottingham Close. The council are not aware of any recorded information at this location therefore this development in this area may cut of any potential drain leading to flood risk issues around the reservoir and Wedgewood Gardens. The developers need to investigate the potential for unknown drainage and then include it within the development. Any pipes will need to be incorporated into the design and easements may be added - which could affect the housing layout.*

Image 1:

APPLICANT RESPONSE #5: 07/01/22
The existing reservoir to the south of Wedgewood Gardens is proposed to remain. United Utilities sewer record plans show a SW sewer discharging from the Wedgewood Gardens residential area into this reservoir (at the northern end of the reservoir – see attached extract below).
The existing pond to the south of the reservoir is proposed to be removed as part of the development. The attached constraints plan shows the connection between the reservoir and the pond to the south. The applicant proposes to redirect the outfall (under the proposed residential and Spine Road) to the current discharge point towards the south east corner of the Site.
LLFA follow up (14/01/22)

While the constraints plan shows a potential line, no supporting evidence has been provided to indicate this route or where it is connecting to. The LLFA do not doubt there could be a potential line at this location but it is not identified in the initial drainage layouts provided in document "Drainage Strategy September 2021 – Part 3 – 05/05/20 Project 13209 Revision P3". While the LLFA understands that its only initial design – there is no identification on the plan of any connection form the reservoir, there is no discussion / evidence with the potential of connecting it into the wastewater sewer if able. If unable to get UU adopt this system this culvert was to remain private there would be a classed as separate drainage system within the development and would be subject to the Councils Land Drainage Bylaws and easements effecting the location of properties and the layout of the scheme. We need to understand the culvert discharge location and how it will effect the current proposed layout and reduce conflicts with other drainage systems / layouts.

LLFA comments 24/12/21

- *At the west of Nottingham Close there is an EA recorded Ordinary Watercourse, which appears to be culverted. However, no details of this watercourse or potential culvert has been provided. LLFA need to understand if this watercourse has been removed by previous owners and if there is any upstream connections that could be altered as part of the development.*

APPLICANT RESPONSE #6: 07/01/21

The investigation of this watercourse would form part of the wider investigation and modelling of Pendlebury Brook discussed under response #1 above. The necessary survey work and/or investigation would be undertaken to inform the hydraulic model that might need to be built to determine predicted flood levels along the length of Pendlebury Brook, upstream of the B5413 (see response #1 above). It should also be noted there is only one parcel of outline development close to Nottingham Close.

LLFA follow up (14/01/22)

Investigation should be undertaken prior to determination; mapping shows a possible ditch connection on plans and EA River network identifies a potential watercourse at this location. While the LLFA understands that EA records are not always 100%, this needs to be investigated and checked. The Council have Land Drainage Byelaws with contain 8m easements on Ordinary watercourses, if it's found there is a watercourse / culvert at this location then there is the potential to effect the housing plot locations near Nottingham Close and the design at this location.

24/12/2021 - *LLFA Stance: Objection*

Thanks for the information supplied, there are still outstanding issues still not resolved from our consultant comments and new comments from further assessment work and issues brought to the LLFA attention.

The site does not lie within Environment Agency fluvial flood outlines, however, Pendlebury Brook doesn't appear to be modelled upstream of B5413 Rainhill Road. As part of the detailed design the level and extent of flooding from Pendlebury Brook will need to be determined and the developer should demonstrate appropriate finished floor levels incorporating freeboard. This is to provide confidence that proposed houses in southern areas of the site in close proximity to the watercourse are not at flood risk.

Review of the surface water flood maps shows that there are surface water flow routes into the site. The developer should show how these will be managed and that displacement of surface water will not lead to flooding of existing development. While the developer has indicated that the section of house/road development is to contain a drainage system, the development does not show how the land level change will affect the surrounding land and how it will change the flows around the site and towards the railway receptor. The changing of the levels at this location can lead to localised ponding and pushing current water flows in unknown directions. Assessment of the land level changes are surface water flows need to be investigated.

The FRA report states that a low risk surface water flood route is shown to flow from the railway line into a topographical depression and that depressions will be engineered out. However, the developer does not explain how this offsite flow will be managed through the site.

While the development is looking to use pond basins for the SuDS hierarchy and storm water storage. The location and placement of the ponds need further discussions and changes as long-term maintenance is a key assessment. The placement of the ponds near the overhead lines will mean restrictions of the plant / machines used to maintain the ponds. Due to the pond shape and size this will mean large plants will be required which may not be possible with the overhead lines present. The ponds themselves should not be classed as within Public Open Space as St Helens Council does not currently adopt SuDS, these ponds should remain in private land and maintained as part of the drainage system.

The development has not yet provided an assessment of all the current existing drainage the area including the EA identified watercourses, and the channels that have been altered by the Golf Course over the years. On site to the south of the Wedgewood Gardens Estate (image 1) there is a small reservoir in which it is believed to drain to the ponds to the south and then down towards either east towards Rainhill Road or to the West of Nottingham Close. The council are not aware of any recorded information at this location therefore this development in this area may cut of any potential drain leading to flood risk issues around the reservoir and Wedgewood Gardens. The developers need to investigate the potential for unknown drainage and then include it within the development. Any pipes will need to be incorporated into the design and easements may be added - which could effect the housing layout.

At the west of Nottingham Close there is an EA recorded Ordinary Watercourse, which appears to be culverted. However, no details of this watercourse or potential culvert has been provided. LLFA need to understand if this watercourse has been removed by previous owners and if there is any upstream connections that could be altered as part of the development.

30/11/2020 – Objection raised. *Our main concern is that the developer has not demonstrated how offsite surface water flows will be managed. The site does not lie within Environment Agency fluvial flood outlines, however, Pendlebury Brook doesn't appear to be modelled upstream of B5413 Rainhill Road. As part of the detailed design the level and extent of flooding from Pendlebury Brook will need to be determined and the developer should demonstrate appropriate finished floor levels incorporating freeboard. This is to provide confidence that proposed houses in southern areas of the site in close proximity to the watercourse are not at flood risk.*
Review of the surface water flood maps shows that there are surface water flow routes into the site. The developer should show how these will be managed and that displacement of surface water will not lead to flooding of existing development.
The FRA report states that a low risk surface water flood route is shown to flow from the railway line into a topographical depression and that depressions will be engineered out. However, the developer does not explain how this offsite flow will be managed through the site.
The developer should confirm the hazard associated with surface water runoff and the level of treatment proposed to mitigate its impacts on the receiving watercourse

12/11/2020 - *We have done a review of this application but our comments don't appear to have been responded to. The FRA and Drainage Strategy have not been updated from the 15 October 2020 version. The LLFA's first review was the 30th November 2020 so we have not updated our original comments. There are existing areas of surface water flood risk and the FRA does not address how the existing flow routes will be managed without transferring risk.*

3.6 **United Utilities** – No objections raised (25.10.2021). Request conditions and details of design to appreciate legal easement associated with their strategic assets in the site.

3.7 **Environment Agency** – No objections raised (20.11.2020)

3.8 **Environmental Protection (Land Contamination)** – Objections raised.

Having reviewed the submitted Environmental Statement, Desk Study Report and Ground Investigation Report the contaminated land officer raises no objections (27.11.2020) to the proposals subject to conditions. He considered the submitted reports to provide sufficient information on ground conditions for the purposes of determining the planning application. Given the size of the site however he considered the investigations limited and in the event that permission is granted further intrusive investigation and sampling would be necessary.

Further comment was made on (21.10.2021) *"Although there appear to be no significant contamination constraints associated with the site and the proposed development the import of material to site is, in my opinion, a significant issue that needs clarifying. As such I currently object to the application pending further clarification and justification on this point from the applicant."*

3.9 **Environmental Protection (Air Quality)** – No objections. Requested additional information as per the below which was subsequently provided.

The air quality section of the environmental statement carried out in October 2020 carried out detailed modelling of the site. The modelling considered 43 receptors and the results showed that the proposed development would not cause any exceedances in air quality objectives for nitrogen dioxide and PM10. The proposed development results in slight increases of NO2 and PM10 within the area, however, based on the IAQM guidance, these increases were concluded to be negligible.

Since October 2020, the proposal development plans include a reduction to the overall unit numbers and the introduction of a proposed Health Centre. An air quality technical memorandum, dated 15th September 2021 has been submitted along with the update to the master plan. The traffic predictions in the original air quality assessment predicted an increase of 163 Annual Average Daily Traffic (AADT) at Butt Lane where the proposed health care centre is located as a result of the proposed development. In the revised report, the AADT flows have predicted an increase of 834 AADT trip movements at Butts Lane resulting in an a total AADT increase of 997 compared to a scenario without the development. Revised air quality modelling has not been undertaken. In the previous report, a predicted total annual mean NO2 concentration of 21.2µg/m3 representing 53% of the annual mean Air Quality Assessment Level (AQAL) was predicted at Butt Lane. Even though the predicted concentration was below the 40 µg/m3 objective, as per the IAQM guidance, detailed modelling is required where there is an increase of over 500 AADT in light duty vehicles. I would ask that the area around Butt Lane where a significant increase in traffic is predicted should be re-modelled.

Objection raised: The model needs to be re-run to account of the increase In AADT around Butt Lane.

They subsequently commented upon receipt of additional information:

For receptor 21 located at Butts Lane, the 2018 baseline for nitrogen dioxide (NO2) was 33.4µg/m3. The model predicts in 2025 without the development in the do-minimum scenario, the NO2 levels would decrease to 20.8 µg/m3. The 2025 scenario with the development predicts an increase of 0.39 µg/m3 compared to without the development.

As the predicted 2025 NO2 concentration without the prosed development is less than 75% of the Air Quality Assessment Level (AQAL), the increase of 0.39 µg/m3 is deemed to be negligible. An increase of 8%, 1.64 µg/m3 would be considered to be a slight impact and a 10% increase of 2.08 µg/m3 would be considered a moderate impact.

An increase of 834 AADT is highly unlikely to cause an exceedance in the annual mean AQAL but it has potential to increase the significance of the impact to slight or moderate. However, as stated in the IAQM guidance, a moderate impact at one

receptor does not result in an overall significant impact when taking into consideration other factors.
There has been no mention of proposed mitigation in the air quality memorandum. Are EV charging points or any other air quality mitigation measures to be included? The inclusion of mitigation measures would offset any potential moderate or significant impacts.

With the applicants confirming EV charging points as mitigation the officer has no objections subject to conditions securing as such.

3.10 **Environmental Protection (Noise)** – No objection subject to the following conditions.

This application is a hybrid submission comprising of outline consent for up to 643 dwellings, convenience retail and nursery along with detailed planning permission for 168 dwellings (Parcel 1) and 186 dwellings (Parcel 3) with associated access roads leading of Portico Lane and Rainhill Road respectively. The site is in a suburban area of St Helens located in the between the Eccleston Park and the Rainhill area of St Helens. The land was previously used as the Eccleston Park Golf Club but has not operated as this use for some time. The site is bounded by several existing uses which include, residential dwellings, a hospice site, playing fields, woodland. Located to the north-western boundary of the site is the main Liverpool to Wigan rail line.

There is no objection in principle to residential development in this location, however the site is subject to environmental noise from a variety of sources. Noise associated with road and rail traffic are the most prominent sources of noise which effect the wider site and therefore have the potential impact on any future occupants. The rail line has been electrified in recent years and train movements operate on a 24-hour basis carrying both passenger and freight. Freight movements make up the vast majority of movements occurring at night between the hours of 23.00 and 07.00. The rail line is located in a cutting immediately adjacent to Eccleston Park Station, however as it runs in the direction towards St Helens the line is almost level with the golf course land. In addition, vibration from train movements associated with the operation of the rail line to the north of the site have the potential to impact on future residents.

Limited pre-application discussion was sort [sic] *relating to the development of this site to direct the scope of any noise assessment which may be required to support such an application. However, the application has been submitted with a noise assessment which is limited in scope and only considers the effects of the rail line on the proposed dwellings. The assessment does not examine the effects of the development itself on existing noise sensitive receptors on the boundary of the site during the construction or operational element of this development and therefore it is difficult to fully appreciate and assess the impact of the noise and vibration associated with this development.*

One point which has recently come to light through the appraisal of this application is the fact that in order to provide a development platform across the site some significant earth works, in the form of a cut and fill operation, will be required to prepare the site. This operation will involve the importation of approximately 250,000 cubic meters of fill material via HGV's. There is no assessment of noise associated

with this operation and no mitigation suggested as to how or if it could be minimised. It is not clear how many HGV movements will be required to import the material and over what timescale. In addition, there is no information regarding the method on how this material will be incorporated into the site and whether any vibratory compaction will be required to integrate the material into a suitable and stable building platform. When land is prepared using such cut and fill operations it is often the case that piling will be required to stabilise any building on the platform. Due to the extent of the site, if compaction and piling is required it could be occurring over a prolonged period. There are several noise sensitive uses in close proximity to the site including existing residential dwellings but of greater concern is the proximity of the Willowbrook Hospice site which lies approximately 130m north of Parcel 1. The hospice site would be considered a specifically noise sensitive site.

Therefore, at this point in the assessment of this application there remains some concerns from a noise perspective as to the impact of the preparatory works that are required to the site and if these can be carried out in a manner that minimises the impact of noise and vibration on the wider community. Further assessment of this aspect of the development is required and a condition requiring specific noise and vibration assessment to determine and minimise the impact is suggested to ensure this is the case.

As detailed above this application is accompanied by a noise assessment carried out by ECHO Acoustics, Titled "Outline Residential Planning Application at Eccleston Park Golf Course, Noise and Vibration Assessment" dated 20/10/2020). As discussed above the assessment fails to address the construction phase of the development but does include a very limited monitoring exercise specifically focussing on the northern boundary of the site to demonstrate the impact the operation of the rail line may have on any future occupants of the site from a noise and vibration perspective. There is no assessment of the wider site specifically the boundaries of the site which are close to local roads. The standard used to assess against when deriving relevant criteria for indoor and outdoor noise environments is BS8233:2014 (Guidance on sound insulation and noise reduction for buildings) which is acceptable. With regards to vibration assessment the guidelines levels presented in BS6472:2008-1 have been applied, which again is acceptable in these circumstances.

Section 4.0 of the report outlines the results of the monitoring exercise and provides average and maximum data for the noise environment prevalent at the monitoring site across the 2-day monitoring period. No background data is provided to gain an overview of the levels prevalent at the site.

Compliance with the standards outlined in BS8233:2014 are provided in Section 4.6 of the report however the layout that predictions are based upon i.e. plots 22 to 25 being approximately 18.5 meters from the rail line have since changed as the layout has been superseded. The latest version of the layout plan (1/9/21) now detail Plots 17 – 20 and 26 lie closest to the rail line with some open land between the dwellings and the rail line. Given this change in layout the predictions for external and façade levels are no longer valid and will need to be revisited. However, the increased distance separation between the line and the dwellings is likely to be beneficial from a noise

and vibration exposure perspective. Due to the lack of modelled output in the report it is difficult to assess how many dwellings will be affected by noise from the operation of the rail line particularly at night when most occupants are likely to be asleep.

A glazing and ventilation scheme will need to be put forward for the whole development and this can be secured by way of condition. The need for some properties to require an alternative means of ventilation has been identified in the report to achieve the internal noise standards however, the extent of what will be required needs to be revisited in light of the change in layout. In addition, the boundary with the rail line will require some mitigation in the form of boundary treatment to ensure external garden areas meet with the 55dB standard, which again can be secured through condition.

Although the predictions in the assessment are no longer valid the conclusion in the noise assessment that the land is suitable from some residential end use is generally supported but further work is needed.

I would ask that the following condition be attached to any permission granted;

Construction Phase Conditions

1. Construction work shall not take place outside the hours of: 08.00 -18.00 hours Monday to Friday, 08.00-13.00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

2.No part of the development hereby permitted shall be commenced until a full assessment of the noise and vibration impact associated with the construction phase of the development have been submitted to and agreed in writing by the Local Planning Authority. The assessment should detail specific mitigation that may be required to minimise such impact of all construction works (inclusive of land preparation activity/cut and fill operations/piling/HGV movement). All works shall be carried out in accordance with any agreed mitigation detailed in the report.

Parcel 1 Conditions

1. Full details of the acoustic specification of windows and ventilation to each of the dwellings hereby approved in Parcel 1 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The specifications shall be based on the findings provided in noise assessment by ECHO Acoustics, Titled "Outline Residential Planning Application at Eccleston Park Golf Course, Noise and Vibration Assessment" dated 20/10/2020) submitted in support of the hybrid application. Development shall be carried out in accordance with the approved details and retained thereafter.

2. Full details of the boundary treatment to dwellings identified as 17 – 20 and 26 (plan reference 20058 Rev B dated 10.06.20 and revised 01.09.21) of Parcel 1 shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall comprise of an imperforate solid screen fence, not less than 2.5m high

and shall be erected along the northern boundary to protect occupants from operation of the rail line. If a timber fence is used it shall be treated to give a minimum design service life of 15 years. The screen fencing shall be installed prior to the first occupation of the dwellings and once erected the fence shall be maintained in accordance with the approved specification thereafter.

3.No additional external plant or equipment shall be permitted to the retirement block hereby approved nor shall any additional openings be formed in the elevations or roof of the development hereby permitted which directly ventilate the retirement block or which discharge from any internal plant or equipment, without the prior written permission of the local planning authority.

Parcel 3 Condition

1. Full details of the acoustic specification of windows and ventilation to each of the dwellings hereby approved in Parcel 3 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The specifications shall be based on the findings provided in noise assessment by ECHO Acoustics, Titled "Outline Residential Planning Application at Eccleston Park Golf Course, Noise and Vibration Assessment" dated 20/10/2020) submitted in support of the hybrid application. Development shall be carried out in accordance with the approved details and retained thereafter.

Reserved Matters Application Conditions

1. As part of the reserved matters application a scheme for protecting occupants of the proposed dwellings from noise associated with rail and road traffic noise shall be submitted and approved by the local planning authority.

The scheme shall be based on the findings of a noise survey or noise modelling procedure, the results if which shall be submitted to the local planning authority as part that scheme.

The survey/modelling shall include the background noise environment to be determined and the scheme shall ensure that internal noise levels do not exceed the following levels; for living rooms 35dBLAeq 16 hour (07:00 to 23:00 hours), for bedrooms 30dBLAeq 8 hours and 45dBLAmax (23:00 to 07:00 hours). Where windows are required to be closed to meet these values then alternative means of ventilation, including powered ventilation, shall be provided to a sound attenuated design agreed in writing by the Local Planning Authority. Protection should be provided to private open space/ garden areas such that noise exposure does not exceed 55dBLAeq 16 hour.

All works which form part of the scheme shall be completed before any of the dwellings are occupied and retained at all times thereafter.

2. As part of the reserved matters application a scheme shall submitted to and approved in writing by the local planning authority which specifies the provisions to be

made for the control of noise emanating from any commercial use (Use Class E) across the development. The scheme shall be based on the results of a noise assessment which suitably characterises the noise climate at the nearest residential use both prior to and following the operation of the development permitted.
The following noise levels shall be met after implementation of the scheme;

For fixed plant , the rating level of noise emitted from the site, measured at the closest boundary of the nearest residential dwellings shall be at least 5dB (A) below the existing background level. For other operations on site the rating level of noise shall not exceed the existing background level at the nearest residential dwelling. Measurement and assessment shall be made according to British Standard BS 4142:2014.

All works which form part of the scheme shall be implemented in full in accordance with the scheme as agreed.

3. As part of the reserved matters application an acoustic boundary treatment scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include but not be limited to, the provision to be made to treat the boundary shared with the rail line to the north of the development site. The scheme shall be fully implemented before the nearest proposed dwellings are first occupied.

3.11 **Natural England** – No objections raised to the original (27.11.2020) or revised submissions (11.10.2021).

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

3.12 **MEAS** – No objections. .

MEAS initially commented on the application raising objection and identifying issues that needed to be addressed (18.12.2020).

The applicant submitted an Environmental Statement Addendum in September 2021 and following on from this MEAS made a further comment (05.11.2021) on the application stating –

“I advise that the additional information is considered sufficient (with the exception of the queries detailed below) to meet the requirements of the Environmental Impact Regulations 2017. I do however, defer to relevant specialist colleagues for their technical input.

The Addendum Report states that whilst regrading is necessary there will not be the requirement to import soil. However, the information on the proposed cut and fill operation, contained within Appendix 1, shows a significant deficit in the quantity of material available. I advise that clarification is required as the importation of large quantities of material will potentially have a significant impact on several technical

areas during the construction phase. If this is the case (and this has not been considered within the individual and cumulative assessments) then the Environmental Statement may require revision.

In my previous memorandum (dated 18th December 2020) I raised concerns regarding the lack of consideration of climate change within the Environmental Statement (except within Chapter 9 Drainage). This does not appear to have been addressed. I advise that the 2017 EIA Regs (Schedule 4 5(f)) require that the Environmental Statement includes the likely significant effects including the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. This needs to be addressed with reference to current best practice and guidance.

The provision of mitigation measures to reduce the impact of climate change will also assist in complying with Section 4 of Policy CP1 Ensuring Quality Development in St. Helens: Resource Management) as well as Policy LPC13 (Renewable and Low Carbon Energy Development) of the emerging Local Plan 2020-2035."

Following submission of a Greenhouse Gas Emission Assessment MEAS have commented (14/01/22) and comment as follows:

1.The applicant has submitted a Green House Gas Emissions Assessment (SLR, January 2022, Ref: 410.10876.0001). The document assesses the anticipated emissions from both the construction and operational phase of the proposed development using current best practice.
2.In line with IEMA guidance any increase in GHG is considered significant owing to its global cumulative impact. Therefore, mitigation is required to reduce any impact. The document outlines proposed mitigation measures including a Feasibility Study for low or zero carbon energy sources. I advise this is acceptable and can be secured through a suitably worded planning condition.

The proposed Feasibility Study should consider the use of low carbon and/or renewable energy in line with Section 4 of Policy CP1 Ensuring Quality Development in St. Helens: Resource Management) as well as Policy LPC13 (Renewable and Low Carbon Energy Development) of the emerging Local Plan 2020-2035.

3.13 Tree and Woodland Officer – Objections raised.

The Trees and Woodlands Officer's initial comments (07.12.2020) reviewed the arboricultural implications report, landscaping information and identified issues along with identifying concerns in relation to site use and access, biodiversity, future site management and the phasing of works, as well as concerns about non compliance with the submitted St. Helens Local Plan 2020-2035. Concluding he raised objection to the proposals and identifying a list of requests he would like to see addressed.

The Trees and Woodlands commented further (22.10.2021) on the proposals following the amended and additional documents submitted in September 2021. Based on his further response he is still objecting to this application on the basis the application

does not comply with the policies and proposals from the submitted St. Helens Local Plan 2020-2035 identifying he would not be able to support this application, which is currently green belt. He identified a further list of points that the application should seek to address. The list is as follows:

- *To retain more trees on site (and reduce future pressure on retained trees to be worked on) and make layout changes to do so.*
- *Provide tree protection plans to BS5837(2012) for Phases 1 and 3.*
- *Extend the open space to the west of Ryder Court northwards and increase retention of trees within this area.*
- *Amend landscaping information in line with comments made.*
- *Amend the SUD's scheme to avoid removing trees on Two Butt Lane.*
- *Amend cut and fill proposals so as to avoid what appear to be significant volumes of material (252,858.86m3) being imported into the site and so allow for the retention of more existing site features, including, riverside grassland, trees and woodlands.*
- *The landscape, biodiversity and tree retention proposals need to be amended so that the Landscape and Visual Impact Assessment information and its conclusions are correct. At present the information appears to be based on tree retention proposals that are not reflected in the plans submitted.*
- *Provide more information on future management of open spaces and include more detail on the approach to be taken for managing for access, landscape, and habitat improvement. For the full application parts of the proposal these must be detailed management prescriptions, funding, management, and scheduling.*
- *Carry out an assessment of biodiversity using the DEFRA Biodiversity Net Gain Metric and demonstrate there is biodiversity net gain and in the absence of this how they intend to resolve any deficit.*
- *Provide detailed information on the phasing of open space provision ensuring infrastructure and open space is delivered at the initial stages of development.*

Following submission of a BNG note a and updated Landscape Strategy Plan the Tree Officer comments as follows (22/12/2021)

Looking at the information submitted there is no change to the layout to address the concerns we previously raised, particularly in terms of retaining more trees as a northern link into the Woodlands Trust site. They discuss the Biodiversity Net Gain Metric (Version 3) that was completed but it has not been submitted so it can be assessed. They have included a summary in their comments which seems to indicate a loss of -26.18 habitat units. Making some of the modifications we asked would clearly help reduce this loss and amendment to the design is the first stage and first principle that should be followed not going straight to some off site mitigation.

They refer to a site to the east, which is the former Rainhill Hospital site and I have been involved in trying to get that site improved and managed. It is certainly a site that would benefit from funds. However, Net Gain is not as simple as that. The site already contains woodlands and grasslands. All need improving but this in of itself will not provide net gain. Using Omega as an example we negotiated £15,000 a habitat unit (which is a low figure when considering what has to be delivered) for this and also

the Cowley site. If we were being consistent then that would mean a figure of around £392,700 was required to create new habitats and improve other habitats off site to mitigate the golf course development impacts. As stated they would need to first reduce their impact and our suggestions, detailed in our comments will help do this.

3.14 The Coal Authority - No objections raised (06.10.2021)

The site does not fall within defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted.

3.15 Education – No objections raised (08.02.2021)

In St Helens we plan primary and secondary school places by designated planning areas that are organised around Ward boundaries. There are 11 primary pupil place planning areas and 2 secondary pupil place planning areas. The proposed Eccleston Park Golf Club development falls within the primary Eccleston Park and Rainhill and the Secondary West Pupil Place Planning Areas.

In 2004 St Helens Council commissioned Mott Mc Donald Merseyside Information Service to undertake a survey of households who had moved into the borough over the previous 5 years. The survey found every new dwelling generates need for 0.037 primary school places and 0.016 secondary school places.

In relation to the hybrid planning application comprising of Outline Consent for up to 646 dwellings at the former Eccleston Park Golf Club, we would make the following bid for Section 106 funds to contribute towards the cost of pupil place provision within our primary Eccleston Park and Rainhill and Secondary West Pupil Place Planning Areas. Currently the DfE Basic Need Funding cost per place for school expansions is £13,659 for primary and £17,757 for secondary. Therefore, the cost to develop additional places for the Eccleston Park Golf Club development would be:

Primary
£13,659 x (646/1000) x 37=£326,477
Secondary
£17,757 x (646/1000) x 16=£183,536

As the revised application includes a total number of (excluding the retirement apartments) 885 dwellings, and the above calculation is for 646 dwellings, the below calculations and contributions are appropriate:

Primary
£13,659 x (885/1000) x 37=£447,263.955
Secondary
£17,757 x (885/1000) x 16= £248,862

3.16 Public Rights of Way Officer – Observations made.

Part of the boundary of the proposed development from Rainhill Road (side of Black Horse public house) to adjacent 226 Two Butt Lane encroaches onto the public right of way number 207.

3.17 **Merseyside Fire and Rescue Service –** No objections raised (22.12.2020)

3.18 **Liverpool City Region Authority** – No objections (20.01.2021)

I am pleased to set out the Authority's response to the above planning application. For clarity, this response reflects the Combined Authority's local transport authority powers and its adopted transport policy context. It incorporates the operational response of Merseytravel as the Authority's transport delivery arm. Importantly, this response does not address issues of statutory, strategic planning policy fit, given the embryonic nature of the authority's planning policy framework through its Spatial Development Strategy. The SDS will provide the basis of the authority's future strategic planning policy input and development management input

The LCRCA welcomes the developer's commitments, contained within the planning application supporting documentation, that they will;

a) Create a highway route across the development site, between Rainhill Road and Portico Lane, that would be designed and constructed to standards that would facilitate ease of operation for bus services, in both directions, suitable for buses of 12m length;

b) Construct the relevant access/egress junctions for the above cited highway, to standards that would facilitate bus operation;

c) Provide at least two pairs of bus stops within the development to Merseytravel standards, so as to ensure that all properties that form part of the development would be no more than 400m from an appropriate bus service;

d) Provide funding support and secure an appropriate level of bus provision to the development for a period of five years, from an agreed trigger point of construction and occupation, in the event of no commercial bus service being provided or diverted to serve the development.

These should all be subject to an appropriate condition or clause of the s106 agreement to ensure that they are provided by the developer at key milestones in the development.

The indicative layouts showing a network of cycle routes and shared routes through the development are welcomed, as to is the recognition of the Government's 2020 "Gear Change" document which elevates the importance of high quality walking and cycling provision. In developing detailed layouts and designs, the provisions of Local Transport Note 1/20 are highlighted. These exert much higher standards than in previous advice notes. The provisions of section 14.3 on "Providing for cycling in new developments" are reinforced in this respect. It is also considered that the detailed plans should ensure that a safe, attractive walking and cycling routes are created through the site to link the existing railway station at Eccleston Park – this being an important destination for residents and visitors that is not identified explicitly in the documentation. Provision for safe and secure cycle parking should be made within the residential development, to serve the proposed commercial uses and also at

the proposed parking area to serve Eccleston Park station.

Given the scale of the development, the LCRCA would request that St Helens Council require the developer to formulate and implement a Travel plan for this development in accordance with Supplementary Planning Document "Ensuring Choice of Travel". This would promote sustainable modes of transport to all future residents and users of the development

In order to ensure that the new residential development has appropriate digital connectivity we would request that the developer provides appropriate ducting as part of the associated highway works (as promoted by the Dig Once approach). This would ensure that all digital infrastructure is laid out during construction rather than the highways and hard landscaping having to be dug up at a later date to accommodate new digital provision. If you require any further information pursuant to this please do not hesitate to contact me.

The provision of the linkages from the development site to Eccleston Park Station are welcomed as this will provide further sustainable transport options for the occupants of the developer especially on journeys to Liverpool, Wigan Preston etc. The provision of a small car park with 30 spaces should provide adequate parking for disabled passengers. The LCRCA would welcome ongoing discussions with the developer, St Helens Council and Network Rail on the delivery of the car park.

As the development site abuts the Liverpool to St Helens City Line, Merseyrail alignment, the LCRCA would request that the developer ensures that during the construction phase there is in no impact upon the safety, integrity, or operation of the adjacent railway

3.19 **Knowsley Council** – Observations made.

Knowsley Council have reviewed the information and highlighted the main concerns with the application. The issues are outlined below –

Greenbelt – Knowsley Council would highlight the potential negative effects of the development on the undeveloped gap between the settlements of Whiston, Nutgrove and Rainhill and the apparent absence of any strong and immediate justification to support its development ahead of the on-going strategic review of the Borough's green belt through the Local Plan process

Highways Matters – the information submitted is not sufficient, Knowsley Council have highlighted issues within the Environment Statement, Design and Access Part 1, Transport Assessment, and the Master Plan. Trip Distribution - Clarification is required about the trip distribution exercise which has been completed using Census Travel to Work Data and the table provided in Appendix J of the Transport Assessment

Trip Generation The trip rate data derived from TRICs for 'House Privately Owned' is acceptable. However, it is considered unacceptable for no trip generation at all to be assessed or derived for either the proposed nursery or convenience shop. Committed development The Transport Assessment has not considered, or referred

to, the Halsnead Garden Village development site. Modelling As a result of the issues mentioned above (regarding trip generation for the development site), all the submitted traffic flows and modelling should be revised accordingly. Vehicle Tracking The development, both during and after construction, would result in an increase in traffic navigating the Portico Lane / Old Lane roundabout. Vehicle swept path analysis should be required on suitably scaled plans to demonstrate that a 16.5m length HGV would be able to safely navigate the roundabout, for all movements, during the construction phase of the development. Two Butt Lane The Transport Assessment and Transport Assessment Addendum have both failed to acknowledge the traffic calming chicanes which are already in place along Two Butt Lane. An assessment of the development traffic impact on Two Butt Lane needs to be provide

3.20 **Sport England** – Objections raised.

Comments received 27/11/2020 - Sport England wish to object to this application for the following reasons:

1. Golf Course - It is clear that whilst an 18 hole Golf Course on the site is no longer required there is a need for an alternative golfing offer in the locality and no mitigation has been put forward for its loss.
2. Additional Demand for Sport and Active Design - Although an indicative formal sports provision has been put forward there is no clear details of what the type and size should be to meet demand. A Sports Needs Assessment is required to establish exactly what the additional demand for sport is likely to be, and whether the additional demand can be accommodated within existing provision, improvements to existing required or new provision.
a. Sport England's Strategic Planning Tools show this development is estimated to generate additional demand equating to 3 pitch equivalents, 3 additional changing rooms, 157 additional visits per week to sports halls and 121 additional visits per week to swimming pools. Indicative costs to accommodate the additional demand is set out later in this email.
b. The applicant is also advised to incorporate the 10 principles of Active Design into the overall design of the development as sanctioned by BREEAM in collaboration with Sport England.

Sport England would be pleased to review the objection with a view to potentially withdrawing it when we have received further details to address the above issues.

Sport England would welcome the opportunity to discuss these issues further with the Local Planning Authority.

Comments on revised plans (12/10/2021)

Thank you for consulting Sport England on the additional information for this application.

I have the following comments to make:

S106 Contributions Discussion Paper

1. The paper is predominantly based on the 2016 Playing Pitch Strategy (PPS) to help inform the additional demand for sport element of the Sport England's response dated 27th November 2020. Whilst the PPS was just up to date at the time of Sport England's response in November 2020, it is now considered out of date as the baseline data on which it is based is more than 5 years old. This means there is no clear indication of what the actual surpluses and deficits are in relation to pitch sports.

2. As with all planning applications, if the Council do not have an up to date sports evidence base then it is up to the applicant to provide an Assessment of Sport to help inform both the loss of a sports facility and any additional demand for sport arising from the housing development. Sport England's guidance on preparing assessments for outdoor sport and built sports facilities has been produced to assist both Council's and applicants.

3. P.13 provides the following conclusion:

"Our analysis therefore determines that the priority for contributions are required towards the improvement of natural grass football pitches and rugby union.
While this accords with the views of Sport England, we suggest that the provision of new 3G pitches now means that the deficiencies in the immediate vicinity of the golf club have now been met and contributions are therefore arguably not required, applying the CIL principles. We would also argue that contributions towards rugby league, cricket and hockey are also not justified given changes since 2016."

It is not clear how this conclusion has been derived because the paper does not provide evidence of any changes made in pitch provision, losses and how that affects the overall supply/demand balance for pitch provision.

4. The paper makes multiple references to Sport England's Playing Pitch Calculator and that the applicant does not have access to it. However, in Sport England's response the following comment was made:

"The calculations for the outdoor and indoor sports demand and costs can be supplied on request. Please contact the undersigned."

The applicant could have contacted Sport England, or requested the Council contact Sport England, to obtain the outputs for both the Playing Pitch Calculator and Sports Facility Calculator but that request has never been made.

5. With respect to mitigation for loss the applicant has proposed investment into an existing golf course to secure improvements. However, qualitative improvements do not mitigate a loss. As stated in my response:

“there is a deficiency in other formats of the game such as 9-hole, Golf Driving Range etc. and that mitigation for the loss into a format of the game where deficiencies are experienced may be required.”

Sport England’s expectation is that a replacement facility to meet a deficiency in an alternative format of the game of golf would be secured. The land take for an alternative format would be significantly smaller than the area of land used to support the existing 18 hole golf course but would still be quite significant when compared to other outdoor sports. No proposal for a replacement facility has been put forward only a potential contribution of £116k towards an unspecified site and set of works.

An analogy I have used before to put Sport England’s objection into context is the case put forward is similar to a developer wishing to demolish a derelict housing estate in favour of constructing business units. A Local Authority Housing Assessment clearly demonstrates there is a need for more housing to meet residents needs. However, the developer puts forward mitigation that sees the disused housing estate demolished and instead of replacing with new housing on a different site, refurbishment of existing houses that are currently lived in is proposed. This might improve the living conditions of those existing residents but it does not create new housing to meet demand. LPAs would not accept that situation for housing so the same approach should not be applied to land used for a sporting purpose, land where it is not surplus to requirement.

It should be noted that whilst the England Golf and some of the pitch sport National Governing Bodies (NGBs) have provided comments on the options set out in the paper, Sport England's assessment and response is in relation to compliance with the quantitative and qualitative aspects of paragraph 99(b) of the NPPF and Sport England Policy. Therefore, the views presented by the individual NGBs may not be consistent with Sport England’s comments. As it is Sport England who is the consultee it is those comments that should be given considerable weight, with the NGBs comments largely acting as informatives as to the robustness of the paper. The following NGBs have provided comments:

England and Wales Cricket Board Facilities Planning Manager

From recent club audits within the overall LA area has identified the following facilities requirements:
The audit returns we have received from St Helens clubs, there is need for some better facilities / pitches and there is pre-existing (from 2020) plans to expand programmes which will generate as yet unmet demand, as well as imported usage:

- *Goodlass - looking for somewhere permanent to play (currently renting)*
- *St Helens Town – has seen a decline in square maintenance following recent management changes to maintenance*
- *Orrell Red Triangle (imported demand from Wigan) - using Haydock CC*
- *Rainhill – looking to expand Women and girls provision already à future supply required*
- *Sutton (St Helens) – looking to set up a women and girls programme à future supply required*

- *Additionally team audits are currently being completed but are likely to show increases in some of the clubs within the LA area and as such previous PPS would now be superseded through these figures.*

Rugby Football Union Facility Development Executive

1. The RFU agrees that the rugby union mitigation presented in the report for West Park RFC is appropriate and an additional set of floodlights would allow the clubs training demand to be spread across two pitches. That being said the RFU believes mitigation at other rugby union clubs within a 20 minute drive of the proposed development have not been considered fully for mitigation. The RFU is of the opinion it is reasonable to assume a player will travel 20 minutes to play rugby union.

2. The mitigation of new floodlights at West Park RFC is appropriate and supported by the RFU. It is estimated that a new set of floodlights would cost in the region of £50,000.

3. In Table 2 the assumption that "Improvements to Ruskin Park will have improved rugby issues significantly" leads the RFU to suspect mitigation at Ruskin Park RUFC has not been explored fully. While there is a World Rugby Regulation 22 compliant 3G at Ruskin Park the club are unable to book any appropriate training time slots on the 3G due to the 3G operating at capacity. The club is instead training on the sand based AGP at Rainford High Technology College where no contact activity can take place. In addition to the club having issues with access to the world rugby compliant 3G the grass pitch is used for senior match play but does not meet the required dimensions for senior matches. It can only be considered a junior size pitch unless made larger. It is the RFUs opinion that appropriate mitigation for Ruskin Park RUFC has not been explored in the report due to this assumption.

Liverpool St Helens FC is within a 20 minute drive to the proposed development and therefore it is reasonable to assume they may see an increase in demand as a result of the proposed development. Despite this Liverpool St Helens FC have not been included at any point in the report. The club has overplay on all of its pitches and needs improvements. Liverpool St Helens FC would benefit from the addition of Sport England type four pitch drainage (pipe drains and sand slits) on two of its pitches to increase the capacity of its training pitches and therefore decrease the amount of overplay at the club. It is estimated it would cost in the region of £80,000-£100,000 per full size pitch. The club also needs to improve the quality of its floodlights. As with Ruskin Park RUFC, the RFU is of the opinion that mitigation for Liverpool St Helens FC needs to be explored further.

Conclusion

1. The proposed mitigation of £116k into an unspecified golf course and set of works does not comply with Sport England Policy or paragraph 99 of the NPPF. No mitigation has been presented that provides for replacement land that can accommodate a different format of the game.

2. Even if an assessment of need demonstrates golf is no longer required on the site, no consideration has been given to whether the land could meet address an alternative open space typology requirement. Paragraph 99 of the NPPF does not limit open space to its current or last known typology in terms of surplus to requirement. The question is whether the open space, irrespective of typology, is surplus to requirement:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;

If the NPPF's intention was to require assessments that only looked at the current/last known open space typology of the site, the NPPF would have been drafted as such. Although the land currently in golfing use is not a playing field as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), it is currently land that is in sporting use.

3. The paper concludes there is no need to make contributions to meet the additional demand for sport. However, that is based on an out of date Playing Pitch Strategy. The comments from the ECB and RFU indicate there have been changes that have not been considered by the s106 paper.

4. An Active Design Statement has been produced, which clearly shows the principles of Active Design have been considered in the overall Master Plan. Sport England welcomes the statement.

Based on the above, Sport England is unable to withdraw the objection.

3.21 **Head of Culture and Wellbeing** – Observations made.

16.12.2021 - Having reviewed the application to redevelop Eccleston Park Golf Course I would make the following observations:
I cannot disagree with the applicant that there is an over provision of 18 hole golf courses in the borough, however no compensatory provision has been proposed for the sport of Golf, be that training / development facilities or improvements to the existing courses which serve the borough. It must also be recognised that
Eccleston Park Golf Course was a "pay and play facility" of which the borough has far fewer. With regards to the provision of sports pitches on the site, I see no justification for the type and quantity proposed and also note that these are located on an area of the site prone to flooding and again no reference has been made to the measures that will be taken to prevent this. The pitches are not supported by either car parking or changing facilities, the lack of both is likely to result in issues for future residents of the adjacent properties. Whilst the borough as a whole has sufficient land that is or could be used for outdoor sports pitches the quality of much of this land is poor and this impacts on its capacity to support sports in addition to this the quality of changing

accommodation and carparking is poor at the limited number of sites where it does exist. This has most recently been highlighted in the Local Football Facilities Plan published by the FA in 2019. The additional 800 houses proposed will bring with it additional pressure on Indoor Leisure Facilities which are already operating at near to capacity. In particular the borough has a significant deficiency of public swimming pools with only two 25m pools serving the whole borough.
Having read Sport England's comments, I see they have also kindly set out both the additional pressure the new homes will place on facilities but also gone on to provide indicative costs to addressing this. For this reason, I do not propose to duplicate this.
For the reasons set out above I feel I cannot support the above application until the issues raised are addressed.

01.11.2021 - I have the following comments to make on the above application:
S106 Contributions Discussion Paper. Whilst the PPS is under construction the lack of a current strategy does place added responsibilities on the applicant to provide a robust needs analysis. In my opinion the document they have submitted relies on the out of date 2016 PPS to make the case for surplus or deficits, which is not acceptable and has already been raised by Sport England.

Given that in June we opened a new 3G football pitch at Sutton Leisure Centre, within a mile of the proposed development site I question the need for a contribution to natural turf football?

I note Sport England's comment that the paper makes multiple references to Sport England's Playing Pitch Calculator and that the applicant does not have access to it. Can I confirm that the applicant despite meeting with me to discuss their proposals did not request that the Council contact Sport England, to obtain the outputs for both the Playing Pitch Calculator and Sports Facility Calculator.

With regards to Golf, I note the applicant has identified facility deficiencies in other formats of the game, whilst I do not have the information to either support or dispute this statement, if this is the case then I see no evidence with that their proposal will address this at an accessible location within the borough.

From the work we are undertaking to refresh the playing pitch strategy I am aware of the following clubs which have identified demand:

Athletics
• St. Helens Sutton AC – based at Sutton Leisure Centre using a track laid in 1996 and which has reached the end of its life and requires resurfacing to remain suitable to support both competitive and recreational

Cricket
• Goodlass CC have been nomadic for sometime and I understand they are keen to secure a more permanent base.
• St Helens Town CC – are reporting a decline in the quality of the square on the pitch they rent from the Council

• Rainhill CC state their ambition to establish a girls and women's section is being hampered by a lack of facilities.
• Sutton Cricket club state their ambitions to establish a girls and women section is being hampered by a lack of facilities.

Hockey
• Prescot Hockey Club are based at Sutton leisure centre playing on a pitch which was laid in 2004 and is now reaching the end of its lifespan and requires the surface to be replaced.

Rugby Football League
• Portico Vine RLFC are currently developing a new clubhouse and their pitches currently meet the clubs match requirements
• Pilkington Recs ARLFC are based at Ruskin Drive where the site has insufficient changing rooms to meet the demand placed on them during for matches. Additional changing rooms are planned however the finance for these has yet to be secured.
• Thatto Heath ARLFC have recently upgraded one of their two pitches to hybrid to increase its capacity to accommodate the clubs teams. The club has expressed a need to access additional pitches.
• Clock Face Miners ARLFC's demand for training and playing is currently met from their facility of Clock Face Rd.

Rugby Football Union
• West Park RUFC have been in dialogue with the Council for some time seeking to both increase the capacity of their current site and develop a second site to support their continued development.
• Ruskin Park RUFC hires a pitch at Ruskin Drive, the pitch is below the required length for Rugby Union and site constraints means extending its length is not possible. The club have access to a WRR22 Compliant Pitch which could accommodate their matches however the times it is available does not match the time they would prefer to play.
• Liverpool St. Helens RUFC has a need to improved both its training and changing facilities at its Moss Lane site.

The applicant suggests that there is no need to make contributions to meet additional demand yet the dialogue with clubs in the vicinity of the proposed site clearly indicates to the contrary, even before the additional properties that are subject of this application.

The discussions I have had with one of the applicant's advisors were prior to the availability of much of the information contained within this response. Some of the data was drawn from the PPS which is over five years old.
It is my opinion that some of the statements made within the paper cannot be supported and as such there is insufficient information to accept the Section 106 Paper attached to the planning application.

3.22 Network Rail – No comments received at time of writing the report.

3.23 NHS St Helens Clinical Commissioning Group (04.01.2021)

SHCCG is the primary healthcare commissioner for the area and have been working closely together with the council, healthcare providers and hospital trusts to help maintain the health and wellbeing of local residents. One of the priorities for SHCCG is to promote Primary Healthcare Hubs with co-ordinated mixed professional in line with the national strategy document; the NHS Five Year Forward Plan. SHCCG will support sustainable growth that maintains or improves healthcare services in the area

Planning application - The adopted St Helens Local Plan Core Strategy (2012) recognises that improving health is a key aim of the plan. Policy CAS 1 sets out that the council will support service providers in the St. Helens Core Area to facilitate allocation and development of sites in accessible locations for improved health facilities in Eccleston. Social infrastructure such as health will be protected, provided, and enhanced to support sustainable communities (CQL 5). Policy CIN 1 requires developers to provide necessary infrastructure in the form of on/ off site provision or through payments, Community Infrastructure Levy, and other forms of developer contributions. These key objectives are reflected in the emerging St. Helens Borough Local Plan Submission Draft (2019). The proposed development including a health centre could align closely with these policy principles. The site is located in the Green Belt and as such a case must be made for Very Special Circumstances to be demonstrated and accepted by decision takers

Health centre accommodation

SHCCG has engaged with local healthcare providers in the area and have identified three practices that will be impacted by the proposed development:
- *Longton Medical Centre;*
- *Crossroads Surgery; and*
- *Rainhill Village Surgery.*

The consolidation of these practices alongside community services and ancillary facilities results in a floorspace requirement of approximately 2,099 square metres. This provision will support the emerging local healthcare estates strategy by way of improvements to, reconfiguration of, and providing additional resource for the benefit of patients. A schedule of this accommodation requirement is set out in Appendix 1. It is understood that the health centre provided to SHCCG will be fitted out and ready for occupation. The land and premises will be gifted to the NHS. The fit-out of the health centre should be to the specification as outlined in Appendix 2; Primary Care/ Community Health Premises Schedule of Standards and Minimum Design Requirements (January 2021). It will also be important for SHCCG to have a mechanism that allows a financial contribution equivalent to the costs of the proposed health centre from the developer. A financial contribution alternative will help ensure SHCCG will retain an element of flexibility so that they can provide the right healthcare provisions to meet the potential changing needs of local residents should this be become required.

Section 106 agreement

SHCCG therefore requests that the requirements be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 legal agreement. The legal agreement that will be signed following the granting of permission must secure (Heads of Terms) the following:

The provision of the health centre fitted out to the required specification for SHCCG; • The freehold transfer/ gifting of the land and health centre premises to the appropriate NHS body for a nominal sum; and • A mechanism that will require the developer to provide a financial contribution alternative which is equivalent to the land, construction and fitting out of the health centre if SHCCG considers it appropriate

Conclusion Assuming the above is satisfactorily provided for and secured through the planning permission, SHCCG would not wish to raise objections to the proposed development. Otherwise, the council may wish to review the sustainability of the proposal. The requirements set out above are those that SHCCG deem appropriate having regard to the local area and the development proposal. SHCCG trust that this response will be considered at the upcoming planning committee and look forward to working with the applicant and the council to further discuss the matters raised.

4. REPRESENTATIONS

4.1 The application was publicised by way of neighbour notification letters, a press notice and site notices placed around the site. A total of 739 objections were received. The main points raised in the letters are summarised below:

- Loss of Greenbelt land.
- Lack of capacity in Rainhill for additional homes
- Impact upon public health infrastructure (doctors' surgeries, dentists, and local hospital)
- Insufficient local school space
- Loss of green space and subsequent impact upon personal well being
- Additional traffic congestion
- Dangerous proposed junction on Portico Lane
- Lack of parking facilities
- Loss of trees (including protected ones)
- Impact upon local wildlife and the local ecological habitat (including Woodland Trust Woods)
- Impact upon emergency service response times and capacity to cover additional population
- Increase in pollution and subsequent impact upon public health
- Increased risk of flooding in the surrounding area
- Against the policies of using brownfield land first and protecting green open space
- Development encroaches on a public right of way
- Loss of recreation space
- Increased pressure on local shops, petrol stations and leisure facilities
- Impact the character and appearance of the local area

- No commitment of the builder to allocate additional funds to the local council
- Additional traffic impact upon local road infrastructure
- Objection to a GP practice as it is against new NHS Strategy of moving towards online/phone consultations
- Timing inappropriate as we are during a pandemic
- Loss of view of the existing green open space
- Sense of area as a village community lost through overdevelopment
- Poor policing to be exacerbated by development
- Additional noise
- Development would create huge urban sprawl
- Situated close to electricity pylons with the associated health risks
- Public transport unable to cope with further increase in population
- Golf course is safeguarded from development for 15 years
- Lack of affordable housing in the development
- Proposed Cycle route will be an area of anti-social behaviour
- Application will not provide the number of jobs stated

One letter of support to the proposal was received, with a summary of the points made as follows:

- More decent houses needed within St Helens Borough.

4.2 During the application process amended plans were received and publicised by way of additional neighbour notification letters and press notice.

280 number of objections were received. Points raised in addition to those above are summarised below:

- Original comments still stand.
- Loss of car parking spaces at Rainhill Road/Warrington Road junction
- One way layby land will cause disruption and effect pedestrians.
- Opposition to the proposed Convenience store and possible liquor licence
- Opposition to proposed road alterations from a safety standpoint and impact upon local businesses
- Loss of pedestrian space from proposed road alterations
- Pedestrian crossing point at Portico Avenue dangerous and the footpath is not wide enough.
- The MOVA installation at Warrington Road/Rainhill Road is unlikely to bring the 13% suggested improvement due to its close proximity with Longton Lane signalised junction and the pedestrian crossing in the centre of the village also on Rainhill Rd. These would prohibit the benefits of MOVA unless they were linked in and the capacity issue demonstrated by LinSig data has not been addressed
- The Green House Gas emissions document is unlikely to take account of cut and fill.
- Earthworks proposed will create significant changes to surface water flow.
- Traffic calming will not prevent the new access road being used as a rat run.

- Mitigation measures proposed for Warrington Rd / Rainhill Rd are nebulous and are unlikely to have the desired effect, to implement and monitor would be a very poor planning strategy. They would encourage pedestrian and cyclists traffic increasing usage of the pedestrian crossing facility on Rainhill Rd. Both vehicle and pedestrian usage would increase at this busy junction which is a major route to schools. Frequency of pedestrian calls at the junction would increase. The likely occurrence of accidents would increase.

1 letter of support to the proposal were received, with a summary of the points made as follows:

- The proposal does not remove parking spaces and improves traffic flow at the junction.

5. SITE HISTORY

5.1 P/1998/0542 - NEW VEHICULAR ACCESS TO ECCLESTON PARK GOLF COURSE OFF RAINHILL ROAD RAINHILL. Granted.

5.2 P/1999/0969 - TO FORM COVERED SEATING/VIEWING AREA AT PROPOSED GOLF CLUBHOUSE. Granted

5.3 P/2000/0774 - ERECTION OF 10M HIGH GOLF BALL CONTAINMENT FENCING. Granted.

5.4 P/2000/0862 - CONVERSION OF EXISTING UNUSED OLD FARM BUILDINGS AND EXTENSION FOR USE AS GOLF CHANGING FACILITIES AND HEATH AND FITNESS CENTRE. Granted.

5.5 P/2004/0523 - Alterations and extensions to clubhouse incorporating new pro shop, changing facilities and extended bar/dining area. Granted.

5.6 P/2004/0526 - Conversion of existing outbuildings to form 18 residential units, Greenkeeper's facility and associated parking and servicing. Granted.

5.7 P/2005/0269 - Regrading of golf course, landscaping, erection of safety netting. Granted.

6. POLICY

National Planning Policy Framework

6.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable development, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area. Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out

of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

6.2 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

6.3 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. At present, the statutory adopted development plan for St Helens comprises the St Helens Local Plan Core Strategy (CS) (adopted 2012); saved policies in the St Helens Unitary Development Plan (UDP) (adopted 1998); and the Joint Merseyside and Halton Waste Local Plan (adopted 2013).

6.4 St Helens Council submitted the St. Helens Borough Local Plan 2020-2035 Submission Draft (referred to hereafter as the Emerging Local Plan or SHLP) to the Secretary of State on 30th October 2020. Inspectors appointed to undertake an independent examination into the soundness of the SHLP held public hearings sessions as part of the examination process in May and June 2021. On the basis of the evidence (both verbal and written) put before them throughout the examination process to date, the Inspectors have concluded that some changes, known as “main modifications”, are necessary to make the plan ‘sound’.

6.5 In response to this the Council has prepared a schedule of main modifications, which was subject to an eight week public consultation period, which ended on Thursday 13 January 2022. Following the end of the consultation, all responses received will be collated and passed on to the Planning Inspectors for their consideration. Following this, the Inspectors are then expected to issue their final report into the Examination. This will officially close the Local Plan Examination. The SHLP will then need to be updated to reflect the necessary modifications and will come back to Members for adoption.

6.5 As the SHLP has not yet been found sound or been formally adopted by the Council it does not form part of the statutory development plan for St. Helens. Nevertheless, in accordance with the provisions of paragraph 48 of the NPPF, it is considered that policies in the SHLP that are not subject to a proposed main modification should be afforded significant weight in the decision-making process due to the advanced stage of plan preparation reached and the fact that the Inspectors have not stated such policies need to change for the plan to be found sound. What is more the housing requirement for the Plan has been found sound, as have the Green Belt releases for housing allocations. Therefore, the examining Inspectors consider that an adequate amount of land is proposed to be released to meet the identified housing requirement. On this basis, the site is proposed to be safeguarded land. Those policies within the SHLP that are subject to further consultation at main modifications stage can only be afforded limited weight.

6.6 Notwithstanding this, it is acknowledged that the proposed main modifications have been provided without prejudice to the Inspectors' further considerations, and they could recommend further changes be made, depending on the outcome of the consultation.

St Helens Local Plan Core Strategy (CS) (adopted 2012):

CSS 1 - Overall Spatial Strategy
CIN 1 - Meeting St. Helens' Infrastructure Needs
CSD 1 - National Planning Policy Framework - Presumption in Favour of Sustainable Development
CP 1 - Ensuring Quality Development in St. Helens
CP 2 - Creating an Accessible St. Helens
CH – 1 Meeting St. Helens Housing Requirement
CH 2 – Meeting St. Helens Housing Needs
CE 1 - A Strong and Sustainable Economy
CQL 1 - Green Infrastructure
CQL 2 - Trees and Woodlands
CQL 3 - Biodiversity and Geological Conservation
CQL4 – Heritage and Landscape
CQL 5 – Social Infrastructure

St Helens Unitary Development Plan (UDP) (adopted 1998):

S 1 - Green Belt
GB 1 - General Criteria for Development Control in the Green Belt
GB 2 - General Criteria for Development Control in the Green Belt
ENV 5 - Sites of Community Wildlife Interest and Local Nature Reserves
ENV11 – Tree Surveys
ENV12 – Development Affecting Trees
ENV 13 - New Tree Planting on Development Sites
ENV 23 – Archaeology
ENV 25 – Listed Buildings
ENV 26 - Contaminated Land
ENV 30 - Drainage

Joint Merseyside and Halton Waste Local Plan (adopted 2013).

WM8 – Waste Prevention and Resource Management
WM9 – Sustainable Waste Management Design and Layout of New Development

St Helens Local Plan to 2037

LPA01: Presumption in Favour of Sustainable Development
LPA02: Spatial Strategy
LPA03: Development Principles
LPA04: A Strong and Sustainable Economy
LPA05: Meeting St. Helens Borough's Housing Needs
LPA06: Safeguarded Land
LPA07: Transport and Travel
LPA08: Infrastructure Delivery and Funding
LPA09: Green Infrastructure
LPA11: Health and Wellbeing
LPC01: Housing Mix

LPC02: Affordable Housing
LPC04: Retail and Town Centres
LPC05: Open Space
LPC06: Biodiversity and Geological Conservation
LPC07: Greenways
LPC08: Ecological Network
LPC09: Landscape Protection and Enhancement
LPC10: Trees and Woodland
LPC12: Flood Risk and Water Management
LPC13: Renewable and Low Carbon Energy Development
LPC14: Minerals
LPC15: Waste
LPD01: Ensuring Quality Development
LPD02: Design and Layout of New Housing
LPD03: Open Space and Residential Development
LPD09: Air Quality

Supplementary Planning Documents

Local Economy
Ensuring a Choice of Travel
Biodiversity
Affordable Housing
Design & Crime
Design Guidance
New Residential Development
Trees and Development

Other considerations

6.7 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

6.8 This application has been considered in relation to Section 17 of the Crime and Disorder Act. The Police Crime Prevention Officer has been afforded the opportunity to comment on this scheme, but no comments have been received.

6.9 The application has been considered in accordance with the St Helens Council's Comprehensive Equality Policy, which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

7. ASSESSMENT

7.1 The main issues when considering this application are;

The principle of the development/policy context
Greenbelt and Very Special Circumstances
Whether there is other harm, including;
Landscape and visual impact

Design and layout
Highways
Flooding and drainage
Residential amenity
Loss of golf course
Contamination
Air Quality
Trees and Ecology
Impact of the development on existing centres
Other issues

The principle of the development

<u>The weight to be afforded to the relevant policies</u>

7.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that: 'if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The first test, and the statutory starting point, is whether the application is 'in accordance with the plan'. This is reinforced by the National Planning Policy Framework (NPPF) which refers, at paragraph 11, to the need for approving development proposals that accord with an up-to-date development plan without delay. Paragraph 15 of the NPPF states that “The planning system should be genuinely plan-led”. The purpose of the planning system is to contribute to the achievement of sustainable development, through 3 over-arching objectives – economic, social, and environmental. The Framework makes it plain that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account, to reflect the character, needs and opportunities of each area.

7.3 As outlined above the statutory development plan in this case comprises the saved policies of the St Helens Unitary Development Plan (UDP) (adopted 1998); the St Helens Local Plan Core Strategy (CS) (adopted 2012); and the Joint Merseyside and Halton Waste Local Plan (adopted 2013). In addition, the National Planning Policy Framework is a key material consideration. In accordance with paragraph 219 of the Framework existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. ‘Due weight’ should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The starting point for determining this application therefore remains the UDP and CS. If there is a conflict between these saved policies and the NPPF, the NPPF takes precedence, however, it should be read as a whole and in context. The most relevant plan policies (in the context of the main issues) are those relating to Green Belt, UDP policies S1 and GB 1 and GB2. Those policies have been found to be consistent with the relevant paragraphs in the NPPF consistently at appeal. There are other policies in the UDP and CS that are relevant with regard to the assessment of the different issues, but do not relate to the principle of the proposed development.

7.4 The Core Strategy and UDP will be replaced by the St Helens Local Plan to 2037 (SHLP) on adoption, in due course. As outlined above the SHLP has been subject to examination hearings in May and June 2021 and consultation on "main modifications" was completed on 13 January 2022. The Inspectors will take into account the consultation responses before making their final recommendations on the main modifications required to make the SHLP 'sound'. Subject to the Inspectors recommending that the SHLP could be adopted, subject to the necessary modifications being made, the SHLP would then be able to proceed to adoption. The emerging SHLP, Policy LPA06, proposes to safeguard this site (Site 3HS Former Eccleston Park Golf Club) to meet longer term development needs (housing) well beyond the Plan period, i.e. after 2037 (the proposed main modifications included the extension of the SHLP period by two years, changing the SHLP end date from 2035 to 2037). Policy LPA06 clearly states that 'such safeguarded land is not allocated for development in the SHLP period'. Evidence related to the proposed safeguarding of this site has been presented through the Examination process to date and the proposed main modifications for consultation do not include any proposals to alter the sites safeguarded status. Therefore, the proposed development of the site is contrary to Policy LPA06 – Safeguarded Land which seeks to remove sites from the Green Belt in order to meet longer term development needs well beyond the SHLP period. Such land is not allocated for development in the SHLP period.

7.5 As the SHLP has not yet been found sound or been formally adopted by the Council it does not form part of the statutory development plan for St. Helens. However paragraph 48 of the NPPF sets out that weight may be given to relevant policies in emerging local plans according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).For those policies not subject to modification at this stage it is Officers firm view they can now be afforded significant weight, with those subject to modification afforded limited weight. Whilst Policy LPA06 has faced objection with regard to its detailed wording and can therefore only be afforded limited weight, there are no modifications proposed to change the safeguarded status of this site, following all evidence presented. Therefore, that can be given significant weight.

7.6 Whilst the SHLP is therefore a material consideration to the assessment of the application, the starting point in determining this application remains the saved policies of the UDP and CS. If there is a conflict between these policies and the NPPF then the NPPF should take precedence. The NPPF is a material consideration in planning decisions and should be given considerable weight. Development that accords with an up-to-date Local Plan should be permitted unless material considerations indicate otherwise.

Housing land supply

7.7 The National Planning Policy Framework requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need. Paragraph 11 of the Framework leads plans and decisions to apply a presumption in favour of sustainable development. For decision taking that means approving development that accords with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.8 Footnote 8 of the NPPF states that where policies which are most important for the decision are out of date that this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

7.9 Paragraph 74 sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

7.10 The Council updated its five-year supply as of 31 March 2021 as part of the SHLP Examination in order to consider whether a five year supply of housing land could be demonstrated on adoption of the SHLP. This included several proposed allocation sites. In recognition that such sites cannot be considered 'deliverable' until the SHLP is adopted in accordance with the NPPF, the Council has used this most recent calculation, but removed the proposed sites for allocation in providing an updated calculation. On this basis, the Council can demonstrate a 4.6 year supply of housing land as of 31 March 2021. This is based on an annual dwelling requirement over the Plan period of 486 and a 5% buffer in accordance with the calculation provided as part of the SHLP Plan Examination.

7.11 The Housing Delivery Test (HDT) calculates whether a Local Authority is building the required number of homes. It was introduced as a requirement in the revised NPPF (July 2018). The HDT is calculated as a percentage measurement of the number of homes built against the number of homes required, over a rolling three-year period. The HDT for 2021 covers the three-year periods: 2018-19, 2019-20 and 2020-21. The Department for Levelling Up, Housing and Communities (DLUHC) published the 2021 measurement on the 14 January 2022. The measurement shows that St. Helens has met 187% of our housing requirement during that time frame. This means that there are no consequences with regard to requiring an Action Plan, or additional buffer to the

supply and that the “presumption in favour of sustainable development” as set out in the Framework does not apply.

7.12 Therefore, with regard to the current Development Plan the Council cannot demonstrate a 5-year supply of housing and this weighs in favour of the proposals. However, the supply of 4.6 years is not a significant shortfall and furthermore permission should be granted only when the policies which are most important to the decision are out of date. The site is allocated as Green Belt and as those policies are considered to be in accordance with the Framework significant weight can be given to them. Green Belt policies are restrictive policies in terms of Framework and are therefore not relevant policies with regard to the supply of housing. Paragraph 219 sets out that existing policies should not be considered out of date simply because they were adopted prior to the publication of the Framework. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, the closer the policies in the plan are to the policies in the Framework the greater the weight that a decision taker may give to them. It is officers view that whilst the Green Belt UDP policies are aged it is still the starting point for decision taking and that the thrust of the UDP and many of the policies within it are consistent with the NPPF. Further the NPPF makes clear that the planning system should be genuinely plan-led. It is officers’ view the council would be correct in giving the Green Belt policies significant weight in decision taking. Therefore, there is no need to apply the ’tilted balance’, but rather consider whether very special circumstances exist. If such circumstances do not exist, the proposal is contrary to the development plan and cannot be considered to be sustainable development, contrary to the NPPF.

Conflict with the emerging SHLP

7.13 Paragraph 15 of the NPPF states: The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social, and environmental priorities; and a platform for local people to shape their surroundings.

7.14 As outlined above the Emerging Plan is at a stage where significant weight can be applied to several of its policies in accordance with NPPF para 48 and it is a material consideration. Whilst the wording of safeguarding policy LPA06 is subject to main modification, the specific sites that are proposed to be safeguarded are not. That includes this site and therefore significant weight can be applied to the principle of safeguarding the site within the Emerging Plan.

7.15 Further, approval of this development at this stage of the Plan making process would potentially risk undermining public confidence in the plan-led approach that the NPPF requires. The proposal conflicts with the Emerging Plan which the Council wishes to adopt, and that is at a very advanced stage of preparation, containing relevant policies that safeguard the site that are consistent with the NPPF, and are therefore capable of being given significant weight in matters of planning judgement and balance.

Principle of development in the Greenbelt

7.16 Section 13 of the NPPF – Protecting Green Belt land sets out in paragraph 137 that the Government attaches great importance to Green Belts. With the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open; with the essential characteristics of Green Belts are their openness and their permanence.

7.17 Paragraph 138 outlines that the Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.18 Paragraph 147 deals with proposals affecting the Green Belt and establishes that *"inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*". Paragraph 148 states that when considering a planning application in the Green Belt, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.19 Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. There are exceptions listed as not inappropriate but none of these relate to the development proposed here. Therefore, it is clear that the proposed development can be considered inappropriate development and can only be approved should it be considered there are 'very special circumstances' (VSC) for doing so. The applicants have confirmed in their submissions (Supplementary Planning note para 3.4) that they accept the proposals constitute inappropriate development within the Green Belt which needs justifying in the context of VSC.

7.20 Policy CSS1 of the CS sets out the Spatial Strategy for St Helens and part 1 ix states that outside of existing settlement boundaries development will comply with Green Belt Policy. Saved Policies GB1 and GB2 – General Criteria for Development Control in the Green Belt of the St Helens Unitary Development Plan (the UDP) are of some age, having been adopted in 1998. However, those parts relevant to the development conforms with the Framework. In particular GB1 sets out that new buildings in the Green Belt will not be permitted except in very special circumstances. Therefore, a positive decision can be made in accordance with the Development Plan, provided the Green Belt policy tests are met. UDP Policy GB2 is broader in its scope, and requires development to be judged against criteria, but is also considered to conform with the Framework. This has been the Councils position at various appeals with the decisions made in agreement. It is considered that due to this consistency with the Framework that significant weight can be accorded to these policies.

7.21 Therefore the position with regard to the Development Plan and the statutory starting point is that the proposal must demonstrate 'very special circumstances' (as set out above) The Green Belt implications are fundamental to the acceptability of the principle of the development on the site. If there are not VSC's which clearly outweigh the harm to the Green Belt and any other harm, the proposal is contrary to the development plan and national policy.

The Green Belt Review (December 2018)

7.22 Regarding the role of the application site as part of the Green Belt, the Council's Green Belt Review 2016 forms part of the evidence for the emerging Local Plan. The application site falls within Parcel GBP_087. The site is proposed to be removed from the Green Belt to be safeguarded for future development well beyond the Local Plan period. The Green Belt review provides an assessment of the role of each parcel against the purposes of the Green Belt. Overall, it scored low in terms of the contribution it makes to the purposes of the Green Belt.

Harm to the Green Belt

7.23 As the proposal is inappropriate development, which is by definition harmful to the Green Belt, it follows that it must be demonstrated that VSC arise to clearly outweigh the harm to the Green Belt and any other harm, before planning permission may be granted. The NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm in the Green Belt. Therefore, it is necessary to consider what harm is in fact occurring.

7.24 Section 13 of the NPPF makes clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.

7.25 Saved Policy GB2 in the Unitary Development Plan states that development in the Green Belt will be judged against; whether it is appropriate in terms of its siting, scale, design, materials, and landscaping and does not detract from the openness of the Green Belt.

7.26 The NPPG offers guidance on the application and implementation of Green Belt policy. Regarding the impact on openness, it states that an assessment of a proposal requires a judgment based on the circumstances of the case. It notes that the Courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal could be relevant, as could its volume;
- the duration of the development; and
- the degree of activity likely to be generated, such as traffic generation.

7.27 The approach to determining applications where there is impact on the openness of the Green Belt has been clarified further by the Supreme Court in Samuel Smiths Brewery v North Yorkshire County Council. The issue central to this case was the meaning of the word “openness”. The case affirms that the matters relevant to openness in any particular case are a matter of planning judgement, not the law.

Harm to Openness

7.28 The application site is greenfield land, comprising a golf course with ponds and trees located throughout the site. There are a limited number of structures within the site, and this site forms part of the Green belt along with the land around Scott Clinic and beyond to the south of Elton Head Road. The area is built up virtually to the boundary of the Green Belt, it forming an area of openness between built development.

7.29 The railway line to the north forms a clear boundary between the site and the urban development beyond. To the east of the site between the built development and the application site is St Benedict’s wood which in the emerging Local Plan is proposed to be retained as Green Belt. Therefore, if this development were allowed the Green Belt in this area would be narrowed to the extent of the existing wooded area, eroding the open nature with urbanising influences. The site along with the wood and the open areas to the east form part of the character of the area, with the golf course, whilst a recreational use, and when open having regular visitors, maintain the openness of the area.

7.30 Whilst the application site is recreational and not the open countryside/agricultural land as large parts of the Green Belt in St. Helens area, and there are some structures on the site, this does not detract from the highly significant importance it serves. The land acts as an open, undeveloped area that, together with the adjacent Green Belt allocation to the east forms a break in the built form surrounding it. For a parcel of Green Belt land to make a meaningful contribution to openness it does not have to be visible from adjoining land nor does it need to be accessible to contribute to openness in a visual or perceptual sense.

7.31 The site, due to its size and location, is visible in part from a number of vantage points and receptors. PROW 207 runs along the southern boundary of the site and along Two Butt Lane from which views of the site and its openness are apparent. From existing dwellings such as those within the site at Ryder Court and Wedgwood Court to the north, from the railway to the north and from the areas of adjacent POS the site is visible, and whilst the whole of the site is not visible the sense of openness exists.

7.32 Notwithstanding that the proposed development includes areas of open space, proposed dwellings and supporting development (commercial uses and medical centre) would significantly reduce the openness of this part of the Green Belt resulting in harm to openness as a matter of fact. Spatially the development would result in a significant reduction in existing openness simply by the extent of the built development proposed. The development would have a significant adverse impact on the spatial and visual openness of the Green Belt, it would be permanent development and it

would generate significant activity. The proposed development would therefore result in the permanent loss of Green Belt and its openness. In this way the fundamental aim of the Green Belt designation would be significantly and irreversibly harmed, contrary to saved policy GB2 and the NPPF.

Whether there is harm to the purposes of including land within the Green Belt

7.33 Saved policy GB2 states that development in the Green Belt will be judged against Criteria including whether it conflicts with the purposes of including land within the Green Belt.

7.34 Paragraph 138 of the NPPF and saved policy S1 in the St Helens UDP identify the that Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Each can be considered in turn.

To check the unrestricted sprawl of large built-up areas;

7.35 The application site in the Green Belt review was found to make a low contribution towards checking the unrestricted sprawl of large built-up areas. This was due to the site's strong boundaries, and it being well contained. Notwithstanding this, whilst the site's boundaries would to a degree contain the extent of the development to reduce the impact of sprawl, development within this already narrow gap of Green Belt would inadvertently create an even narrower strip of undeveloped Green Belt land to the north. This section of Green Belt would therefore appear isolated, and its own contribution diminished. It is therefore considered that the proposed development would spread the existing extent of built development into the Green Belt, equating to sprawl, therein resulting in harm to this purpose.

To prevent neighbouring towns merging into one another;

7.36 The Green Belt review found that the parcel currently lies in a Green Belt gap between Eccleston Park, West Park, Rainhill and Whiston but that this gap has already been significantly reduced due to the merging of Eccleston Park, Rainhill and Whiston on the north-western and southern sides. As such it states there is no longer any visual/perceptual separation of these settlements on the ground. Given the strong boundaries around the parcel which obscure the golf course from any public highway, the parcel provides only a moderate to weak role in preventing further merging. Therefore, it was considered that there is no longer a strategic gap between Eccleston Park, Rainhill and Whiston in this location.

7.37 The review found that the site had a moderate to weak role in preventing further merging due to the strong boundaries and the lack of perception of separation between settlements that already exists. This acknowledges that it does play a role in preventing towns merging into one another and therefore whilst its contribution might be low to moderate it still does play a role in preventing further merging. Therefore, the proposed development would create harm to this purpose.

To assist in safeguarding the countryside from encroachment;

7.38 The Green Belt review found that the parcel of land is quite clearly a golf course and as such has a more recreational appearance than countryside character. The use of the land as a golf course means the site has an attractive, green appearance but is not of the same character as open countryside. Therefore, the proposal cannot be considered to encroach into the countryside due to the nature of the use.

To preserve the setting and special character of historic towns;

7.39 This purpose serves to protect the setting of historic settlements by retaining the surrounding open land or by retaining the landscape context for historic centres. In practice this purpose relates to few settlements due largely to the pattern of modern development that often envelopes historic towns today.

7.40 The proposed development site sits adjacent to the edge of settlements, where development is comparatively recent. Considering the character and nature of the adjoining developments, it is not considered that this purpose of the Green Belt is relevant in this instance.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.38 The proposal does not assist in urban regeneration by encouraging the recycling of derelict and other urban land. In the emerging Local Plan around two thirds of the housing requirement can be accommodated within the urban area, some of these sites being derelict and other urban land. Therefore, the proposed development conflicts with this purpose.

<u>Summary of impacts on the Green Belt.</u>

7.41 The proposal is inappropriate development in the Green Belt, would be contrary to three of the five purposes, and would have a significant impact on the openness, contrary to saved policy GB2. Accordingly, substantial weight should be given to the harm by way of inappropriateness, together with substantial harm caused to the openness of the Green Belt and conflict with the purposes of including land within the Green Belt.

<u>Very Special Circumstances</u>

7.42 This section of the report will assess the applicant's case of VSC as set out in Section 2 of this report and consider any 'other harm' and assess the impact of the development. It will then conclude as to whether the VSC presented by the applicants outweigh the substantial weight given to harm to the Green Belt. As the proposal is inappropriate development, substantial weight has to be given to harm to the Green Belt. For the proposed development to gain planning approval that **substantial weight** (officers' emphasis) and harm must be clearly outweighed by other considerations such that there are Very Special Circumstances (VSC) necessary to justify development in the Green Belt.

7.43 There is no statutory definition of VSC but (as outlined above) the Government attaches great importance to Green Belts and inappropriate development is harmful by definition and must be given substantial weight. The weight to be accorded to each component of the VSC case is a matter for the decision taker. It needs to be considered whether any factor put forward by itself outweighs the harm, and (if not) whether some or all of the factors put forward in combination outweigh the harm. Case law has established that a number of factors, none of them 'very special' when considered in isolation, may when combined together amount to VSC. Indeed, the factors combined together could create something very special. The weight to be given to any factor is very much a matter of degree and planning judgement and for the decision taker.

7.44 To make that judgement the individual and collective benefits the development proposes taken together need to be considered, and a view formed on whether they clearly outweigh the harm. Harm includes not just definitional harm by reason of inappropriateness, but also includes openness, visual impact, green belt purpose and any other planning harm. The mere absence of harm is not enough to outweigh definitional harm, it must be clearly outweighed by very special circumstances.

7.45 The applicant's case of 'very special circumstances' is outlined in Section 2 of this report. The applicants in their submissions have stated that they accept the proposals constitute inappropriate development which need justifying in the context of VSC for permission to be granted. Their view is that VSCs exist due to the overall unique package of benefits associated with the proposals, as such it is the applicants very firm view that on balance VSC clearly outweigh harm. The applicant is of the firm view significant benefits can be attributed to these development proposals and critically, these benefits are only capable of being delivered from this site, with one of the key benefits in their view being truly unique to this site and these proposals. These benefits in their view significantly outweigh the harm by reason of inappropriateness and any other harm.

Health Centre and contribution

7.46 As outlined in paragraph 2.15 the applicant's case of VSC is that the special circumstances are cumulative and one must make an overall assessment, rather than asking if each individual point constitutes VSC. The element of the application that has been ascribed very substantial weight when determining this application is the overage payment and gifting of land to facilitate a new Health Centre on the site.

7.47 As outlined above the applicant's proposal in their Supplementary Planning Note Addendum proposals are now that a payment of £5.45 million will be made to DHSC to be used for nationally for health related benefits. And that a payment of £3.25million (from DHSC) will be made towards provision of a health project in St Helens. The Health Care Centre & Care Hub proposed would be built by the applicants. They state it would be constructed to the appropriate standards. The on site centre being a health project in St Helens that does not currently have a funding stream. Mulbury will transfer the land on Two Butt Lane to the DHSC, or such other NHS body, or Group Company as DHSC requires. The land will transfer on the date of completion and the purchase price for the land will be £1. Mulbury will transfer the land with full title guarantee and with vacant possession on completion. Then subject to implementation of the Planning Permission, the DHSC will make available for a 10-year period (from the date of implementation of the Planning Permission) to the St Helens CCG (or its statutory successor) £3.25M towards a health project within St Helens.

7.48 The CCG have commented, as outlined in paragraph 3.23 above. They state that three practices will be impacted by the proposed development: Longton Medical Centre, Crossroads Surgery and Rainhill Village Surgery. They state that the consolidation of these practices alongside community services and ancillary facilities results in a floorspace requirement of approximately 2,099 square metres. This provision will support the emerging local healthcare estates strategy by way of improvements to, reconfiguration of, and providing additional resource for the benefit of patients. They require the health centre to be secured via a Section 106 and it be constructed to heir required specification.

7.49 Whilst the provision of a Health Centre on site is clearly a positive element of the application, that carries some weight, which the applicants describe it as unique and very significant benefit and one that does not exist elsewhere in the Borough. Whilst Officers are not aware of any other site which has an overage payment that would contribute such as this, no justification has been provided as to why any new health centre must be located on this Green Belt site, no consideration has been given to alternative sites outside the Green Belt that could potentially accommodate the development. The applicants outline that within the Rainhill area of St Helens there is a population of 15,000 patients that are covered by 3 GP's. They state that the CCG has advised the applicants that residents would gain the best support if an integrated health care hub could be delivered in this area. They have also confirmed whilst Rainhill is a priority area for new healthcare premises, the opportunity to access NHS capital is severely limited and it is not expected that such funding could be secured for a new development. As such they state that the opportunity presented by the proposals at the former golf course would provide much needed facilities within an area where there is a very significant need and where current services are stretched beyond capacity.

7.50 The application outlines that the proposal would be for a new health facility that would meet locally identified needs including the provision of GP services in high quality buildings to replace the current outdated premises. The proposed Health Centre on site is a benefit of the scheme and weighs positively in planning balance. However,

that weight is tempered by the fact that the proposed Health Centre is proposed to replace three existing GP services. Furthermore, the proposal is for outline consent for a 11,507 Sq. ft E health centre. This equates to 1069 square metres. As the CCG state in their representation the amalgamation of Longton Medical Centre, Crossroads Surgery and Rainhill Village Surgery alongside community facilities results in a floorspace requirement of approximately 2,099 square metres. Therefore, the proposal in terms of its size is 1030 square metres smaller than what the CCG would require combining those facilities and provide the integrated health care hub which the applicants state would best support residents. The proposal in terms of its floor area appears to be for a two GP facility rather than a three GP facility. On that basis it is considered that there would not be an increase in capacity, indeed a smaller facility would likely reduce the capacity and not be fit for purpose. Improvements therefore would likely be qualitative rather than quantitative. The development proposes 962 dwellings, the majority of which will be family housing, and which will generate a significant population that will require access to GP services in the area. Therefore, the proposed new combined on-site health facilities impact on the capacity of CCG to provide care to those residents has not been made clear by the applicants, and it is not clear whether the proposal would mitigate the impact of the increased population in the area as a consequence of the development. It has also not been outlined what the consequences of not granting planning permission would be, in that event how would DHSC meet health needs? Whilst this scheme would provide a health centre, would the requirement for the CCG to meet health needs not remain and must be provided in any case? No information has been provided detailing how the proposed facility will be fully used and occupied. Nor have the practical benefits of the proposal been explained, such as if the development did not exist, what would the consequences be? The applicants whilst stating they would build the health centre, have not stated at what point in the development, i.e., prior to how many dwellings being occupied it would be provided. It is officers view that if members were minded to approve the application that this be included in a S106 legal agreement to ensure the delivery of an appropriate facility prior to the occupation of 250 dwellings. However, no information has been submitted from either the applicants or the CCG with regard to timescales and the plan for the existing GP's. Furthermore, as it only being applied for in outline, there is no scheme to be approved before members, and it would have to be subject to a Reserved Matters application, which would have to be submitted and be acceptable to the Local Planning Authority before being granted planning permission. It cannot be guaranteed that the Local Planning Authority would grant planning permission as there is no scheme being proposed, which means if an acceptable application was not submitted and approved that this benefit would fall away. Officers cannot lawfully pre-determine an application. Therefore, it is Officers view this can only be given very limited positive weight.

7.51 Furthermore, as the applicants state in their submission, albeit when the proposed contribution was to fund the on-site health centre, the payments are due on trigger dates when reserved matters applications are approved and this means that in all probability this will result in phased payments as each parcel comes forward up to 25 September 2038. There is therefore no certainty at what point any health project will be delivered as it is reliant on payments at times unknown. It is also unknown what the

current investment plans of the DHSC are in the borough and how they would change if the overage payment were made i.e. the baseline scenario is unclear.

7.52 With regard to the £3.25 million overage payment to a 'health project' within St. Helens, no details have been provided as to why this development is considered to make this contribution necessary to make the development acceptable in planning terms, why (its purpose) is directly related to the development and why it is fairly and reasonable related in scale and kind to the development. Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the above tests that they are necessary to make the development acceptable in planning terms. With a complete lack of detail on what the proposed contribution is for, how it will benefit residents of the site, it is not clear to Officers that this is the case here and therefore can be afforded no material weight..

7.53 The NPPG provides guidance on 'When should a 'local finance consideration' be taken into account as a material planning consideration?'. It clearly states that 'whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body'. Therefore, in the absence of information that details why this payment would make the development acceptable in planning terms it is not considered that the proposed contribution meets the CIL tests and should not be afforded material weight.

<u>Affordable housing</u>

7.54 As outlined above the application proposes 30% Affordable Housing (289 dwellings), with the draft Heads of Terms submitted indicating that 50% will be Affordable Rent and 50% to be available for Shared Ownership. The applicants in their Supplementary Planning Note (SPN) have listed this as one of the scheme specific benefits and explained that the emerging Local Plan has a focus on redeveloping previously developed sites. They state that as viability is a common issue with many previously developed land sites across the borough that such sites will not make any contribution towards meeting the affordable housing needs which equates to 117 affordable homes per annum. The proposal would meet the equivalent affordable need for 2.5 years.

7.55 The NPPF defines affordable housing as: housing for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy).

7.56 Paragraph 63 of the NPPF states where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective

of creating mixed and balanced communities. Paragraph 65 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer.

7.57 Policy CH2 in the Local Plan Core Strategy states that the Council will support affordable housing by requiring all private sector developments to make 30% of the dwellings proposed affordable, unless it can be demonstrated this is not viable by a site-specific viability assessment.

7.58 The emerging Local Plan takes a different approach to Affordable Housing. The viability of developments in the borough has been considered and presents the most up to date data on affordable housing viability across the borough. This has found that sites' viability depends on its location and whether the site is previously developed or greenfield. Policy LPC02 requires proposals for 11 or more units to be required to contribute at least 30% of new dwellings on greenfield sites in Affordable Housing zones 2 and 3 as affordable housing. As the application site falls in zone 3 then there is a 30% requirement for affordable housing in the emerging Local Plan. There are no doubt viability issues in some areas of the borough but that is reflected in Policy CH2, with the sites allocated for development capable of meeting the need over the plan period.

7.59 Therefore whilst the provision of Affordable Housing to meet an identified need is a significant benefit and weighs positively in favour of the application it is a policy requirement of both the current Development Plan and the emerging Local Plan to deliver that level of affordable housing on the site. To date, the Examining Inspector has not indicated any issue of soundness relating to the Council's approach to meeting affordable housing needs and (in particular) has not suggested that a Main Modification is required to allocate this (or any other site) to meet any such needs. Indeed, other sites allocated for development that are being taken out of the Green Belt will have that same policy requirement.

<u>Market housing</u>

7.60 The application proposes a total of up to 962 dwellings, with outline consents applied for 617 dwellings, and full planning permission sought for 345 dwellings. As detailed above 289 would be affordable, with the remaining market housing. Of these dwellings four are proposed to be bungalows. The applicants in their SPC outline this as a benefit of the scheme.

7.61 Paragraph 60 of the Framework states *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed".*

7.62 The proposal includes the delivery of housing in a sustainable and very accessible location – close to existing train stations. The provision of housing therefore represents a benefit that weighs in favour of the application, particularly considering the council cannot currently demonstrate a 5-year supply of housing. However, it must be recognised that the extent of the shortfall is limited. The weight accrued to the

provision of market housing that makes a positive contribution to the supply of housing in the borough can therefore not be substantial. Further, it is being addressed (and will be addressed) through the Local Plan process which will shortly conclude. On adoption, the Council will have a 5YHLS and sufficient housing for the Plan period.

Children's nursery

7.63 The application seeks outline consent for an up to 7100 Sq Ft children's nursery. The economic benefits of which are considered below. The applicants state that a nursery of this scale could potentially cater for up to 150 children. This is a piece of social infrastructure which will increase early years provision in the local area, which is a benefit of the scheme. However, with a total of 962 dwellings proposed at the site, which are being promoted as a mix of house types including family housing this can only be of limited weight or neutral in the planning balance. The exact capacity of the nursery has not been provided, nor has an assumed yield of the proposed development. However, it can be considered to effectively meeting the needs of the proposed dwellings proposed rather than fulfilling an existing local need. Indeed, the applicant's case regarding the trip generation expected to be generated by the development, is that trips to the nursery school will be trips that would otherwise leave the site. Within the emerging Local Plan, a nursery falls under Education and within the definition of infrastructure. The applicants have not proposed a trigger at which date the nursery has to be provided and occupied, and therefore there can be no certainty at what point, if ever the nursery will be built, as it will be left to the market.

Convenience retail provision

7.64 The application proposes a convenience retail store, which would be a benefit to the residents of the proposed development and contribute towards the proposal being sustainable development as it would reduce the need for residents to travel for convenience goods, therefore promoting walking and active travel. However, this again is neutral in the planning balance, as it is effectively meeting the needs of the dwellings proposed rather than fulfilling an existing local need. The applicants transport assessment explains that trips to the food store will predominately be trips from within the site or pass-by trips. Furthermore, as with the children's nursery, there is no guarantee that it will be provided, as it is subject to a reserved matters application that must be approved, and that if it is approved and thereafter constructed, that it will endure.

Car parking for Eccleston Park Train Station

7.65 The proposal includes car parking provision for Eccleston Park Train Station (30 spaces) which would help alleviate existing on-road parking issues on streets nearby to the station. This is a clear benefit to the scheme that can only be provided from this site and as such is of moderate positive weight.

On-site Public Open Space (POS)

7.66 The proposal includes large amount of open space which exceeds the both the Development Plan and Emerging Local Plan requirement in terms of the quantity proposed. This is a benefit and can be given limited positive weight, as it will also be accessible to the wider community who will be able to use these areas of the site, not just its residents. However, the amount of POS on the site is largely due to the site's constraints, including the pylons, ponds and trees that are located within the site.

Health Ranger

7.67 The SPN submitted outlined that a Health Ranger would be provided for the site, that would also interact with the proposed Health facility. Extremely limited information is given about the role that the Ranger would perform but it can be assumed that it would be to promote healthy lifestyles and activities to the residents of the site. This Health Ranger the applicant states would be provided by the Land Trust, a charitable organisation that work with land owners who want to pass on responsibility for the management of an area of land. The Land Trust would also maintain the POS within the site. This is clearly a benefit but can only be given limited weight due to the lack of information about the Rangers exact role and what benefit it will bring to the community occupying the development.

Footpath and dedicated cycle link

7.68 The proposed footpath and cycle link contribute to scheme in terms of whether or not is acceptable from a highways and urban design perspective, but they are a requirement of providing an acceptable development and do not serve beyond being part of site-specific considerations. They therefore add no material weight in the planning balance.

Ecological and landscape enhancements

7.69 The ecological issues regarding the site are discussed below. The improvements in terms of biodiversity and habitats are being delivered to mitigate against the impacts created by the development itself. As such, should the Biodiversity Net Gain matter be resolved, limited weight should be attached to these improvements in terms of biodiversity when considering the very special circumstances.

Financial contribution towards education

7.70 The application has been met with a request from Education for a contribution to mitigate the impact of the development. Therefore, this is not a benefit of the scheme but rather mitigation for the impact the development will have on education in the area. Therefore, this has no positive weight in the planning balance nor contributes to the cumulative VSC that forms the applicant's case.

Economic benefits

7.71 As outlined in paragraph 2.15 the applicant's case of VSC includes the economic benefits that the development will bring. These includes construction related activity generating jobs, the commercial elements on site generating jobs, residents' expenditure, reducing in in-bound journeys, £12 million New Home Bonus, £1.9 million in Council Tax per annum and avoiding a decline in working age population.

7.72 The government is NPPF paragraph 81 confirms that significant weight should be placed on the need to support economic growth and productivity and that is the case here. The proposed development would result in investment into the local economy, and would create support a number of jobs during construction and a more limited number post completion. Aside from the other economic benefits, the new home bonus and Council Tax receipts are benefits associated with any new housing development and therefore cannot be given significant weight or be considered very special circumstances and is therefore neutral in the planning balance.

Conclusion on Very Special Circumstances and Green Belt

7.73 The proposal would give rise to definitional harm to the Green Belt arising from inappropriate development and would reduce the openness of the Green Belt to its considerable and irreversible detriment. The proposed development would compromise three of the purposes of Green Belt to varying degrees as set out in the NPPF thereby adding to the substantial harm.

7.74 In discussing the very special circumstances required to off-set the substantial harm that would occur to the Green Belt from such a development the applicants have set out a number of benefits. What is most obvious is that the proposal will deliver further market and affordable housing to meet the Council's existing targets and would provide funding for a Health Centre on the site. However, such benefits would be at a significant cost to the Green Belt.

7.75 The applicant's case demonstrates that the proposed development will deliver some benefits that collectively should be given significant weight in favour of the development. This must then be weighed against the substantial harm caused to the Green Belt discussed above, and any other harm, as assessed below, in order to establish if the benefits and the site-specific circumstances, amount to very special circumstances.

Issues and Assessment

Landscape and visual impact

7.76 Policy CP1 requires that new developments are sympathetic to surrounding land uses and occupiers, avoiding detrimental impacts on the amenities of the local area, in particular residential amenities. The policy also requires that new developments minimise and mitigate the effects of pollution.

7.77 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued

landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).

7.78 Paragraph 171 states that distinction should be made between the hierarchy of international, national, and locally designated sites; so that protection is commensurate with their status and gives appropriate weight to their importance.

7.79 Paragraph 117 in the NPPF states that planning decisions should make an effective use of land, while safeguarding and improving the environment.

7.80 Policy CQL4 states that landscape character will be protected, preserved, and enhanced by ensuring all new development respects the significance and distinctive quality of landscape character and that it is of a high standard of design reinforcing the Borough of St Helens' local distinctiveness.

7.81 A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the ES (chapter 6) which analyses the visual impacts of the proposed development. The content of the assessment has been reviewed by the Council and forms the basis of this analysis. Paragraph 28 of the National Design Guide defines landscape as: *"Landscape is the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment. Landscape includes landform and drainage, hard landscape such as surfacing, boundary treatments, street furniture and play equipment. It also includes soft landscape – trees, shrubs and other planting."*

7.82 Landscape value is *"the relative value that is attached to different landscapes by society*" (GLVIA, 3rd version, page 157). The site is identified as being with the e UG3 Rainhill Golf Course Landscape Character Area (LCA) and the Urban Greenspace (UG) Landscape Character Type within the Landscape Character Assessment for St Helens (January 2006).

7.83 The Landscape Character Assessment describes the Positive Features for the area as "*possible remnants of former designed landscape with distinctive layout and mature tree structure" and "variety of open and enclosed spaces and experiences defined by extent of tree cover, which contrasts markedly with adjacent settled landscapes".*

7.84 Negative Features are noted as *"encroachment of modern housing creating hard visually prominent edge to area", "encroachment of features with urban character such as security fencing, railway infrastructure and pylon lines" and "golf course planting contrasts and relates awkwardly to design and form of form, more designed landscape character".*

7.85 The assessment continues by describing the overall developed edge as "weak to moderate reflecting the varying prominence of the developed edge". Landscape sensitivity is considered 'low to medium' with visual sensitivity as 'low to medium' too. The landscape strategy for the area is considered 'Restore and Enhance'.

7.86 The applicant's assessment is that the site is considered an urban fringe landscape, with boundaries comprising back gardens, main roads, and some woodland belts. New development to the east encroaches beyond the previous edge comprising a woodland avenue. A strong edge exists to the north of the area with mature woodland planting. They state that condition of the site is considered poor and degraded, with the areas of designed landscapes overlooked by built form with the railway line providing an urban influence.

7.87 The LVIA considers the landscape and visual effects of the development. It finds that the proposed development would not cause significant or detrimental harm to the character and visual amenity of the landscape on or local to the site. The LVIA considers the impact of the development for several different receptors. The LVIA considers 24 viewpoints to assess the effects on visual receptors. The different types of groups assessed include:

- Residents of private dwellings;
- Key routes such as roads, cycle ways, or long-distance paths;
- Users of accessible or recreational landscapes;
- Public Rights of Way users; or
- Notable viewpoint locations, such as from historic and landscape features.

7.88 The LVIA has found that the development as proposed is likely to result in significant effects to a small number of local visual receptors, but that the enclosure of the site only for only short distances views of the site. The surrounding vegetation and built-up area shielding any views from beyond this. Of the viewpoints/receptors considered the highest impact on recreational receptors (high sensitivity) was to Public Footpath SN207, which will experience a high magnitude of changed and have a moderate adverse effect upon completion in year 0 and a moderate/minor adverse effect after 15 years.

7.89 In terms of residential receptors which also have a high sensitivity there are several which would have a moderate adverse effect, include Ryder Court which will experience a high magnitude of change and Two Butt Lane which wall also experience a high magnitude of change.

7.90 The LVIA then considers mitigation measures that are required to mitigate any significant environmental impacts. The demolition and construction methodology at the detailed stage will be based on minimising the impact upon the surrounding area by making the site as self-sufficient within its boundary as possible and a commitment to implementing industry best practice.

7.91 The LVIA states that the development as proposed is likely to result in significant effects to a small number of local receptors, however as the site is well contained and allows only for short distance views of the site, with the surrounding vegetation and urban area shielding any views beyond this, the LVIA does not anticipate that any supplementary mitigation is required as it would not result in any further reduction of the predicted residual effects beyond those assessed for both landscape and visual

receptors. The applicants state that the following elements within the landscape strategy plan have been incorporated into the development;

Central Public Open Space
Offsets within overhead power easement and from internal watercourse to be utilised to create an area of naturalistic parkland open space, including recreational links through the site

Residential areas of Public Open Space (POS)
Residential POS areas linking up to central POS consisting of a variety of formal and ore naturalistic parkland planting areas in order to blend in with the wider landscape surrounding the site which includes woodland, small parks and playing fields.

Woodland Buffers
Boundaries of site adjoining areas of woodland and containing tree belts to be retained and incorporated into a development offset. Buffers to consist of existing retained vegetation, new supplementary woodland planting where needed and woodland margin planting.

Entrance Points
Entrance points into the site to be enhanced with street-level planting as appropriate for the local street scene and to blend into the adjoining development.

Frontage Landscaping Treatments
Landscaping to consist of new hedgerows and hedgerow trees in order to assimilate the development into the adjacent settlement edge and to soften views of the new built form.

7.92 The residual impact assessment assumes that the embedded mitigation and recommended further mitigation measures described in the section above have been implemented. It assesses the change the mitigation makes to the resulting effects on the identified receptors. In the case of landscaping mitigation, this predominantly relates to the establishment and/or maturation of existing retained and proposed vegetation. Residual effects can also consider the use of particular materials that will soften over time. The LVIA states that as there are no proposed further mitigation measures for landscape receptors therefore the residual effects remain the same. The further mitigation measures proposed for visual receptors do not constitute enough change to the scale of magnitude to reduce the overall effect. The residual effects for visual receptors therefore also remain the same.

7.93 With regard to cumulative effects these are those that result from additive impacts (cumulative) caused by other existing and/or approved projects together with the project itself. The LVIA considers all those to be located beyond the visual envelope of the site.

7.94 Landscape and visual effects are interrelated but assessed separately. The following definitions help to differentiate between what constitute landscape and visual effects:

• Landscape effects relate to changes to the fabric, character, and quality of the landscape and how it is experienced; and
• Visual effects relate closely to landscape effects, but also concern changes in views as visual assessment is also concerned with people's perception and response to changes in visual amenity

7.95 The principal landscape effects set out in the LVIA are that there will be a perceptible change in the extent to which areas of unused land become changed to residential and employment development. The site itself is well contained visually and will mainly be noticed by those that use it recreationally – albeit that access is informal as there are no designated routes crossing the site. The cumulative development sites do not form part of a network of informal or formal rights of way linked to the site so there is no reason to assume that their development should impact on the perceived character of the area in the sense of changes to recreational opportunities. The overall change to the landscape character as a result of both proposed developments and that which is subject to this application will be a sense of a consolidation of the existing urban area.

7.96 The principle visual effects set out in the LVIA are that there will be no in combination intervisibility between the site and the cumulative sites identified above as they all fall beyond the visual envelope and are influenced by intervening topography and built form. Any opportunities for both developments to be viewed within the same frame of view are restricted by this, and the dense vegetation surrounding the site. Sequentially, as users travel along Elton Head Road, the development proposed at the former linkway distribution park and Lea Green Farm, together with the allocated (safeguarded) land adjacent to St John Vianney Primary School will form a consolidation of the existing settlement edge with more residential and employment built form becoming visible. However, there are no opportunities to view the proposed development within the site from Elton Head Road so there will not be any sequential effects either. Therefore, there will be no cumulative visual impacts as a result of this development

7.97 With regard to permanent effects the identified that significant visual impacts will relate to the private residents at Ryder Court within the site and the recreational users of the public right of way running along Two Butt Lane, whereby Moderate Adverse effects are judged to be experienced upon completion of the development. However, these will reduce to Moderate/Minor Adverse effects upon establishment of the proposed soft landscaping which forms part of the embedded mitigation for the development, and such effects are inevitable for such close proximity users.

7.98 Therefore visual effects would cause harm to the visual amenity of residents within the vicinity of the site. The harm caused to amenity would be contrary to the requirements of policy CP1 and should weigh against the proposed development. There would be harm caused through construction although it would be temporary. The harm caused during the operational stage would be a permanent effect. The harm caused should be given moderate weight against the proposed development and considered as "other harm" in the Green Belt balance.

7.99 With regard to landscape effects, the conclusions in the LVIA on the severity of impacts submitted by the applicant are accepted as accurate. However, the Tree and Woodlands Officer states that whilst they agree with most of its conclusions, they would argue that in the assessment of the impacts it makes a number of assumptions about what is being delivered to mitigate and that some of the methods to mitigate are not being delivered to an extent that will fully mitigate as required. In particular, the retention of trees on site (particularly trees of merit for retention). Their view is that an improvement in tree retention will help to mitigate as this report describes. The Tree Removal Plan shows that there is still significant tree removal along Two Butt Lane, and the cut and fill proposals will likely result in significantly more tree loss than even being indicated by the Tree Removal Plan. The assessment submitted appears to be based on no tree removal. For example, it states: “Amended proposal will not require the removal of the vegetation along Two Butt Lane”. However, the extract of the Tree Removal Plan shows, in red, significant tree removal along Two Butt Lane which will be further exacerbated as the cut and fill proposals also impact this area and would result in even greater tree loss than indicated in this plan (see below).

7.100 Therefore the information submitted with the application with regard to landscape, biodiversity and tree retention do not reflect the impacts portrayed in the LVIA. The information is based on tree retention proposals that are not reflected in the plans submitted.

Design and Layout

7.101 Paragraph 124 in the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work.

7.102 Paragraph 127 in the NPPF states that planning decisions should ensure that developments.

a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting.

7.103 Paragraph 117 in the NPPF states that planning decisions should make an effective use of land, while safeguarding and improving the environment.

7.104 Policy CP1 of the CS requires new development to maintain or enhance the overall character and appearance of the local environment, minimise opportunity for crime and maximise natural surveillance, provide landscaping as an integral part of the development, protecting existing landscape features, and achieve a BREEAM rating of at least "very good" for non-residential development.

7.105 The design and layout of the proposed development is considered acceptable. The application has been submitted with a spatial design code (September 2021) which provides a broad set of design principles in relation to spatial aspects of the proposed development including layout, street hierarchy, street design, parking, scale, landscape, and character areas. This was submitted with a revised masterplan for the site as a whole and seeks to demonstrate that the areas subject to outline approval will co-ordinate with the detailed elements of the application. It is the intention that future reserved matters applications will be able to use this document as a point of reference in drawing up proposals and that it provides a set of clear design principles and parameters that should inform the future detailed design covering issues relating to site layout, built form, street hierarchy, car parking, building design, materials, hard and soft landscaping. If members were minded to approve the application then a condition requiring future applications to be in substantial accordance with these documents would be appropriate. Whilst the layout and design of the proposed buildings in the full part of the application are acceptable, it does not add any weight positive or negative to the balance, as good design is a requirement of the Development Plan, and the outline elements are a matter for future reserved matters applications.

Highways – Access and impact on the highways network

7.106 Paragraph 111 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.

7.107 Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.108 Paragraph 103 of the NPPF states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.

7.109 Paragraph 108 of the NPPF states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable travel modes can be – or have been – taken up given the type of development and its location, safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.110 Paragraph 106 of the NPPF states that maximum parking standards should only be set where there is a clear and compelling justification that they are necessary for managing the local road network or optimising the density of development in a location that is well served by public transport.

7.111 Policy CP2 states that new developments will be expected to: provide safe and adequate vehicular, cycle and pedestrian access to and from and circulation within a site, provide adequate on-site parking that does not exceed the Council's maximum

standards, only take direct access from the primary route network where it does not restrict the capacity of the road or its intended purpose and where a reasonable alternative exists direct access will not be permitted.

7.112 It goes on to state that new developments are expected to locate to sites where there is the potential for users to walk or cycle to the site and/or the provision of cycle and walking facilities within the site, and/or the improvement of routes or facilities which serve the site and, locate to sites where there is good access to the public transport network and/or the provision of public transport facilities within the site and/or the improvement of public transport facilities which serve the site.

7.113 The Policy further states that significant generators of traffic should be: located within 800m or 400m of safe and convenient walking distance of stations and bus stops serving a high frequency route respectively, located on sites which are served by rail or where rail facilities can be provided as part of the development or where this option is not available locating where there is a good access to a road designated as a Freight Priority Route.

7.114 A Transport Assessment (TA) has been submitted with the application which assesses the impacts of the development on the local highway network. Following initial responses from Highways officers a Transport Assessment Addendum was submitted. This has been assessed by the Councils Highways Advisors, with all of their responses provided above. Throughout consideration of the application, they have provided a number of technical notes.

7.115 As the application is a hybrid application the main access points are part of the full element of the applicant and are therefore a detailed matter for consideration. ‘Access’ is the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network. These matters, along with the impact of the network have been considered against the above policy context.

7.116 Vehicular access will be provided from three locations (also shown in Figure 2.1 above):

- Site Access 1 - B5413 Rainhill Road Site Access (to/from the east)

– Realigned priority access in place of the existing golf course access

- Site Access 2 - B5413 Rainhill Road Site Access (to/from the west)

– New priority junction formed on the western site boundary from Portico Lane

- Site Access 3 - Two Butt Lane Site Access

– One priority junction formed on the southern site boundary from Two Butt Lane

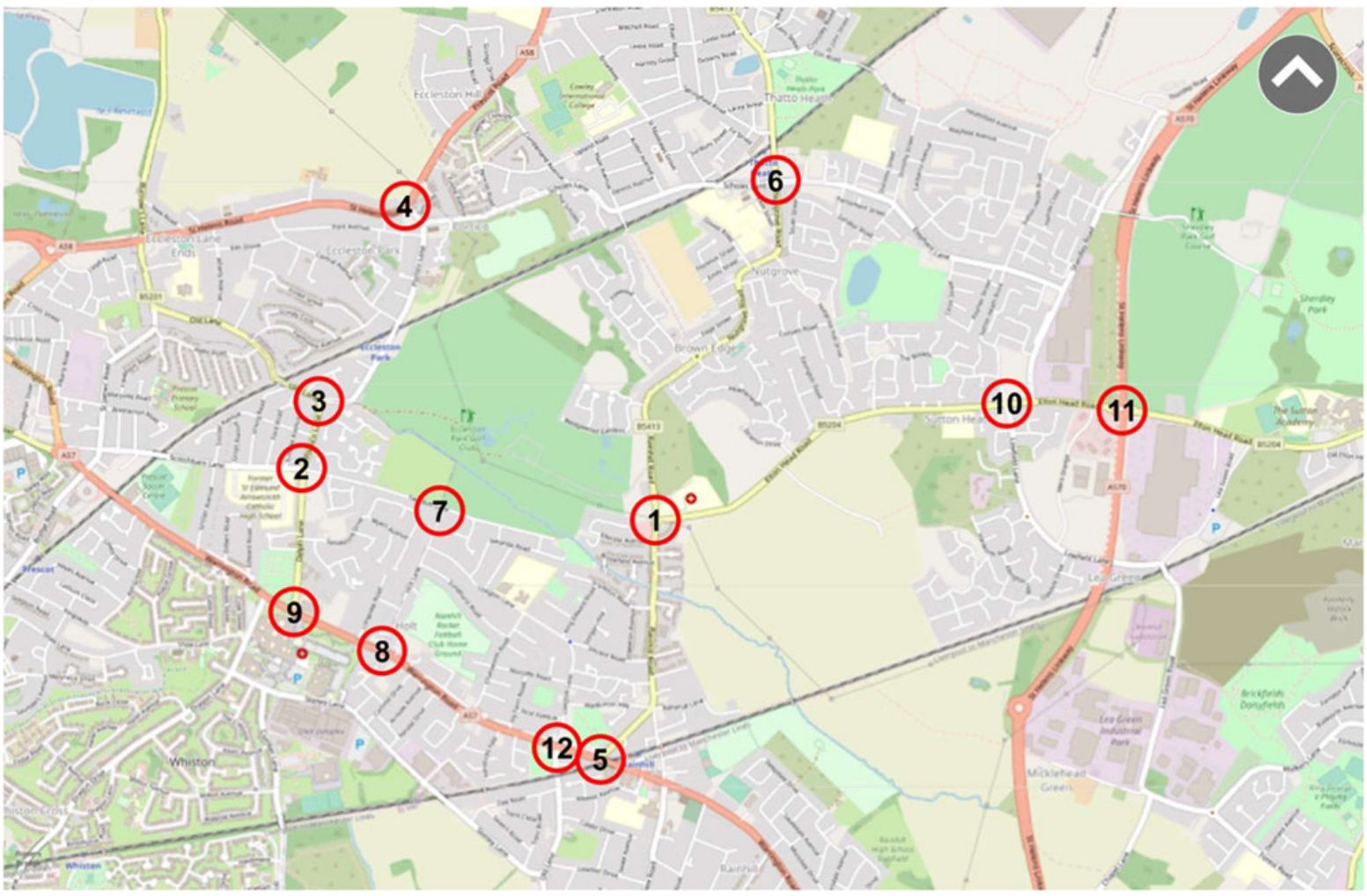
Site accesses 1 and 2 will link internally via a spine road. Access from Two Butt Lane is limited to the access for the medical centre. Site Accesses 1 and 2 will be connected by an internal spine road which will be designed to accommodate a bus service. The internal spine road will be designed to accommodate a bus service routing between the B5413 Rainhill Road in the east and the B5201 Portico Lane to the west. The

internal spine road has been designed with a 7.3m wide carriageway connecting the B5413 Rainhill Road with Portico Lane, in accordance with council design requirements, which accords with Merseytravel's requirements for a bus route.

7.117 The early phases which are subject of the full application will be delivered before the spine road is formed through the site. In this early scenario traffic in the eastern and western areas of the site will be assigned to route via Site Access Junctions 1 and 2 respectively regardless of the trip origin/destination. The applicants have confirmed that a maximum of 250 dwellings would be constructed from either access (Site Access 1 and Site Access 2) prior to the spine road being formed through the site and connecting the accesses internally. With regard to the proposed access points to the development, the Councils Highways consultants consider they are all acceptable with regard to safety and design.

7.118 The submitted TA assesses the trips generated by the proposed development and then consider the impact of the development on existing junctions in the area around the site. With regard to trips generated by the development the multi-modal trip generation is that the proposal will result in 102 arrivals and 396 departures in the weekday AM peak hour, and 306 arrivals and 144 departures in the PM peak hour. This is considered robust as it only takes into account journeys to work (often far from home and typically made by car), and not other journey types which occur in the peak hours such as trips to nurseries or primary schools which are often located close by (as is the case for this site) and therefore, such journeys are more likely to be made on foot. The council's highway consultants are satisfied that the trip generation calculated for the proposed development is acceptable.

7.119 The proposals impact on the surrounding highway network has been considered. The impact on 12 junctions has been assessed, these are identified on the below image:



The councils' highways officers have assessed the impact on each of these junctions. The greatest impact is felt at junction 1 and junction 5. Junction 1 is the B5413 Rainhill Road / B5204 Elton Head Road junction, south of the proposed entrance to the site off Rainhill Road. The longest queue recorded in the 2025 Do Minimum AM peak is 11.3 passenger car units (PCU) on Rainhill Road South. This increases to 17.4 PCU with the addition of development traffic. This equates to a queue length of 95.7m and would block back to Ellerslie Avenue. An improvement scheme has been identified for this junction to mitigate the impact of the development. This involves widening the B5413 Rainhill Road arm to provide a two-lane approach. Highways officers' comment that *it is evident that the proposed improvement scheme has a beneficial impact on the operation of the junction in the future year. However, it should be noted that in the PM peak, a queue of 10.1 PCU has been recorded, equating to approximately 55m. This, in turn, would impact upon the upstream junction between Rainhill Road / Ellerslie Road.*

7.120 Junction 5 is the A57 Warrington Road / B5413 Rainhill Road. In the worst-case scenario (2030 Do Something PM), the junction operates with a PRC of -18.2%. When compared with the 2030 Do Minimum PM scenario, this equates to a decrease in practical reserve capacity (PRC) of 11.1%. Paragraph 8.30 of the Transport Assessment notes*, "When a junction is already forecasting at or near to capacity any increase in traffic results in an exponential increase in DoS and queue length. Having regard to this and given the low % impact at this junction, no mitigation measures are considered necessary "*. This view is not shared by the council's highways consultants who state that the results presented to date are considered to present a concerning impact and further consideration of direct or indirect measures to alleviate this is necessary, particularly on Warrington Road West. In the 2030 Do Minimum PM scenario the arm has a degree of saturation of 88.5% and an associated queue of 19.7 PCU. With development traffic added, the degree of saturation increases to 106.4% (which is over theoretical capacity), and the queue increases by 8.5 PCU (approximately 46m) to 28.2 PCU, equalling circa 155m. These queue extents could potentially block back to Station Street, as well as Station Road to the west.

7.121 Therefore with regard to the impact on this junction it is highways officers view that without mitigation that the impact will be severe. A MMQ increase from 25.7PCUs (150m) to 70.8PCUs (410m) in the evening peak on Warrington Road is considered particularly concerning from a Road Network perspective. Other queue increases are equally as concerning from a road network perspective. As outlined in the consultee section above various options for improvements to junction 5 were considered, but the deliverability of the proposed improvements at Warrington Road / Rainhill Road was not demonstrated by the applicants. The design proposed would have increased capacity such as to alleviate the developments impact, however there were concerns remain with regards to some of the design aspects of the proposed scheme. These being:

- Lane widths on Rainhill Road (3m) would cause issues for two large vehicles queuing side-by-side, and an overall carriageway width of 13m (inc footway) is considered inappropriate for 3 lanes of traffic.

- The scheme would potentially involve narrowing of the footway on Rainhill Rd.

- The pedestrian crossing provision over Rainhill Rd does not include a sufficient stagger, potentially allowing pedestrians to cross in one movement.

- Greater thought would need to be given to the service road in terms of footway removal, land-take, shared use provision, proximity to existing buildings, signage and access and the types of vehicles able to use the road.

7.122 Therefore, the scheme for mitigation was not considered a deliverable solution to the impacts presented, it was not clear from the work undertaken by the applicants that a physical scheme could be adequately derived to ameliorate these issues. Highways officers also noted that the MerseyTravel Green Bus Routes enhancement proposes measures for Warrington Road and the Warrington Road / Rainhill Road junction specifically. This is part of the Liverpool City Region Bus Service Improvement Plan, and this would now represent a committed scheme for the corridor. It was therefore suggested that the applicant should consider a more holistic people movement strategy, in relation to demand heading to/from the Eccleston site to Rainhill and the train station.

7.123 The later responses from the council's highway advisors focuses on the proposed measures for mitigation within the applicants Travel Plan as an alternative to physical highway works that are just not possible at this junction. The following measures have been discussed as a Travel Demand Management Solution and to mitigate the impact of the development.

1. *Provide funding to improve local bus stops, including the introduction of shelters and real-time passenger information,*
2. *Further funding for improved signage and lighting along cycle routes,*
3. *Fund a public transport marketing scheme,*
4. *Fund discounted bus passes to target residents within the development,*
5. *Fund Smart Integrated smart ticketing technology,*
6. *Fund an active travel marketing campaign,*
7. *Fund a car sharing marketing campaign / car sharing solutions,*
8. *Fund cycle parking in local schools,*
9. *Fund the Council in introducing Employer Travel Plans locally,*
10. *Fund the Council in implementing and expanding School Travel Plans locally,*

With financial contributions as follows:

1. *A financial contribution to Mersey Travel of £750,000 with these monies used to add a new service and/or modify existing bus services e.g., increased service at weekends and in the evenings on existing routes etc*
2. *Bus travel subsidisation £280,000*
3. *Improve bus stops (RTPI etc) £230,000*
4. *PT Marketing Scheme £25,000.*
5. *Personalised Travel Planning £30,000.*
6. *Cycle Parking £10,000.*
7. *Improved Signage and Cycling on Cycle Routes and PRoWs £30,000.*
8. *Active Travel Marketing Scheme £15,000.*
9. *Car sharing marketing campaign/car sharing solutions £30,000.*

10. School and Employer Travel Plans £ 25,000.
11. Travel Plan co-ordinator/TDM Manager £125,000.

7.124 Other highways related measures included as part of the development include:

- 2 new bus stops (internal to the development),
- Internal connecting link road (indirect alignment),
- Junction raised tables,
- 7.5t weight limit on internal link road,
- 3m segregated Cycle Route - Rainhill Road to Portico Lane,
- B5413 Rainhill Road / B5204 Elton Head Road junction improvement -localised widening for new RT lane + provision of new Toucan crossings including tactiles and kerbing,
- Portico Ln Boundary Treatment - replacement of hedgerows where required,
- Crossing provision on Portico Lane
- Crossing provision on Rainhill road (at Rainhill Rd / Elton Head Rd junction)
- 30 parking spaces (site internal) for Eccleston station
- Connecting footway/cycleway between the two early phases of development doubling as an emergency access,

7.125 The range of measures listed above is considered appropriate for a development of this size, with a varied focus on vehicular, cycle, walk and public transport modes. The combined provision of the above mitigation and design related measures is considered positive to the overall delivery of the site proposals. With The applicants have confirmed their agreement to the above. With the above secured via conditions, Section 106, and Section 278 agreements the impact of the proposed development on the highways network is considered acceptable and highways officer raise no objections. However, given the impact on junction 5 A57 Warrington Road / B5413 Rainhill Road it is considered that there is some modest harm when considering the requirement to consider 'other harm' with regards to the assessment of whether there are very special circumstances.

Loss of the Golf Course

7.126 Local standards in the core strategy Policy CQL 1, sets out a requirement for 1.68 ha per 1000 people for outdoor sports facilities (within 6km of their home). Part 5 of the policy CQL 1 does indicate that new developments will be required to contribute towards the expansion / improvement of green infrastructure. 1.68ha per 1000 people could therefore be used to provide a quantitative indication of requirements.

7.127 If proposals equate to 1,954 residents (Sport England assumption) – there would therefore be a requirement for circa 3.28 hectares of outdoor sports facilities. While this standard might be considered to include golf, it is unlikely that any golf provided will count towards this, as it will be considered mitigation for the loss of the 18-hole golf course.

7.128 The Sport England response indicates a requirement for circa 3 outdoor pitches, this at an indicative capital cost of £288,740 and lifecycle cost of £43,992. Broken down into pitch types this equates to:

1a. Natural Turf improvements/new provision to football and rugby pitches – indicative costs amount to a total £190,997 with lifecycle costs of £40,326 (to accommodate match play during peak period).

1b. Artificial Grass Pitch indicative costs amount to a total indicative cost of £97,743 with a split of £89,081 for 3G and £8,662 for sand based (to accommodate training over the week). This additional demand would generate the need for 3 additional changing rooms at an indicative cost of £492,827. SE state 3 shortfalls in existing provision are likely to be exacerbated by the new residents moving into the area and therefore using the latest PPS action plan, Local Football Facility Plan priority projects, and Rugby Facility Plans, a specific site(s) should be identified where works are required to increase capacity to meet the additional/ new demand. This total indicative cost for outdoor sport improvements = £879,310.

With regard to indoor sport, the SE response states that their Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 1,954 in this local authority area will generate a demand for.

Sports Halls		Swimming Pools	
Courts	0.53	Lanes	0.37
Halls	0.13	Pools	0.09
Vpwpp*	157	Vpwpp	121
Cost	£324,543	Cost	£346,344

*Vpwpp = visits per week in the peak period

Total indicative cost for indoor sport improvements = £670,887. They state that the land currently accommodating an 18 hole Golf Course is not surplus to requirement for sporting use, only the format of the game is surplus to requirement in the locality. Mitigation is required to accommodate other formats of golf that are experiencing deficiencies. Given that the Local Authority area sports provision is currently experiencing deficiencies across most pitch sport types, it is Sport England's opinion that the development would, if permitted, create a need for a contribution to sports facilities. Such a contribution should be secured by S106 and invested in improving sports facilities within the sports catchment of the proposal. They therefore objected to the application as their view was that it is not compliant with NPPF with respect to the loss of the golf course.

7.129 There are similar requirements in the emerging Local Plan and this document also confirms that contributions will be required. Policy LPCO5 indicates that new residential development will be required to contribute towards the provision, expansion and / or enhancement of open space to meet needs in accordance with Policies LPA08 and LPD03

7.130 Policy LPC05 indicates that where new residential development would result in a deficiency of open space or sports and recreation facilities in the locality or be in a

location where a deficiency already exists, it will be expected to include new, expanded or enhanced open space provision in accordance with Policy LPD03 (Open Space and Residential Development). The policy states that 'any requirement for new sports facilities will be additional to this. Where identified shortfalls in outdoor sports and recreation provision would be exacerbated by the additional demand generated by housing development, contributions will be sought towards the enhancement of existing facilities or provision of new facilities in the area to address this shortfall, as informed by the Playing Pitch Strategy (PPS) and Action Plan (or any future update thereof)'

7.131 The 2016 PPS assessment does not provide any further guidance on the number of contributions required, only indicating that; 'Where proposed housing development is located within access of a high quality playing pitch, this does not necessarily mean that there is no need for further pitch provision or improvements to existing pitches in that area in order to accommodate additional demand arising from that development. The PPS should be used to help determine what impact the new development will have on the demand and capacity of existing sites in the area, and whether there is a need for improvements to increase capacity or if new provision is required.' The PPS was written before the advent of the Playing Pitch Calculator and therefore does not refer to the use of this tool (although it does not use any quantitative alternatives either).

7.132 As detailed above the initial response from Sport England was to object to the application due to no mitigation being put forward to address the loss of the golf course. They considered that a sports need assessment was required to establish exactly what the demand for additional sport is likely to be and whether the additional demand can be accommodated within existing provision, improvements to existing required or new provision. They state that Sport England's Strategic Planning Tools show this development is estimated to generate additional demand equating to 3 outdoor pitch equivalents, 3 additional changing rooms, 157 additional visits per week to sports halls and 121 additional visits per week to swimming pools. The Councils Head of Culture and wellbeing also observed that no compensatory provision has been proposed for the sport of golf. He also agreed with Sport England's assessment of the additional pressure the new homes will place on existing facilities.

7.133 The applicants sought to address this with a s106 discussion paper to mitigate for the loss of the course. The paper addresses the fact that the council's current evidence base is out of date but states that it is not feasible for the applicants to work within the timescales for the update to take place, these timescales relate to the application coming before members at January committee.. The applicant's view is that in the absence of an up-to-date evidence base the analysis and logic set out in their response paper is considered still to be relevant to help guide discussions and agreement, particularly in terms of the levels of contributions.

7.134 Sport England's response to this is that the applicant's paper is predominately based on 2016 PPS which is now considered out of date as the baseline data is more than 5 years old. This means there is no clear indication of what the actual surpluses and deficits are in relation to pitch sports. When there is not an up-to-date sports evidence

base it is up to the applicant to provide an Assessment of Sport to help inform both the loss of a sports facility and any additional demand for sport arising from the housing development. Sport England's guidance on preparing assessments for outdoor sport and built sports facilities has been produced to assist both councils and applicants. The applicants have not provided this as discussed above due to their timescales.

7.135 The applicants have proposed investment into an existing golf course to secure improvements. It is Sport England's view that qualitative improvements do not mitigate for a loss. They state that there is a deficiency in other formats of the game such as 9-hole, Golf Driving Range etc. and that mitigation for the loss into a format of the game where deficiencies are experienced may be required.

7.136 Therefore the proposed £116k contribution towards an unspecified golf course does not comply with Sport England Policy or paragraph 99 of the NPPF. No mitigation has been presented that provides for replacement land that can accommodate a different format of the game. Even if an assessment of need demonstrates golf is no longer required on the site, no consideration has been given to whether the land could meet/ address an alternative open space typology requirement. Paragraph 99 of the NPPF does not limit open space to its current or last known typology in terms of surplus to requirement. The question is whether the open space, irrespective of typology, is surplus to requirement: *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.

7.137 The paper concludes there is no need to make contributions to meet the additional demand for sport. However, that is based on an out-of-date PPS. The comments from the ECB and RFU indicate there have been changes that have not been considered by the s106 paper. Sport England are therefore unable to withdraw their objection. The applicant's proposal regarding mitigation for the loss of the golf course is as follows:

- Up to £500,000 towards playing fields and changing provision
- Up to £300,000 towards swimming priorities
- Up to £116,000 towards golf mitigation

7.138 With regard to the golf contribution the applicants outline that the investment will be agreed in conjunction with England Golf and the Council and will be *'A commitment of up to £116k towards improvements to seniors, ladies and junior golf at a local golf course the location of which is to be agreed by Sport England or England Golf'.*

7.139 Whilst a specific scheme has not been identified with regard to the above contributions, and Sport England maintain their objection, as there is no loss of playing fields, Sport England are not a statutory consultee. It is officers view that the proposed contributions are based on the available existing evidence base, changes since 2016 and current key issues, and are considered in principle to mitigate the loss of the golf course, with the Councils head of leisure confirming that there isn't the need for a 18 hole course, and the impact on sport in the area given the increase in households.

Air Quality

7.140 Paragraph 181 of the NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

7.141 The NPPG advises that the 2008 Ambient Air Quality Directive sets legally binding limits for concentrations in outdoor air of major air pollutants that affect public health such as particulate matter (PM10 and PM2.5) and nitrogen dioxide (NO2).

7.142 As well as having direct effects, these pollutants can combine in the atmosphere to form ozone. Odour and dust can also be a concern, for example, because of the effect on local amenity.

7.143 Poor air quality can have health impacts, as reflected in the EU Limit Values referred to above. The Limit Values are annual mean concentrations of 25ug/m3 (micrograms per cubic metre) for PM2.5 and 40ug/m3 for both PM10 and N02. The annual mean should be applied at locations where members of the public might be regularly exposed to, such as the building facades of residential properties, schools, hospitals etc. If the pollutant level is below the EU Limit Values then it is largely regarded that there is an acceptable impact on health.

7.144 The NPPG states that air quality may be relevant to a planning decision if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species).

7.145 Policy CP1 of the Core Strategy requires new development to minimise and mitigate against the effects of air pollution, smells, and dust. Development that is located within or would impact on AQMA's will require special consideration with regard to their impacts on air quality.

7.146 The Council's Air Quality officer has assessed the submitted Air Quality section of the submitted Environmental Assessment. This modelling considered 43 receptors and the results showed that the proposed development would not cause any exceedances in air quality objectives for nitrogen dioxide and PM10. The proposed development results in slight increases of NO2 and PM10 within the area, however, based on the IAQM guidance, these increases were concluded to be negligible. As such she raised no objections to the development.

7.147 When the application was amended to remove dwellings and introduce a Health Centre, the applicants Annual Average Daily Traffic flows showed an increase from

834 to 991 compared to the scenario with no development. Revised air quality modelling has not been undertaken, whilst in the previous report, a predicted total annual mean NO2 concentration of 21.2µg/m3 representing 53% of the annual mean Air Quality Assessment Level (AQAL) was predicted at Butt Lane. Even though the predicted concentration was below the 40 µg/m3 objective, as per the IAQM guidance, detailed modelling is required where there is an increase of over 500 AADT in light duty vehicles. The Air Quality Officer therefore asked that the area around Butt Lane where a significant increase in traffic is predicted should be re-modelled.

7.148 The result of the modelling is that for receptor 21 located at Butts Lane where the Health Centre is to be located, the 2018 baseline for nitrogen dioxide (NO2) was 33.4µg/m3. The model predicts in 2025 without the development in the do-minimum scenario, the NO2 levels would decrease to 20.8 µg/m3. The 2025 scenario with the development predicts an increase of 0.39 µg/m3 compared to without the development. As the predicted 2025 NO2 concentration without the prosed development is less than 75% of the Air Quality Assessment Level (AQAL), the increase of 0.39 µg/m3 is deemed to be negligible. An increase of 8%, 1.64 µg/m3 would be considered to be a slight impact and a 10% increase of 2.08 µg/m3 would be considered a moderate impact.

7.149 An increase of 834 AADT is highly unlikely to cause an exceedance in the annual mean AQAL but it has potential to increase the significance of the impact to slight or moderate. However, as stated in the IAQM guidance, a moderate impact at one receptor does not result in an overall significant impact when taking into consideration other factors. The Air Quality officer is satisfied that mitigation in the form of EV charging points at the Health Centre and throughout the site in the commercial areas and apartments buildings would offset these impacts and therefore raises no objections. The requirement to provide these can be subject to condition.

Noise and vibration

7.150 Policy CP1 requires that new developments are sympathetic to the surrounding land uses and occupiers, avoiding detrimental impacts on the amenities of the local area, in particular residential amenities. The policy also requires that new developments minimise and mitigate the effects of pollution.

7.151 Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum, potential, adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

7.152 The NPPG states that local planning authorities taking decisions should take account of the acoustic environment and in doing so consider whether or not a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved.

7.153 A significant observed adverse effect level is defined as the level of noise exposure above which significant adverse effects on health and quality of life occur. At this level, the NPPG states that the noise causes a material change in behaviour and/or attitude, for example, having to keep windows closed for most of the time or avoiding certain activities during periods when the noise is present.

7.154 The NPPG states that there is potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening, and difficulty in getting back to sleep, and that quality of life is diminished due to a change in the acoustic character of the area. The NPPG states that this level of impact should be avoided, and that any impacts below this level should be mitigated and reduced to a minimum.

7.155 Chapter 11 of the applicants submitted ES deals with noise. It outlines that the principal noise effects associated with this development are: (a) changes in traffic noise on the road network local, but outside, the development area; (b) construction-related noise affecting noise sensitive receptors adjacent to the development or haul roads associated with it. The Assessment shows that the Site is affected principally by railway noise at its northern boundary. With respect to the guidance provided in BS 8233:2014 and the WHO 1999 guidelines, it is concluded that suitable internal noise levels in habitable rooms in all properties will be achieved with windows closed, at all times of the day and night. Night time maximum noise levels in upper-storey bedrooms were found to be exceeded but not sufficiently to be a significant cause for concern with respect to sleep disturbance. However, it is concluded that this situation could be improved through careful design of the Site to provide a greater set-back from the railway line.

7.156 The Councils Noise EHO has considered the submitted information and has confirmed there is no objection in principle to residential development in this location, but that the site is subject to environmental noise from a variety of sources. Noise associated with road and rail traffic are the most prominent sources of noise which effect the wider site and therefore have the potential impact on any future occupants. The rail line has been electrified in recent years and train movements operate on a 24-hour basis carrying both passenger and freight. Freight movements make up the vast majority of movements occurring at night between the hours of 23.00 and 07.00. The rail line is located in a cutting immediately adjacent to Eccleston Park Station, however as it runs in the direction towards St Helens the line is almost level with the golf course land. In addition, vibration from train movements associated with the operation of the rail line to the north of the site have the potential to impact on future residents.

7.157 They have considered the submitted noise assessment and have raised concerns that it fails to address the construction phase of the development. However, the impact on the final occupants of the dwellings post construction from surrounding noise sources is acceptable subject to suitable noise mitigation measures so that the amenity of residents is not affected by noise. The applicants have been asked to address the impact from noise during the construction phase of the development, particularly with regard to the impact from the cut and fill operation. They state that this was a preliminary exercise that will need to be revisited prior to any development taking place. They state there will be significant arisings from foundations to all houses, retirement block, sewers, spine road, commercial uses, utilities, and the de-culverting of Pendlebury Brook – and that the volumes of these arisings can only be realistically calculated when there are detailed proposals for all the site, including drainage design. Whilst this could be subject to a condition, the implications regarding the cut and fill are discussed further below.

Flooding and drainage

7.158 Policy CP1 and paragraph 167 of the NPPF state that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas of flooding where informed by a site-specific flood risk assessment.

7.159 Saved Policy ENV30 states that planning permission will not be granted for developments that: are in areas liable to flooding, cause loss of access to watercourses for future maintenance, cause loss of natural flood plain except in exceptional circumstances and where compensatory measures are provided as agreed with the Environment Agency and give rise to substantial changes in the characteristics of surface water run off unless adequate off site works can be provided.

7.160 Paragraph 165 of the NPPF states that major developments should incorporate Sustainable Urban Drainage Systems (SUDS) unless there is clear evidence that this would be inappropriate. SUDS should a) take account of advice from the Lead Local Flood Authority, b) have appropriate proposed minimum operational standards, c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development and d) where possible provide multifunctional benefits.

7.161 A Flood Risk Assessment and Drainage Strategy has been submitted with the application and forms part of the Environmental Statement. Consideration has been given to the impact of the proposed development having upon flood risk and water quality.

7.162 As outlined above the Environment Agency have no objections to the development. However, the LLFA have objected as the developer has not demonstrated how offsite surface water flows will be managed. As part of the detailed design the level and extent of flooding from Pendlebury Brook will need to be determined and the developer should demonstrate appropriate finished floor levels incorporating freeboard. This is to provide confidence that proposed houses in southern areas of the site in close proximity to the watercourse are not at flood risk.

7.163 The LLFA states that a review of the surface water flood maps shows that there are surface water flow routes into the site. The developer should show how these will be managed and that displacement of surface water will not lead to flooding of existing development. The FRA report states that a low-risk surface water flood route is shown to flow from the railway line into a topographical depression and that depressions will be engineered out. However, the developer does not explain how this offsite flow will be managed through the site. The developer should confirm the hazard associated with surface water runoff and the level of treatment proposed to mitigate its impacts on the receiving watercourse

7.164 The applicant has responded stating that the proposed drainage strategy is designed to accommodate the surface water run-off from the site for the 1 in 100 year + 40% cc event with no flooding / overland flow occurring during the 1 in 30 year and 1 in 100-year events. The low risk of surface water flooding that currently occurs on site is posed from the overland flows entering the site from the north, and from the existing ponds within the site. The development proposal includes the changes to the current topography by raising the levels across the site up to 3.9m. This will prevent the overland flows from entering the site from the north and will eliminate the surface water flooding within the site by implementing the proposed surface water drainage. The post-development surface water drainage is designed to manage the surface water run-off within the site and prevent from flooding the existing developments within the area.

7.165 The LLFA commented as outlined above on the 07.01.2021 and still have objections with regard to the proposed development. They state that they are concerned with the impact on the railway line and the development does not show how the land level change will affect the surrounding land and how it will change the flows around the site and towards the railway receptor. The changing of the levels at this location can lead to localised ponding and pushing current water flows in unknown directions. Assessment of the land level changes are surface water flows need to be investigated. They have also requested that the land levels both pre and post development around the north section of the site to be provided and confirm how this will be altered and how it will affect the flow and potential review of the land around the railway. The application has also still not provided an assessment of all the current existing drainage the area including the EA identified watercourses, and the channels that have been altered by the Golf Course over the years. On site to the south of the Wedgewood Gardens Estate there is a small reservoir in which it is believed to drain to the ponds to the south and then down towards either east towards Rainhill Road or to the West of Nottingham Close. The developers need to investigate the potential for unknown drainage and then include it within the development. The LLFA state that they need to understand the culvert discharge location and how it will affect the current proposed layout and reduce conflicts with other drainage systems / layouts. They also state that at the west of Nottingham Close there is an EA recorded Ordinary Watercourse, which appears to be culverted. However, no details of this watercourse or potential culvert have been provided. LLFA state they need to understand if this watercourse has been removed by previous owners and if there are any upstream connections that could be altered as part of the development. The applicants vies is that this could be determined post decision however the LLFA are of the view that investigation should be undertaken prior to determination; mapping shows a possible ditch connection on plans and EA River network identifies a potential watercourse at this location. Therefore, there are outstanding drainage issues with the application, and the applicants have not adequately demonstrated how surface water will be managed, which is contrary to the requirements of the development plan.

Residential amenity

7.166 Policy CP1 of the CS states that new development should be sympathetic to surrounding land uses and occupiers, avoiding detrimental impact on the amenities of the local area, in particular residential amenities. It also requires that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa. The policy also requires that new developments minimise and mitigate the effects of pollution.

7.167 Paragraph 180 in the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

7.168 Subject to appropriate conditions, a development could be delivered on the site that does not cause harm to residential amenity through overshadowing, undue dominance, or privacy. In this respect the proposed development complies with Policy CP1.

Contamination

7.169 Policy CP1 of the Core Strategy requires a development site to not be contaminated and unstable or that provision can be made for its remediation. This is supported by Paragraph 184 of the NPPF which also states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

7.170 Further to this saved policy ENV26 of the St Helens UDP states that on contaminated sites or sites suspected of being either contaminated or affected by contamination, the Council will require developers to carry out investigations to assess the nature and extent of contamination and to prepare programmes or schemes of works to treat or minimise the problems. Planning permission will normally only be granted subject to conditions requiring appropriate remedial works to be undertaken.

7.172 The Council's Contaminated Land officer has reviewed the application and in their initial response acknowledges that the applicant had submitted several reports:

- Environmental Statement, Chapter 13, Ground Conditions
- Betts Geo Consulting Engineers, Desk Study Report, ref. 18MBH003/DS, February 2018
- Betts Geo Consulting Engineers, Ground Investigation Report, ref. 18MBH003/GI, July 2019

7.173 Chapter 13 of the Environmental Statement assesses any potential impacts of the proposed development that relate to the identified ground conditions. The assessment has been prepared by Betts Associates with reference to the above desk study and

ground investigation reports. The assessment advises that whilst localised areas of contamination are present at the site the associated issues can be readily dealt with via the implementation of a Construction Environment Management Plan during the construction phase and via remedial measures where necessary that will ensure protection post completion of the development. The Council's Contaminated Land officer agrees with the conclusion that there will be no significant residual effects relating to ground conditions.

7.174 The Phase 1 report charts the history of the site from historical mapping and provides a good appraisal of the environmental setting of the site and surrounding area. Most of the site remained undeveloped up until the initial construction of the golf course in the late 1970's. There were localised areas of construction in different areas of the site however including a farm (Asylum Farm Annexe) with associated tanks, the Vrnwy Aqueduct, a filter bed, and pylons. The underlying geology is mapped as comprising Glacial Till underlain by Chester Pebble Beds sandstone.

7.175 The phase 2 investigation has comprised the excavation of 56 machine excavated trial pits and drilling of 27 window sample holes. 68 soil samples were taken and subject to laboratory chemical analysis. The ground conditions were generally found to comprise topsoil over Glacial Till in the form of clay. Locally in the vicinity of historical ponds the topsoil was underlain by ashy made ground and recent organic sands and silts up to 3.5m depth. Deep made ground comprising of demolition materials and reworked clays were identified associated with landscaping of the golf course (embankments etc.), the depth of the made ground being a direct result of the height of these raised features. Sandstone was encountered in one exploratory hole at 4.40m bgl.

7.176 The Council's Contaminated Land officer notes there were no significant contamination recorded in either the topsoil or natural soils. Elevated concentrations of arsenic, lead, PAH's, TPH's and asbestos were recorded in the made ground associated with the backfilled ponds and within raised embankments and landscaped features. Gas monitoring has identified elevated concentrations of methane and carbon dioxide however these appear to be primarily associated with the made ground associated with the landscaped bunds. No groundwater sampling has been completed to date and further assessment of the risks to controlled waters should be completed, though the Council's Contaminated Land officer agrees with the consultant's recommendations that risks to controlled waters are low given the site history.

7.177 Since the Council's Contaminated Land officer's original comments the applicant has provided additional information to support the application. Several limitations have been highlighted by the officer. Although there appear to be no significant contamination constraints associated with the site and the proposed development, the import of material to site is, a significant issue that needs clarifying. If the proposed development was otherwise acceptable it would be advisable for the applicant to provide further clarification and justification on the comments raised by the Council's Contaminated Land officer. The officer considers the proposed development is acceptable in terms of contaminated land and in accordance with the NPPF, saved policy ENV26 and policy CP1 of the CS.

Ecology and Trees

7.178 Paragraph 170 of NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that when determining applications, local planning authorities should refuse permission if significant harm to biodiversity cannot be avoided or adequately mitigated; and opportunities to incorporate biodiversity improvements in and around developments should be encouraged – especially where this can secure measurable net gains in biodiversity.

7.179 Policy CQL3 reflects this but also requires that all development proposals are based on ecological assessments where appropriate and that developments affecting protected species will only be acceptable if there is clear evidence that the development outweighs the nature conservation interest.

7.180 Policy CQL2 states that the multipurpose value of tree, woodlands and hedgerows will be protected and enhanced by: requiring developers to plant new trees, woodlands and hedgerows on appropriate sites; to conserve, enhance and manage existing trees, woodlands and hedgerows; ensuring that development does not damage or destroy any tree subject to a TPO or any tree of value unless there is a clearly demonstrated public benefit, and where trees are justifiably lost they should be replaced on at least a 2:1 ratio; and supporting proposals which assist in the positive use of woodlands for green infrastructure purposes including recreation, education, health, biodiversity and economic regeneration.

7.181 In the Emerging Local Plan Policy LPA09 Green infrastructure applies. This policy states *"Development that would contribute to or provide opportunities to enhance the function of existing green infrastructure and its connectivity from residential areas, town, district and local centres, employment areas and other open spaces, will be encouraged. Development that would result in the loss, fragmentation or isolation of green infrastructure assets will be refused. The only exceptions to this will be where it has been demonstrated that:*

appropriate protection or retention of Green Infrastructure assets cannot be achieved; the development would bring benefits that would over-ride the resultant harm; and there are no realistic alternatives to the proposed development that would avoid such harm. In such cases, mitigation and / or as a last resort compensatory provision will be required".

7.182 Policy LPC08: Ecological network of the Emerging Plan states that *"the Council will, working where necessary with other organisations, seek to ensure greater resilience of the natural environment and secure a net gain in biodiversity. To this end it will seek to strengthen those elements of the Liverpool City Region (LCR) Ecological Network, including wildlife sites, wildlife corridors, and 'stepping stone' habitats that fall within the Borough".*

7.183 The NPPF para 174 sets out that Planning decisions should contribute to the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

7.184 Paragraph 180 states that when determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

7.185 An Environmental Statement Addendum (SATPLAN, September 2021) has been submitted to address the concerns previously raised in relation to the Environmental Statement (dated October 2020) as well as providing details of the updated scheme. MEAS have confirmed that the additional information is considered sufficient (except for the queries detailed below) to meet the requirements of the Environmental Impact Regulations 2017.

7.186 The Addendum Report states that whilst regrading is necessary there will not be the requirement to import soil. However, the information on the proposed cut and fill operation, contained within Appendix 1, shows a significant deficit in the quantity of material available. The Trees and Woodland Officer has advised that should planning permission be granted clarification would be required as the importation of large quantities of material will potentially have a significant impact on several technical areas during the construction phase, that they have been unable to consider. This is discussed in more detail below.

<u>Climate Change</u>

7.187 The applicants were advised of concerns regarding the lack of consideration of climate change within the Environmental Statement (except within Chapter 9 Drainage). The 2017 EIA Regs (Schedule 4 5(f)) require that the Environmental Statement includes the likely significant effects including the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. The applicants subsequently submitted a Greenhouse Gas Emission Assessment which has been considered by MEAS. MEAS state that the document assesses the anticipated emissions from both the construction and operational phase of the proposed development using current best practice. They state that the document outlines proposed mitigation measures including a Feasibility Study for low or zero carbon energy sources and advise this is acceptable and can be secured through a suitably worded planning condition.

7.188 The provision of mitigation measures to reduce the impact of climate change will also assist in complying with Section 4 of Policy CP1 Ensuring Quality Development in St. Helens: Resource Management) as well as Policy LPC13 (Renewable and Low Carbon Energy Development) of the emerging Local Plan 2020-2035.

Biodiversity Net Gain (BNG)

7.189 Part 6 of the Environment Act 2021 is entitled 'Nature and Biodiversity'. Within this part is section 98, entitled 'Biodiversity gain as condition of planning permission'. It states that 'Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England'. Part 1 of Schedule 14 contains the requirement for biodiversity net gain, and states:

Biodiversity gain objective
(1) The biodiversity gain objection is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least the relevant percentage
(2) The biodiversity value attributable to the development is the toral of –
a) the post-development biodiversity value of the onsite habitat
b) the biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development, and
c) the biodiversity value of any biodiversity credits purchased for the development.
(3) The relevant percentage is 10%
(4) The Secretary of State may be regulations amend this paragraph so as to change the relative percentage.

7.190 Section 147 of the Environment Act 2021 outlines when the Act commences. Section 147(3)(s) tells us that Part 6 of the Environment Act 2021 only comes into force 'on such day as the Secretary of State may by regulations appoint'. Therefore, it is not until further secondary legislation is made by the Secretary of State that Part 6 of the Environment Act (where the 10% requirement for BNG exists) becomes a condition of planning permission.

7.191 The application was not accompanied by a Biodiversity Net Gain Metric (version 3) for the site. Therefore, the information submitted had not demonstrated that there is no measurable net loss of biodiversity on site. The information originally submitted presents the area as having habitats of low biodiversity value and that significant biodiversity improvements are being made. None of this was quantified in terms of biodiversity provision. Therefore, the applicant submitted a note on biodiversity net gain. It states that a Biodiversity Net Gain Assessment of the proposals has been undertaken using Defra 3.0. The baseline data entered was taken from the extensive and repeat habitat surveys Tyler Grange have completed across the site since 2018. The Landscape Strategy Plan was then used to calculate the post-development value of the site, taking into account habitat retention and enhancements (i.e. enhancements to existing ponds). This calculates the baseline value of the site as 203.82 units. The post-development value of the site was calculated at 176.42 units therefore there being a -12.84% negative net loss at the site. A total of 26.18 units. Therefore the information presented by the applicants is that there is a loss of biodiversity on the site as a consequence of the proposed development.

7.192 The applicants whilst stating that there is currently no local or national policy which mandates the use of a Biodiversity metric (see para 7.190 above) acknowledged that the Environment Act will legally mandate 10% uplifts in biodiversity net gain associated with development. To manage this future requirement, the applicant proposes to provide financial contributions to manage and enhance a piece of land to the immediate east of the site off Nutgrove Road, with the ultimate goal to achieve Local Nature Reserve (LNR) status. To achieve this, the applicant put forward that they would provide a proportionate financial contribution and prepare a long-term management plan for the necessary enhancements/management. They state that this would also provide contributions towards the Council's ambition through local policy (CQL3) by 'ensuring the creation, extension and better management of BAP priority habitats, including the further designation of LNRs. They state that the extent and coverage of the management plan and funding should be informed by updated BNG calculations and detailed soft landscape proposals at the point of Reserved Matters, if mandated by future law at the time of Reserved Matters. With this, and the production of a robust on-site management plan, it may be possible to reduce the deficit in post-development BNG value the current masterplan would indicate.

7.193 However, as the information submitted by the applicants demonstrates that there is a loss of biodiversity on the site, that this loss should be mitigated for as part of this application. The assessment and calculation of the value of the site has been calculated. There is a clear reduction in the value of the site that needs to be addressed. The NPPF states that decisions should *"minimise impacts on and provide net gains for biodiversity*". Para 180 *states a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*. As there is a significant and detrimental loss – therefore in accordance with para 180 above it must be compensated for – if it is not then planning permission should be refused.

7.194 Therefore in line with the approach proposed by the applicants it was suggested that a figure of £15,000 per unit be placed on the 26.18 units lost from the site. This equating to £392,700 which would be used to enhance Biodiversity in the vicinity of the site. This would not provide a net gain, but simply mitigate the impact of the loss of biodiversity on the site in accordance with the NPPF. Future reserved matters application would thereafter be required to provide net-gain on the site. At the time of writing this report the applicants have not agreed to this contribution and therefore the development is contrary to the requirements of the Framework as harm to biodiversity has not been compensated for.

<u>General Ecology</u>

7.195 The golf course is close to the following locally designated sites and Local Plan Core Strategy Policy CQL 3, and St Helens Biodiversity SPD apply:

- Pendlebury Brook LWS (350m south-east)
- Reeve Court Woodland and Grassland LWS (200m east)
- Prescot Reservoirs LWS (1km north-west)

• Thatto Heath Dam LWS (1km north-east),

7.196 With the exception of Pendlebury Brook LWS, the proposals are unlikely to harm the features for which the sites have been designated, primarily due to their distance from the golf course, and barriers imposed by roads and development.

7.197 Pendlebury Brook LWS, which connects into the south-eastern corner. The LWS is designated in part for water voles, and there is a risk that site works could result in pollution of the watercourse in the LWS. Pollution control measures will need to be implemented on site in order to avoid impacts on the brook, but it is considered that such measures could be secured by condition

7.198 Should planning permission be granted a Construction Environmental Management Plan (CEMP) should be secured by condition. The CEMP would detail measures that will be implemented during site works in order to protect existing habitat features from direct damage and/or pollution during construction works.

7.199 The application was supported by various habitat surveys including those relating to bats, badgers, hedgehogs, nesting birds and reptiles. It is considered that more detail regarding implementation of mitigation measures and construction methods is required but that this could be provided within the CEMP and specific conditions.

Trees

7.200 Given the amount and location of tree cover within the site it is accepted that a substantial amount of tree loss is required to facilitate development on the site however it is considered that proposed extent of tree loss is unacceptable.

7.201 The nature of the site is such that much of the tree and woodland cover on site is relatively young and relates to the creation of the golf course, with many trees being less than 20 years of age. There are though smaller numbers of more mature trees, particularly near Ryder Court and also in pockets around the site. In relation to the Arboricultural Implications Assessment and the tree survey, within it the survey has been completed to BS5837 (2012) standard and as such the majority of trees on site have been identified as C Category trees. Under this approach it is generally deemed that C Category trees are not ones that have to be retained as part of a development and the standard categories such trees as having a low retention value. Whilst officers acknowledge this is correct in terms of application of the standard these are not U category trees and as such do not have to be removed (we acknowledge that BS5837 (2012) defines C category as low quality). However, officers would argue they are not low-quality trees in terms of defects, disease etc but are simply young to semi mature trees. They are all mostly healthy and thriving on the site and form a new and emerging landscape. Officers would also argue that the assessment has not fully considered their group value and their impact on the wider landscape. Whilst mostly young trees, collectively they form large, inter-connecting belts of trees, that help create the appearance of a wooded landscape and provide a wooded backdrop to the locality, particularly along the perimeters of areas such as Two Butt Lane and Portico Lane. Officers consider this scale and connectivity means they should be given more

weight in terms of their retention value, and we would want to see a layout that sort to retain more of these trees.

7.202 In addition to this the Constraints Plans submitted with this application identifies B category trees and show areas where they are more prevalent. This includes land to the south of St. Benedict's Wood and West of Aynsley Court (and North of Ryder Court). Here a narrow strip of trees is shown as being retained on the perimeter. However, in places, especially towards the corner, all the perimeter trees are removed and a secondary belt, containing a number of B Category trees are shown as being removed (Group 29 in particular but also parts of Group 5 and 6 are being removed when thy should be retained). Of these groups only a few trees towards the southern end and to the immediate perimeter are being retained around a pond area. This is shown as being an area of open space. Officers are of the view that if the applicant submits plans and documents showing these areas as being constraints and the Design and Access Statement advises that there is the "opportunity to retain a number of existing trees into the layout of the development to provide a sense of maturity…." then this should then be followed up by producing a layout that follows through and shows these constraints have been considered and retains these (more mature) trees. It would be logical to extend the open space area around the pond to the north and up to the rear of St. Benedict's Wood and Aynsley Court. This would provide more of a buffer to these areas, improve the functionality of the open space and retain trees of merit on site. The site layouts submitted though, therefore create the illusion that constraints have been considered, when in reality they appear to be treating the site almost as a blank canvas. This is reinforced by the Arboricultural Implications Assessment where under 3.6 it states that they are "Retaining A Category trees on the periphery". Why only A Category and why only on the periphery? The purpose of a British Standard BS5837(2012) report and tree survey is to identify and categories trees. Guidance says A and B category trees should be retained but the layout proposed ignores this and fails to consider such trees as constraints and incorporate them into the design.

7.203 Furthermore It is noted that information on Cut and Fill on the site also indicates areas where trees are shown as retained will be in areas where material is being cut and filled and it is therefore considered that based on the information submitted not all trees could be retained as shown It is therefore considered that the tree retention as shown in the Arboricultural Report is not an accurate representation of what can be retained.

7.204 The applicants have failed to submit details of proposed tree protection measures for Phases 1 and 3. Based on the information provided it is not clear that all the trees indicated as retained can be protected in accordance with the guidance as set out in BS5837(2012). This information is therefore required prior to determination to allow a full extent of tree loss.

7.205 No Landscape and Ecological Management Plans have been submitted for the full application areas of the site (Phases 1 and 2). This information is needed so it is clear how they are being managed, how management is being funded, how management will be protected into perpetuity as well as schedules for management work etc. There

should also be similar plans for the outline areas which should provide more detail to the Landscape Strategy submitted i.e., outline the principles of management for these areas, which can then be detailed at reserved matters stage using these principles as a basis for their prescriptions.

7.206 In summary it is considered that the extent of tree loss should be reduced, and the design of the layout should take account of existing trees and wherever possible incorporate existing trees as positive features that will enhance the development. Furthermore, it is considered that insufficient information has been provided to evidence that the extent of tree retention as shown is feasible. The applicants have been asked to do this, but it is the Tree Officer's view that the revised proposals do not retain an area which contains higher quality trees on the site. The development should be designed around retaining key features on the site which this does not. It is therefore considered that the application does not comply with the relevant policies national and local and planning policies.

Impact of the development on Existing Centres

7.207 Paragraph 87 of the National Planning Policy Framework states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.

7.208 Paragraph 90 of the National Planning Policy Framework states when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m2 of gross floorspace).

7.209 Paragraph 91 confirms that when an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the considerations in paragraph 90 it should be refused.

7.210 Policy CSS 1 Overall Spatial Strategy of the Core Strategy states that St. Helens Town Centre will enhance and protect its market share within the region by securing further retail and leisure development opportunities. Applications for main town centre uses providing greater than 500 square metres gross floorspace in an edge-of-town centre or out-of-town centre location will require an Impact Assessment.

7.211 The application seeks outline consent for a convenience retail store (Use Class E (a)) for up to 4,000sq. ft. (circa. 372 m²) with 20 customer parking spaces, as this use class is classed as a Main Town Centre Use (as defined in Annexe 2: Glossary of the NPPF) relevant polices in the NPPF and the St. Helens Core Strategy 2012 apply, including the need for a Sequential Test and Impact Assessment. The site is located in an out-of-district centre location approximately 830m from Rainhill and 1.1km from Thatto Heath District Centres,

7.212 The submitted sequential test submitted with the application has looked at the three closest defined centres, Rainhill District Centre, Thatto Heath District Centre, and Eccleston Local Centre. Out of all three centres, only three units where empty, and of those three, all were considered too small and as a consequence unsuitable. Council Officers also undertook an online search and did not find any suitable properties. This has also been cooperated by the Council's Monitoring Officer who confirmed there were no appropriate vacant units in these defined centres recorded within the last monitoring period.

7.213 Having reviewed the sequential test it is considered that the proposed development is in a sequentially preferable location. As the main town centre uses providing greater than 300m² in an out-of-district centre location to provide an Impact Assessment. The submitted assessment outlines there would be no likely significant impact on the surrounding centres or any reason to suggest their convenience offer would not be sustained. Indeed, the scale of the proposed unit seeks to serve a direct local need generated by the proposed units, as such there will not be a significant trade diversion from existing centres. It is therefore considered to accord with the NPPF and Policy CSS1 with regard to its impact on existing centres.

Cut and fill

7.214 The applicants Environmental Statement Addendum (ESA) outlines that that cut, and fill will take place across the site. The figures outlined show that fill levels and volumes that are way in excess of the cut material volumes (Cut is 55,026.11 m3 and Fill is 307,858.86m3). This means that around 252,832.72m3 of material would have to be imported on to the site. Several consultees have raised issues with this, the contaminated land officer regarding bringing possibly contaminated material on to the site, the noise officer regarding the impact that this will have on amenity with regard to highways movements, the drainage officer with regard to the impact the difference in site levels will have on surface water drainage, and the tree officer with regard to the impact this will have on trees, and whether the importation of the material means that tree's that otherwise would not be required to be removed are therefore removed. There is also no information regarding the size of vehicles brining the material to the site, or their routes, or times of movements.

7.215 The applicants view when this issue has been raised is that it is a matter that can be dealt with via a condition. And that as a large proportion of the proposals are outline, the amount of material required may be significantly less depending on the significant arisings produced from developing the site e.g., arisings from foundations (for housing and roads) and arisings associated with putting in place drainage, sewers, balancing ponds, and other utilities. It is officers view that the information submitted in support of the application within the ESA is that a large quantity (252,832.72m3) of material will be imported as part of cut and fill on the site. Whilst it is accepted that the volume may be less, should it not be then the effects on the other issues being considered as part of this application need to be known. If for example the volume required raised land levels significantly such that it effected surface water drainage, or existing trees then this needs to be considered now as part of this application. Therefore in the absence of detailed information this element of the proposal is unacceptable.

Section 106 obligations

7.216 With regard to S106 agreement obligations. Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal. Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:

- necessary to make the development acceptable in planning terms.
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

7.217 These tests are set out as statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework. These tests apply whether or not there is a levy charging schedule for the area. Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure.

7.218 With regard to a Section 106, areas where mitigation is required to make the development of the site acceptable in planning terms include the loss of biodiversity of the site, the impact of the development on the highways network, the impact of the development on education, the impact of the development on health, the need to provide affordable housing and open space management of the site including a 'health ranger'. In this regard the applicant has provided the following as 'heads of terms' and items to be included in such agreement:

1. Affordable Housing provision equating to 30% of the total housing numbers with 50% to be Affordable Rent and 50% to be available for Shared Ownership.

2. Payment of £3.25M (from DHSC) towards a Health project in St Helens.

3. Mulbury will transfer the Land on Two Butts Lane to the DHSC, or such other NHS Body, or Group Company as DHSC requires. The land will transfer on the date of completion and the purchase price for the Land will be £1. Mulbury will transfer the Land with full title guarantee and with vacant possession on completion. Mulberry will also construct the Health Centre to an appropriate standard

4. The Contractor for the delivery of the Health Centre will be Mulbury or such other contractor as nominated by the St Helens CCG with the Contractor to be reimbursed the costs of constructing the Health Centre from the £3.25M deposited with the CCG on approval of valuation certificates.

"Implementation" of planning permission defined as any works as defined in section 56(4) of the Town and Country Planning Act 1990 excluding ground remodelling and main site wide drainage and utility infrastructure, creation of the new access points on Portico Lane and Rainhill Road and the construction of the site Spine Road.

5. Education Contribution of £447,263.955 for Primary Education and £248,862 for Secondary Education payable upon occupation of 50 units

6. Leisure & Sports related payments of £916k as follows:

1. £500k to outdoor facilities for football and rugby union.

2. £300k towards swimming pool improvements at Sutton; and

3. £116k towards local improvements related to golf for juniors, ladies and seniors as agreed with Sport England or England Golf.]

It is agreed that specific schemes cannot be identified at this point, and these should be agreed at a later date in accordance with needs identified within the Strategies scheduled to be considered by Cabinet in January 2022, within the context of the following funding levels:

• Up to £500,000 towards playing fields and changing provision

• Up to £300,000 towards swimming priorities

• Up to £116,000 towards golf mitigation.

In terms of golf, any investment will be agreed in conjunction with England Golf and the Council based on the following principle:

'A commitment of up to £116k towards improvements to seniors, ladies and junior golf at a local golf course the location of which is to be agreed by Sport England or England Golf.'

These financial contributions to become payable upon occupation of 50 units.

7. POS management and maintenance through the Land Trust or such other body approved by the Council acting reasonably. with the Land Trust to provide a Health Ranger service which will interact with the new Health Centre

8. Highway mitigation including the following:

1. A financial contribution to Mersey Travel of £750,000 with these monies used to add a new service and/or modify existing bus services e.g., increased service at weekends and in the evenings on existing routes etc
2. Bus travel subsidisation £280,000
3. Improve bus stops (RTPI etc) £230,000
4. PT Marketing Scheme £25,000.
5. Personalised Travel Planning £30,000.
6. Cycle Parking £10,000.
7. Improved Signage and Cycling on Cycle Routes and PRoWs £30,000.
8. Active Travel Marketing Scheme £15,000.
9. Car sharing marketing campaign/car sharing solutions £30,000.
10. School and Employer Travel Plans £ 25,000.
11. Travel Plan co-ordinator/TDM Manager £125,000.

8. CONCLUSION

8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is also emphasised in Paragraphs 11 to 12 and 47 of the NPPF.

8.2 Saved Policy GB 1(a) in the Unitary Development Plan does not permit the erection of new buildings in the Green Belt unless it is for certain purposes (as was previously set out under PPG2). The proposal is considered inappropriate development in the Green Belt and does not meet any of the exceptions in the policy. Saved Policy GB1(a) therefore states that such inappropriate development should not be permitted except in very special circumstances (consistent with the NPPF).

8.3 Saved Policy GB2 states that subject to the provisions of Saved Policy GB1, development in the Green Belt will be judged against (i) whether it is appropriate in terms of its siting, scale, design, materials and landscaping and does not detract from the appearance and openness of the Green Belt, (ii) it will not generate so much traffic as to cause nuisance or danger nor require any major improvements to rural roads, (iii) it does not conflict with the purposes of including land within the Green Belt and (iv) it will not conflict with other objectives for the use of land in the Green Belt, and wherever appropriate, will make a positive contribution to their achievement.

8.4 Paragraph 144 of the NPPF states that when considering any planning application, the Council should ensure that substantial weight is given to any harm caused to the Green Belt and that ‘very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8.5 Paragraph 144 of the NPPF is considered to be consistent with both Saved Policy GB 1(a) and Saved Policy GB2.

8.6 The proposed development would give rise to definitional harm to the Green Belt arising from inappropriate development and reducing the openness of the Green Belt to its considerable and irreversible detriment. The proposed development would amount to sprawl, compromising three of the purposes of Green Belt as set out in the NPPF thereby adding to the substantial harm. This makes the proposed development contrary to certain aspects of saved policy GB2. In accordance with saved policy GB1(a) and paragraph 144 of the NPPF, this harm should (individually and collectively) be given substantial weight against the proposed development.

8.7 The proposed development would introduce additional vehicles onto the road network; however, it has been demonstrated that there is capacity within the network and junctions, subject to mitigation measures. The proposed development is considered to comply with the relevant parts of the NPPF and policy CP2 of the CS. There is limited harm caused.

8.8 Harm would be caused to the visual amenity of dwellings nearest the application site. The harm caused to amenity would be contrary to the requirements of policy CP1 and should weigh against the proposed development. There would be harm caused through construction although it would be temporary. The harm caused during the operational stage would be permanent. The harm caused should be given limited weight against the proposed development.

8.9 Other unresolved issues with the application remain regarding drainage, trees and the extent of material being brought on to the site and the impact that will have. Until these issues are resolved the application cannot be determined favourably. For the purposes of this balance with regard to the principle Green Belt issues, officers have not included these matters, as they are all matters that ought to be capable of being resolved with suitable mitigation.

8.10 The proposed development is also in conflict with the Emerging Local Plan which seeks to safeguard the site for future development. This can now be given significant weight and is a material consideration, therefore this weighs against the development also.

8.16 These impacts should weigh against the proposed development alongside the harm caused to the Green Belt.

8.17 In setting out the very special circumstances required to off-set the substantial harm that would occur to the Green Belt from such a development, the applicants have set out a number of issues. What is most obvious is that the proposal will deliver further market and affordable housing to meet the Council's existing targets, and this can be given limited weight, the weight tempered by the fact that the emerging Local Plan can be given significant weight, and that plan releases sufficient land to meet the housing needs over the plan period. It would also bring economic benefits that can be given significant weight. The funding and construction of a health centre can only be given limited weight due to the issues outlined above; no justification has been provided as to why it needs to be in a Green belt location, no consideration or site assessment has been provided with regard to alternative sites, the health centre applied for is smaller than the three GP facilities it is proposed to replace, the practical benefits of the proposal been explained, such as if the development did not exist, what would the consequences be, when will the health centre be delivered, when the will the health contribution be made, and as there is no scheme it is unknown exactly what development would be brought forward.

8.18 The application also proposes several economic benefits, of such a scale that they should be given moderate weight in favour of the proposals in accordance with Paragraph 80 of the NPPF. There are also some social benefits and very limited environmental benefits which should weigh in favour of the proposed development.

8.19 In terms of the planning balance, in summary, officers attach moderate weight to the benefits of housing delivery, limited weight to the health centre and moderate weight to the economic benefits of the proposals. On the other hand, officers attach very substantial weight to the harm to the Green Belt, and as outlined above there is other

harm in the highway's issues, visual impact and unless resolved drainage, trees and the impact of the proposed cut and fill. Whilst there are benefits, the policy test of Very Special Circumstances means that the harm from a development of this scale must be clearly outweighed by the benefits. It is considered that taking all the benefits of the proposed development into account, both on an individual basis and cumulatively, the harm to the Green Belt has not been clearly outweighed, and very special circumstances do not exist to justify allowing the inappropriate development. Officers' overall assessment is that, on balance, the considerations weighing in support of the appeal would not clearly outweigh the harm to the Green Belt.

8.20 It is therefore concluded that there is conflict with policies, so the proposed development does not accord with the Development Plan as a whole and material considerations do not outweigh the conflict with the Plan. The proposal does not comprise sustainable development, in the terms of the NPPF.

9. RECOMMENDATION

9.1 Refuse Planning Permission for the following reasons:

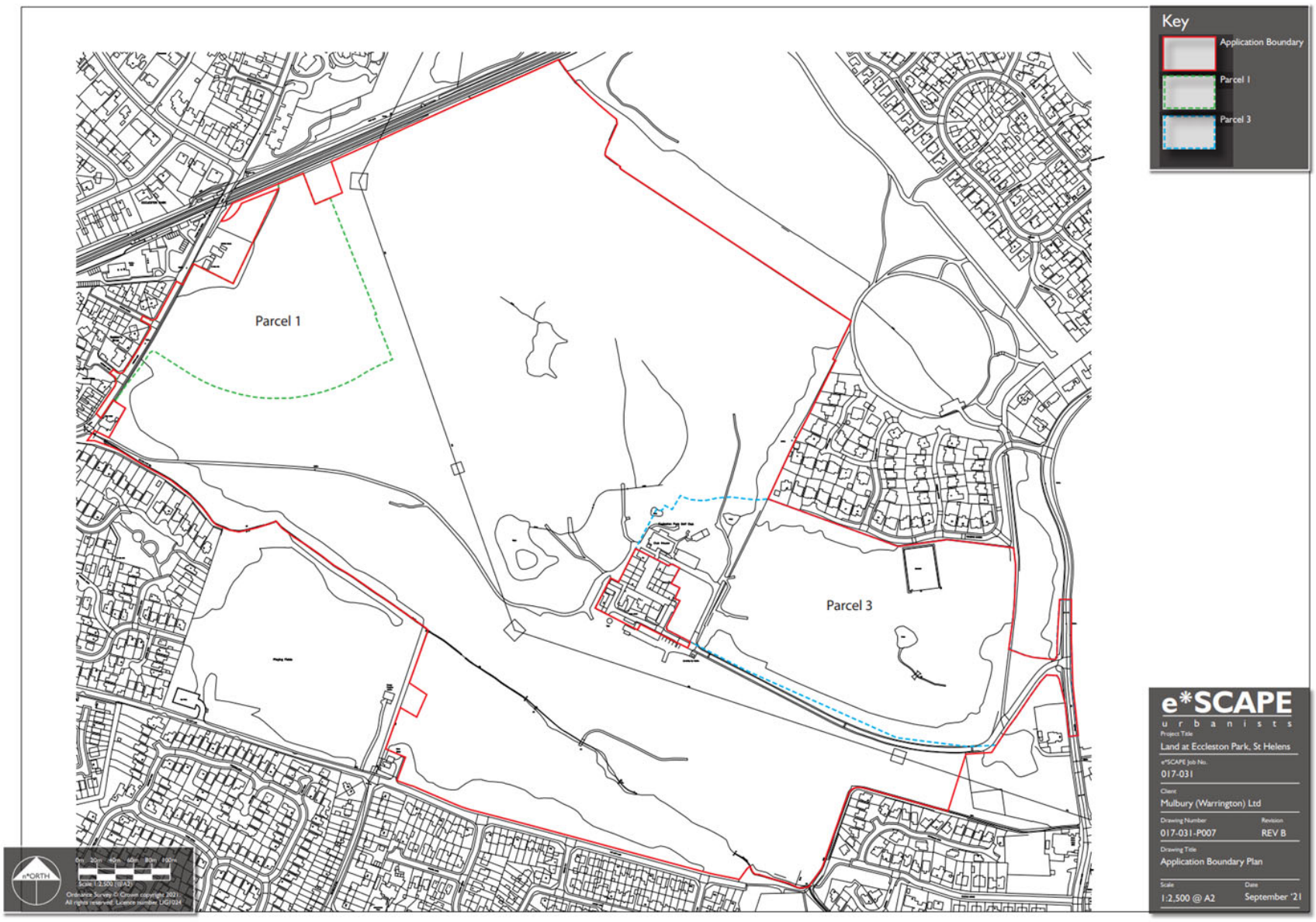
1. The proposed development is not one of the forms of development that the National Planning Policy Framework or local policy consider to be exceptions to the definition of inappropriate development in the Green Belt. The development would result in harm to the openness of the green belt, create sprawl of a built-up area, would diminish the gap between neighbouring towns and would not assist in urban regeneration by encouraging the recycling of derelict or other urban land. The applicant has failed to demonstrate any Very Special Circumstances necessary to outweigh the harm caused to the green belt by way of the inappropriate development, which is harmful or other harm with regard to highways, visual impact, drainage, trees and the importation of material onto the site. Accordingly, the proposed development would be detrimental to the character and openness of the Green Belt contrary to the requirements of the paragraphs 137, 138, 147, 148 and 148 of the National Planning Policy Framework, which states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that 'Very Special Circumstances' will not existing unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other consideration. The proposal is also contrary to saved policy GB1 – General Criteria for Development Control in the Green Belt of the St Helens Unitary Development Plan, and Policy LPA06 – Safeguarded Land of the Emerging St Helens Local Plan to 2037, which proposes to safeguard the site to meet longer term development needs beyond the emerging plan period.

2. The proposed development fails to deliver any certainty over the provision of affordable housing, education contributions, biodiversity mitigation, delivery of the health centre, health contribution or sustainable transport improvements as part of the development. In the absence of any legal agreement or other such mechanism being in place to secure their provision, there can be no certainty that these requirements will be provided for. Accordingly, the scheme is contrary to the provisions of Policy CQL 5 of the Core Strategy (2012), Policy LPA08 of the Emerging St Helens Local Plan to 2037 and paragraph 55 of the National Planning Policy Framework.

3. The proposed development results in a significant loss of trees from the development site and fails to incorporate measures for the successful retention of trees of value. Thus, the proposed development fails to comply with Policy ENV12A of the St Helens Unitary Development Plan (UDP) which states that “Proposals affecting existing trees and woodlands will not normally be permitted if they result in significant loss of trees and do not incorporate measures for the successful retention of trees”. In doing so it also does not comply with guidance in the Councils Trees and Woodlands Supplementary Planning Document (June 2008) nor the mitigation hierarchy within the NPPF which applies the principle of avoidance ahead of compensation and mitigation. Furthermore, there has been no Landscape and Ecological Management Plans submitted for the full application areas of the site (Phases 1 and 2). Without that information it is not clear how these areas will be managed and funded in perpetuity.

4. The proposed development does not adequately demonstrate how surface water will be managed at the site, including drainage channels and surface water flow. The proposals fail to demonstrate that displacement of surface water will not lead to flooding of existing development. The development does not show how the land level change will affect surrounding land and how it will change the flows around the site and towards the railway line. The changing of the levels at this location could lead to localised ponding and pushing current water flows in unknown directions. The proposals also fail to identify connection points from the existing reservoir south of Wedgwood Gardens, without knowing the culvert discharge location it is not clear whether this would affect the proposed layout or conflict with other drainage systems. No details of the EA ordinary watercourse to the west of Nottingham Close have been provided, the LLFA need to understand if this watercourse has been removed by previous owners and if there are any upstream connections that could be altered as part of the development. Therefore, the proposal is contrary to Policy ENV30 of the St. Helens Unitary Development Plan (UDP), LPC12 – Flood Risk and Water Management of the St. Helens Local Plan to 2037 and paragraph 167 of the NPPF.

10. IMAGES



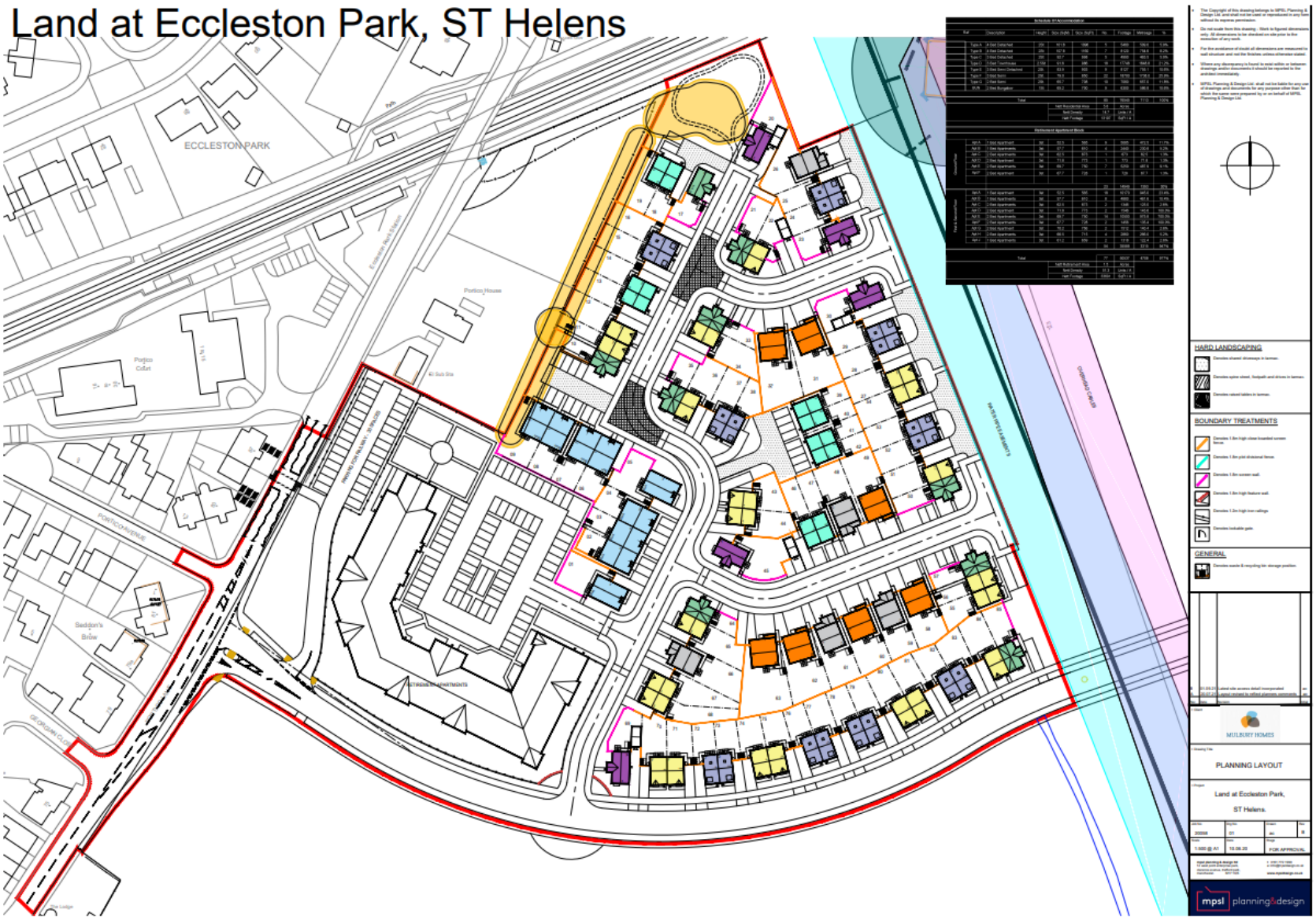
Location Plan

Masterplan

Eccleston Park Golf Club

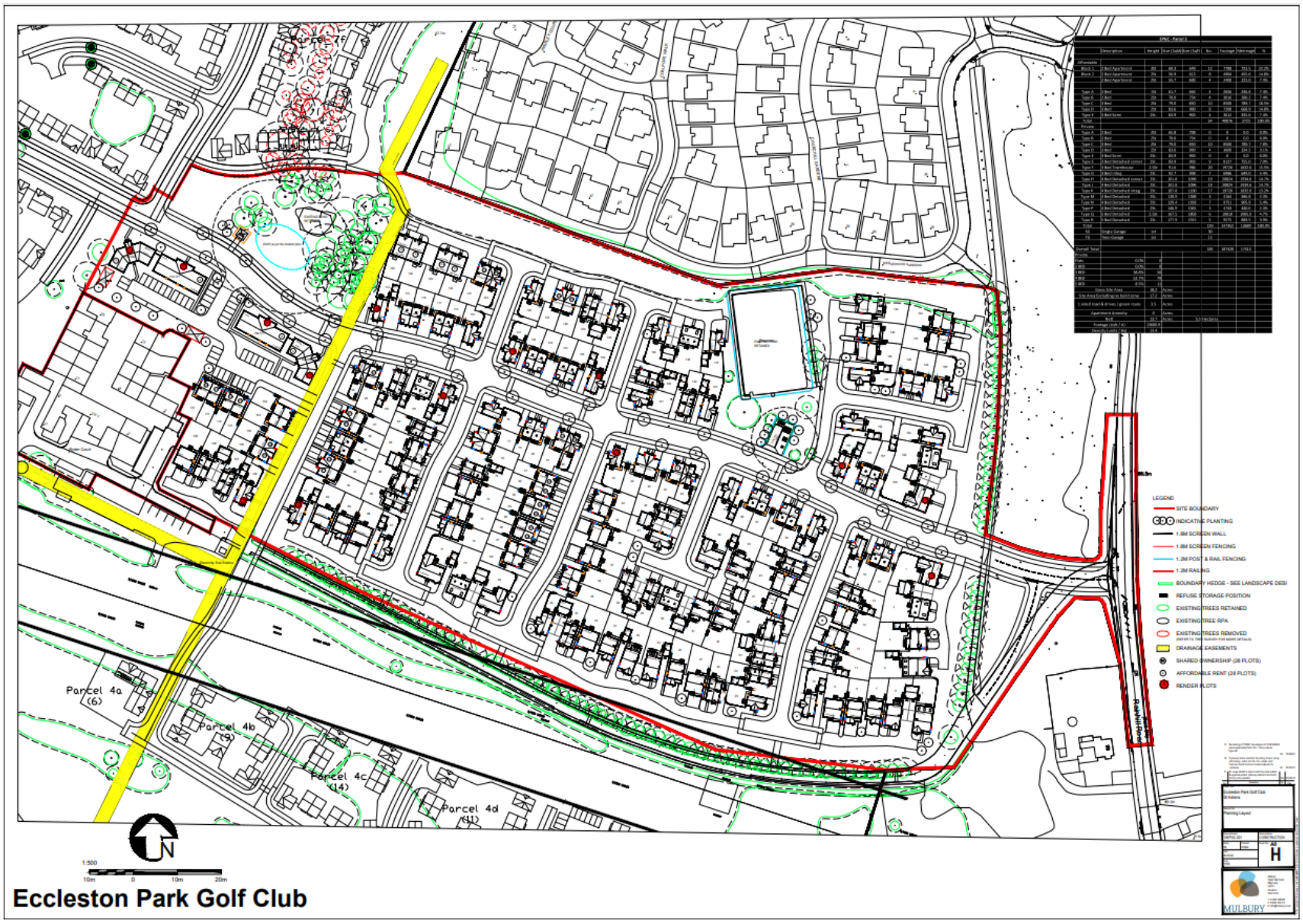
Parcel 3 Layout

Parcel 1 Layout

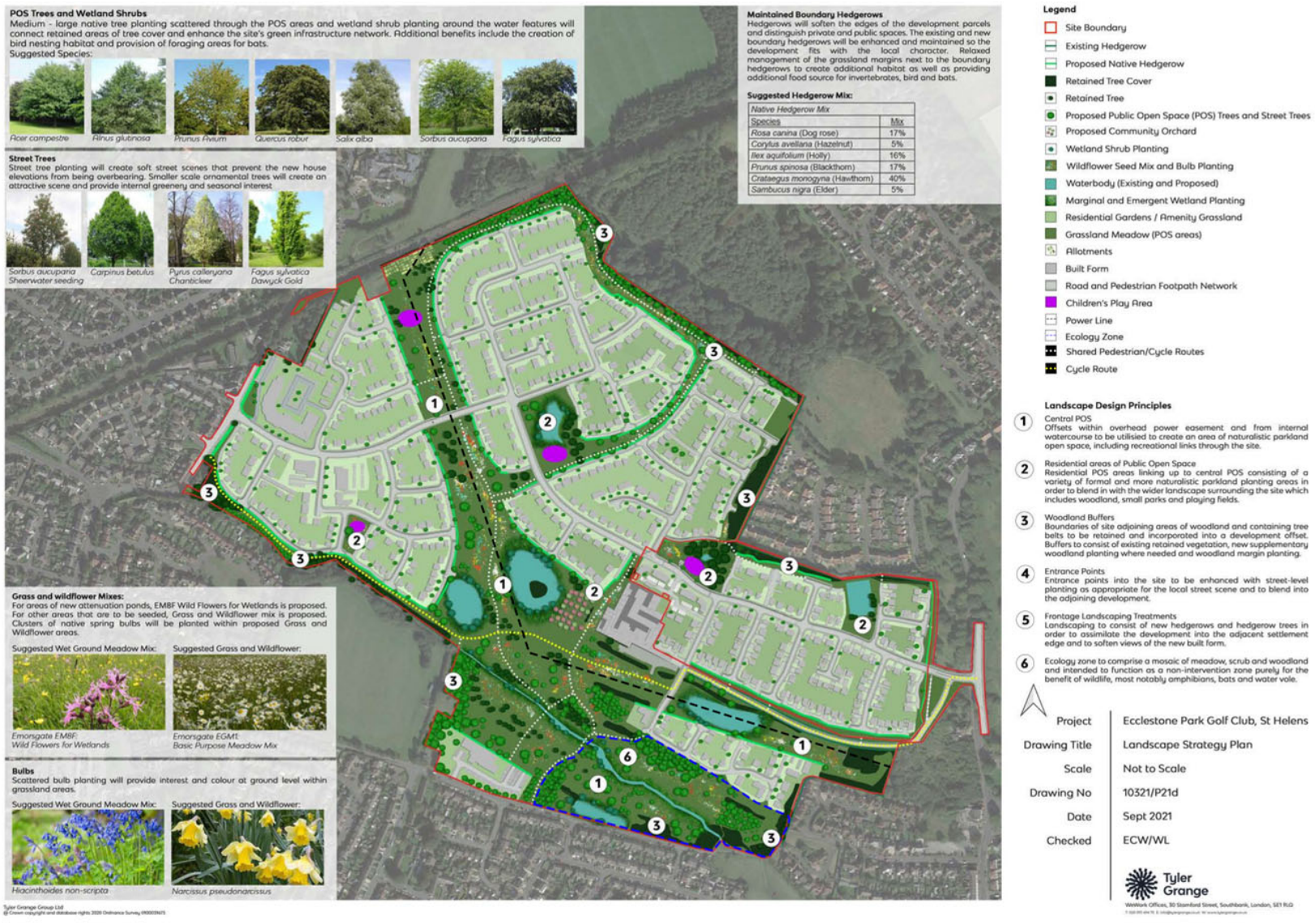


Parcel 1 Planning Layout

Parcel 1 Boundary Treatments



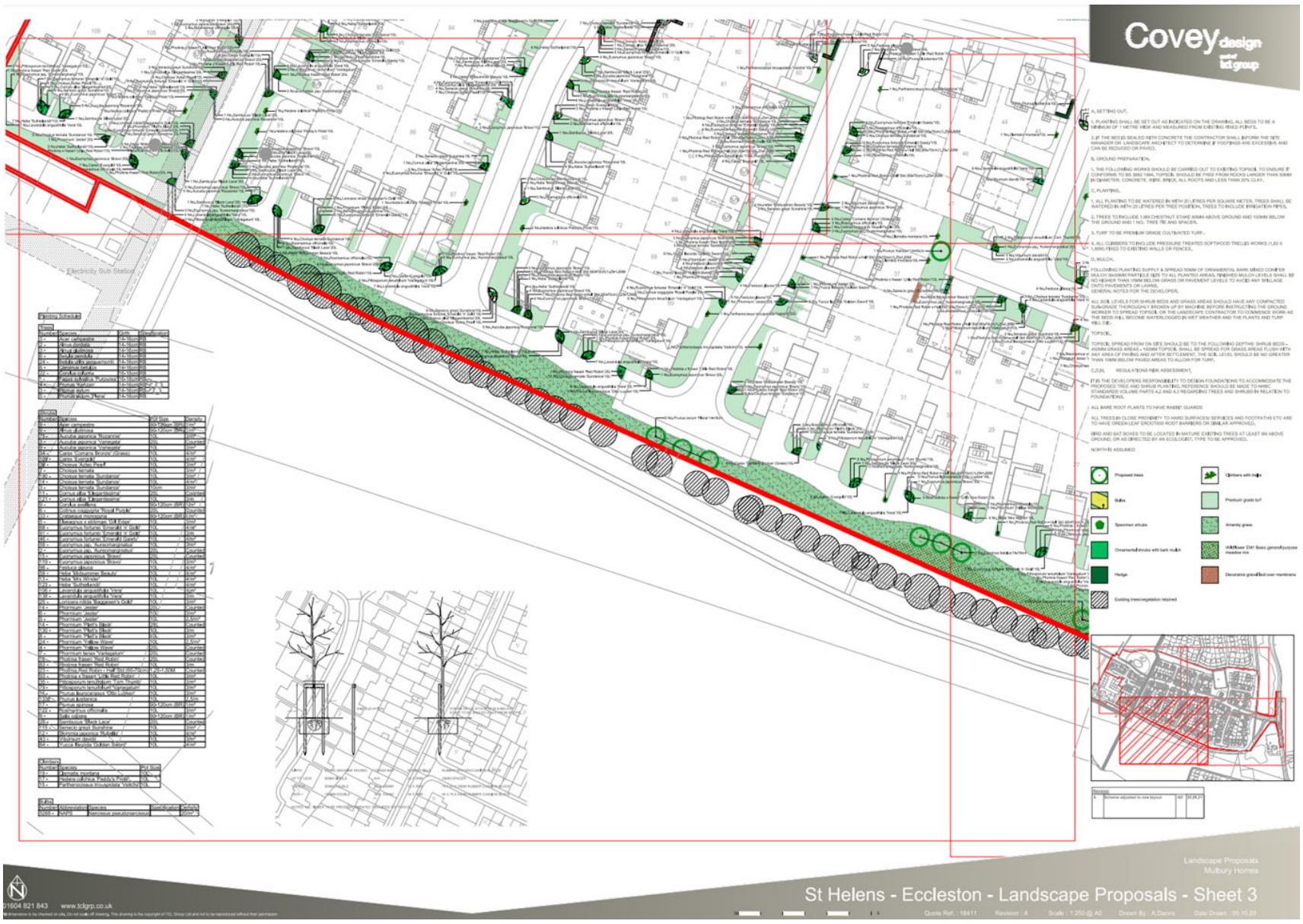
Parcel 3 Planning Layout



Landscape Strategy Plan

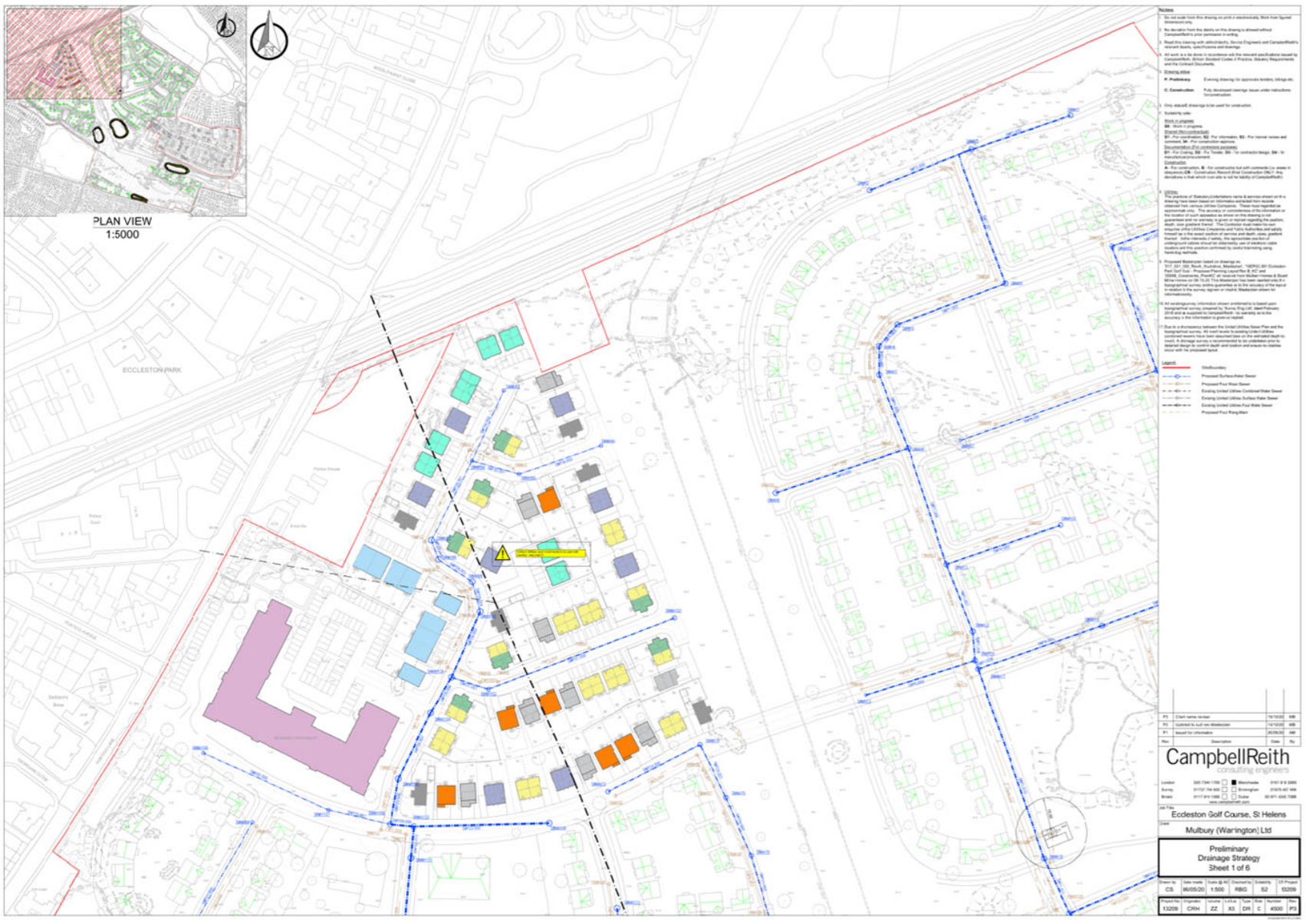
Landscape Proposal Sheet 1

Landscape Proposal Sheet 2

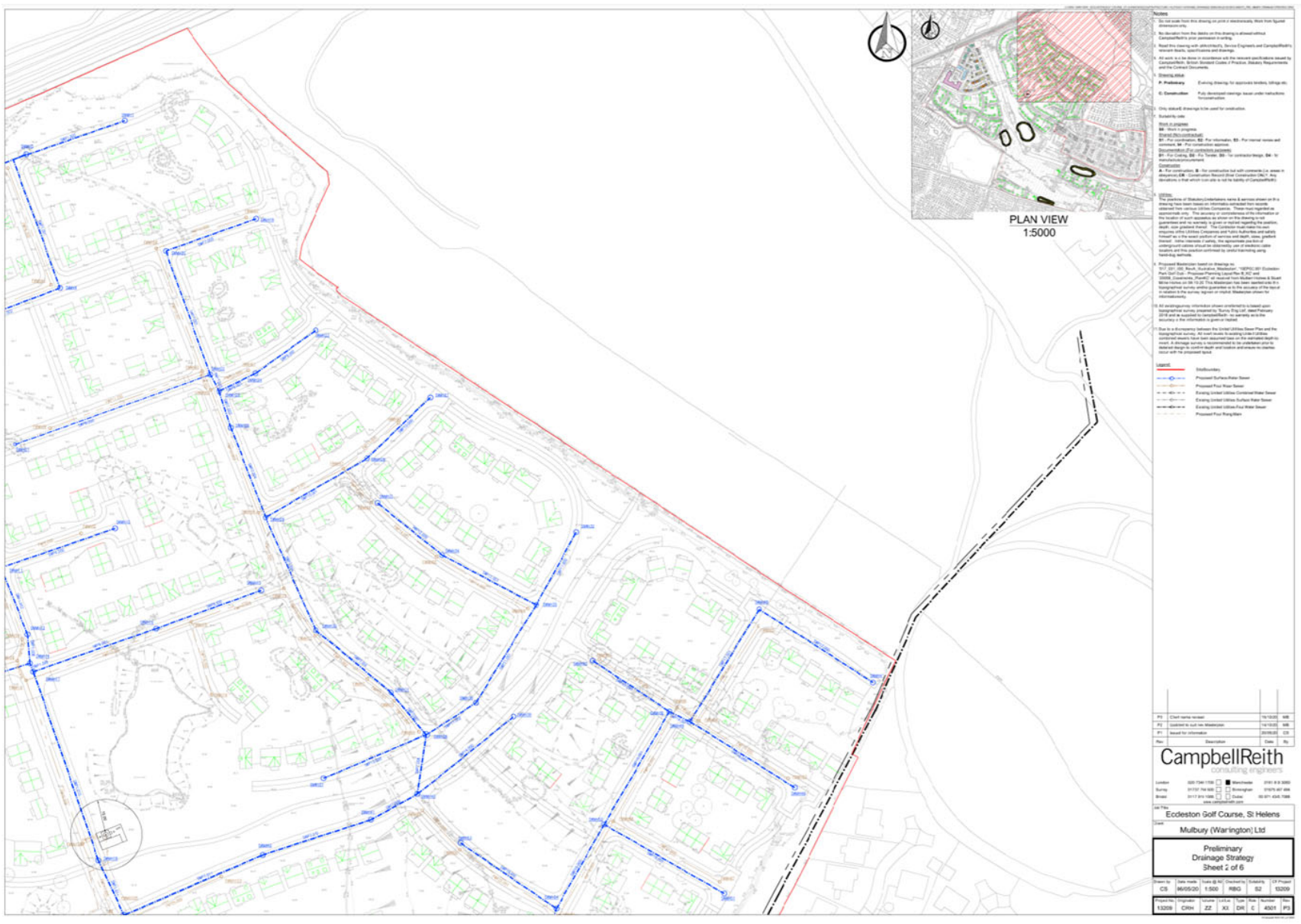


Landscape Proposal Sheet 3

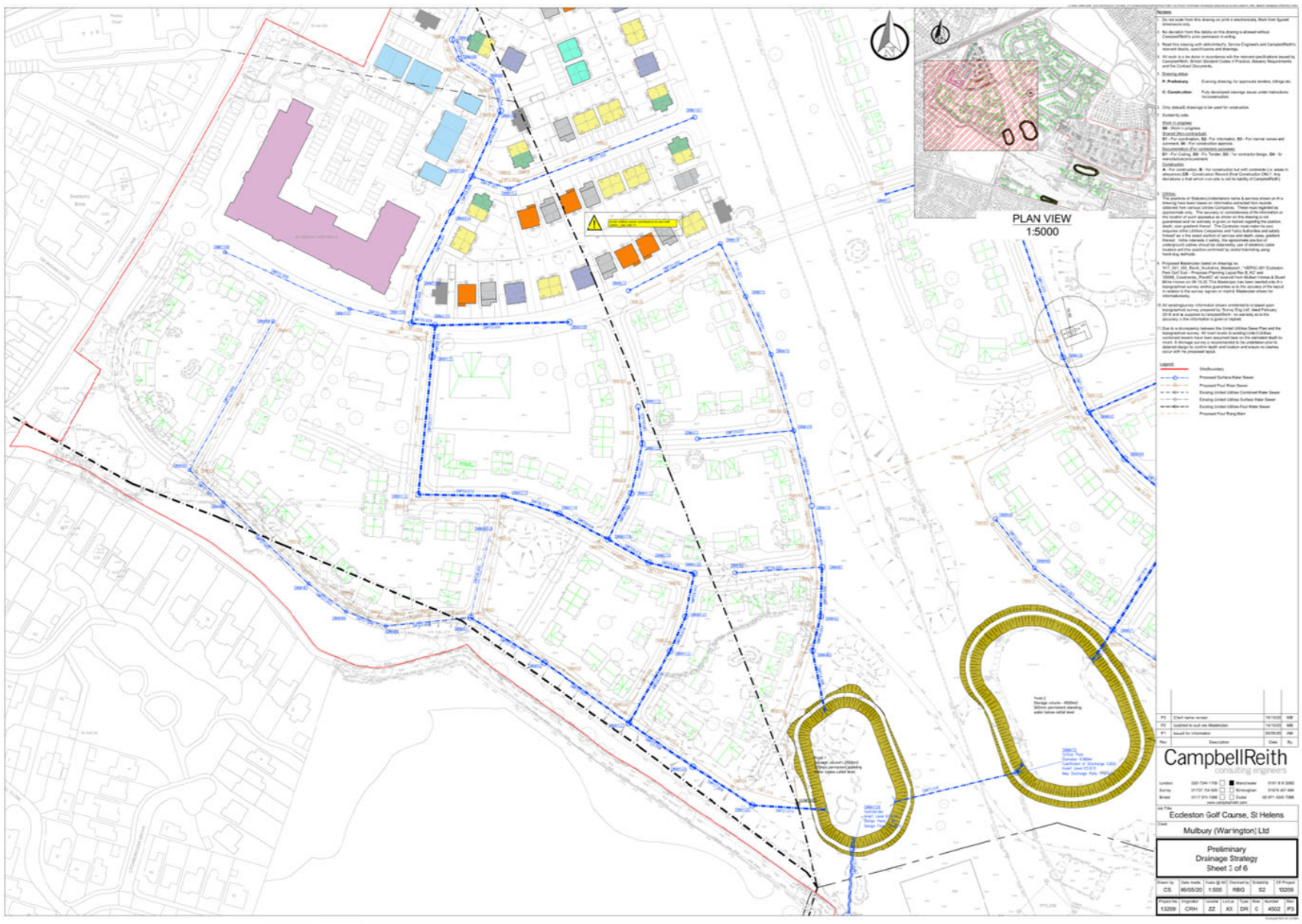
Landscape Proposal Sheet 4



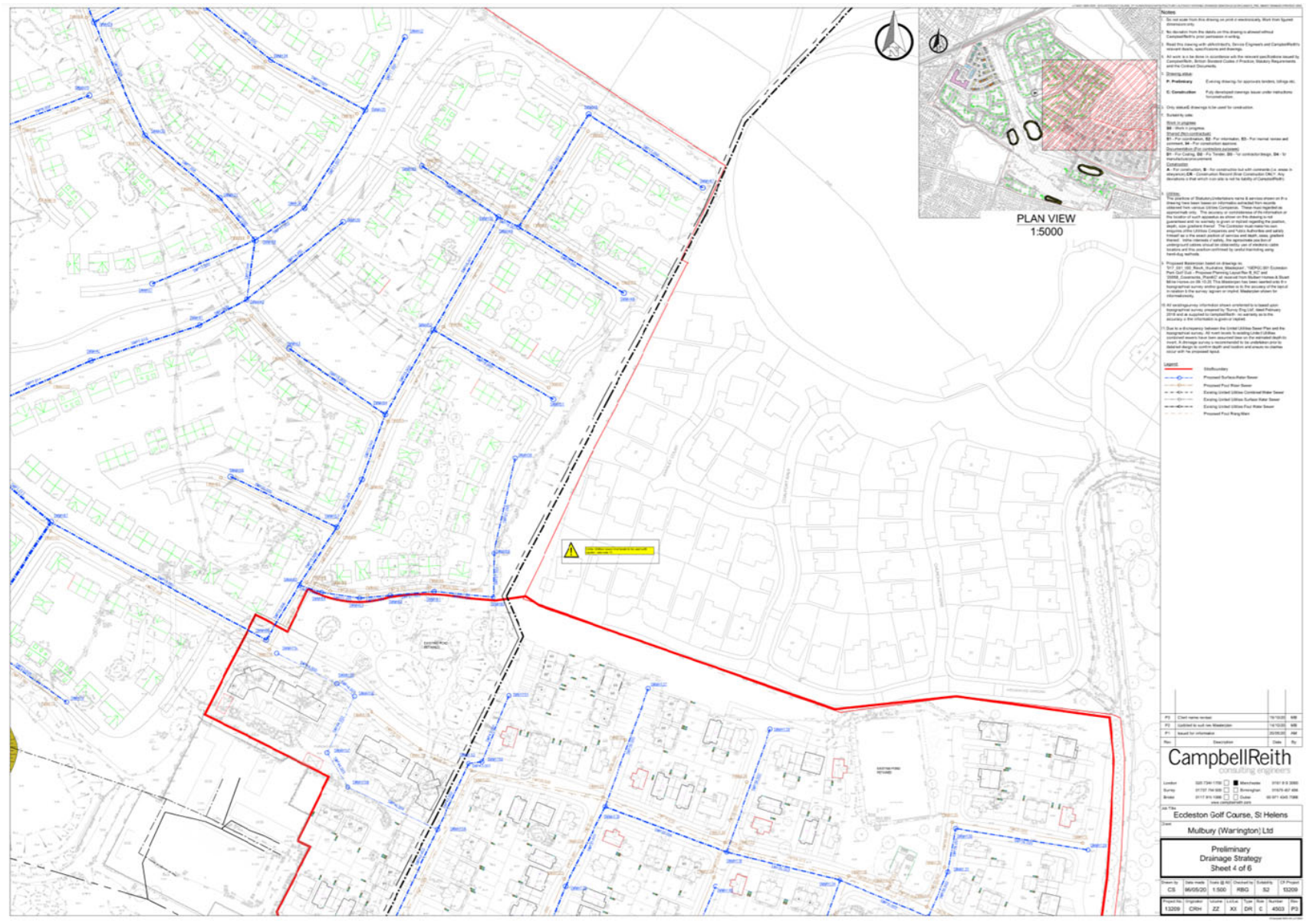
Drainage Strategy Sheet 1



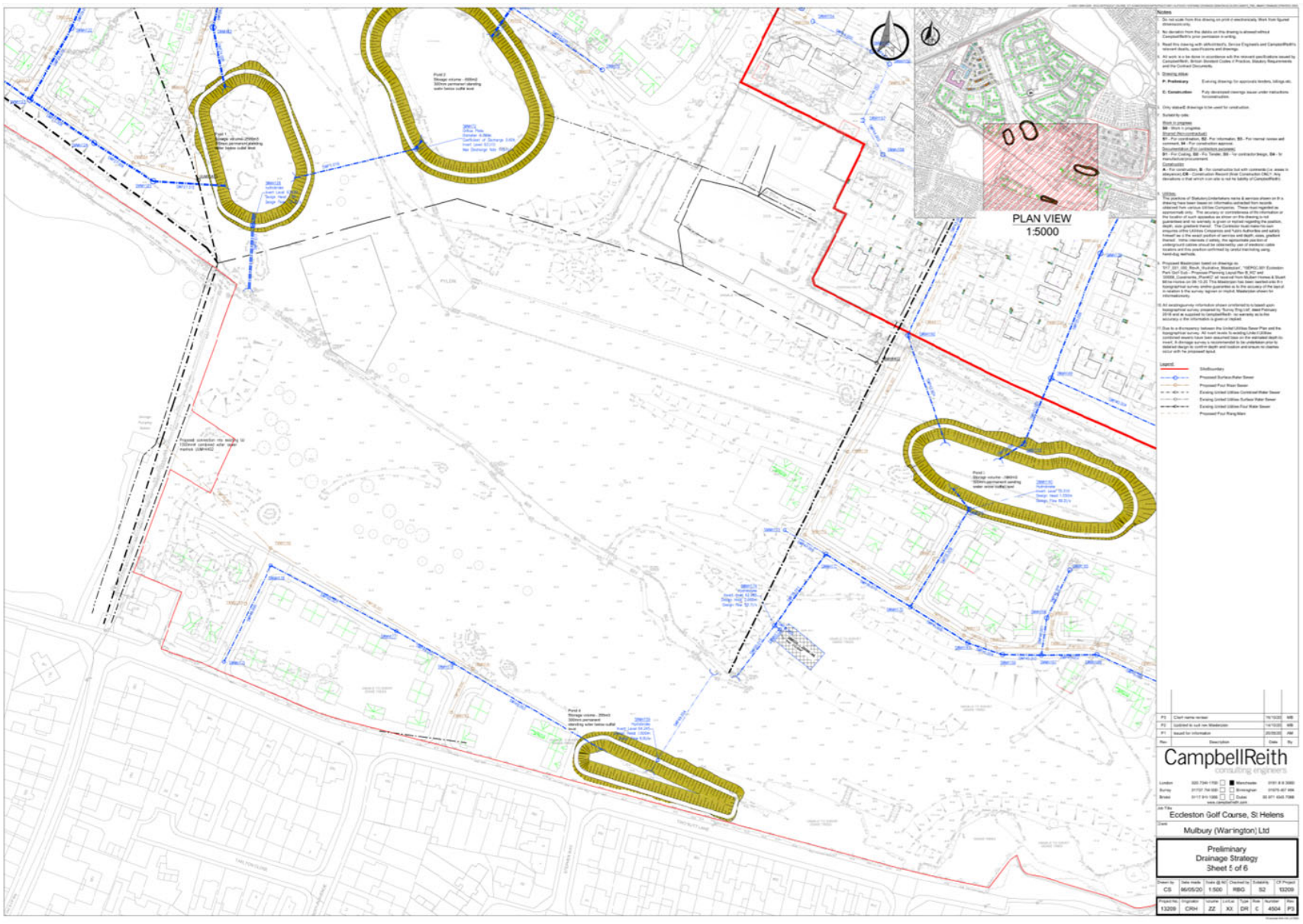
Drainage Strategy Sheet 2



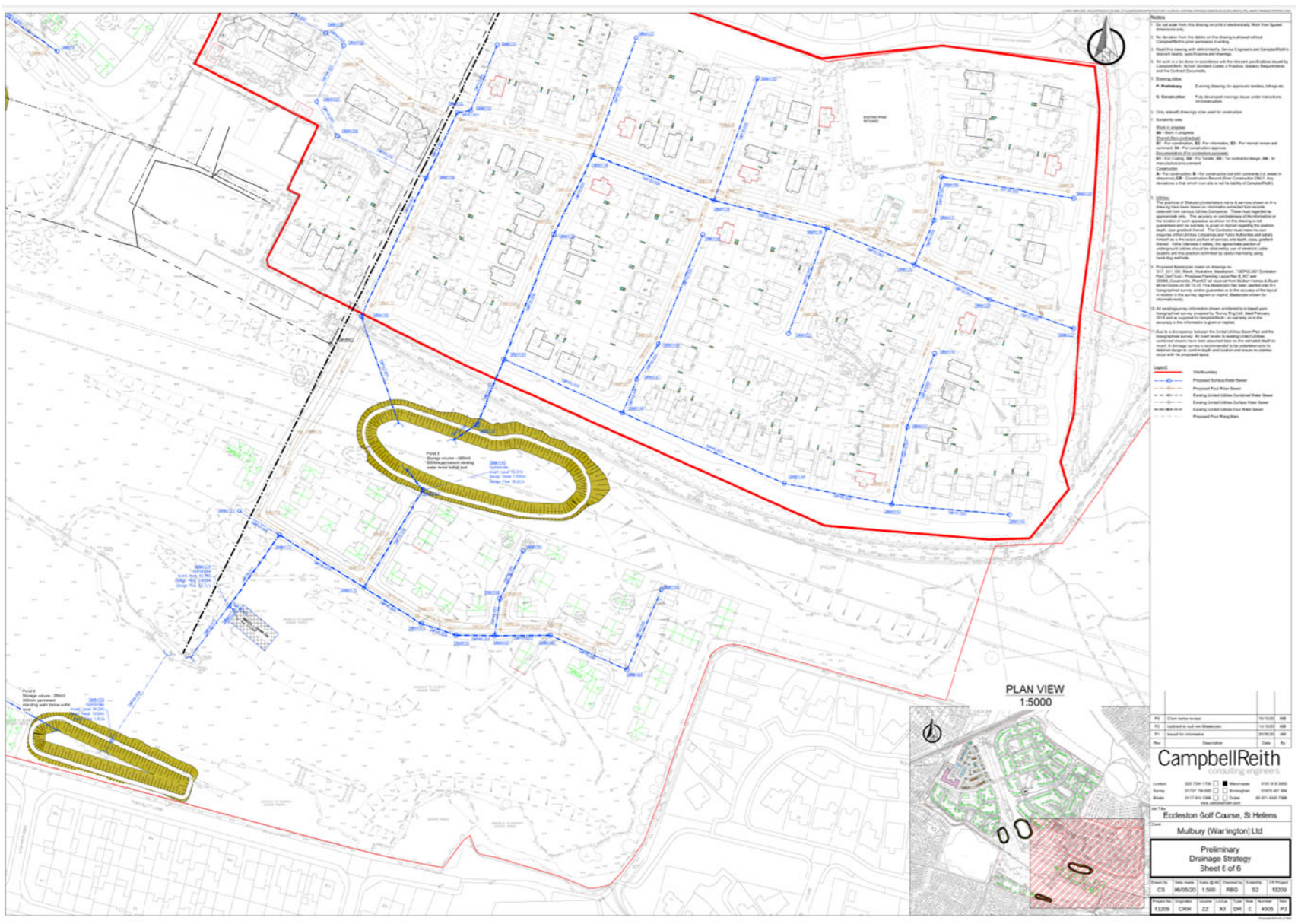
Drainage Strategy Sheet 3



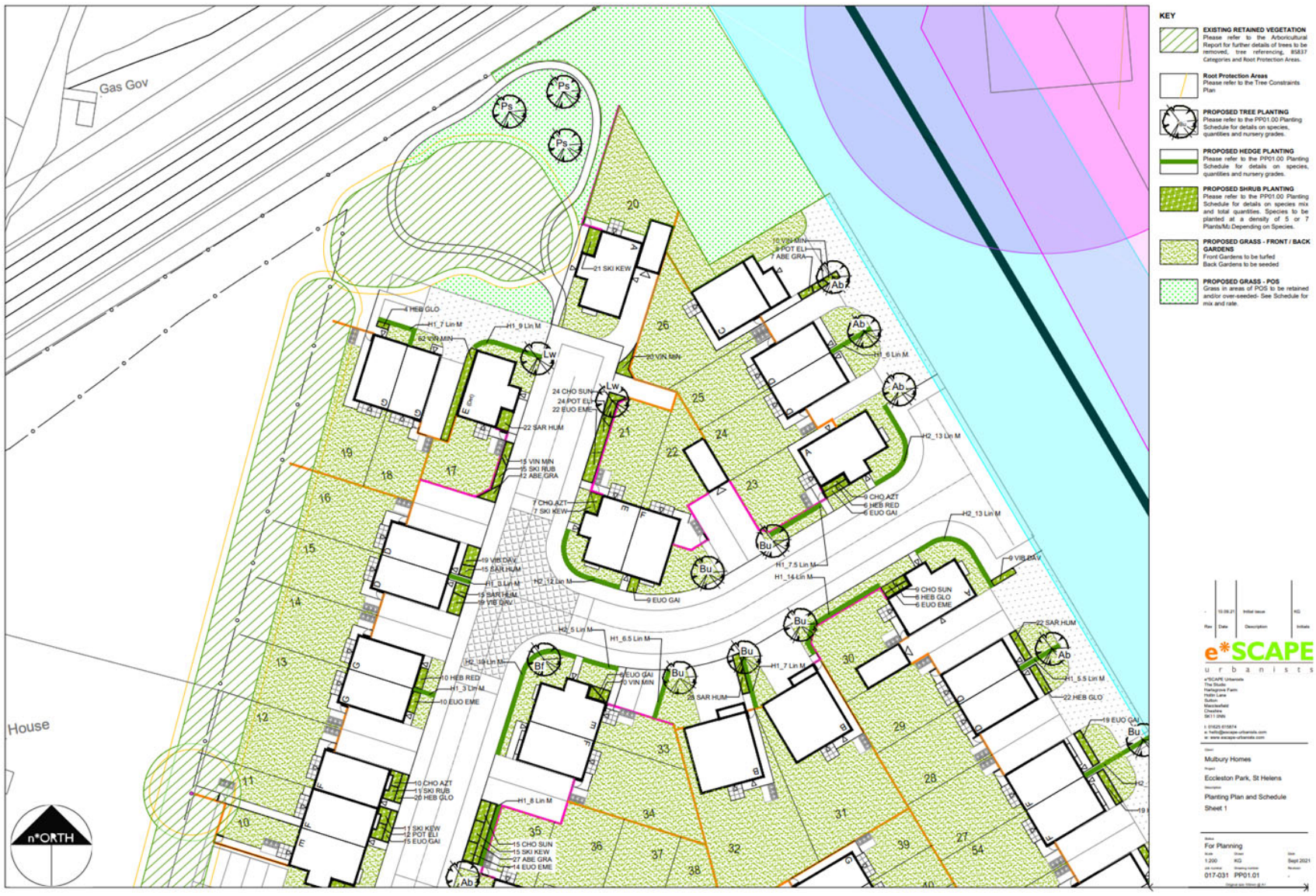
Drainage Strategy Sheet 4



Drainage Strategy Sheet 5



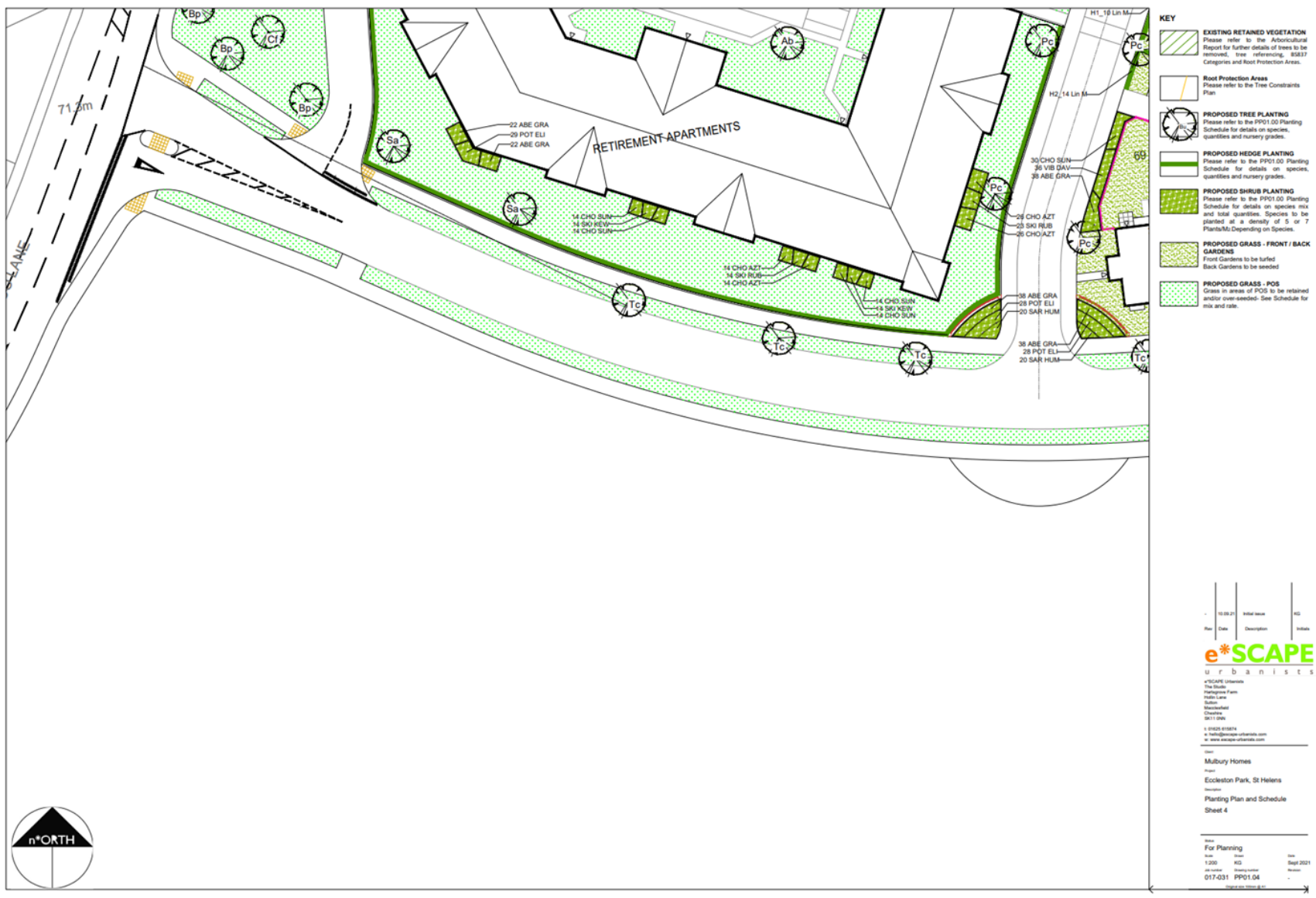
Drainage Strategy Sheet 6



Planting Plan Sheet 1

Planting Plan Sheet 2

Planting Plan Sheet 3



Planting Plan Sheet 4

Planting Plan Sheet 5

Urban House Type R Special

Urban House Type R

Urban House Type K

Urban House Type J

Urban House Type H Special

Urban House Type H

Urban House Type F

Urban House Type E Special

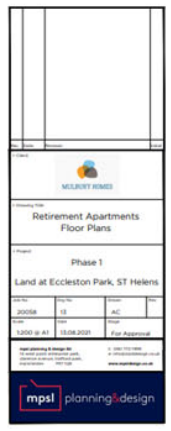
Urban House Type E

Urban House Type C & E

Urban House Type D

Urban House Type C

Retirement Apartment Elevations



Retirement Apartment Floor Plans

Bungalow House Type 1

Bungalow House Type 2

House Type G

House Type F Affordable

House Type F

House Type E Affordable

House Type E

House Type D

House Type C

House Type B

House Type A

Rural House Type R

Rural House Type Q

Rural House Type P

Suburban House Type N

Surbuban House Type M

Surburban House Type K

Surburban House Type J

Surburban House Type H

Surburban House Type G

Surburban House Type E

Surburban House Type D

Surburban House Type C

Surburban House Type B

Surburban House Type AB

Rural House Type K

Rural House Type J

Rural House Type H

Rural House Type F

Rural House Type D

Rural House Type C

Rural Apartment Block B

Rural Apartment Block A